
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, July 02, 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 8:32 AM and reminded the Board that this is a joint June and July monthly meeting.

II. Roll Call

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

- i. Heather King, Chair
- ii. Suzanne Spellan, Vice Chair
- iii. Sharon Nichols, Treasurer
- iv. Brian Barker, Secretary
- v. Andrew Cooper, Director
- vi. John Carmello, Director
- vii. Jeanette Nicholson, Director
- viii. Kate Hedgeman, Attorney
- ix. Gregg Tobin, Real Estate Broker
- x. Tony Tozzi, Executive Director

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

- i. John Cubit, Director

III. Review of May 15, 2019 and

IV. May 23, 2019 meeting minutes

- a. Ms. King noted that two sets of meeting minutes are being reviewed; the regular monthly Board meeting conducted May 15th and a special Board meeting conducted May 23rd. She asked if everyone had the opportunity to review the draft minutes, with no one indicating they had not. Ms. King asked if there was a need to discuss amendments to the draft meeting minutes and, if not, requested a motion.
 - i. Secretary Barker motioned to adopt both sets of minutes as drafted, which was seconded by Treasurer Nichols and unanimously passed.

V. President's Report

- a. Chair King called for Mr. Tozzi to deliver his report, and asked what the status was of 791 River Street.
 - i. Mr. Tozzi reported that demolition of 791 River Street should be started today. He noted that there was a bit of confusion as to what paperwork remained

needed to be completed prior to demo permit issuance. He stated that, although the paperwork should have been completed by the architect, Mr. Tozzi took action to ensure that all paperwork was appropriately provided to Code Enforcement.

- ii. Ms. King asked if anyone could take photographs of the work at 791 River Street as it progresses. Vice Chair Spellen indicated that she would be taking photos, and also noted that she did not see any work started thus far this morning.
- b. Mr. Tozzi provided an update of work at 3325 Sixth Avenue.
 - i. Mr. Tozzi reported that masonry stabilization is moving along slower than he thought it would be, and that the contractor Duncan & Cahill has not been on site for several weeks. He noted he was especially disappointed because the Executive Committee met twice to specifically authorize three change orders in an effort to keep D & C on site.
 - ii. Mr. Tozzi reported that the building has been cleaned-out by Joey's Junk contracting. He stated that although he had not yet seen the results, he has read emails from those that have and who have reported how improved that interior of the building now appears.
 - iii. Attorney Hedgeman asked if we have taken ownership of a couple of properties. Mr. Tozzi replied that we have not, and that he is waiting to see reports from Reeves Engineering in order to determine what the magnitude of needs and actions are prior to acquisition of 3240 Sixth Avenue and 11 Winnie Avenue.
 - iv. Mr. Tozzi reported that, because the title report for 3278 Sixth Avenue indicated the property was going through bank foreclosure and that subsequently TCLB could not take ownership, the City indicated that it would place the property on the upcoming tax foreclosure list. Attorney Hedgeman stated that although the bank foreclosure may be moot due to the City's tax foreclosure action, the bank foreclosure will still show up on title reports which will be a problem for anyone who attempts to acquire the property and needs financing.
 - v. Mr. Tozzi reported that he will be using a new file to share with the Board and Committees that will show what the status is of properties approved for sale by the Board and on the path towards closing. Attorney Hedgeman is creating the file format, using the same format that the Albany County Land Bank uses. He reported that this file will be provided to the Board on a regular basis, similar to the Property Status Report that the Board has been receiving regularly.

VI. Treasurer's Report

- a. Treasurer Nichols presented her report, noting the following:
 - i. The monthly financials reported that there is approximately \$238,000 cash-in-hand. She noted that most previous financial reports showed loses, and that these monthly figures are a significant improvement, and are the result of recent property sales, and that TCLB is in a good cash position. She also noted that more cash is anticipated to be received in the coming month, specifically noting that 288 Tenth Street is expected to close in about two weeks.
 - ii. Ms. Nichols reported that the OCWEN funding donation resulted in the receipt of \$83,000 of cash in the bank.
 - iii. Ms. Nichols reported that an outcome of the previous meeting of the Finance Committee was to direct Executive Director Tozzi to reach out to two locally headquartered banks to inquire about the possibility of obtaining line of credit financing. The intent of the financing would be to have a ready source of funds

to purchase property or be in position to take advantage of potential opportunities, and to serve as a bit of an insurance policy should TCLB run into cash flow problems.

- iv. Ms. Nichols noted that she and Mr. Tozzi met with representatives of the Community Loan Fund. Mr. Tozzi explained how CLF's product would work and that they do not really offer a line of credit as is traditionally offered. He further explained the terms of CLF's product and stated that it really is not the kind of line of credit loan that would work for TCLB's needs.
- v. Ms. King noted that the Finance Committee contains a vacancy due to the resignation of former Director Bruce Dee's resignation. She asked if any Board member in attendance was interested to fill the seat. Ms. King requested that if any Board member does have an interest, she would suggest that they direct an email to her.

