



# Mohawk Valley Economic Development District, Inc.

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*Serving Counties of: Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie*

## **GREATER MOHAWK VALLEY LAND BANK - GMVLB**

### **Minutes from: Tuesday, June 13, 2017 @ 5:00 PM**

#### **In Attendance:**

Karl Gustafson – Chairman, Mark Domenico – Director, Margaret Kennedy – Director,  
Brian Thomas - Secretary, Tolga Morawski - Interim Executive Director, Kurt Ackerman – Director,  
Ray Johnson – Vice Chairman, Robert Albrecht – Community Outreach Coordinator,  
Christina Brown - Community Advisory Board, Cabryn Gurdo – AmeriCorps,  
Susan Marie Weber – AmeriCorps, Heidi Sourwine – AmeriCorps, Janine Thompson - MVEDD

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Karl Gustafson called the meeting to order @ 5:05 pm.

- The documents provided for the meeting were;
  - Agenda
  - Minutes from GMVLB meeting held Tuesday, May 23<sup>rd</sup>, 2017
  - 2017-2018 Proposed Budget
  - Fort Plain illustrative Plan – Canalway Park & Inland Lock Interpretive Center
  - List of Policies Required
  - Compensation, Reimbursement & Attendance Policy; Code of Ethics; Personnel Policy; Non-Discrimination Policy; Whistleblower Policy & Procedures; Internet Use Policy; Investment Policy; Travel & Discretionary Funds Policy; Real Property Acquisition Guidelines; Disposition of Real & Personal Property Policy; Procurement of Goods & Services Policy; Defense & Indemnification Policy; Internal Control Policy; Mission Statement; Conflict of Interest Policy
  - Guidelines for Land Bank Management & Disposition of Real Property within the City of Syracuse
  - Draft RFP for GMVLB Logo Design
  - News article “Greater MV Land Bank awarded \$1.6M”

**Adopt Meeting Agenda:** will proceed as presented

**Minutes from May 23<sup>rd</sup>, 2017:** Karl asked everyone if they reviewed the minutes from the previous meeting held on May 23<sup>rd</sup> that Tolga had sent out the final revision about 1:30 pm this afternoon. He would like to have a motion to approve them as-is with the exception of the motions, which need to be re-voted on as we will do that next. Mark Domenico made the motion, seconded by Brian Thomas.

Karl then moved to the items from the 5/23 meeting that needed to be voted on as there was not an “official” quorum with five members present and Je Marino had called in, we will now re-vote on those items:

- **Minutes from May 2<sup>nd</sup>, 2017 meeting** – re-approved by Kurt Ackerman, 2<sup>nd</sup> by Ray Johnson and carried unanimously
  - o The motion to purchase the **Director & Officer Insurance** @ \$2,195.00 and the Business Owners Policy @ \$392.00 from NBT-Mang Insurance Agency motion made by Meg Kennedy, seconded by Brian Thomas, carried unanimously.

- A motion was made by Karl Gustafson to complete a **grant application to the Oneida/Herkimer Community Foundation** towards rehabbing a building in Little Falls the Land Bank is exploring the purchase of, seconded by Meg Kennedy to complete the grant application, motion was carried unanimously. The application is due by June 30<sup>th</sup>.
- A motion to retain **Barton & Loguidice to create a Strategic Plan** for the GMVLB based on their low bid response to the RFP. This was for up to & not to exceed \$4,700.00. Motion was made by Brian Thomas, seconded by Ray Johnson, carried unanimously.
- A motion was made to proceed with acquisition of the Herkimer County property at 135 North Main Street, Herkimer, with the GMVLB agreeing to clean out the property at a cost not to exceed \$1,000.00. Motion made by Brian Thomas, seconded by Mark Domenico carried unanimously.
- **Outstanding Bills:**
  - **Bob Albrecht's time sheet** from 4/18-4/21/17 was over the allotted time of 8-12 hrs/week which was due to his attendance at the 4/19 HCR Main Street Boot Camp Conference in Utica for a total of \$652.20. A motion to approve the pay for Bob was made by Brian Thomas, seconded by Kurt Ackerman and passed unanimously.
  - **MVEDD's expenses** – 1<sup>st</sup> Board heard of issues with the expenses, Tolga advised that time sheets were needed. This was tabled until the Finance Committee meeting on Monday, June 19<sup>th</sup>.
  - **NYCON** membership amount of \$145.00 did not need approval as it is below Tolga's approval threshold.
- **Logo/Branding** – a motion was made to proceed with the press release for submittals from the general public, for ideas on a Logo for the GMVLB. The chosen Logo could receive up to \$1500. A motion was made by Ray Johnson, seconded by Kurt Ackerman and carried unanimously.
- A motion was made to continue with the **Contract for Tolga as Interim Director** from the May 23<sup>rd</sup> meeting through June 13th, made by Meg Kennedy, seconded by Brian Thomas, carried unanimously.
- **Tolga's compensation for October & November**; the motion was made at the previous meeting to approve the invoice submitted by Tolga in the amount of \$8,806.25. Kurt was questioned why this was approved as this was discussed in the past and was not approved. This topic was tabled and moved to the executive session.

