
Troy Community Land Bank Corporation

200 Broadway, Suite 701

Troy, New York 12180

The Troy Community Land Bank Corporation conducted a Board of Directors meeting on Wednesday, May 15, 2019 at 8:30 AM at Troy City Hall, 433 River Street, 5th Floor, Troy, NY 12180

MEETING MINUTES

I. Call to Order

Heather King, Chair, called the meeting to order at 8:30 AM

II. Roll Call

a. Ms. King stated the following participants were in attendance:

- i. Heather King, Chair
- ii. Suzanne Spellen, Vice Chair
- iii. Sharon Nichols, Treasurer
- iv. Andrew Cooper, Director
- v. John Carmello, Director
- vi. Jeanette Nicholson, Director
- vii. Bruce Dee, Director
- viii. Kate Hedgeman, Attorney
- ix. Tony Tozzi, Executive Director

b. Ms. King stated the following participants were absent:

- i. John Cubit, Director
- ii. Brian Barker, Treasurer

III. Review of April 17, 2019 meeting minutes

a. Ms. King asked if everyone had the opportunity to review the draft minutes. Mr. Tozzi stated that he has circulated a corrected rendition because the previous rendition noted that Brian Barker was present, but was actually absent, and also noted that Suzanne Spellen attended by phone, but she was actually physically present at the meeting.

- i. Ms. Nicholson motioned to adopt the current revised rendition of the minutes, which was seconded by Ms. Spellen and unanimously passed.

IV. Treasurer's Report

a. Treasurer Nichols presented her report, noting the following:

- i. The Finance Committee met Monday of this week.
- ii. TCLB is compliant with the NYS ABO, and thanked Attorney Hedgeman for the efforts her office made.
- iii. The 2018 Audit was completed timely and the results were very positive.
- iv. The 2018 PARIS report has been posted to the TCLB website, in compliance with NYS ABO requirements.

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- v. Noted that a 990 Form is typically due today. An extension has been filed. We also have been informed that there may not be a requirement to file a Form 990 in the future, pending further review with our professional consultants.
- vi. Ms. Nichols circulated an email yesterday to the Board with monthly financials attached. It was also noted that we have just over \$200,000 in the bank. Something notable is that we no longer have an amount of deferred revenue, which is considered unearned income, and that we now have earned income. We are now an income amount of \$222,000.

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V. Old Business

- a. Resolution to award a contract – 791 River Street redevelopment
 - i. Attorney Hedgeman stated that bids were received only yesterday and that additional time is needed to conduct due diligence. She suggested that a special meeting of the Board be scheduled to act on the resolution following completion of due diligence. She also stressed that the meeting should be sooner than later, as the Enterprise Community Partners, Inc. (ECP) has been stressing the project needs to move forward expeditiously.
- b. Request for Professional Services - Resolution to Award Contract
 - i. Attorney Hedgeman stated that the situation to act on this resolution is similar to that of the previously discussed resolution, and that timing between submittal of a proposal and scheduling of the Board meeting did not allow sufficient time to conduct due diligence.

VI. New Business

- a. Resolution to accept property donation and funding – 3325 Sixth Avenue
 - i. Ms. Hedgeman suggested tabling this resolution for the same reasons as the two discussed earlier, however Mr. Tozzi interjected that this particular resolution has a very sensitive timeline such that if the Board does not act during this meeting to acquire the property, City Code Enforcement will require immediate demolition of the structure. Ms. Hedgeman suggested that the Board can approve the acquisition with the condition that the terms the financial institution, OCWEN, has presented in email communications – most importantly that the donation of the property would also include a \$75,000 donation with it to be used towards emergency stabilization work required by Code Enforcement.

