

# OEDA Meeting Board Minutes

May 11, 2018

121 N Main Street 2<sup>nd</sup> Floor Albion NY  
Boardroom  
8:00 a.m.

## Draft

### Members Present:

Paul Hendel, Chairman  
John Misiti, Vice Chairman  
Skip Draper, Treasurer  
Ken Rush, Assistant Treasurer  
Ken DeRoller, Secretary  
John DeFilipps, Assistant Secretary  
Carol D'Agostino, Member

### Also, Present:

Jim Whipple, CEO/CFO  
Gabrielle Barone, Vice President Business Development  
Diane Blanchard, Micro-Enterprise Business Coordinator  
Kevin Zanner, OEDA Legal Counsel  
Chuck Nesbitt, Orleans County Chief Administrative Officer  
Sean Pogue, Supervisor of the Town of Barre

**I. Roll Call----** The meeting was called to order by Chairman Paul Hendel at 8:00 a.m. A quorum of the Board was present. Carol D'Agostino joined the meeting at 8:05 a.m. during the presentation of the financial report. Chuck Nesbitt joined the meeting at 9:05 a.m. during the discussion relating to the Maple Ridge Road/DOT project.

### **II. Approval of Previous Board Meeting Minutes April 13, 2018 (Electronic)**

The April 13, 2018 Board meeting minutes were reviewed. A motion was made by Skip Draper to accept the meeting minutes as presented, seconded by Ken Rush. Motion Passed.

### **III. Financial Reports**

**COIDA**—The current Agency account balance as of 04/30/2018 is \$50,138.40. All of the Agency accounts were discussed.

**ORLF**---The current ORLF account balance as of 04/30/2018 is \$613,544.27. ORLF account/statements were reviewed.

**Motion to accept the OEDA and ORLF financials made by John DeFilipps, seconded by John Misiti. Motion Passed. M0518-01.**

**PILOT Report---**Diane reported that all PILOTs are current.

#### **IV. Executive Session**

**Motion to go into Executive Session for the discussion of financial matters of a corporation and the proposed acquisition sale or lease of real property, and to invite in staff, Jim Whipple, Counsel Kevin Zanner, made by Skip Draper, seconded by Ken DeRoller. Motion Passed.**

**Motion to exit Executive Session made by Ken DeRoller, seconded by John Misiti. Motion Passed.**

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

#### **V. Report of Committees/Departments**

##### **Business Development**

**Comprehensive Plan**—Gabrielle presented an update regarding the activities of the Western Orleans Comprehensive Plan Advisory Committee, of which she is a member. The Committee met in April to review the draft comprehensive plan. Another meeting is scheduled for this month.

##### **Project Updates**

Jim reviewed the current project list report with the Board. These are projects staff is currently working on and updates.

**Niagara Food Specialties----**Jim reported that the project appears to be back on track after a lengthy period of inactivity.

**Hotel Project---**Jim and Gabrielle updated the Board regarding hotel project, including the fire access road issue.

**Holley Gardens---**John DeFilipps reported that Governor Cuomo has announced a \$5.1 million dollar grant for the Holley Gardens project. This funding, along with the one million dollar grant previously awarded in March through the Restore New York program, will help the Holley Gardens project become a reality.

**ARG Services of WNY----**Jim reported that a \$58,000 loan disbursement request was received from ARG for 2 walking floor trailers. Construction of the building is nearly complete.

**Takeform**---Construction is underway. Steel is up.

**Heritage Wind**-----Barre Town Supervisor Sean Pogue reported that the Town of Barre is working with the law firm Knauf Shaw LLP on the Heritage Wind project. The Town of Barre is also working with LaBella Associates, who are providing environmental consulting services with respect to the project. Supervisor Pogue also reported that a public hearing has been scheduled for June 6<sup>th</sup> at 6:00 p.m. regarding Heritage Wind's proposal to construct and install two meteorological evaluation towers (MET Towers) in the Town. In response to a question from John DeFillips, Jim reviewed the Agency's policy regarding PILOTs for wind projects. He indicated that consistent with Agency policy, the Agency will not negotiate a PILOT with a wind energy company unless the host municipality makes that request of the Agency.

**MBP-Infrastructure Project**---Jim reported on landscaping work at MBP.

**Infrastructure Work Group**—Funding discussion is underway.

**4002 Bates Road**----Jim reported that this parcel is on the County in-rem foreclosure list. The County has been asked to remove it from the list. There is an interested buyer who would acquire the property in “as is” condition and would be responsible for demolishing the residence on site which is in disrepair. The Agency would assist by acquiring the property from the County and transferring title to the buyer.

