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Allegany County Land Bank
Board of Directors Meeting
March 17, 2025

Attending: Dave Evans, Darwin Fanton, Brian Loucks, Bob Salzar, Ed Zalar
Excused: Kier Dirlam
Contractors/Other: Jason Isaman, Jonathon Barnes, Kate Williams (Fourth Sector)
Ed Bysiek (Bysiek CPA)

1. **CALL TO ORDER and WELCOME GUESTS:**
   a. The meeting was called the to order at 9:17 AM by Chairman Loucks.

   b. Ed Bysiek from Bysiek CPA joined the meeting to discuss the 2024 Independent Auditor's Report. Once again, the auditor issued a clean, unmodified opinion. There was one audit finding related to the accounting of costs associated with properties sold. An adjusting entry was made to accurately reflect the internal policy and generally accepted accounting principles. The misclassification did not affect cash balances or cash flow. Ed suggested a mid-year informal review to ensure proper implementation of the policy and accounting rules in 2025, and the Board agreed. The 990 Tax Form was also reviewed, and Chairman Loucks signed a copy.

2. **MINUTES:**
   a. Regular Board Meeting: The minutes from the February 10, 2025.

On a motion by Darwin Fanton and seconded by Dave Evans to approve the February 10, 2025 regular board of directors meeting minutes are approved.

3. **FINANCIAL:**
   a. **Administrative Invoices**
      i. Fourth Sector $ 15,667.00
      ii. Cunningham (2) $ 1,700.00
      iii. Bysiek CPA $ 5,500.00

On a motion by Ed Zalar and seconded by Bob Salzar to pay administrative invoices in the total amount of $22,867 was approved. Darwin Fanton provided the check for $5,500 to Ed Bysiek prior to him leaving the meeting.

   b. **Treasurer's Report**
      i. March 2025

On a motion by Darwin Fanton and seconded by Bob Salzar, the March 2025 Treasurer's report was approved.

c. **Capital Invoices**

i.	Clinton Brown Co. (3)	$ 7,883.25
ii.	Epic Contracting (2)	$26,205.00
iii.	Northeastern Env Management	$ 2,000.00

On a motion by Ed Zalar and seconded by Dave Evans to pay three capital invoices for Clint Brown Company – two for 31 Grover St for $2,322.50 and $1,061.25 and one for the comprehensive feasibility study for 4-6 W Main St for $4,500 – for a total of $7,883.25 was approved.

On a motion by Darwin Fanton and seconded by Bob Salzar to pay two capital invoices for Epic Contracting – one for $19,525.00 and one change order for $6,680.00 – for a total of $26,205.00 was approved. Jason provided context that for the $19,525.00 at 31 Grover, Epic is following the prescribed demo from the historical structure report which will be less work than they previously agreed to; the property also needed asbestos abatement for which they are licensed, so they added this service for the same price of the original contract.

On a motion by Ed Zalar and seconded by Dave Evans to pay the capital invoice for Northeastern Environmental Management in the amount of $2,000.00 was approved. Darwin reported that he did not receive a check for this invoice.

4. **FUNDING:**
   a. HCR Land Bank Initiative – no updates other than what was already discussed in the treasurer's report
   b. AHC w/ Andover Historic – will come later in the meeting
   c. AHOP – new construction – no update

5. **INFRASTRUCTURE:**
   a. Current Inventory:

26 Main St. Almond – Building was demolished. It is in a 100-year floodplain. The new building must be built in the footprint. Need to procure an architect to do site plans for this – discussed later on in the meeting.
32 Chestnut St. Wellsville – discussed later on in the meeting
73 Olive St. Bolivar – discussed later on in the meeting
62 O'Connor Wellsville (lot) – discussed later on in the meeting

15 Second St. Andover – The property has been gutted; because there are substantial updates it must be brought up to new code. It had a bad, congested floor plan previously. Jonathan Barnes walked the Board through the updated layout that Fourth Sector is proposing. Will solicit quotes from an architect for the design. The hope is that Steuben Habitat for Humanity will be able to build this and save the Land Bank money.

