



TCPDC

TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION

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**Tioga County Property Development Corporation
Special Board of Directors
Wednesday, October 30, 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: 4:00 pm
2. Attendance
 - a. Roll Call: R. Kelsey, H. Murray, S. Yetter, J. Whitmore, J. Case
 - b. Excused: M. Sauerbrey, L. Pelotte, M. Baratta
 - c. Invited Guests: B. Woodburn, Sara Zubalsky-Peer, Sheila Neville
3. New Business
 - a. Construction Management Contracts – S. Neville: B. Woodburn discussed that she requested a proposal for construction management from Construction Management Associates, Sheila Neville and asked S. Neville to attend the board meeting to introduce herself, give a brief update on her background, and also to answer any questions that the Board may have about her proposal and/or services that will be provided. S. Neville is the current construction manager on the 32 Lyman Avenue rehabilitation with STEG and she also does construction management work with the Broome County Land Bank. S. Neville introduced herself and discussed her experience with Construction Management of grant projects. S. Neville has her own business and works with Tioga Opportunities, Arbor Housing, Broome County Land Bank, where they can provide construction management, and assistance finding contractors and writing scopes of work. S. Zubalsky-Peer discussed her experience working with S. Neville at Tioga Opportunities. S. Neville has taken on project responsibilities for TOI which has lowered the workload for TOI. S. Neville provides oversight on projects, has established a group of reliable contractors, and has made the project process more efficient. H. Murray asked about the number of visits to 247 Main Street. S. Neville responded that the proposal request asked for the price for every 4 weeks and could be changed based on the need. The board reviewed the proposal.

S. Neville was excused from the meeting. B. Woodburn discussed that the Land Bank did receive an additional \$100,000 in LBI Phase 1 funds this year and budgeted for \$40,000 in construction management services. Construction management is a professional service, so the Land Bank does not need to go out for a bid. S. Neville has a good working relationship with S. Zubalsky-Peer and appears to be a good fit for what the Land Bank needs. R. Kelsey said that the \$750 per visit is high, but at this point in time the service would be needed.

R. Kelsey asked to move forward to the letter which is in the board meeting packet. S. Zubalsky-Peer is working with ED&P and will be starting 11/4/24. R. Kelsey met with B. Woodburn, and she provided her resignation from TCPDC effective 11/4/24, and S. Zubalsky-Peer would take over the administrative related work with the



TCPDC under the Administrative Services Agreement between Tioga County and TCPDC. B. Woodburn discussed that she has taken on the role as the director of ED&P and now has a role with the Industrial Development Agency (IDA). S. Zubalsky-Peer has a lot of experience and previously served on the board in the past.

Motion to contract with Construction Management Services for construction management services for 81 North Avenue, Owego in the amount of \$15,000, 247 Main Street, Owego in the amount of \$750 per visit, and 121 Providence Street, Waverly in the amount of \$750 per visit.

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

4. Old Business

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

i. LBI Phase 2 – capital improvement funds

121 Providence Street, Waverly- B. Woodburn discussed that in April, Steve Tiffany with O'Rourke came out to do the asbestos testing for 121 Providence Street. At that time, he and B. Woodburn had had a verbal conversation about the large hole in the roof at the back of the house and the significant water damage and whether that needed to be assessed for mold. Steve had said that because the significant water leak was actively going on and so wet that he was not concerned about mold growth. That once the roof replacement happened and things were buttoned up, then that would be when there could be potential challenges with mold growth. Kascon LLC is scheduled to start the asbestos abatement at 121 Providence Street in Waverly on November 4th. O'Rourke will be handling the air monitoring for the asbestos abatement related work. Steve Tiffany with O'Rourke was out at 121 Providence Street taking measurements in preparation for the upcoming work. He noticed some mold growth on a tile on the floor where the previous large roof leak was at the back of the house. While he was there, he collected some tape lift samples, and he did mold air as well around the whole house and the levels came back very high. As a result of this, Steve put together a mold report and remediation plan, which is included in the meeting materials folder. The original intent of the Land Bank's stabilization project for 121 Providence Street was to include fully gutting the property down to the studs. S. Neville, S. Zubalsky-Peer and B. Woodburn jumped on calls with Kascon and O'Rourke and given the results of the tests run by O'Rourke, it seemed to make the most sense to have Kascon fully gut the interior of the entire house and treat it for mold, in addition to the asbestos abatement work. Kascon provided a proposal in the amount of \$25,440 to do this work and the asbestos abatement will be \$20,660. S. Neville felt like \$25,440 was a reasonable amount. B. Woodburn received a quote from First Choice Roofers for \$21,255 prior to the results of the mold testing. H. Murray asked to go over the budget for the project. B. Woodburn discussed the total invested budget with the asbestos abatement and mold remediation will be \$94,676. As of today, they have spent \$5000 for the cleanout, \$5,500 for the demo of the garage, \$23,000 for the roof, \$5,000 for the hazmat report and the asbestos survey. J. Meagher was consulted about the fact that there have been contractors in and out of the house over the last 6-8 months providing proposals and doing work, and whether the Land Bank needs to notify anyone based on the mold testing results. J. Meagher's response was, "Let it be known notifications should be going forward. No need to advise previous contractors, etc." The Board agreed to follow J. Meagher's recommendation. Steve Tiffany with O'Rourke recommended moving forward that the protocol is that anyone entering the house should be wearing an N-95 mask. Aside from O'Rourke and Kascon, there should be no one else entering the house until after the asbestos and mold remediation work is complete. Board discussed that it is unknown until the interior gut is complete about the status of the floor supports beneath where the water damage occurred as it is not on basement. S. Zubalsky-Peer indicated that the stabilization project may also need to include replacing supports as needed. The board discussed the option of selling the property or

continuing after the mold and asbestos abatement. The board will make a decision at a later date once an assessment has been done by S. Neville and S. Zubalsky-Peer.