**Special Presentations:** presentations were not discussed at this time

**Old Business:**

- **Organization:**
  - o **Required ABO training for BOD members** - Tolga advised that they unfortunately only had one training in June and that filled up quickly. They will notify Tolga when the July dates are set. Ray & Brian have completed theirs.
  - o **Update on Video Conference Systems** – Meg spoke with Brian Pokorny – he had not worked on it, he was thinking of a Microsoft version of Skype. Meg asked Tolga to give him a call to discuss. Susan Marie volunteered to help with this as she has an IT background.
- **Report of Committees:**
  - o Karl asked if there was a Finance Committee meeting prior to today's meeting. There had not been so Tolga proposed as per Treasurer Joe Marino's suggestion via email to have one at 11:30 am on Monday, June 19<sup>th</sup> in Utica. Anyone that could not make it was asked to call-in.
  - o **Executive Committee – Reports & Policy Review;**
    - o **Acquisition of Real Property** – Mark explained the next step is to develop an intake form. Also include best practice information that different FGUs have on real property acquisition policies. Karl asked if this was to create consistency between FGUs and Mark stated that it would show us what we need to set up; proposals, develop a matrix, help us figure out how to

communicate between the FGUs about problem buyers and people who have recurring code violations, fail to pay their taxes, etc. Tolga said it would be part of the vetting process and will encourage cross communication. Mark said that we need to figure out the technical side of things. For example – tax searches, codes history, checking the property & the owner from county to county, etc. He thinks this may be very burdensome administratively spread across 6 FGU's but needs to be done to assure problem buyers do not try to take advantage of other FGU's not familiar with them.

- Tolga said the section about affordable housing within the policy is required by LISC and the NYS Attorney General's office. A motion to approve the Acquisition of Real Property Policy was made by Ray Johnson, seconded by Brian Thomas and carried unanimously.
  - o **Disposition of Real and Personal Property** – A motion to approve the Disposition of Real and Personal Property policy was made by Brian Thomas, seconded by Kurt Ackerman and carried unanimously.
  - o **Defense & Indemnification** – Karl asked if anyone had any comments, there were none, then a motion was made to approve by Meg Kennedy, seconded by Brian Thomas and carried unanimously.
  - o **Mission Statement** – Karl asked if there was any discussion with none, then a motion was made by Ray Johnson, seconded by Kurt Ackerman, carried unanimously.
  - o **Conflict of Interest** – Karl asked if there were any questions, with none, a motion was made by Kurt Ackerman to approve, seconded by Brian Thomas, carried unanimously.
  - o **Code of Ethics** - for Officers, the Executive Director and all Employees – Karl asked if there were any comments with none, a motion was made by Ray Johnson, seconded by Mark Domenico, carried unanimously.
  - o **GMVLB Compensation, Reimbursement and Attendance Policy** – Karl read the policy aloud, there were no comments or discussion, a motion was made by Brian Thomas, seconded by Meg Kennedy and passed unanimously. Kurt then inquired about the amount paid to DesignTech and asked Tolga to provide documentation on those items.
  - o **The following Policies will be held for discussion at the Finance Committee meeting on Monday, July 19<sup>th</sup>:** Personnel, Investment, Travel, Procurement of Goods & Services, Internal Controls, and Discretionary Funds.
  - o **Finance Committee:** there had not been a meeting of the Finance Committee prior to the BOD meeting. Tolga mentioned that Mike Fallon of Bowers & Co. CPA's, was still tweaking the chart of accounts in Quickbooks and should have it for the next Finance meeting at 11:30 am on Monday, June 19<sup>th</sup>.
  - o **Hiring Committee:** Ray asked to move this discussion to the executive session.
  - o **Contract for Tolga as Interim Director:** Karl asked if this should be moved to the executive session or discussed now. Tolga asked for his contract to be extended until the CFA application is done. The CFA application is due July 28<sup>th</sup>. He would like to remain on until this date for continuity. A motion was made to extend Tolga's contract until July 31<sup>st</sup>, 2017, motion by Meg Kennedy, Brian Thomas seconded, motion carried unanimously. Kurt wanted to make sure that Tolga could give the Land Bank 30 hours per week as Kurt was under the impression that he had another job. Tolga stated that he took a two-month leave a absence as of June 1<sup>st</sup> and prior to that he was working 5-10 hours per week as a freelance consultant with DesignTech Services.
  - o Karl asked for an update on the disbursement of capacity building funding for the \$75,000. Tolga advised that he has put in the disbursement request to LISC and is waiting for their reply. We are still due \$44,000, which is the balance of the \$57,000 grant for the AmeriCorps members and the 1.642 million from the Attorney General's settlement.