31 Grover St. Wellsville – Will solicit quotes from an architect for the design; discussed later on in the meeting

172 E. State St. Wellsville (lot) – no updates provided

b. Partner Properties:
32 Rochambeau Andover (AHP) – 10 unit building
11 Hill St. Andover (AHP) – 5-unit building
4-6 Main St. Friendship (FRED) – started feasibility on this property
111 Main St. Bolivar (private) – a burned home that the village is trying to procure. They want to pass the property to the Land Bank or directly to Habitat. Some of our demo dollars will go to them so Habitat can start a new build at the site.
9761 Thayer St. (private) – former Houghton
3197 Riverside Dr. (ACAF) – a home in Wellsville past the golf course owned by the Allegany County Area Foundation; discussed later in the meeting.

6. <u>HOUSING STUDY</u>

a. County-wide Study – no update
b. NYLBA temp/emergency housing whitepaper – no update

7. <u>EXECUTIVE DIRECTOR REPORT:</u>

a. **Major Achievements**
i. 15 Second - Chimney removal
ii. Grover asbestos abated and selective demo near complete – Jason asked Jonathan to check on the progress
iii. PARIS Annual Report draft complete – reviewed during the committee meetings
iv. RFP for 4-6 Friendship board up – water is coming in through an improperly secured hatch in the roof and some windows are open. Jason expressed that it is a minor expense and something we should do. Darwin asked why the Land Bank is responsible for boarding up this property if we don't own the property. Ed asked and Jason confirmed that the purpose of the Land Bank paying for this board up expense is to ensure the safety of the contractors we have already hired to go in the building.

On a motion by Ed Zalar and seconded by Bob Salzar to put out a contractor bid proposal for 4-6 Main St in Friendship was approved.

v. RFQ for architect services – presented for 26 Main St in Almond, and the Land Bank will also need to get quotes for 31 Grover in Wellsville and 15 Second St in Andover. This will be the same template that is used.

On a motion by Ed Zalar and seconded by Darwin Fanton to put out a Request for Quotes for architectural design services for a two-unit residential home at 26 Main St in Almond was approved.

There was a discussion between Darwin and Jason about the garage placement on the historic structure report for 31 Grover. Darwin expressed that his preference would be for the garage to be attached which is more ideal for families. Chairman Loucks asked if Clinton Brown team is submitting the historic structure report, and Jason responded that it will be done after he submits budget numbers to Clinton Brown.

On a motion by Dave Evans and seconded by Darwin Fanton to put out a Request for Quotes for architectural design for 31 Grover as a rehab design was approved.

On a motion by Darwin Fanton and seconded by Dave Evans to put out a Request for Quotes for architectural design for 15 Second St in Andover was approved.

vi. Historic Structure Report completed
vii. Received SHPO determinations on new projects – Jason discussed that we submitted a determination for all the properties that are currently in our inventory except for 31 Grover, 15 Second St, and 26 Main St as we are already past that. There was historical significance for 9761 Thayer in Houghton and 11 Hill St in Andover; we need to get them additional photos and a work plan, and this is moving along.
viii. Obtained SEQR Type II determination for all new projects and okay to proceed – nothing significantly wrong in the Environmental

b. **Goals for Next Month**
i. Draft renovation scope for 2nd St. Andover
ii. Finalize co-development agreements with owners of the partner properties
iii. Receive first disbursement from new grant (LBI2) for $1M
iv. Engage with Architect/Engineer re Friendship
v. Obtain RFQs and RFPs for architecture and Andover rehab
vi. Get MOUs to all partners

c. **Barriers To Meeting Goals**
i. Environmental Review approval from HCR – we need to get asbestos testing and site contamination declarations for every site we work at

d. **Upcoming Events**
i. BOCES Trades Career Fair 9am April 10th – Land Bank will set up a table and talk about what work careers can look like as a favor for them doing some work for us- discussed later in the meeting.

