

Livingston County Land Bank Corporation
Board of Directors Meeting
April 25, 2019
Meeting Minutes

Members: WILLIAM BACON, Office of Economic Development; IAN COYLE, Livingston County Administrator; AMY DAVIES, Livingston County Treasurer; ANGELA ELLIS, Deputy County Administrator, WILLIAM FULLER, Real Property Tax Services; SHANNON HILLIER, Livingston County Attorney; DANIEL L. PANGRAZIO, Livingston County Board of Supervisors.

Staff: JOE GUNTHER, Program Specialist; LINDA SHANKS, Planning Department.

Guest: Richard Martin

Agenda Item	Call to Order and Welcome
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Chairman Pangrazio called the meeting to order at 1:32 p.m. and welcomed the group.

Agenda Item	Approval of Minutes from March 28, 2019
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Chairman Pangrazio asked if there were any additions, corrections, or deletions to the March 28, 2019, Draft Meeting Minutes. Hearing none, he asked for a motion to approve them.

A motion to approve the March 28, 2019, meeting minutes was made by Mr. Coyle and seconded by Mr. Bacon.

Motion carried.

Agenda Item	Construction Technician Services – Richard Martin
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Mr. Martin presented his background and experience and described the types of services he could perform for the Land Bank. Questions and answers were exchanged between Board members and Mr. Martin, so that each side was able to get a clear idea of required guidelines, process, roles, and expectations and the ability to meet them.

- Regarding the rehab process, Mr. Martin suggested that the Land Bank find a couple of general contractors to work with.
- Mr. Martin offered his services gratis.

The Board thanked Mr. Martin for his offer.

Agenda Item	Treasurer's Report
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Ms. Davies reported per the distributed document.

The Balance Forward of the Livingston County Land Bank Corporation was \$14, 255.04. No income was received. Expenditures for the month were made for payrolls. The resulting Ending Balance equals \$12,190.25.

Mr. Coyle noted that, per approval from the Board of Supervisors, he will arrange for the transfer of \$50,000 from the County to the Land Bank.

A motion to approve the Treasurer's Report was made by Ms. Ellis and seconded by Mr. Fuller.

Motion carried.

Agenda Item	Tax Foreclosure Discussion
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Mr. Gunther reported that he pared down the number of properties presented at the March Land Bank meeting to 64 single-family homes.

- In response to Mr. Gunther’s question, Ms. Davies stated that it is still too early to identify those properties that will be actual foreclosures; adding that there are property owners on the list who regularly pay their taxes just before the deadline.

Mr. Gunther presented the document prepared by Heather Ferrero of the Planning Department, which displays vacant vs. residential properties from the foreclosure list.

A discussion ensued regarding the acquisition of properties at the tax foreclosure auction in July.

- A provision of the Land Bank Act was cited that allows the Land Bank to bid on and acquire a property by paying only back taxes and delinquent fees. However, the Land Bank must be physically present at the auction to make such a bid. Members discussed the pros and cons of relying on the provision.
- Members confirmed that Ms. Davies will present the final list of foreclosure properties to the Land Bank before it is released to the public.
- Chairman Pangrazio and Mr. Coyle pointed out that the Land Bank would pick only one or two properties from the list, which should have little impact on the auction. Ms. Davies suggested that this point be shared with the Board of Supervisors.

Mr. Coyle summarized a plan of action regarding property acquisition through the foreclosure auction:

- Have the Ways and Means Committee look through the foreclosure property list on which properties the Land Bank would like to bid on, have been identified. Planning Department maps and the spreadsheet prepared by Heather Ferrero should accompany the list as reference documents.
 - In response to Ms. Ellis’s question, Mr. Coyle indicated that a letter of interest from the Land Bank regarding the acquisition of a particular property should suffice until the closing date, when a check for payment would be due.
- The full Board of Supervisors will then act on a foreclosure list that includes one or two properties already earmarked for acquisition by the Land Bank.

Ms. Hillier noted that the process outlined above resembles that used by municipalities with regard to properties on the foreclosure list.

Ms. Ellis and Mr. Gunther confirmed for Mr. Coyle that money paid for auction properties would be part of the Enterprise grant quarterly draw-down.

Agenda Item	Organizational Actions/PARIS Reports/Bids
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a. RFP Construction Consultant bid response review

Mr. Gunther reported that one bid came in from T.Y. Lin International. The full bid packet is available for viewing in the Planning Department. Members received copies of selected pages from it.

- T.Y. Lin would charge \$3,920 for a preliminary assessment of a property in the initial phase. Details on further costs were not provided.
- The firm might be a good one to use in conjunction with Dick Martin’s services and recommended discussions with them.

Responding to Mr. Coyle: T.Y. Lin would act as construction managers – overseeing the rehab or

demolition of a property, writing bids for a general contract work, monitoring process and progress. Dick Martin's role would be to do an initial assessment of a property and recommendation whether the Land Bank should acquire it or not. Various members endorsed Mr. Martin in this role, noting his extensive experience and skills in property appraisals and rehabs.

Ms. Ellis outlined the process if T.Y. Lin were engaged.

