



**TCPDC**

**TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION**

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**Tioga County Property Development Corporation  
Special Board of Directors  
Thursday, December 19, 2024, at 4:00 PM  
Ronald E. Dougherty County Office Building  
56 Main Street, Owego, NY 13827  
Economic Development Conference Room #109**

### **Minutes**

1. Call to Order at 4:00PM
2. Attendance
  - a. Roll Call: R. Kelsey, H. Murray, M. Sauerbrey, S. Yetter, L. Pelotte, J. Case, J. Whitmore
  - b. Excused: M. Baratta
  - c. Invited Guests: Sara Zubalsky-Peer
3. New Business
  - a. Approval to submit LBI Open Round Application- S. Zubalsky-Peer explained that HCR understands these projects listed in the application need to be flexible due to the fact that the Land Bank doesn't know if they'll truly acquire properties or not and that funds could be moved between projects; explained the proposed application is including projects with big budgets to cover rehabilitation costs; the Board asked if these projects with big budgets were applied for but ended up not going through, would it be a problem; S. Zubalsky-Peer explained that they do have a deadline to spend the funds and they do need projects, but if a project falls through, it can be moved between projects easily; S. Zubalsky-Peer explained the proposed projects line by line in the proposed LBI Open Round application: two properties in Berkshire for demolition to support a larger community development project for the Town of Berkshire park, one property in Newark Valley adjacent to Trout Pond for a greenway, a property in Candor to include acquisition and engineering costs- potential future application for RESTORE NY, 247 Main Street currently owned by the Land Bank and in need of historic rehab, 121 Providence Street, and 81 North Avenue to round out the existing need for the project and a contingency, and program delivery to help cover construction management and other project delivery costs; S. Zubalsky-Peer asked the Board for thoughts and questions and other ideas. Murray asked for clarification that the two proposed projects in Berkshire and the one proposed project in Newark Valley would take the properties off the tax role and stated she was not in favor of that end use; S. Yetter brought up the fact that there are local rumors that the current owner of the property in Newark Valley had buried materials illegally and that the property had significant environmental contamination; R. Kelsey asked if the NYSDEC worked with Land Banks on projects like this, J. Whitmore brought up the Village of Owego property with contamination issues; S. Zubalsky-Peer stated it would need environmental reviews likely through NYSDEC and potentially EPA; J. Whitmore asked the price of the property; S. Zubalsky-Peer brought the listing up on the screen and the Board reviewed; it was agreed this project should be removed from the application

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unless the Village of Newark Valley would agree to pursue the project alongside the Land Bank; S. Zubalsky-Peer brought up the property in Candor; M. Sauerbrey stated she really liked the innovative idea of it; J. Whitmore agreed; H. Murray stated she was familiar with the building and that former Land Bank Board Member D. Astorina loved this building and on his behalf wanted it known that he would have absolutely supported the project; J. Whitmore brought up the potential issue of pigeon remediation; R. Kelsey asked how much the building had previously sold for, J. Whitmore stated \$20,000 and R. Kelsey stated that was more than it was worth; S. Yetter stated if you buy a building like this you're taking on a huge liability because if you do nothing with it you have to fix it up and remediate it; H. Murray expressed concerns about the end use stating the Land Bank should not pursue a project based on a if-you-build-it-they-will come mentality because it's way too much investment; J. Whitmore and H. Murray agreed they did not want to see the property demolished because it's a land mark in Candor; R. Kelsey asked who would use the building for what; J. Whitmore explained he had walked through the building and considered the end use; it was discussed they didn't think it would be good for a large number of apartments because it's on a septic and there was concern there wouldn't be a good commercial use; J. Whitmore said he would like to see it rehabbed. Yetter stated that Land Bank needs someone with a vision to come in; H. Murray mentioned the Design Connect grant through Cornell University as a brainstorming option; R. Kelsey mentioned the pizza shop in Candor was struggling and was skeptical of this project; j. Whitmore agreed but stated the building for the pizza shop that the Land Bank assisted with was absolutely beautiful and the apartments were leased up by grad students; the group discussed how Candor has become a bedroom community for Ithaca; M. Sauerbrey reminded the group a decision needed to be made by the Board to approve or disapprove the application; the Board agreed to support the application with the proposed projects with the understanding the budget amounts and proposed projects may not all be approved or come fruition; they agreed based on the understanding awarded funds could be moved between projects; R. Kelsey asked if the Land Bank has to own properties to provide funds; S. Zubalsky-Peer said that HCR is flexible with that but it does not come without risk; R. Kelsey brought up TSB loaned money to someone to redo the fire station and they had almost a million dollars into the building but the appraisal came in at \$425,000; H. Murray brought up a burned out house located near Kelsey Road on the way to Candor; the group discussed the property was a blight on the neighborhood and was held up with the owner and an insurance dispute; S. Zubalsky-Peer brought the property up on GIS and explained the property was not for sale; R. Kelsey requested research to find out if it was truly an insurance issue and if the Land Bank could assist; J. Whitmore asked about income options and brought up turning the Pizza Hut property into office space; M. Sauerbrey asked if apartments could be built there; the group discussed the flood issues; S. Zubalsky-Peer reminded the group to expect lots of mold if that property was rehabbed due to the severe roof damage in the rear; M. Sauerbrey suggested demolition and redevelopment; the group looked up the zoning of the property and discussed PUD and the fact that Town of Owego was planning to remove PUD zoning and what the Town of Owego planning and zoning process would involve; S. Zubalsky-Peer let the group know there was not a big budget; H. Murray asked the timeline for spending grant funds; S. Zubalsky-Peer explained it's typically a year; J. Whitmore stated the Land Bank needed to do better spending money, the right way, in a timely fashion; S. Zubalsky-Peer explained that if new construction was pursued the Board would need to apply to another grant funding source. S. Zubalsky-Peer informed the board an engineering firm, L2, provided a quote of \$720 to spend 6 hours going through the proposed project sites to provide an engineers estimate of cost for rehabilitation of the properties; it was decided there was not a need for a formal motion due to the low cost being under the threshold of Director/Chair discretion; Board was good with moving forward with a contract with L2 for the 6 hours of project scoping