8. <u>OLD BUSINESS:</u>

a. Posting meeting recordings- New ABO guidance – discussion of minutes of executive session – minutes should be taken but they are not for the public. They are used for members of the Board if they were not present or wanted to go back to see what was discussed. Ed added that the purpose of keeping minutes of the Executive Session is so that staff has something to reference should they not remember what was said or done.
b. Offer to purchase tax foreclosures from Allegany County – Jason has not heard anything back on this matter. No members of the county legislature were present at the meeting. Chairman Loucks had a recent discussion with Legislature John Ricci who is

a proponent of the Land Bank Board. Jason will be moderately aggressive in his follow-up about the offer to purchase tax foreclosures.

c. Open Board Seat – still open
d. 5081 Bolivar Rd. Wellsville: 18-unit motel seeking rehab assistance or sale – no updates
e. Allegany County Area Foundation Grant and Genesee Valley Central School shed project – the grant was submitted and the Allegany County Area Foundation Board meets Wednesday, 3/19.
f. 111 Main St. Bolivar- Village partnership opportunity- lot for Genesee Valley Habitat for Humanity
g. 9761 Thayer St. Houghton: Original Houghton Academy dormitory – Jason and Jonathan walked through the building and believe this could be saved. It is a 6-unit apartment. The community and the school are trying to do something with it. There is nothing for the Land Bank to move on at this point, but Jason is starting the SEQR process as a courtesy to the owner.
h. Stueben Habitat for Humanity – They want to work with us on the east edge of the county. Andover and Almond properties are good candidates for this. Jason will follow up with them.

9. <u>NEW BUSINESS:</u>

a. Office of General Services application – this application, if approved, would give the ACLBC the ability to purchase under the NYS contract extension program. It would be a way to outfit kitchens with appliances in an easier way and for a cheaper price. Chairman Loucks and Treasurer Fanton signed the document to move forward with the application. Kate Williams will scan and send it back to the state.
b. Site Control Affidavits-approve signatory

On a motion by Darwin Fanton and seconded by Ed Zalar to have the Site Control Affidavit document on file for partner properties and have Jason Isaman be the signatory was approved.

c. Online Bank Access- separate accounts – Jason Isaman requested access for him and the bookkeeper to have read only access of the online banking at $20/month. The bookkeeper also wants to have a different account set up per grant as this is common practice for organizations, especially now that the Land Bank has a grant for over $1,000,000. There was also discussion of changing banks from Community Bank. It was noted that ALCO Federal Credit Union offers business accounts. Land Bank is a local authority which is a gray area. Darwin will research other bank account options, such as First Citizens and ALCO.

On a motion by Ed Zalar and seconded by Bob Salzar for Darwin Fanton to create the read only online bank access for Jason Isaman and the accountant was approved. Dave Evans sustained.

d. Allegany County Area Foundation (ACAF) - 3197 Riverside Wellsville/ NCCC Lodging – The ACAF received this property as part of the Moogan estate and it needs updates. Jason wrote a proposal for them to allow the Land Bank to lodge the NCCC team, which will allow the Land Bank to save $6,000 that was spent at Alfred last year,

and then the members would help fix up the house and improve the property value. NCCC insurance covers their members. The building is structurally sound.

Darwin asked if there would be ramifications next year for not using Alfred this year. Jason said that he hopes we would have our own house for lodging in future years, but Alfred will always be our fall back and he believes we could go back any time we find that there is a need.

On a motion by Darwin Fanton and seconded by Ed Zalar to submit a request for property use agreement for volunteer team housing and property improvements for 3197 Riverside Drive in Wellsville, NY between the Land Bank and Allegany County Area Foundation was approved.

e. Asbestos and Site Contamination multiple locations – The Board went into Executive Session to discuss sensitive contract information.

On a motion by Ed Zalar and seconded by Darwin Fanton to go into Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation at 10:44 AM was approved.

On a motion by Ed Zalar and seconded by Darwin Fanton to come out of Executive Session at 10:50 AM was approved.

The Board returned from Executive Session at 10:50 AM.

On a motion by Darwin Fanton and seconded by Ed Zalar to use Northeast Environmental for the six properties as requested on our request for quotes based on the evaluation of detailed information that was discussed at the Executive Session was approved.

f. Friendship Historical District quote – Clinton Brown Company sent a quote for $24,750 for doing the preliminary findings for Friendship's historic district. They want the Land Bank to find a sponsor. This district is needed for getting 50% back in commercial tax credits for this property. Chairman Loucks asked if this can wait until after Phase I Feasibility, and Jason said it can. Darwin expressed that we should approach Friendship about being the sponsor. The Landmark Society of WNY did the work for the historic districts in Wellsville. Jason will ask questions of the Landmark Society to gather more information for next meeting, but Chairman Loucks does not want too much energy spent on this until the Phase I Feasibility study is completed.

g. Real Estate Agent compensation/reimbursement – Chairman Loucks and Jason proposed compensating Maggie Horan above her normal commission at $100 per property for her efforts in the sale of 32 Chestnut and 73 Olive St. Additionally, the tenants of 32 Chestnut needed a background check and did not have all the funds, which was going to be a deal breaker, so the real estate agent wrote a check for $68 to cover the additional cost. The Land Bank discussed reimbursing the real estate agent for this cost. A copy of the check was presented at the meeting.