- Dick Martin does a preliminary assessment. If he recommends acquisition, T.Y. Lin is brought in.
- T.Y. Lin does a more in-depth assessment that includes cost figures.
- Based on the T.Y. Lin report, the Land Bank decides which path or further option it will choose. Each path is associated with a different cost, which would be calculated by T. Y. Lin.
- T.Y. Lin would take care of the permitting and bid processes. This requisite knowledge is one advantage of hiring consultants, because although very important, Land Bank Board members have little to no experience with it.

Responding to Mr. Coyle, Ms. Ellis confirmed that consultant costs were included in the Administration costs of the budget submitted to Enterprise. She added that following a path offered by the consultant could fall under the Project Costs, as long as it is pre-approved by Enterprise. She reminded the group that Administrative costs are capped at 25% of the total.

Responding to Chairman Pangrazio, Ms. Ellis confirmed that T.Y. Lin, or any consultant hired, would serve as overall project manager: taking care of bids, permitting, general contracting, process oversight, etc.

Mr. Coyle stated that, although the consultant cost is significant, hiring T.Y. Lin or any consultant on a per-project basis is preferable and more cost-effective than hiring one person to handle all property projects.

Mr. Bacon added that an eventual goal might be to eliminate the consultant piece and go directly to a preferred contractor. Other members concurred, noting that this would be a likely outcome after a few years of experience.

By general, verbal consensus, Dick Martin's services will be used on a trial basis for now, and T.Y. Lin will be engaged, as need be. Mr. Gunther will make the arrangements.

- Mr. Bacon will take Dick Martin through the Adam Street, Dansville, property. If Mr. Martin OKs the property, T.Y. Lin will be utilized.

b. Crime Insurance Policy

Ms. Ellis reported that Tompkins Insurance has recommended getting a Crime Insurance Policy, costing \$300 to \$500 per year. It would offer protection against fraud and mistakes regarding wire transfers.

In response to Chairman Pangrazio's questions:

- This type of insurance is not needed immediately.
- It is not required by Enterprise.

Chairman Pangrazio recommended that the Board revisit this matter in a year. Members agreed.

Agenda Item	Grant Contract Execution/ Due Diligence with Enterprise Community Partners, Inc.
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Mr. Gunther reported that the quarterly report has been submitted to Enterprise, and that the contract with Enterprise has been signed and executed. A copy of the Terms and Conditions is part of the packet

distributed for this meeting.

Agenda Item	Budget Updates
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Mr. Gunther reported per the distributed Enterprise budget document.

- \$600 was moved from the *Marketing* line, to keep the amount within the 25% limit, so that Enterprise will pay for the IRS 501(c)(3) application.
- The first draw should arrive from Enterprise about the end of May. Mr. Gunther enumerated the items for reimbursement.
- Mr. Coyle indicated that, per the approval of the Board of Supervisors, he will transfer \$50,000 to the Land Bank as soon as possible.

Agenda Item	Properties
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a. 7 Grove Street – Mt. Morris

Mr. Gunther reported that a purchase offer was submitted. There have been some minor issues concerning the seller's use of incorrect format for counteroffers, as well as the discovery that the property is owned, in fact, by an LLC.

- Ms. Hillier voiced her concern regarding the documentation required for an LLC transaction, noting that the owner is not using the services of an attorney for the transaction.
- Chairman Pangrazio advised Ms. Ellis to let the owner know that he might require legal services to properly complete the transaction. Mr. Bacon volunteered to contact the other member of the LLC regarding this issue.

b. 8 Adams Street – Dansville

Mr. Bacon will follow up with Dick Martin to check out the property.

c. NCST

Mr. Gunther reported. The National Community Stabilization Trust runs a program that identifies transfers involving real estate-owned and bank-owned properties. Sign up is free.

- Mr. Gunther voiced a concern that the properties identified by the Trust might be of a lower quality than the type preferred by the Land Bank; i.e., more demos than rehabs.
- Ms. Ellis explained that the Trust works in conjunction with mortgage companies and acts as a conduit for the sale of those properties.

Board members agreed to have Mr. Gunther sign up the Land Bank with the NCST.

Agenda Item	NYLBA Update/Other Organizational Activities/General Discussion/Next Steps
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a. NYLBA Conference

Mr. Gunther stated that the NYLBA Conference will be held in Buffalo, June 12-14, 2019. He will be attending. A copy of the Conference Agenda will be distributed to Board members as soon as it is received.

Agenda Item	Other Business
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Chairman Pangrazio reported that he and other Board members, including Ms. Ellis and Mr. Bacon, have been invited to present information regarding the Land Bank to the Village of Avon on Monday, June 3rd

at 6:00 p.m. Other Board members may attend, as well.

Agenda Item	Next Meeting
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The next meeting will be on Thursday, May 23, 2019, at 1:30 p.m.

Agenda Item	Adjournment
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Mr. Bacon moved to adjourn the meeting. Ms. Hillier seconded the motion.

Motion carried.

The meeting adjourned at 2:44 p.m.

Respectfully submitted, William Bacon, Secretary

Recorded by Linda Shanks, Senior Typist, Planning Department