



ALBANY COUNTY

LAND BANK CORPORATION

Meeting of the Board of Directors
June 16, 2020 | 10:00 AM
Minutes

(Regular meeting of the Albany County Land Bank Corporation' Board of Directors was convened in public session remotely in accordance with Executive Order 202.1 of New York State)

Present: Charles Touhey (Chair), Natisha Alexander (Treasurer) Samuel Wells (Secretary), Christopher Spencer, Jeff Collett, Todd Curley, Phil Calderone

Staff: Adam Zaranko (Executive Director), Amanda Wyckoff (Director of Operations), Erica Ganns (Assistant Director of Operations), Will Sikula (Planning and Projects Coordinator)

Counsel: None

The meeting was called to order at 10:15 AM by Chair, Charles Touhey, with a quorum of Directors present.

- 1. Public Comment:** Mr. Barry Esannason, a property owner on Elmendorf Street requested more information about the Land Bank's option to purchase agreement for a cluster of properties owned by the Land Bank on Cherry Hill Street in Albany, New York. Mr. Esannason expressed that he does not want apartment style buildings constructed on the lots. Ms. Jessica Gorman, a property owner on Elmendorf Street, provided public comment that she desired to purchase the lots on Cherry Hill Street but was not able to apply in the time available to her to purchase the properties. Ms. Gorman has invested a considerable amount of money into her property and does not support new construction on the Cherry Hill Street properties.
- 2. Review and Approval of May 2020 Minutes:** Minutes of the May Board Meeting were approved as presented. The motion was approved unanimously. (P. Calderone, C. Spencer)
- 3. Review of Financial Statements:** The monthly financial statements as of 5/31/2020 were presented to the Board of Directors by the Executive Director. They were originally discussed in the Finance Subcommittee on June 9, 2020. The income from property sales decreased in the month of May. This is largely because of COVID-19 and was expected as discussed in previous meetings. Line 55000 Stabilization, Demolition, and Lot Cleanup shows the Land Bank is still working on grant-funded construction work. The Federal guidelines for the Paycheck Protection Program have been modified. Changes include an extension to the forgiveness period from 8 to 24 weeks, which may benefit the Land Bank.

4. Adopting a Resolution to establish an Underserved Communities Committee and appoint members:

The Executive Director presented a Resolution to create a new committee to identify ways that the Land Bank can better serve underserved populations and underserved communities to help address the disparities created by generations of discriminatory housing and lending practices, which are being exacerbated by COVID-19 and particularly affecting African Americans.

Members of the Board of Director's support the effort and note that the Land Bank is in good position to change because of its large inventory in the County's most vulnerable neighborhoods. The Executive Director notes that the Committee should engage banks and other institutions regarding provide access to capital for first-time homebuyers and people that purchase and rehab properties through the Land Bank to help address the disparities that practices and policies by such institutions have created. Board Chair Charles Touhey added that the Board of Directors have the opportunity to make decisions to begin to change some of these dynamics to address historic injustices.

The Committee will include members of the Board of Directors with Pastor David Traynham as Committee Chair with other committee members being Natisha Alexander, Charles Touhey, and Samuel Wells.

Adoption of the Resolution was approved as written and passed unanimously. (N. Alexander, S. Wells)

5. Adopting a Resolution to approve the sales of multiple properties:

Sales summaries include details for each property and have been reviewed by the Acquisition & Disposition Committee, which convened remotely earlier in the month in connection with NYS COVID-19 Executive Orders. During discussion, the Executive Director provided an overview of the review of the properties and the recommendations provided by the Acquisition and Disposition Committee for each property sale. The presentation includes 15 properties over five municipalities, consisting of three buildings and 12 vacant lots.

1 Bohl Ave in the City of Albany was approved for sale to Alicia Harrison and Rah-Mere Gibbs-Riggins for \$600 to provide additional green space on her grandmother's block. 108 Second Ave, a single-family residential building, was approved for sale to David Medrano for \$5,000 to rehabilitate the building and operate as a rental. Heiu Dang was approved for the sale of 1293 Route 9W for \$2,000. 4 Madison Pl in the City of Albany was approved for sale to Timothy M. Kelly for \$10,000 to build a multi-unit property at the vacant lot. The Board of Directors recommended a 24-month requirement to complete the construction of the new property. 40 Elm Ave East in Bethlehem was approved for sale to Jill Leto for the use of providing a rental space for family. Daniel and Deborah Jackson were approved as the backup buyers for the property. Fabiola Sanders and Dacia Wyatt were approved to purchase 508 Clinton Ave as a side lot purchase for her property at 506 Clinton Ave. 66 James St in Green Island was approved for purchase to Robert Boudreau, the adjacent property owner at 68 James Street. 8-10 Bleecker Street in Green Island was approved for sale to Christine Mallery, the adjacent property owner at 12 Bleecker Street. 663 Second St in Albany's West Hill neighborhood was approved for purchase to Peter Amorosa for one thousand dollars (\$1,000). Four lots located at 79, 80, 82 N. Swan and 81 First Streets in the City of Albany were approved for sale to SKH Properties for seven hundred fifty dollars (\$750) each to create two multi-unit rental properties. The Board has recommended twenty-four months to begin and complete construction. Hunter Road in the Town of Bethlehem was approved for purchase to Allen Leavens, the adjacent property owner for twenty-

seven thousand dollars (\$27,000). Mahesh Naidu Aleti was approved to purchase the 2.0-acre lot on River Road in the Town of Coeymans for eleven thousand three hundred four dollars and thirty-six cents (\$11,304.36).

