

OEDA Board Meeting Minutes

May 10, 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
Skip Draper, Treasurer
Carol D'Agostino, Member
Jim Panek, 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
Kenneth Rush

- 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. The Chair welcomed Jim Panek as the newest member of the Board.

Carol D'Agostino joined the meeting during the presentation of the audited financial statements. Ken DeRoller joined the meeting during executive session.

II. **Approval of Previous Board Meeting Minutes April 22, 2019 (Electronic)**

The Board reviewed the draft meeting minutes from the April 22, 2019 Board meeting. Skip Draper made a motion to accept the meeting minutes as presented, seconded by John Misiti. Motion Passed.

III. **Financial Reports**

EFPR Group, LLP - Review of 2018 Audited Financial Statements--- Joe Kehm of EFPR Group, LLP reviewed with the Board the audited financial statements, the federal single audit for federal grants and the Independent Auditor's Report for the year ending December 31, 2018. Mr. Kehm reported that EFPR Group is issuing an unmodified

(clean) opinion with respect to the financial statements and the single audit in accordance with government auditing standards, He also reviewed with the Board a report issued by EFPR Group regarding internal control over financial reporting and compliance. The report, which is required pursuant to government auditing standards, did not identify any material weaknesses in internal control. No compliance issues were identified during the audit. A brief question and answer session followed Mr. Kehm's presentation of the financial statements.

Acceptance of 2018 Audited Financial Statements

A motion was made by Carol D'Agostino to accept the 2018 Audited Financial Statements, seconded by John Misiti. Motion Passed. M0519-01.

COIDA—Jim presented the monthly financial report for the Agency. The Agency account balance as of 04/30/2019 is \$87,782.10. All of the Agency accounts were reviewed and discussed.

ORLF--- Jim presented the monthly financial report for the ORLF. The ORLF account balance as of 04/30/2019 is \$437,573.78. The ORLF account/statements were reviewed and discussed.

John Misiti made a motion to accept the COIDA and ORLF financial reports, seconded by Skip Draper. Motion Passed. M0519-02.

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, Counsel Kevin Zanner and Timothy Winters of WNY Energy to join the session. The motion was seconded by John Misiti and unanimously carried.

Ken DeRoller made a motion to exit Executive Session, 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/Sites

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

Ag Session with Senator Ortt—Gabrielle reported on a roundtable session led by Senator Robert Ortt regarding proposed state legislation that would require the payment of overtime to farmworkers and provide farmworkers with the right to

collective bargaining. The proposed legislation is opposed by the agricultural industry and lobbying efforts are underway to defeat the bill. The bill is currently in the Labor Committee of the Senate. The overall sentiment is favoring direct letters to the Governor and Albany lobbying by those not supporting the proposed legislation.

Freeze Dry Foods Expansion----Gabrielle reported that the Agency is working with Freeze Dry Foods on a possible expansion project. The company is looking to acquire additional drying chambers and add more product lines. The company will also add additional shifts. Freeze Dry is working with National Grid, Workforce Development and ESD on this project.

Zambito Project---Gabrielle circulated renderings of the project, which includes a 200-person conference space along North Main Street. Design of the project is subject to SHPO requirements.

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

Pride Pak-----Gabrielle reported that Pride Pak is seeking opportunities to utilize or market the company's organic waste stream. They are working with a company in Genesee County.

Towne Primary School Project----Gabrielle provided an update regarding the private school project underway at the former Towne Primary School in Medina. The purpose of the project is to develop an international school for Chinese students. The State Education Department is involved.

Medina Hotel Project----A groundbreaking ceremony for the project is scheduled for May 16th.

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.

Sierra Biological---Working on an expansion project with no incentives.

Bated Road---Possibly working on a solar project on the north site and 3959 Bates Rd.

MBP Strategic Plan Project---Jim reported that funding is in place. The next step is to solicit consultants for the feasibility study.

Maple Ridge Corridor Study---Jim reported that the study is in the second phase and should be completed by early summer.

Facilities/Sites

Sale of Albion Business Park Update---Jim reported that the 23-acre sale of land to Armstrong is moving forward. A sale agreement has been signed with the purchaser. The Agency has submitted a property disposition notice to the Authorities Budget Office for the sale. The Agency has submitted a proposed sale agreement to GCASA for the sale of a nine-acre parcel.

Village of Albion-Opportunity Zone---Jim reported that the Village of Albion is in a federal Opportunity Zone. The program is an economic incentive for investors to delay capital gains from investments.

Legal – Nothing reported by Kevin Zanner.

MAP and LDC Report

Diane reported the Spring MAP class started on April 2 and ends on June 4 and all is going well.

As of 04/30/2019: the GOSC loan fund account had a balance of \$7.15 (interest only); the HUD unrestricted account had a balance of \$3,090.92; the LDC money market account had a balance of \$113,890.70; and the LDC Grant loan fund had a balance of \$0.13 (interest only). Working on closing the GOSC and LDC accounts.

Marketing Update---Nothing reported

Workforce-Request for Funding \$1000.00 GLOW With Your Hands---Jim reported that Genesee, Livingston and Wyoming Counties have all agreed to help sponsor the Glow With Your Hands event. This event exposes local high school students to the many exciting careers in advanced manufacturing, agriculture, agribusiness, construction and skilled trades. Sponsorship request is \$1000. A motion was needed.

Motion to approve a \$1,000 sponsorship for Glow With Your Hands made by Ken DeRoller, seconded by Skip Draper. Motion Passed. M0519-03.

VI. Unfinished Business---Recognition of Ken Rush for Service to the OEDA.

The Board presented Ken Rush with an award for his many years of service with the OEDA Board.

VII. New Business

Fill Vacancy on the Finance and Project Committees---The Board discussed the filling of vacancies on the Finance and Project Committees.

Skip Draper made a motion to appoint Carol D'Agostino to fill the Finance Committee vacancy and Jim Panek to fill the vacancy on the Project Committee. The motion was seconded by John DeFilipps and unanimously carried. M0519-04.

VIII. Adjournment

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

Respectfully Submitted,
Diane Blanchard