

OEDA Board Meeting Minutes

September 14, 2018

**121 N Main Street 2nd Floor Albion NY
Boardroom
8:10 a.m.**

Draft

Members Present:

Paul Hendel, Chairman
Skip Draper, Treasurer
Ken Rush, Assistant Treasurer
Ken DeRoller, Secretary
John DeFilipps, Assistant Secretary

Members Absent:

Carol D'Agostino, Member
John Misiti, Vice Chairman

Also Present:

Jim Whipple, CEO/CFO
Gabrielle Barone, Vice President Business Development
Diane Blanchard, Micro-Enterprise Business Coordinator
Kevin Zanner, OEDA Legal Counsel
Tom Rivers, Orleans Hub (joined the meeting during the MAP/LDC report)

I. Roll Call---- The meeting was called to order by Chairman Paul Hendel at 8:10 a.m. A quorum of the Board was present.

II. Approval of Previous Board Meeting Minutes August 10, 2018 (Electronic)

The August 10, 2018 Board meeting minutes were reviewed. A motion was made by Skip Draper to accept the meeting minutes as presented, seconded by John DeFilipps. Motion Passed.

III. Financial Reports

COIDA—The current Agency account balance as of 08/31/18 is \$76,168.26. All of the Agency accounts were discussed.

ORLF---The current ORLF account balance as of 08/31/18 is \$495,940.98. ORLF account/statements were reviewed.

Motion to accept the OEDA and ORLF financials made by Ken DeRoller, seconded by Skip Draper. Motion Passed. M0918-01.

Consider 2019 COIDA County Budget Request

Jim reviewed the proposed 2019 budget with the Board. The Agency is seeking funding from the County in the amount of \$190,000, which is an increase of \$10,000 from last year's budget. Jim indicated that this is not the final budget, which will be submitted to the Board in December after the County allocation is known, but is being submitted to the County as part of the funding process. The final budget will be approved in December.

Jim also reviewed the proposed 2019 Special Projects Budget with the Board. The proposed budget includes funding requests for land clearing work, wetlands delineation and strategic planning for Medina Business Park. The strategic planning work will provide survey, site planning, engineering and permitting cost estimates to advance the development of MBP. and is budgeted at \$37,500. The Board discussed the Special Project Budget at length.

Motion to approve the proposed the 2019 budget request for County funding made by Skip Draper, seconded by Ken Rush. Motion Passed. M0918-02.

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 John DeFilipps, seconded by Skip Draper. Motion Passed.

Motion to exit Executive Session made by Skip Draper, seconded by Ken DeRoller, Motion Passed.

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

V. Report of Committees/Departments

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

Business First Economic Development Forum---Gabrielle attended an Economic Development Forum sponsored by Business First in Buffalo. Representatives from the Niagara County IDA and the Erie County IDA also attended. Speakers focused on the challenges and successes of development in Buffalo and Western New York. Gabrielle will continue to attend these sessions.

Captain's Cove---Gabrielle met with George Lacy owner of Captain's Cove. Mr. Lacey owns a heavy equipment business in Lockport and will be selling the business to develop this new business. He is working with BME to develop a site plan.

YWCA in Buffalo—Gabrielle is working with Kelly Kiebalala and the YWCA in Buffalo to identify workforce opportunities in Orleans County for women receiving services through the YWCA.

Takeform---Gabrielle reported that the Takeform building will be completed by October 1st. The ORLF loan funding is in place, and the OCR funding will move forward this fall.

Project Updates

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

Holley Gardens ---Jim reported that Kevin Zanner and Joe Reynolds are working on the lease-leaseback/PILOT transaction for the Holley Gardens project. The closing is tentatively scheduled for next week.

Hotel Project---In the financing phase.

Facilities/Sites

3959 Bates Road-ERP---Jim reported that Kevin is working with NYSDEC to subdivide the Brunner and WNY Energy parcels which will enable the Agency and OLRC to transfer fee title of these parcels to Brunner and WNY Energy. Kevin stated that the NYSDEC is requiring that an environmental easement be recorded, and that NYSDEC counsel is working on the draft of that document.

Albion Business Park Update---Jim updated the Board regarding the Phase I environmental assessment and SHPO cultural resources analysis.

Holley Business Park-Signs---Jim showed the Board pictures of the new signage at Holley Business Park.

Medina Business Park-Development Strategy Project—Jim reported that the CFA application was submitted.

Legal –Nothing reported by Kevin.

Correspondence—No correspondence reported.

MAP and LDC Report.

Diane reported the Fall MAP class started on September 4 and ends on November 6. Eleven participants are taking the course. Ideas of businesses and operating businesses are a Early Head Start Child Care Program, a Drop In Child Day Care, operating businesses, Laura Loxley Vintage, an Inspired Vintage Gifts business, DC Hauling an excavating business, Fastan-Tanning Salon, 365 Fitness LLC Studio Fit- Personal Training business, Milk&Honey a clothing boutique business. Other businesses a machine shop, photography business and a custom vintage lamp sale business.

The GOSC loan fund account as of 08/31/18 has a balance of \$197,759.94; the HUD unrestricted account has a balance of \$5175.68; the LDC money market account has a balance of \$109,002.83 and the LDC Grant loan fund has a balance of \$32,616.51.

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

Support Letters---Nothing reported

VI. Unfinished Business

Update-ORLF/OCR Program Income Claw Back -6 Current Open Loans Proposing the Preparation of a “Loan Portfolio” Value - Jim reported on the receipt of the OLRF loan portfolio valuation prepared by H. Sicherman & Co. o and the next steps in the process, which include the the OLRC seeking financing to purchase the loan portfolio from the Agency. Proceeds from the sale of the loan portfolio would be returned to the municipalities as program income.

VIII. New Business

Consider Extending the Western New York Energy Rail Spur - Jim reported that the Agency is negotiating a six-month extension of the Rail Spur Lease Agreement with Western New York Energy, LLC. John DeFillips made a motion for the Board to enter into executive session discuss the proposed extension of the lease for the rail spur property and to invite in staff, Jim Whipple and Counsel Kevin Zanner to participate in the Executive Session. The motion was seconded by Skip Draper and unanimously carried.

A motion to exit Executive Session was made by Ken DeRoller, seconded by John DeFilipps and unanimously carried. A Resolution was then presented as follows:

RESOLUTION OF THE BOARD OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE

**EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO
RAIL SPUR LEASE AGREEMENT IN CONNECTION WITH THE
2006 WESTERN NEW YORK ENERGY, LLC PROJECT.**

Resolution moved by Skip Draper, seconded by Ken DeRoller.

Roll Call:

Paul Hendel	Aye
Ken DeRoller	Aye
Ken Rush	Aye
John DeFilipps	Aye
Carol D'Agostino	Absent
Skip Draper	Aye
John Misiti	Absent

5 Ayes

0 Nays

Resolution Passed; Resolution attached. M0918-03.

IX. Adjournment

**Motion to adjourn subject to Chairman's recall was made by John DeFilipps,
seconded by Ken Rush. Motion Passed.**

Respectfully Submitted,
Diane Blanchard