The motion was approved unanimously as presented. (P. Calderone, T. Curley).

6. Adopting a Resolution authorizing the issuance of a Notice of Award to Response to Request for Qualifications for a Co-Development Partner for the Redevelopment of Multiple Properties in the South End Neighborhood of Albany, New York:

The Executive Director presented a recommendation to issue a notice of award to a partnership of Toporovski Real Estate and MGD Development in connection with the Land Bank's open-competitive procurement of co-development partners of the Redevelopment of Multiple Properties in the South End Neighborhood of Albany. The recommended team was the highest-scoring responded to the Request for Proposals. Strengths of the recommended development team include considerable experience with MWBE contracts, a focus on a community scale project, sensitivity of the community's priorities and a willingness to work with other locally based partners. The award will allow the Land Bank to negotiate a Master Development Agreement with the developers, which will govern the terms, conditions, duties and responsibilities of the co-development project. The Master Development Agreement is subject to approval by the Land Bank's Board of Directors.

The motion was approved unanimously as presented. (J. Collett, S. Wells)

7. New Business:

a. Recommendation for award: legal services pertaining to general real estate services, including property sales and enforcement/compliance actions:

The Executive Director presented a recommendation to engage the law firm of Rohan & Delancey to provide legal services in connection with real estate closings and other related matter. On January 29th, an open-competitive Request for Proposals for legal services was sent out for three different practice areas. Rohan & Delancey, PC was the highest scoring respondent for this practice area. Samuel Wells asked what the differences between the three practice areas are. The Executive Director explained that property sales and enforcement/compliance actions include daily "nuts and bolts" operations including residential and some commercial real estate closings and other actions for real estate enforcement and compliance actions. The Real Estate Development practice area is highly specialized is for larger project development including the Land Bank's cluster development projects and can include environmental concerns, foreclosure actions, etc. Todd Curley asked that approval be made with the condition that Board Members be able to review the materials associated with the decision and recommendations. Approval to engage Rohan & Delancey for legal services pertaining to general real estate services, including property sales and enforcement/compliance actions to Rohan & Delancey contingent on review of materials by interested members of the Board of Directors was passed unanimously. (S. Wells, C. Spencer)

b. Recommendation for award: legal services pertaining to general counsel and real estate development counsel:

The Executive Director presented a recommendation to engage the law firm of Whiteman Osterman & Hanna to provide legal services in connection with General Counsel services and Real Estate

Development counsel services. On January 29th, an open-competitive Request for Proposals for legal services was sent out for three different practice areas. Whiteman Osterman & Hanna was the highest-scoring respondent in both practice areas.

The Executive Director suggested the approval be contingent on the Board of Directors review of scoring materials completed by staff. Chairman Charles Touhey thank the Land Bank's previous counsel Catherine Hedgeman for her firm's services and noted that they have been invaluable to the growth of the Land Bank. Phil Calderone seconded that sentiment. Approval to engage Whiteman Osterman & Hanna to provide legal services in connection with General Counsel services and Real Estate Development counsel services subject to review of materials by interested members of the Board of Directors was passed unanimously. (S. Wells, P. Calderone)

c. Adopting Albany County Land Bank's Required COVID-19 Health and Safety Plan:

The Executive Director presented an overview of the Land Bank's COVID-19 Health and Safety Plan. The plan was developed based on guidelines and requirements by the State of New York and is required for the Land Bank to "reopen" under New York States NY Forward COVID-19 program phases. The Executive Director noted that given how often the guidelines and recommended health and safety practices change, including based on the rate of spread of the virus Plan will likely need to be updated from time to time based and that the Executive Director will make changes accordingly under the plans approval by the Board. The Executive Director explained the highlights of the plan. These include Land Bank office capacity cannot exceed 50%. The Land Bank is providing PPE including masks, gloves, and hand sanitizer to all employees that are in the field or office. Real Estate showings will begin again and will only include limited scheduled showings and/or showings by appointment only. Records will be kept of employees that are working in the office for contact tracing and building cleaning staff will complete a daily cleaning log. Samuel Wells recommended that more time is given to potential applicants before reviewed by A&D committee since real estate showings will be limited. The motion was passed as presented unanimously by the Board of Directors. (T. Curley, J. Collett).

8. Executive Director Updates: No Executive Director Updates.

Meeting Adjourned at 11:16 AM

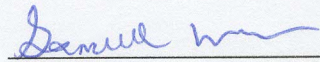
Next Meeting:

July 21, 2020

Location and Time: TBD

Respectfully submitted,
William J. Sikula IV
Planning and Projects Coordinator

Albany County Land Bank Corporation
Attested:


Secretary