**Motion to approve the LBI Open Round Application in the amount of \$1,998,000 with the proposed projects and authorize S. Zubalsky-Peer to submit a grant application to HCR**

**M. Sauerbrey/J. Whitmore /Carried**

**None Opposed  
None Abstention**

- b. Approval of TCPDC 2024 Annual Report- L. Pelotte asked for new photos of Lyman to be included in the report; M. Sauerbrey stated she would provide a contact to have the Land Bank advertise the report in the Tioga County Courier

**Motion to approve the TCPDC 2024 Annual Report;**

**S. Yetter/J. Case /Carried  
None Opposed  
None Abstention**

#### 4. Old Business

- a. Status of NYS HCR – Land Bank Initiative (LBI) projects

- a. LBI Phase 2 – capital improvement funds

- 1. 121 Providence Street, Waverly

- a. Decision re: plan for property- S. Zubalsky-Peer informed the Board she performed a walk through of the property with S. Neville; S. Tiffany informed her the report showed 1<sup>st</sup> and 2<sup>nd</sup> floor were completely cleared of mold, there were remedial mold levels in the basement area but S. Zubalsky-Peer did not have the report as of the Board meeting; R. Kelsey asked how much the Land Bank had put into the property already; S. Zubalsky-Peer let the board know a little over \$90,000 would be into the property once the remediation costs were paid; R. Kelsey asked the estimate for full rehab; S. Zubalsky-Peer said she had discussed with S. Neville and they would recommend budgeting at a minimum \$300,000 to cover any unexpected needs; R. Kelsey said not in that neighborhood, H. Murray agreed; S. Zubalsky-Peer stated this is the point of the grant funds, doesn't see where we could redo houses for any less than \$250,000; reminded Board to remember covering the costs of an engineer, covering costs of construction management, giving a buffer for contingency (although there shouldn't be completed gutted); at the end of the day the property would be totally rehabbed, anything the Land Bank sells it for would be kept by the Land Bank; R. Kelsey stated he's one board member and can't fathom putting that much into the property in that neighborhood, but if the Land Bank has \$90,000 into it, sells it for \$15,000 and writes off the rest it's a better deal than if the Land Bank ends up having a total sum of over \$300,000 into it because they'd have to write off \$200,000; J. Whitmore agreed; R. Kelsey stated the mission is to get as much leverage out of the grants, lick our wounds, get properties back on the tax roll, and move on to another project; S. Zubalsky-Peer reminded the Board this is all theoretical money because the Land Bank would have to apply for these grant funds for this project; S. Zubalsky-Peer asked the board, if the Land Bank issues an RFP to sell the property, as-is, what is the backup plan if no one responds because the Land Bank would be sitting on a vacant property with no utilities and no idea of when there will be another open round of LBI funds; S. Zubalsky-Peer asked the Board if they would like to issue an RFP and also keep the project budget in the open round application as a back-up; J. Whitmore state he does not support putting the proposed \$300,000 into the property, stated what the Land Bank has now is a house with a brand new roof, good windows, totally gutted, asbestos and mold remediation; S. Zubalsky-Peer asked if the Board wanted to address the remaining mold issue before issuing an RFP or if they would like to issue the RFP with a disclaimer about the remaining mold levels in the basement once the report is received; R. Kelsey asked how many basements with dirty floors have mold and if it is truly an issue; S. Zubalsky-Peer stated she doesn't have the levels from S. Tiffany yet; J. Whitmore asked what numbers the Board was thinking and if the Board could hire a realtor to list 121 Providence asked in the \$40,000 range; Board asked if there's water and sewer; the group discussed there are no active utilities but they are available on-site; J. Whitmore said most of the grunt work is done, it's a shell with a great lot and