VII. Discussion

- i. Attorney Hedgeman asked Mr. Tozzi if there is any reason why it would make sense for TCLB to acquire 3278 Sixth Avenue. Mr. Tozzi replied that he has concerns regarding the physical condition of the property because the City completed stabilization work, but that the work must have been minimal because windows at the rear of the building are badly out of square, indicating that the stabilization work did not seem to be intended to straighten the building. A further concern is that the back wall has been completely framed-in and there is no access to the rear yard, and that there may be issues. Ms. Hedgeman indicated that she raised this question only because if the property was something that would make sense for TCLB to acquire, she could do work to clear title. Mr. Tozzi suggested that due to the unknowns of the property and given that Round 4 funding is only \$500,000, acquiring the property could be a significant risk.
- ii. Chair King commented that she was not inclined to want to acquire 3278 Sixth Avenue, in part because it does not tie into a broader theme of what TCLB is working towards. She added that if this was the final property needed to complete the assemblage of the CDTA/THA site, it would be strategically important to acquire. Ms. King asked Attorney Hedgeman what the status was in regard to contacting the bank involved with that parcel. Ms. Hedgeman replied that it is not a bank, it is a bankruptcy court that has the parcel tied up, and that it is an out of state court. She further replied that she felt it would be a longshot to have the property pulled out of the bankruptcy action, because the bankruptcy court is not local.
- iii. Attorney Hedgeman noted that the City should take action to appoint new Board members to replace those that have resigned. Mr. Tozzi reported that a mayoral appointment is needed to fill the former position held by Dylan Turek, a City Council appointment is needed to fill Bruce Dee's former position, and the Lansingburgh School District is required to appoint a Board member, which they have never done.

Mr. Tozzi asked if anyone from TCLB has ever met with the Lansingburgh School District School Board to directly discuss/request appointing someone. Ms. King indicated that she had not and believes that no one has done that. Mr. Tozzi

replied that he would like to attend a meeting of the School Board to directly discuss the matter, which Board members supported.

VIII. Old Business

a. Request for Professional Services – Resolution to authorize entering into an agreement – Social Enterprise and Training Center (SEAT)

- i. Chair King announced that the Board has before it a resolution to approve a master agreement with SEAT and a request for professional services by Reeves Engineering. She asked Attorney Hedgeman to go over the highlights of the SEAT proposed agreement.
- ii. Attorney Hedgeman stated that SEAT submitted a proposal that would limit costs to \$70,000 in 2019 and \$70,000 in 2020. She mentioned that she and Mr. Tozzi met with the SEAT Executive Director and other associated staff and consultants last week to have a preliminary discussion of how things would go, and that another meeting would be conducted July 10th to get into more specific details.

Chair King noted that the Board had gone over this proposal before and that there did not seem to be need for further discussion, and asked for a motion on the resolution. Secretary Barker motioned to approve the resolution as drafted, which was seconded by Treasurer Nichols, and which was unanimously passed.

b. Resolution to award a contract – Reeves Engineering

- i. Chair King announced that the resolution would award a contract to Reeves Engineering to perform engineering services for 11 Winnie Avenue and 3240 Sixth Avenue.
- ii. Attorney Hedgeman noted that the resolution also included 3278 Sixth Avenue, but that was included in an earlier version of the resolution, but should have been removed from the present resolution. Ms. Hedgeman noted the cost breakdown for each of the two properties.
- iii. Ms. King asked Mr. Tozzi if the amount would not be exceeded. He replied that they should not, unless something unforeseen occurs which is unlikely to happen but, if it did, he would be back in front of the Board to request a change order.
- iv. Ms. King asked for a motion to approve the resolution.
- v. Secretary Barker motioned to approve the resolution with an amendment that engineering services be provided for only 11 Winnie Avenue and 3240 Sixth Avenue, and not 3278 Sixth Avenue. The motion was seconded by Ms. Spellen and was unanimously approved, as amended.

IX. New Business

- a. Chair King asked if Mr. Tozzi had anything more he would like to discuss. He replied that he is looking forward to partnering with SEAT and that he expects that the partnership will be very productive and open a new chapter for the TCLB. He further indicated that he was very impressed with the resources and expertise SEAT has to offer, and that they are much more than he initially anticipated.

X. Adjournment

There being no further business, Chair King motioned to adjourn the meeting, which was seconded by Mr. Barker and unanimously passed.

Chair King declared the meeting adjourned at 8:57 AM