### **Facilities/Sites**

**Transfer of Medina Business Park-North Access Roads, Water & Sewer Lines to the Village of Medina**-- Jim reported on the dedication to the Village of Medina of two new roads by Pride Pak on Route 31A. The Village accepted the roads, each of which is about 300 feet in length. The Agency facilitated the road construction to accommodate Pride Pak and future development at the Business Park. In addition, easements for the sewers have been prepared by Agency counsel and will be signed today.

**3959 Bates Road-ERP**---Jim reported that NYSDEC issued its Record of Decision for this ERP project. The Agency can now move forward with the \$60,000 land sale of the Brunner property and the transfer of the rail spur property. Kevin is working with the NYSDEC with respect to the requirements for releasing the property from the ERP.

**Attendance-NYS Redevelopment Summit**---Jim reviewed with the Board the agenda for a brownfield redevelopment seminar scheduled in Albany on June 13<sup>th</sup> and 14<sup>th</sup>. The consensus of the Board was that Jim should attend the seminar on behalf of the Agency.

**Maple Ridge Road/DOT Possible Project-Update---**Jim reported on discussions to widen the road to allow more access to the park. The Village received a \$50,000 grant for sidewalks and Jim Bensley was able to secure \$15,000 to widen the road. More funding is being sought. O'Brien & Gere is preparing cost estimates for the turning lane work.

**Discussion/Action-Medina Business Park-Development Strategy Project—**Jim discussed applying for a different funding source to move this project forward. In 2017, the Agency applied for a \$70,000 CFA grant for this project and was turned down. Instead of re-applying for CFA funding, Jim is recommending that the Agency apply for an Empire State Development (ESD) grant which would cover 50% of the \$70,000 cost. The Agency would then ask the County to contribute \$20,000, with the remaining \$15,000 to be contributed by the Agency or another source. Jim proposed that the Agency retain LaBella Associates at a cost of \$1,500 to prepare the ESD grant application.

**Motion to approve the retention of LaBella Associates at a cost of \$1,500 to prepare the grant application made by John DeFilippis, seconded by Skip Draper. Motion Passed. M0518-02.**

**Legal** –Nothing reported by Kevin.

#### **MAP and LDC Report.**

Diane reported the Spring MAP class started on April 3 and ends on June 19. There are 14 participants in the class. Class is going well.

The GOSC loan fund account as of 04/30/18 has a balance of \$196,176.91; the HUD unrestricted account has a balance of \$4,872.86; the LDC money market account has a balance of \$108,758.75 and the LDC Grant loan fund has a balance of \$40,068.24.

**Marketing Update—**Jim reviewed the Agency's monthly website snapshot for April. This report provides information regarding the number of users who visited the Agency's website.

**Support Letters---**None.

## **VI. Unfinished Business**

**Update on Code Enforcement Project-----**Jim indicated that the Agency had previously discussed whether the Agency should become involved in code enforcement matters. After further consideration, the Agency will not pursue further involvement, as code enforcement is beyond the scope of the IDA's purpose and mission.

**Discussion ORLF/OCR Program Income Claw Back---**At the last Board meeting, Jim reviewed with the Board a letter received from OCR regarding policy changes to the Community Development Block Grant (CDBG) program. This letter announced a change in policy regarding the retention of CDBG program income by current and past recipients of CDBG program funding since the start of Program Year 2000. This will impact the ORLF. The five municipalities who contributed funding for the ORLF are required to advise the OCR of the amount of program income by May 31, 2018. Municipalities may use program income for CDBG eligible activities if the funds are committed by March 31, 2019. Kevin reported on different approaches that the Agency is discussing with Harry Sicherman that would permit the Agency to continue operating the ORLF, including a potential sale of the loan portfolio to the Orleans Land Restoration Corporation. OCR approval would be needed to implement any change. Jim discussed with the Board the amounts from the ORLF and LDC funds that will need to be reported.

**VII. New Business**

**Consider Renewing Legal Agreement with Hurwitz & Fine**

Jim recommended that the Board renew the legal agreement with Hurwitz & Fine.

**Motion to renew the agreement with Hurwitz & Fine made by John DeFilipps, seconded by Carol D'Agostino. Motion Passed. M0518-03.**

**Consider Contracts for the Removal of Asbestos from the Sanderson Road Site---**Jim discussed the cost of asbestos removal from the Sanderson Road site. He received a \$12,690.00 quote from ECG. Asbestos project monitoring, air sampling and analysis proposal would cost \$635.00 per day. The project would take approximately 7 days. Total cost of asbestos removal would be approximately \$25,000. Jim is looking for grant funding to pay for this expense.

**VIII. Adjournment**

**Motion to adjourn subject to Chairman's recall was made by Skip Draper, seconded by John Misiti. Motion Passed.**

Respectfully Submitted,  
Diane Blanchard