

OEDA Board Meeting Minutes

April 22, 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
John DeFilipps, Assistant Secretary
Skip Draper, Treasurer
Ken Rush, Assistant Treasurer

Members Absent:

Ken DeRoller, 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

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.

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

The Board reviewed the draft meeting minutes from the Board's March 8, 2019 meeting. John Misiti made a motion to accept the meeting minutes as presented, seconded by Skip Draper. Motion Passed.

III. **Financial Reports**

COIDA—The Agency account balance as of 03/31/2019 is \$75,878.02. All of the Agency accounts were reviewed and discussed.

ORLF---The ORLF account balance as of 03/31/2019 is \$651,552.33. The ORLF account/statements were reviewed and discussed.

Ken Rush made a motion to accept the OEDA and ORLF financials, seconded by John Misiti. Motion Passed. M0419-01.

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

IV. Executive Session

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

John DeFilipps made a motion to exit Executive Session, seconded by Ken Rush. Motion Passed.

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

V. Report of Committees/Departments/Sites

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

Empire Coating---Gabrielle reported that Empire Coating is working closely with National Grid regarding a potential expansion project.

Invest Buffalo Niagara (InBN)---Gabrielle reported InBN is working with Spectrum to coordinate a televised meeting with Sierra Biological on an expansion project.

Medina Hotel Project----Gabrielle reported on a ground breaking ceremony for the project which is tentatively scheduled for May 16th.

Niagara Food Specialties---Gabrielle reported that Niagara Food Specialties is working closely with the M&T Bank branch in Lyndonville for its project financing.

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

Lighthouse Wind---Jim reported that the project is on hold until next year. No application submitted.

Zambito Project----Work in progress.

Facilities/Sites

Medina Business Park Update

Funding MBP Development Strategy---Jim reported he is anticipating a check for \$55,000 from the Village of Medina. These monies will be used for the strategic plan and engineering funding.

Legal – Prevailing Wage Update---Kevin Zanner reported that the prevailing wage legislation was not included as part of the NYS Budget that was recently adopted. The Legislature is still in session, so the prevailing wage legislation remains an issue.

NYSEDC Update-NYS Budget--- Jim reviewed the April 2, 2019 NYSEDC report that was included in the Board meeting materials. New York State approved and passed a \$175 Billion budget for the 2019-2020 Fiscal Year. One of the most important items in the budget was making the 2% property tax cap permanent.

MAP and LDC Report

Diane reported the next MAP class starts on April 2 and ends on June 4. To date, 495 participants have gone through the program. 16 participants have signed up for the class. Existing businesses joining the class are The Whole Approach Health & Wellness Center, North Ridge Distillery, MLW Massage, Quill Diesel Repair and the Lockstone and Tinsel Ice Cream Shop. Start-up businesses include a hemp CBD business, mobile wood-fired pizza catering truck, a hair dresser for home bound individuals, medical billing business, grocery store in Holley, record keeping consultant business, self-storage business, a winery, a massage therapy business and an online store business.

On March 1st, Diane closed the loan to Laura Loxley's Vintage Inspired Goods in the amount of \$15,000. The store held a grand opening event that same day.

As of 03/31/2019: the GOSC loan fund account had a balance of \$115,917.63; the HUD unrestricted account had a balance of \$350.56; the LDC money market account had a balance of \$113,796.80; and the LDC Grant loan fund had a balance of \$2,664.94.

Marketing Update--- Jim reviewed the April 5, 2019 report prepared by Mindful Media. One social media post on Facebook about the Cobblestone hotel project at the MBP garnered a record-breaking organic reach of 3,058 people in March. This was most ever in the history of the agency's social media and Facebook page.

VI. Unfinished Business---Recommend Candidate to Orleans County Legislature for Open COIDA Board Seat.

Jim reported that the Personnel Committee met and discussed several possible candidates to fill the seat of long serving outgoing member Ken Rush. The Committee is recommending Albion resident James Panek to fill that seat. Jim is a lifelong resident of Orleans County and is semi-retired from Panek Farms which,

with his family, he founded and continues to operate. The Committee is of the opinion that his agricultural and business background will be an asset to the Board.

Motion to recommend that the Orleans County Legislature appoint James Panek to the County of Orleans Industrial Development Agency to fill the seat to be vacated by Kenneth Rush made by Kenneth Rush, seconded by John DeFilipps. Motion Passed M0419-02.

VII. New Business

A. Consider the Sale of Approximately 9 Acres of the Albion Corporate Park.

Jim reviewed with the Board the terms of the proposed sale of a 9+/- acre site at the Albion Corporate Park to the Genesee/Orleans Council on Alcohol and Substance Abuse, Inc. He then presented the following resolution:

RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE SALE OF A 9+/- ACRE PARCEL OF LAND LOCATED WITHIN THE ALBION CORPORATE PARK TO THE GENESEE/ORLEANS COUNCIL ON ALCOHOL AND SUBSTANCE ABUSE, INC. (GCASA) AND THE EXECUTION AND DELIVERY OF A CONTRACT OF SALE AND OTHER ACTIONS NEEDED TO EFFECTUATE THE CONVEYANCE OF THE PROPERTY.