- **Policies & Procedures:**

- **Indemnification/Insurance:** on the BOP & D&O insurance; we need to make sure the quotes are apples to apples. NBT's quote was "non-admitted" as Brown & Brown's was admitted. As non-admitted carriers are subject to a fee, it would make the NBT quote roughly \$200 higher. It was decided to move forward with Brown & Brown for that reason. For the BOP insurance the quotes were the same in price with Brown & Brown quoting 1<sup>st</sup>. So it was decided to go with Brown & Brown for BOP coverage too. Ray Johnson made a motion to approve purchasing both from Brown & Brown, seconded by Karl Gustafson, motion carried unanimously.
- **General Liability/Labor Law/Workers Compensation/Disability** – Tolga was to put together a letter as to why we did not get 3 bids. Essentially as it is a very risky field to insure for and the GMVLB is a new organization. He obtained two quotes one from NBT and one from Brown & Brown. 6 of 11 Land Banks use Brown & Brown. A motion to use Brown & Brown for the General Liability, Labor Law, Workers Compensation and Disability insurances, pending Finance & Executive review for the cost and not putting coverage in place until needed based on projects and hiring staff, was made by Ray Johnson, seconded by Kurt Ackerman, passed unanimously.
- **Office Location:** discussion was held; the cost comparison on MVEDD vs. elsewhere is still being compiled by Chris Brown, Bob Albrecht and Tolga with assistance from Susan Marie. Before the board makes any decision they must have the time to review the apples to apples comparison.
  - Kurt did tour both the 1<sup>st</sup> space at 616 Main St. and the Hannah's building on Main Street in Little Falls. Discussion was held about the liquor store building that is adjacent to the Hannah's building as well. Kurt mentioned that the liquor store has a very bad roof, possibly be a "repair" project for the LB. The Hannah's building has three floors; the 3<sup>rd</sup> floor could possibly be apartments, which are gutted and need to be redone, the 2<sup>nd</sup> floor already has some apartments and the 1<sup>st</sup> floor has three separate store fronts, one is already occupied with a laundromat, the other two could be combined to make a conference room and offices. The Realtor said to make an offer to the owner – if we're not going to own it right off the bat but rent, do it as a right of 1<sup>st</sup> refusal. The one tenant gave notice and is now a month to month tenant. Bob Albrecht spoke that he has reached out to the Community Foundation to follow up in reference to the grant for the work in the building but has not heard back from them. After June 30<sup>th</sup> deadline, it would be January for the next round of funding. Karl asked if we could buy anytime, as we would need at least up to the July meeting to make a motion and vote. It is on the market for \$130,000, make an offer. The question was asked if the bathrooms were handicapped accessible, they may not be. Chris thought that it was not an issue with the type of funding we have received. Karl did say that if we have the chance to do it right by making it handicapped accessible then we should in the beginning instead of later. If we want to make an offer a proposal would have to go to LISC regarding the purchase and Helene would reach out to the attorney general with the information to get approval. A question was brought up if there were any liens & a clean title on the property.
    - 1<sup>st</sup> - LISC needs to be clear with this
    - 2<sup>nd</sup> - Ray to look into back taxes
    - 3<sup>rd</sup> - have appraisal done on property per public authority requirements
    - 4<sup>th</sup> - negotiate "pending BOD approval" with a price
  - Susan & Cabryn have both volunteered to assist with this