would make a fantastic rehab project for someone; S. Yetter said it would be an enticing property for a flipper because all the difficult work is done; S. Zubalsky-Peer asked the Board to be clear with the Land Bank having no say over what happens to the property once it is sold because they could end up with any number of scenarios with a private buyer and it would be entirely out of Land Bank control ; R. Kelsey, S. Yetter, J. Whitmore, H. Murray, and M. Sauerbrey said they do not want the Land Bank to put any more money into the property and would like it to be sent out for RFP, as-is, and agreed a private contractor could do the work cheaper than the Land Bank could but would like to keep it included in the LBI Open Round application if there was no private interest in the property

2. 10 Watson Avenue, Newark Valley

- a. Update- S. Zubalsky-Peer updated the board that Mr. Fleicher’s original attorney was not on the case anymore as she was ill and a new attorney, Jon Jones had taken over; explained that J. Meagher had gone back and forth a number of times with Mr. Jones; confirmed that there was nothing on record for a final electrical inspection or HVAC inspection; S. Zubalsky-Peer and S. Neville met the code enforcement officer from Newark Valley (Bill Stell) and B. Arhbal at 10 Watson; Mr. Stell inspected the HVAC, confirmed it had been reviewed by a third party; also wrote up report and emailed it to S. Zubalsky-Peer; HVAC was running when everyone got there; Mr. Stell reached out to Mr. Fleicher and someone from Commonwealth came the next morning to inspect; texted a picture of the sticker of inspect from the electrical box but it had an incorrect date; J. Meagher requested a formal report or certificate to confirm a third party had completed the final electrical inspection; waiting for this document; documentation to release the lien is already signed and held in escrow; S. Zubalsky-Peer shared photos of 10 Watson with the Board; the group discussed concerns over workmanship and if the Land Bank name would be associated; S. Zubalsky-Peer explained the Land Bank name will be present in the chain of title; J. Case asked about the Land Bank having their own inspector and S. Zubalsky-Peer talked about the newly hired construction manager; S. Yetter talked about having language in future contracts with developers to hold the work to a specific standard; S. Zubalsky-Peer discussed how projects are put out to RFP in the future with plans and construction management; also discussed decided in a more discerning way which projects should be put out to RFP for a private developer versus which projects should be held and overseen by the Land Bank; discussed having engineering firm(s) on retainer to walk through proposed properties to give professional opinion/plans (if necessary); would allow Land Bank to hold developers to a set scope of work; S. Yetter talked about having basic standards, reinforcing the Land Bank is not seeking “Cadillac” standards, but that projects are done right and workmanship is good, also discussed the role of code enforcement and responsibility of a Certificate of Occupancy falling to code officers (not the Land Bank); the group discussed this as a learning opportunity

3. 247 Main Street, Owego

- a. Update – J. Maegher sent the reverter to Mr. Fleicher to sign to back out of the 247 Main Street contract

5. Chairman’s Remarks

- a. R. Kelsey asked if there was a completion date for the 103 Liberty St property; S. Zubalsky-Peer explained she had reached out to the project manager M. Daly to discuss electrical inspections, completion timeline, and a potential formal amendment to the MOU for the Land Bank’s audit

6. Adjournment 4:55 pm 1<sup>st</sup>, S. Yetter, 2<sup>nd</sup> J. Case