- a. Kascon Proposal
- b. O'Rourke Proposal

Motion to update contract with Kascon for interior asbestos abatement services at 121 Providence Street, Waverly in the amount of \$20,660, Motion to contract with Kascon for interior demolition and mold remediation services at 121 Providence Street, Waverly in the amount of \$25,440, and Motion to contract with O'Rourke for asbestos monitoring services and mold remediation monitoring services at 121 Providence Street, Waverly in the amount of \$9,710.

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

- 2. 10 Watson Avenue, Newark Valley: R. Kelsey discussed that B. Woodburn and himself met with A. Fleicher to discuss the concerns regarding the exterior paint. R. Kelsey advised A. Fleicher to review the chipped paint. A. Fleicher later agreed to sand the peeling paint and repaint. S. Yetter and B. Woodburn met with A. Fleicher at the property in September and mid-October. S. Yetter discussed that A. Fleicher made a minimal effort to fix the peeling paint. S. Yetter and B. Woodburn pointed out the areas that still had peeling paint and areas that needed to be repainted. B. Woodburn and S. Yetter met with A. Fleicher again last week, and B. Woodburn sent A. Fleicher photos of where the paint needed to be fixed. A. Fleicher fixed some of the areas that were pointed out and provided updated photos and said he completed fixing the paint. B. Woodburn showed the board the pictures of the house that A. Fleicher sent. There has been some attempt to repair the areas that were identified, but still not done to the expected quality. B. Woodburn received the final CO and the electrical inspection. A. Fleicher requested the Landbank to release the deed restriction. The closure of the house is scheduled to take place in the next couple of weeks. The board will release the deed restriction at the closing. The buyer would not release the home inspection, but A. Fleicher did need to fix things prior to the closing.
 - a. Certificate of Occupancy and electrical inspection received
 - b. Release of Deed Restriction

Motion to release deed restriction on 10 Watson Avenue, Newark Valley property at the time of the closing with the new buyer.

**S. Yetter/H. Murray/Carried
None Opposed
None Abstention**

- 3. 247 Main Street, Owego- Mr. Fleicher is requesting the following.
 - a. Amendment to Purchase Agreement
 - i. Request to extend deadline for completion of foundation repair and HVAC related work to January 15, 2025.
 - ii. Request to extend rehabilitation timeline to 18 months from closing date due to deployment in the Spring of 2025.
 - b. After discussions with S. Zubalsky-Peer, B. Woodburn recommends continuing working with A. Fleicher with the addition of having S. Neville providing construction management services for the project. S. Zubalsky-Peer recommended that they continue working with A. Fleicher with the addition of S. Neville, and the result of the project will determine if the Land Bank works with him again. S. Yetter discussed that if

they worked with A. Fleicher again and they were still not satisfied with his work that would be the last project with A. Fleicher. The board discussed requesting a more detailed scope of work from A. Fleicher moving forward. The board discussed how often they would like S. Neville to visit the property.

R. Kelsey recommended that she visit the property minimally once a month, but the number of visits will be based on the new scope of work and the progress of the project evaluated by S. Neville and the administrator of the board.

Motion to amend purchase agreement between TCPDC and Fleicher Properties, LLC for 247 Main Street, Owego property to extend deadline for completion of foundation repair and HVAC related work to January 15, 2025, contingent on HTFC grant fund extension approval, and to provide an option for a 6-month extension from the original proposed 12-month rehabilitation timeline from closing date contingent on the following:

- **Inspections and construction management services to be provided by Construction Management Associates**
- **The submission of a more detailed scope of work to be approved by S. Neville and S. Zubalsky-Peer**
- **10% of TCPDC committed funds to be withheld until the completion of the project, final inspection and approvals**

**J. Whitmore/J. Case/ Carried
None Opposed
None Abstention**

5. Chairman's Remarks
6. Executive Session

Motion at 5:11 pm to enter executive session to discuss personnel matters.

**H. Murray?/Carried
None Opposed
None Abstention**

Motion at 5:22 pm to exit Executive Session

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

Motion to accept B. Woodburn resignation and assign Sara Zubalsky-Peer as executive administrator of TCPDC.

**S. Yetter/ H. Murray/Carried
None Opposed
None Abstention**

7. Adjournment- H. Murray motioned to adjourn; meeting adjourned at 5:23 PM.

Respectfully submitted,

Casey Yelverton, Economic Development Specialist

Tioga County Economic Development and Planning