- **Updates from Bob & AmeriCorps Workers;**
  - o Bob – Mentioned the press release & the article in the Time Telegram. Community Foundation – he has reached out but has not heard back from them yet. He wrote a RFP and he has gone as far as he could with the logo competition assignment. He would like to reach out to Chris or Meg with general guidance.
  - o Susan Marie – provided an update on the Home Ownership Center Buyer's Club course she held this past Saturday and how it was well received and would like to plan on doing this in each FGU. Karl asked if she could put together something to get some press on this for the LB.
  - o Cabryn mentioned that she has been researching other land banks in other states. As they might have different regulations, they do present new ideas that the LB may want to consider. IE: assisting Veterans, college graduates, etc. in purchasing homes.
  - o Heidi spoke about her activities and traveling to the VAD Conference, what was learned there.
- **Purchasing:** Tolga said he had a meeting with the City of Utica, Kathryn Hartnett and with SALT, etc. Discussed a modular MOU with all organizations. Once settled will send to Attorney Sidd for him to review. Will have this available for the July meeting. Right now he is modeling it after a 6-party agreement with FEMA from Montgomery County. Susan will send Tolga some information she has.
- **Planning/Projects:** Barton & Loguidice, Ryan Weitz, is working on strategic plan, including stakeholder meetings, workshops, etc. They will put together a survey to send out first. Tolga suggested seeing if GEMS would be willing to participate as they do the CEDS plans and have a "big picture" of long-term problems. Karl questioned the value of using the CEDS information but it won't hurt to discuss it.
  - Karl asked about the Herkimer County pre-limbo list properties. Tolga said he had spoken to Ray prior to the meeting. He wants to meet with Kurt & Ray about the remaining properties on the list. We've already approved two properties in West Winfield. He mentioned the West Winfield property on East Main Street and that there was a discrepancy about the actual address 359 vs 459 East Main Street. 459 East Main Street is the correct address.

Karl asked if the remaining pre-limbo list properties would go to the Property Selection & Review Committee. Tolga responded that it would if the representative(s) for the FGU in question supported those projects (in this case Kurt & Ray as the "home" representatives for Herkimer County). The reasoning being that if the home reps do not support a project, support at the committee level would be less likely. This is like the US Senate model where the Senators for a given seat (within their district/State) must support the appointee for them to move forward.
  - Tolga brought up 330 North Prospect Street in Herkimer. Chase Bank CCRP has offered it to us at no cost. He wants to ask for 25k from the Bank to put into the house. It was formerly student housing. It's a fixer upper. It could possibly be a battered women's shelter- single room occupancy. Ray will connect Tolga with Maureen Petrie, Director of Herkimer County Catholic Charities (which he is also a board member of). He also said he would make introductions with Habitat for Humanity and other County non-profits.
  - Karl doesn't want to shortcut the Property Selection and Review Committee's contributions (work on policies). He wants to make sure that the Property Selection and Review Committee is involved.
  - Karl brought up one of the West Winfield properties; he asked Tolga if this is the property we want to give directly to the neighbor. Ray said the County can't sign it over. It has to go

through the LB then to the neighbor. Tolga said that he is reviewing a rough draft contract from Attorney Malone.

