

MINUTES
LAND BANK MEETING
Wednesday, August 26, 2020 10:00 a.m.

Board Members Present: Jon Verkey (Chair), Karen Ambroz (Treasurer), Steve Groat, Joyce Moyer, Brian Pincelli and Phil Egnor. Also present Land Bank Executive Director Mark Humbert, Sodus Town Supervisor Scott Johnson and Lyons Town Supervisor Jake Emmel.

Agenda:

Mrs. Moyer made a motion to approve today's agenda, Mr. Egnor second. Carried.
The special meeting of the Land Bank was called as a follow-up to the August 20th Board meeting.

50 Canal Street, Lyons:

Town officials are not aware if the current owner has property insurance. The owner remains willing to transfer the property to the Land Bank or Town. Mr. Humbert stated the CDBG funding process would take too long to have the Town meet their 60-day demolition order; it may be possible to use Enterprise (NYS) funding or funds from County appropriation for the project.

In addition to \$4,459.79 in property taxes, there are Federal and State liens on the property and 2020 school taxes will be added. A Federal lien of \$11,916.48 was filed against the property on February 4, 2020. A State lien of \$931.65 filed against the property on July 23, 2019. If the owner transfers the property voluntarily to the Land Bank it will be hard to remove the liens. If the property is taken through foreclosure the liens remain, but there is an easier process to possibly have them removed.

Mr. Groat asked if the owner of the property would pay, in whole or part, the back taxes. Mr. Humbert noted the property is listed on the County's foreclosure list; however, has yet to be taken by the County due to the Governor's order not to foreclose on any property during the COVID-19 outbreak. It was questioned if the Town of Lyons would contribute toward the cost of the demolition. Mr. Emmel said the property has been declared hazardous and a safety issue; he will be meeting with his Board tonight to discuss the financial cost of demolition. The Town has obtained quotes for demolition of the building and the two adjoining structures. Mr. Groat thought it might be less expensive for the Land Bank to contract out the demolition of the building. The property is in a historic district. Mr. Humbert said the Department of Environmental Conservation was contacted and are not aware of any environmental issues with this building or adjoining properties.

Mr. Humbert recommended the property at 50 Canal Street in Lyons be demolished; stating there is not time to have the project qualify for CDBG funds. He stated the benefit to the community to have the structure removed. Mr. Pincelli questioned if the Land Bank or Town would own the property once the building is removed. He also questioned the liability if the building is demolished and something should happen to the adjoining structures. Mr. Groat questioned if the Land Bank should take the property, pay for the demolition and then sell it to the Town of Lyons for 50% of the total project cost.

PAGE 2

Mrs. Ambroz made a motion, second by Mr. Groat, that the Land Bank reimburse the Town of Lyons 50% of the proposed \$74,500 cost of demolition for 50 Canal Street and the Land Bank have the option to take ownership of the property after demolition with no encumbrances or liens from the Town of Lyons. Carried.

Mr. Emmel said he would bring this request before his Board and get back to Mr. Humbert.

There was lengthy discussion as to whether the Land Bank should obtain title to the property, including discussion of how property taxes and liens on the property would be paid.

46 Canal Street, Lyons (middle building):

Mr. Humbert reported the owner remains willing to transfer the property to the Land Bank or Town. The owner is leaving the country for an indefinite period on September 1st; it may be difficult to contact her after that point. The property is subject to County tax foreclosure when that process is allowed to proceed. At that time, tax liens will be removed. The current tax bill of \$3,516 does not including 2020 school taxes. This property is also located in a historic district.

Mr. Humbert said it might be possible to use CDBG funding for this property, as there is not a 60-day demolition notice. It is possible the property could be damaged, destroyed or become more destabilized during the demolition of 50 Canal Street.

At this time, the Land Bank will be taking no action on this property.

42 Canal Street, Lyons:

The owner remains willing to transfer the property to the Land Bank or Town. There is a current outstanding tax bill of \$766 on the property not including 2020 school taxes. It may be possible to use CDBG funding for the demolition of this property also.

At this time, the Land Bank will be taking no action on this property.

Child Advocacy Center – 22 Lawrence St. Lyons:

Mr. Humbert stated both Land Bank Counsel and the County Attorney, after review, recommend transferring the Lawrence Street property to Robert Ohmann to have him develop the property for use as a Child Advocacy Center and sell it back to the Land Bank once developed. The Land Bank will then work out an intent to lease agreement for the property with the Wayne County Department of Social Services.

Mr. Humbert said he also reviewed this issue with the County Administrator, who informed him the County would have no objection to a long-term lease for the building. Mr. Pincelli said he would like to see the initial lease be for a period of time that would at least cover building renovation costs.

Mr. Pincelli questioned the proposed cost for all renovations; Mr. Humbert said they should not exceed \$180,000, and whatever that amount is would be the purchase price of the building. The Land Bank has sufficient funds to make this purchase.

