

OEDA Board Meeting Minutes

December 13, 2019

121 N Main Street 2nd Floor Albion NY

Board Room

8:00 a.m.

Draft

Members Present:

Paul Hendel, Chairman

John Misiti, Vice Chairman

Ken DeRoller, Secretary

John DeFilipps, Assistant Secretary

Carol D'Agostino, Member

Skip Draper, Treasurer

Members Absent:

James Panek

Also Present:

Jim Whipple, CEO/CFO

Gabrielle Barone, Vice President Development

Diane Blanchard, Micro-Enterprise Business Coordinator

Kevin Zanner, OEDA Legal Counsel

I. **Roll Call**---- The meeting was called to order by Chairman Paul Hendel at 8:00 a.m. Diane called the roll and six members of the Board were present, constituting a quorum of the Board.

II. **Approval of Previous Board Meeting Minutes November 8, 2019 (Electronic)**

The Board reviewed the draft minutes from the November 8, 2019 Board meeting. John DeFilipps made a motion to accept the meeting minutes as presented, seconded by Skip Draper. Motion Passed (6-0-0).

III. **Financial Reports**

COIDA—Jim presented the monthly financial report for the Agency. The Agency cash account balance as of 11/30/19 is \$14,752.22. All of the Agency accounts were reviewed and discussed.

ORLF--- Jim presented the monthly financial report for the ORLF. The ORLF cash account balance as of 11/30/19 is \$1894.68.

John Misiti made a motion to accept the COIDA and ORLF financial reports, seconded by Skip Draper. Motion Passed. (6-0-0) M1219-01.

County Loan Repayment-Update---Jim reported that the second of three payments owed to the County of Orleans will be paid ASAP. Kim DeFrank, County Treasurer has been made aware of the payment delay.

PILOT Report---Diane reported that all PILOTs are current except for M.A G.C.

Roush CPA Engagement Letter---Jim presented a written proposal from Roush CPA PC to provide bookkeeping services to the Agency. Jim stated that the Agency has been working with Roush CPA for many years. The Board discussed the proposal, and it was noted that the proposal should be amended to reflect that the services will be provided for the 2020 calendar year.

Motion to approve the retention of Roush CPA for calendar year 2020 bookkeeping services made by Carol D'Agostino, seconded by Ken DeRoller. Motion Passed (6-0-0). M1219-02.

EFPR Group CPA Engagement Letter---Jim presented the October 22, 2019 proposal from EFPR Group to provide auditing services. Jim indicated that the Agency has been working with the EFPR Group for several years.

Motion to approve the retention of EFPR Group CPA to provide auditing services made by Ken DeRoller, seconded by Skip Draper. Motion Passed (6-0-0). M1219-03

Consideration of the Proposed 2020 Budget--- Jim presented the proposed 2020 Budget, which includes a \$190,000 contribution from the County. He reported on the anticipated revenue increases, and PILOTs for 2020 and an anticipated positive cash flow.

Motion to approve the proposed 2020 budget made by Carol D'Agostino, seconded by John Misiti. Motion Passed. (6-0-0). M1219-04.

IV. Report of Committees/Departments/Sites

Business Development-- Gabrielle presented the Business Development update on the following matters:

Snappy--- Gabrielle reported that Snappy will complete its relocation to the Bernzomatic building by the end of the 1st quarter of 2020. Gabrielle also reported that the NYSDEC is allowing site work at the property. Snappy is also looking at additional space in the building.

231 East Avenue---Gabrielle reported that 231 East Avenue is under new ownership. The property was recently purchased by BMV Partners.

BOMET—Gabrielle reported that the company continues to work on its equipment upgrade project. The company is also considering a project at the Medina Business Park.

Tourism---Gabrielle reported that Dawn Borchert is traveling to several conferences to promote tourism activity in Orleans County.

Project Updates - Jim reviewed the current project list report with the Board, a copy of which was included in the Board meeting materials.

Cobblestone Hotel-Update-Photos/Fee—Jim reported that the administrative fee of \$135,000 to be paid to the Agency will be split into two equal payments of \$67,500 each over the first two years following closing.

Heritage Wind Application—Jim reported that Heritage Wind has submitted an application to the Agency for assistance with respect to the wind project located in the Town of Barre. The Agency will work with the developer and the affected taxing jurisdictions to develop a PILOT agreement for the project.

Farwell Solar Project—Jim reviewed with the Board a handout regarding a proposed 20-megawatt solar project in the Town of Clarendon.

Niagara Food Specialties--- Jim is following up on a recent inquiry from the company.

Sierra Biological—Jim reported the company is considering an expansion project and working on financing.

Falls Road-Culvert/Bridge Replacement---The grant agreement has been signed.

GCASA---Jim reported on a meeting with the Town of Albion regarding the GCASA project. Discussions are ongoing regarding connecting the project to the Village sewer system.

MBP Strategic Plan Project--- Jim reported that he received three engineering firm responses to the Agency's request for qualifications. The proposals will be reviewed after the first of the year.

Bates Road Redevelopment---Kevin reported that the Environmental Easement was filed with the Orleans County Clerk and has been submitted to the NYSDEC and the local municipality. The NYSDEC will then issue a certificate of completion.