- Karl turned the discussion to Montgomery County. Tolga said that the county had provided a list of 118 properties and that there are 8 that we are really interested in. He is discussing this with Shawn and Meghan at the County to bring to the Property Selection and Review Committee. Karl asked if these properties are in Fort Plain project area. Tolga said yes, they're mostly in Fort Plain. Two are in St. Johnsville. Karl asked for an update on the Wagner House. Tolga said that the county is bringing in fill for the site and this saved the LB roughly 7k. Karl asked if this would be done by the 150<sup>th</sup> anniversary event on Saturday, June 17th. Tolga said it would. Tolga mentioned that there wound up being an additional basement area under the house and the whole basement was filled with trash that could not be legally be buried on site (the previous owner was a hoarder) so the number of trucks required to remove the junk from the house was increased from 4 truckloads to 8 truckloads. Tolga brought up the limestone that is still at the site of the Wagner house. He wants to confirm with the board that we are interested in it for salvage. Karl asked if there was a LISC prohibition to prevent us from keeping or selling the limestone. Tolga said not as far as he knew. He wants to get anything we can take out of it. Karl asked if we have access, ownership rights to the limestone. Tolga said that his understanding with the village was that we'd have the limestone afterwards. He wants to confirm that the LB would be interested in it and can store it. Chris asked where the limestone would go. Tolga said that the limestone had been moved to the back of the site for now. Karl said that he wants to empower Tolga to investigate this. Mark asked if there was any place around here that does architectural salvage. Tolga said that he had met with someone from Fort Plain Antiques but that storage space limited there. Some suggestions were made for places that may be able to sell the limestone. Mr. P's on Higby Road was suggested. Karl asked Tolga to work on an arrangement with the mayor to store it on the site for now, if possible.
- Tolga discussed the 6/2 visit in Fort Plain by officials from NYS. Those present included Canal Corporation, HCR, SHPO, Parks, DoS, the Governor's office, etc. regarding possible dovetails into LB projects. He passed around the local paper with a story and photos on this visit. He is also thinking about schools. Tolga spoke to HCR about aggregate projects, multi-unit housing, and multi-site developments. He is looking into their CIF and CDBG grants.
- Karl asked where we are project-wise with Rome, Utica, Schoharie and Otsego Counties. Tolga said that Brian and Mark are working on Utica & Rome and we are working with SALT & County Planning in Schoharie County and Planning in Otsego County in reference to projects. He said that we now have clearance from LISC to do demos with the City holding title in Utica, Rome has some rehabs, and Otsego and Schoharie are working on it. Karl asked about lists and stated that these would go to the PSR Committee.

#### **New Business:**

- Tolga went to the CCLR/EPA Brownfields conference in Albany. He said a lot of \$ goes into these types of projects. They may also be good for us. Brownfield opportunity grant (BOA) - wide planning. Karl asked about BOAs. Tolga said that he met with a lot of developers about redoing housing in these areas. There are a lot of incentives that can restore brownfield areas to use. He has follow-up info. He will share this with the committees as he gets it.
- Tolga discussed the CFA and CDBG grants. We (the Land Bank) can administer CDBG grants as partners with municipalities. HCR said that this could be a good opportunity for smaller communities without capacity for these projects. We could apply for a regional grant. Karl said to be clear: this would be a sub-recipient arrangement? Tolga said either we could write the grant or we could partner with one or multiple municipalities. We can reach out to the target communities

to see if there is an interest. He is interested in leveraging OAG funds in the 4:1 ratio that is expected. HCR has similar requirements. Karl asked if Rome and Utica are the only entitlement communities.

Tolga wants help with the CFA. Karl asked what was in the CFA. Tolga said that last year we applied for a job training and another grant. We did not get the grants last year. Karl asked if we can just take last year's application, dust it off and resubmit it. He asked when the deadline was. Tolga said the deadline is July 28<sup>th</sup>. He asked if he can go to Jeremy to find out the cost of his help with a new application. Brian asked if Tolga has last year's application. Tolga said he was getting it from GEMS. Brian said that it shouldn't take much to resubmit the old one. Tolga stated that GEMS has experience with the process with ESD, knows what they like structurally, etc. Tolga said that if we spend less than 24k, we don't have to go out to bid. Tolga said that GEMS wound up not charging us for the application last year because they submitted it incorrectly and it wasn't able to be considered for the grants. Karl asked if GEMS did it for free because they messed up the application last year, can we trust them to do it correctly this time. Tolga thinks that it wasn't a GEMS problem. He thinks it was due to the LB not being incorporated and working through MVEDD. It comes down to the time. People get frantic. Karl said that the issue was raised before. He is hesitant to hire a grant writer if we're not sure what we're applying for. Karl said to Tolga: we have extended your contract. Choose 2 or 3 that we are interested in. Consider the previous application and come back with 2 or 3 you may need help with. Come back with price estimates for hiring someone.