Mr. Dee asked if anyone was aware of the condition of the building. Mr. Tozzi replied that we have an engineering report from Code Enforcement, and indicated that masonry and roof repairs need to be addressed. He also noted that full access to the building was gained by a small army of people, including a structural engineer who will produce an evaluation and recommended scope of work. The site visit included the use of a drone to get a close, safe, look at the condition of the roof and all areas of exterior masonry. Mr. Tozzi also indicated that the interior conditions were such that water seeping through the roof infiltrated into ceiling plaster to an extent that it became so heavy that it has fallen to the floor. He further stated that the primary purpose for accessing the building interior was to ascertain if any 'red-flags' existed that might require more resources than the \$75,000 may cover, but that in fact no such red-flags

were seen, and that the structural engineer commented that he was pleasantly surprised that the building was in much better condition than he expected, especially the cellar. Mr. Dee asked if \$75,000 would indeed be enough to cover the cost of emergency stabilization and Mr. Tozzi replied that it was the consensus of Barb Nelson/TAP, and David Biggs/Ryan Biggs Engineering/ Joe Fama/architect, that \$75,000 was a 'comfortable' number to work with. Mr. Tozzi stated that the very worst case scenario would be that the cost to stabilize would exceed \$75,000 and that TCLB would use the funds to demolish the building instead of completing emergency stabilization. Mr. Tozzi further stated that he felt there would be a balance left that could be used to complete additional work beyond emergency stabilization, and that at this point that would be the more likely outcome.

Ms. King made a motion to approve the resolution as drafted, which was seconded by Ms. Nicholson, and unanimously passed without further discussion after the motion was seconded and before the vote was called.

b. Resolutions to sell property

- i. Ms. King noted that the printed resolution needs to be amended because only one property is now being considered to sell, a vacant building lot at 3278 Seventh Avenue.
- ii. Mr. Tozzi indicated that Mr. Pawel Paliwoda, who previously had been interested to purchase the property prior to the demolition of the building that had recently existed, is now interested to purchase the lot to construct a new building to include 4 apartments and one storefront. A&D recommended that if the Board approves the sale of the property that the approval include a condition that Mr. Paliwoda submit information to indicate when he would begin to construct the building and when it would be completed. Mr. Tozzi also noted that Mr. Paliwoda increased the purchase amount from \$1,000 to \$6,000.
- iii. There was discussion as to what the timeline is, with Mr. Tozzi indicating that he has not yet contacted Mr. Paliwoda to request the information. Mr. Cooper asked if TCLB would lose any enforcement rights without knowing the timetable at present. Ms. Hedgeman replied that she would not prepare the purchase agreement until that information was presented.
- iv. Mr. Carmello motioned to approve the amended resolution, including the condition that Mr. Paliwoda submit a construction start and completion schedule prior to the drafting of a purchase agreement by Ms. Hedgeman. The motion was seconded by Mr. Cooper and was unanimously passed.

VII. Discussion

- a. Ms. King asked if would be possible to schedule a special meeting to address the two resolutions pulled from today's agenda regarding the SEAT proposal and the bids submitted on 791 River Street for redevelopment. Attorney Hedgeman suggested holding off scheduling the meeting until sufficient information became available, so that the meeting would be more assuredly productive.

There was discussion among the Board as to when a special meeting might be potentially scheduled, with a number of Directors indicating what their availability

would be over the next two weeks. During the discussion it was noted by Mr. Tozzi and Ms. Hedgeman that conducting the meeting sooner than later would be preferable, especially given ECP's timeline constraints imposed on TCLB. As a result of the discussion, it was suggested that a special meeting be conducted Thursday May 23rd at 8:30 in City Hall. Mr. Tozzi indicated that he would check with the City regarding availability for meeting space at that date and time.

Steve Pierce/Sanctuary for Independent Media asked to speak and Chair King gave him to floor. Mr. Pierce saluted the Land Bank and said that the bank would not donate the building to the Sanctuary, but were willing to donate it to the Land Bank, and that but for the existence and acceptance of and by TCLB to work towards acquisition of 3325 Sixth Avenue, the building would result in full demolition. Mr. Pierce also indicated his hope that the building could become part of the environmental education program the Sanctuary will be implementing.

VIII. Adjournment

Chair King requested, if there was no need for further discussion, for a motion to adjourn. Ms. Nicholson motioned to adjourn the meeting, Mr. Carmello seconded and the motion was unanimously passed.

Chair King declared the meeting adjourned at 9:01 AM

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