Skip Draper made a motion to approve the Resolution, seconded by John Misiti.

Roll Call Vote:

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

5 Ayes

0 Nays

Resolution Passed; Resolution attached. M0419-03.

B. Consider the Sale of Approximately 23 Acres of the Albion Corporate Park.

Jim and Kevin reviewed with the Board the terms of the proposed sale of a 23+/- acre site at the Albion Corporate Park to Scott R. Armstrong and Christine H. Armstrong. The proposed per acre sale price is less than the appraised value of the property. It was noted that there are significant challenges (including wetlands) to developing this portion of the Albion Corporate Park property for commercial uses and that the public RFP process undertaken by the Agency last fall did not generate any responses. Given these factors, the sale to the Armstrongs is the best alternative and will return the property to the tax rolls. Jim then presented the following resolution:

RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE SALE OF A 22.9+/- ACRE PARCEL OF LAND LOCATED AT THE ALBION CORPORATE PARK, IN THE TOWN OF ALBION, NEW YORK TO SCOTT R. ARMSTRONG AND CHRISTINE H. ARMSTRONG AND THE EXECUTION AND DELIVERY OF A CONTRACT OF SALE AND OTHER ACTIONS NEEDED TO EFFECTUATE CONVEYANCE OF THE PROPERTY.

John DeFilipps made a motion to approve the Resolution, seconded by Ken Rush.

Roll Call Vote:

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

5 Ayes
0 Nays

Resolution Passed; Resolution attached. M0419-04.

C. Consider Incentives for the Medina Hospitality LLC Project.

Jim reviewed the proposed lease-leaseback transaction with Medina Hospitality, LLC. The proposed financial incentives for this project include an exemption from sales and mortgage recording tax and an abatement from real property taxes utilizing a non-standard PILOT schedule. Jim noted that the appropriate notices were provided to the taxing jurisdictions in connection with the deviation from the UTEP. He reviewed the proposed PILOT schedule. He also reviewed with the Board the cost-benefit analysis, which at 13 to 1 is less than the Agency's typical

30 to 1 ratio. Kevin commented that the project is eligible under the goods and services and distressed area exceptions to the statutory prohibition against incenting retail projects. Jim then presented the following resolution:

RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE CONSTRUCTION AND EQUIPPING OF AN APPROXIMATELY 31,000+/- SQUARE FOOT HOTEL FACILITY BY MEDINA HOSPITALITY, LLC TO BE LOCATED AT 11591 MAPLE RIDGE ROAD IN THE VILLAGE OF MEDINA, NEW YORK FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASE TO MEDINA HOSPITALITY, LLC, THE EXECUTION OF LEASE AGREEMENTS, A NON-STANDARD PILOT AGREEMENT AND THE TAKING OF OTHER ACTIONS.

Skip Draper made a motion to approve the Resolution, seconded by John Misiti.

Roll Call Vote:

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

5 Ayes
0 Nays

Resolution Passed; Resolution attached. M0419-05.

D. Release of a Portion of Falls Road RR Parcel in the Village of Albion from PILOT Agreement with the Falls Road RR.

Jim reviewed the proposed transaction and presented the following resolution:

RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE PARTIAL RELEASE OF A PORTION OF A VACANT PARCEL OF LAND ADJACENT TO 129 CLARENDON STREET IN THE VILLAGE OF ALBION FROM THE FALLS ROAD RAILROAD CO., INC. PROJECT AND CONVEYANCE OF THE AGENCY'S INTEREST THEREIN TO FALLS ROAD RAILROAD., INC. ("LESSEE").

Skip Draper made a motion to approve the Resolution, seconded by John Misiti.

Roll Call Vote:

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

5 Ayes
0 Nays

Resolution Passed. Resolution attached. M0419-06.

E. Consider Acceptance of 2018 PARIS Reports.

Jim reviewed the 2018 PARIS report, copies of which were emailed to all the Board members in advance of the meeting. A Motion was needed to approve.

Motion to approve the 2018 PARIS report made by John Misiti, seconded by Skip Draper. Motion Passed. M0419-07.

F. Consider Support Request for InBN---Jim reported that InBN is a top marketing partner. Cost of support is \$5000.00

Motion to approve the cost of \$5000.00 for support to InBN made by Skip Draper, seconded by John Misiti. Motion Passed. M0419-08.

VIII. Adjournment

John Misiti made a motion to adjourn the meeting subject to Chairman’s recall, seconded by Ken Rush. Motion Passed.

Respectfully Submitted,
Diane Blanchard