Mrs. Ambroz made a motion, second by Mr. Pincelli, that the Land Bank Executive Director be authorized to transfer the property located at 22 Lawrence St., Lyons to Robert Ohmann for the sum of \$1(one dollar). In return, Mr. Ohmann will renovate the structure for use as a Child Advocacy Center with the stipulation that the Land Bank will purchase the property upon completion of the project, for a price to cover the cost of renovations, not to exceed \$200,000 subject to Land Bank legal counsel and County Attorney approval. Carried.

This renovation project is scheduled to be complete by the end of this year.

Mr. Verkey made a motion, Mr. Pincelli second that the Land Bank Executive Director work with Land Bank legal counsel to develop the legal documents necessary between Robert Ohmann and the Land Bank for the construction of a Wayne County Child Advocacy Center located at 22 Lawrence Street, Lyons, NY with the monthly rent payment to the Land Bank through the Department of Social Services to be approximately \$2,000 and to develop the legal documents for the long-term lease agreement between the Land Bank and Wayne County. Members questioned who would be responsible for utility costs in the building. It was agreed utilities could all be placed in the name of Wayne County Social Services. Details of the lease will be worked out between Mr. Humbert and County officials, subject to Land Bank Board of Directors and Land Bank legal counsel approval. Carried.

Sodus Hotel:

The Owner remains anxious to transfer the property. There is an outstanding tax bill of \$1,529, not including 2020 school taxes. Land Bank legal counsel is working with the owner's attorney and bankruptcy process to facilitate a transfer of the property; a response is anticipated in the near future. Bankruptcy Court believes the building has a \$10,000 value and should be purchased for that amount. Board members thought this value was high considering its deteriorating condition. CDBG or Enterprise Funds can be used for this project. Mr. Humbert noted there is a deadline for use of Enterprise Funds. Mr. Humbert questioned if the Land Bank would be willing to pay owed property taxes on this property, as the property owner is not. The estimated cost of demolition to this property is \$85,000. Mr. Johnson said he did not want the payment of taxes on this property to stop a possible demolition project, adding the Town and Village of Sodus consider this property an imminent threat to the public. Mr. Pincelli questioned if Sodus has an economic development plan for this site. Mr. Johnson said this large lot is in a prime business location and anticipates a new structure will be constructed there. Mr. Pincelli questioned if the Land Bank could take ownership of the Sodus Hotel with the stipulation the Town pay all owed taxes.

PAGE 4

Mrs. Ambroz made a motion, Mrs. Moyer second, to authorize the Land Bank Executive Director to obtain title to the Sodus Hotel, Sodus NY from the prior owner after a transfer is negotiated at a cost not to exceed \$1 (one dollar), subject to the Town of Sodus paying all owed property tax bills on the property and review by legal counsel. Carried.

Mrs. Ambroz made a motion, Mr. Groat second, to authorize the Land Bank Executive Director to have LiRo Engineers perform Phase I environmental assessment on the Sodus Hotel, Sodus NY, and engage LiRo Engineers to perform any tasks required to develop plans and perform appropriate building prices included in the Phase I Environmental Assessment. Carried.

Walker Road:

Mr. Humbert voiced concern for the reputation of the Land Bank following a request by the adjacent property owner for reimbursement for the cost of a replaced fence. One section of the fence was removed during demolition of the Land Bank property. The individual that owns the property adjacent to the Land Bank property would like the \$513.84 cost he incurred to replace said section of fence reimbursed.

Mr. Pincelli made a motion, Mr. Verkey second, the Land Bank Treasurer issue a check to Michael Geldorf for \$513.84, the cost of fence replacement to his Walker Road property. Carried.

Other Business:

Mrs. Ambroz informed members she has been working with a local sign creator for Land Bank signs; proofs of two different layouts were received. The actual product was not professional looking considering the cost. Signs can be ordered from other vendors; however, a credit card is needed to make the purchase.

Mr. Pincelli made a motion, Mr. Verkey second, that the Land Bank Treasurer obtain a credit card from the Lyons National Bank with a limit to be determined for use by only the Executive Director and Land Bank Treasurer. Carried.

Supervisor Johnson thanked Land Bank members for today's discussion and action. Mr. Groat stated the Land Bank was put in place to take the burden off delinquent properties in communities.

Mr. Pincelli said the Planning Department should have an inventory of Brownfield properties throughout the County complete by the end of the year. Mr. Humbert said all Roll Section 8 properties are being reviewed. There are many projects on the horizon for the Land Bank. He will continue to seek funding for the acquisition and demolition of the properties at 42 and 46 Canal Street in Lyons using CDBG funds. Mrs. Ambroz stated the need for the Land Bank to do a press release when a project is complete and to let the public know that these rehabilitated properties will be available for sale.

PAGE 5

ADJOURNMENT:

Mr. Verkey made a motion, Mrs. Moyer second, the meeting adjourn at 11:15 a.m. The next meeting of the Land Bank is scheduled for Thursday, September 17th at 1:00 p.m.

Respectfully submitted,

Debbie A. Liseno