- Karl asked about setting a time for the next meeting. Are we doing the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday and Thursdays? Tolga said that he is working with Heidi about rethinking this. Karl asked if we need another meeting in 2 weeks. Ray said that we can do an emergency meeting if we have to. Karl said thinking about the middle of July, throw out a couple of different dates. Try to get a quorum. Use a doodle poll and get Janine to call people that don't respond to the doodle poll. Chris brought up the idea of considering silence as assent.
- Meg said that regarding possibly getting a new representative from Otsego County, she still has to follow up with Kathy after she sent her a text. Tolga asked if Karl could follow up with Kathy. Karl said that he would follow up with her.
- Susan asked if she could volunteer to be on the Finance Committee. Karl asked Tolga to check with Joe Marino about this. Tolga said that he would let Joe know.
- Karl turned to approving bills to be paid, which are the amounts in red on the budget sheet submitted by Janine. Karl asked if we are still waiting for more detail about the amount owed to MVEDD. Tolga said that he has been speaking with Alice. He spoke to Joe Caruso yesterday and will report back once he had more information from Joe. Karl wants to bundle Bob's consulting. He asked why we are just seeing this now. Tolga said it was because Bob had not yet finished his time sheets. Karl asked if we need a motion to pay the amounts of \$380.10 and \$375.00 to Bob. Brian made the motion and Meg seconded it, carried unanimously.
- Mark asked why the budget sheet showed that one invoice has been pulled. Tolga said it was "the desk thing." Tolga said that he had asked Bob to pull the invoice due to travel costs.
- Karl asked about the bill for \$1675.50 for legal. It should be paid out of the previous approval of the 10k for our legal budget.
- Karl asked about the \$25 owed to Susan. Why are we seeing this? Tolga should be approving these.
- Karl asked about the David Dardzinski bill. Tolga said it was for the renderings of the Fort Plain project idea. Karl said to pay it. \$495.75 is under the \$500 threshold.
- Karl said to pay the \$1500 for Tolga's pay as it was covered under the contract extension for him.
- Ray asked about the charges paid to TM Solutions. He asked Tolga if that was his company. Tolga said that yes, he has a sole proprietorship. Ray asked Tolga if he has liability insurance as a sole proprietor. He asked if Tolga could provide proof of this.

- Karl asked how to handle Bob's compensation if there are no withholdings. Meg asked if they would get 1099s. Tolga said yes and returned to Ray's point. He wants to revisit insurance and bringing people on staff. There is no ability to do so right now due to the lack of insurance for the GMVLB. Tolga said that he would provide proof of his insurance.
- Karl asked about Heidi's reimbursement. Tolga said that up to \$100 per month in mileage is reimbursed by LISC for AmeriCorps members. We cover that plus \$50 for each of their cell phone bills.
- Ray asked if the Finance Committee goes through every expense like this. He said he asked because he is also on the MVEDD board and they review all expenses. Tolga said that Joe Marino is working on the system of approvals with Bowers in reference to Quickbooks online and Bills.com. Joe Marino sent this out to the executive committee today. Karl said that yes, it had been sent out but that it was late in the day.
- Tolga brought up Albany Law School. They have a very good presentation he saw during a recent NY Land Bank Association meeting about abandoned homes, how municipalities can go about taking them via Section 19A. Mostly this is used for demos. He'd like them to do a presentation for the Board. Karl asked how this would be worked into the next meeting schedule.

The Board Adjourned the Board Meeting and went into Executive Session at 7:35pm.

- Discussion in the Finance Committee & approved by LISC, approve paying \$8,806.25 for October & November 2016 for Tolga as payment in full prior to 2017. This constitutes payment of any and all retro-active activities prior to 2017 by any and all individuals. Motion made by Meg Kennedy, seconded by Brian Thomas, carried unanimously.
- Motion to leave executive Session by Ray Johnson, seconded by Meg Kennedy, all in favor.

Motion to Adjourn by Kurt Ackerman, seconded by Ray Johnson @ 7:58 pm.

Respectively submitted by Janine Thompson