Maple Ridge Corridor Study---Jim reported that the study is complete.

Facilities/Sites

Sale of Albion Business Park Update---Jim reported that Kevin is working on the access agreement to permit project consultants to enter the site to conduct an archaeological survey.

RFQ for MBP Feasibility/Development Study Update— This item was covered in the Project Updates report.

Rail Access MBP---Jim reported that he is working with Bergmann Associates out of Syracuse to develop preliminary drawings and estimates for an under-road rail access project at MBP.

MAP and LDC Report

Diane reported the Spring MAP class starts on April 14th and runs through June 23rd. To date 518 participants have gone through the program. Lynne Palmer/Upscale Overstock opened her new business in Medina on 11/30/19. She was one of the participants from the last class.

Diane reported she and Jim attended an SBA business meeting on 12/11 which was sponsored by 39 Problems.

Loans Status: Printed reports from 12/10/19 are available for review.

Total Funds in RLF account as of 11/30/2019.

HUD unrestricted funds---\$5,496.85

Five Star Money Market Account-Unrestricted Funds---\$112,551.89.

Legal-Kevin Zanner---Your Right to Know--Kevin reviewed with the Board the “Right to Know” publication issued by the Committee on Open Government which summarizes the provisions of the Freedom of Information Law and the Open Meetings Law.

Marketing--- Opportunity Zone Update---Jim reviewed with the Board a map showing the federal Opportunity Zones in Orleans County. Information regarding Opportunity Zones in Orleans County will be posted to the Agency website. Mindful Media is working on marketing materials.

VI. Unfinished Business--Leadership Orleans Update

Ken DeRoller will be participating in the Leadership Orleans Class of 2020.

VII. New Business

Consideration of the 2020 Staff Compensation Resolution

A Resolution was presented to the Board relating to 2020 staff compensation as follows:

RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY (“COIDA”) APPROVING THE COMPENSATION OF COIDA STAFF.

Resolution moved by Skip Draper, seconded by Ken DeRoller.

Roll Call:

Paul Hendel	Aye
Ken DeRoller	Aye
John DeFilipps	Aye
Carol D’Agostino	Aye
Skip Draper	Aye
John Misiti	Aye

6	Ayes
0	Nays

Resolution Passed; Resolution attached. M1219-05.

Consider Incentive for Mid-South Adjustment Resolution--- Jim presented the Mid-South Adjustment Co. Inc. project. The project is for a back-office call center operation to be located on the 1st floor at 231 East Avenue, which the company will lease from the building owner. The Agency has been working directly with the company on this project. Proposed incentives include a sales tax exemption on up to \$250,000 in sales taxable materials and equipment and a customized PILOT for the abatement from real property tax. Jim reviewed the cost-benefit analysis and noted that the project is expected to create up to 200 full time jobs. A public hearing was held on December 12th, and Jim noted that Lynne Johnson was the sole attendee at the hearing and expressed her support for the project. A notice of deviation was mailed to each of the affected taxing jurisdictions as required in order for the Agency to deviate from its standard PILOT benefit. Kevin noted that the Agency’s provision of assistance to the project is contingent upon the company entering into a lease agreement with the building owner.

The following resolution was then presented as follows:

RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE ACQUISITION, RENOVATION AND EQUIPPING OF A FACILITY BY MID-SOUTH ADJUSTMENT CO. INC. FOR LEASE TO THE AGENCY

AND SUBSEQUENT LEASE TO MID-SOUTH ADJUSTMENT CO. INC. THE EXECUTION OF LEASE AGREEMENTS, A PILOT AGREEMENT AND THE TAKING OF OTHER ACTIONS.

Resolution moved by Ken DeRoller, seconded by Skip Draper.

Roll Call:

Paul Hendel Aye
Ken DeRoller Aye
John DeFilipps Aye
Carol D’Agostino Aye
Skip Draper Aye
John Misiti Aye

6 Ayes
0 Nays

Resolution Passed; Resolution attached. M1219-06.

Consider 2020 Contract with Orleans County --- Jim presented the 2020 funding agreement between the County and the Agency. This agreement is entered into annually by County and the Agency after the County approves its budget.

Motion to approve the 2020 Contract with Orleans County made by John Misiti, seconded by Carol D’Agostino. Motion passed. (6-0-0). M1219-07

Consider Extending the Lease of 121 North Main Street, Albion NY 14411

Jim made a recommendation that the Board approve an extension of the lease of 121 N Main Street in Albion. The new lease payment will be \$2070 per month.

Motion to extend the lease made by John DeFilipps, seconded by Carol D’Agostino. Motion Passed. (6-0-0) M1219-08.

VIII. Executive Session

Motion to go into Executive Session to discuss the financial and credit history of Medina Hospitality, LLC made by John Misiti, seconded by Carol D’Agostino.

John Misiti made a motion to exit Executive Session, seconded by Carol D’Agostino. Motion Passed.

No action was taken during Executive Session or from the discussion in Executive Session.

IX. Adjournment

Ken DeRoller made a motion to adjourn the meeting subject to Chairman's recall, seconded by Carol D'Agostino. Motion Passed. (6-0-0).

Respectfully Submitted,
Diane Blanchard