A discussion was held regarding payment to the real estate agent to pay her $268, and Dave Evans raised the point that it makes sense to pay her at the time when she receives the commission for the sale of each property, so the motion was amended.

On a motion by Darwin Fanton and seconded by Dave Evans to pay the real estate agent $100 for each property for effort plus $68 in addition to her normal commission at the time of the sale of each property was approved as amended.

h. 62 O'Connor Side Lot purchase offer – a neighbor has offered to buy the property.

Chairman Loucks presented new business. He was speaking with a legislator from Steuben County who has an issue with empty lot sales. They had a situation where they sold a vacant lot and the neighbor bought it and soon after sold it for a large profit. Jason said we can combine parcels as part of the sale and put any language we want as a restriction in the deed to prevent this. It was decided that this will be managed on a case-by-case basis rather than instituting a sweeping policy for lot sales.

The neighbor from across the street for 62 O'Connor offered $1,000 to purchase the lot. The plan is to keep a garden and preserve it until the neighbor next door can save up money to purchase it in the future. There was a discussion about previous lot sales so that the Land Bank is consistent with what is asked. Jason looked up the land assessment value for 62 O'Connor which is $10,000.

On a motion by Ed Zalar and seconded by Darwin Fanton to counter with $4,000 with a 5-year no resale stipulation was approved.

i. ACLBC Newsletter/Intern/Historic windows – the BOCES media communications technology class created a newsletter that was presented during the meeting. This will be sent on a quarterly basis. They can provide an intern to do social media and other work for us; they just can't publish content on a website. Clinton Brown recommended a person named Steve Jordan to show the students at BOCES how to restore historical windows. This class could also be opened up to the public. Chairman Loucks expressed that it is a good idea. Jason will get a quote for the next Board meeting.

j. Andover Elm Valley assistance request – no action will be taken at this time

k. 38 King St. Wellsville – the code enforcement officer asked if the Land Bank would be interested in this property if they could get site control. The home is vacant and a trust is currently paying for the taxes. Darwin stated that the Board would want to know more about who is administering the trust and what responsibilities they have. Nothing further to discuss at this time.

l. Committee Reports
    i. Governance Committee Chair Dave Evans reviewed the Annual Report and offered it to the whole Board for approval.
    ii. Audit Committee - Darwin Fanton reviewed the Annual Report and offered it to the whole Board for approval on behalf of the Audit Committee Chair, Kier Dierlam.

iii. Finance Committee Chair Darwin Fanton reviewed the Annual Report and offered it to the whole Board for approval.

On a motion by Darwin Fanton and seconded by Bob Salzar the Annual Report as sent up from the Committees was approved.

10. <u>CORRESPONDENCES:</u>

a. None

11. <u>GOOD OF THE ORDER:</u>

a. Dave Evans suggested the use of a different platform for communication instead of emails. Jason Isaman and Kate Williams from Fourth Sector Services will explore reinstituting a Board of Directors portal that can be accessed by password on the ACLBC website. They also proposed the idea of a discussion forum within the platform for the board of directors to discuss topics. The Board will need to make sure the discussion does not constitute doing business. Phone numbers were collected for all Board members present so that text notifications can be sent out when new documents are uploaded to the portal.

12. <u>NEXT MEETING:</u>

a. Next Board of Directors meeting: April 21, 2025, at 9AM. Chairman Loucks will not be present. Vice-chairman Zalar will preside over the April meeting.

13. <u>ADJOURNMENT:</u>

On a motion by Ed Zalar and seconded by Darwin Fanton the meeting was adjourned at 11:27 AM.

Notes as taken by Kate Williams.