

# OEDA Board Meeting Minutes

September 13, 2019

121 N Main Street 2<sup>nd</sup> 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

Jim Panek, Member

## Members Absent:

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

Kelly Kiebala, Workforce Development

- 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.

### Workforce-Kelly Kiebala

**GLOW With Your Hands**—The Orleans County Workforce Development Committee is promoting student participation at this program, which will take place at the Genesee County Fairgrounds on September 24. Over 1000 students from four counties are expected to participate.

Kelly reported that she is fully staffed and discussed the organizational chart and roles, youth programs, GLOW workforce and also funding sources.

**Takeform**--- Gabrielle reported on Takeform's efforts to recruit employees to its MBP facility, including a billboard at Millersport Highway and Transit Road in Erie County.

- II. **Approval of Previous Board Meeting Minutes August 9, 2019 (Electronic)**

The Board reviewed the draft meeting minutes from the August 9, 2019 Board meeting. Ken DeRoller made a motion to accept the meeting minutes as presented, seconded by Skip Draper. Motion Passed.

### **III. Financial Reports**

**COIDA**—Jim presented the monthly financial report for the Agency. The Agency cash account balance as of 08/31/2019 is \$25,188.77. 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 08/31/2019 is \$738.20.

**John Misiti made a motion to accept the COIDA and ORLF financial reports, seconded by Jim Panek. Motion Passed. M0919-01.**

**COIDA Proposed Budget for 2020 County Budget**--- Jim reviewed the proposed 2020 budget with the Board. The Agency is seeking funding from the County in the amount of \$200,000, 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. This budget will be submitted to the County as part of its budget process. The final budget will be approved in December.

**Motion to approve the proposed the 2020 budget request for County funding made by John Misiti, seconded by Skip Draper. Motion Passed. M0919-02.**

**PILOT Report**----Diane reported she sent out the CSD PILOT invoices and 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, acquisition, sale or lease of real property, and to invite staff, Jim Whipple, and Counsel Kevin Zanner to join the session. The motion was seconded by Ken DeRoller and unanimously carried.**

**John Misiti made a motion to exit Executive Session, seconded by Jim Panek. 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:

**Zambistro Event Space**---Gabrielle reported that SHPO issued a letter which will likely require changes to the proposed design of the project.

**Federal Funding for Economic Development**—Gabrielle reported on a recent visit from Senator Gillibrand’s economic development team and possible funding for a road extension off Bates Road.

**Medina Hotel Site**---- Gabrielle reported that the project developer and its investor group recently met with Jim and the Orleans County Tourism Department

**Niagara Food Specialties**—Gabrielle reported that the company recently closed on a loan with M&T Bank.

**Invest Buffalo Niagara: A Plan for Tomorrow**—Gabrielle reported she will attend the unveiling of the new Invest Buffalo Niagara talent attraction program that is designed to recruit business and talent to the Buffalo Niagara region. The meeting is scheduled for September 19.

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

**Heritage Wind-Update**---Jim updated the Board regarding the Heritage Wind project. The developer recently issued a stakeholder notice for the project, which has been working its way through the Article 10 siting process. The Town of Barre passed a resolution requesting that the Agency help develop a PILOT arrangement for the project. A meeting of the affected taxing jurisdictions has been scheduled to discuss how to structure the PILOT. The Board discussed the project. Jim Panek disclosed to the Board that he owns real property that will be leased to the developer as part of this project. John Misiti left the meeting near the end of the discussion.

**Sierra Biological**---Jim reported he toured the new 20,000 square foot building. The company is working with Dave Zorn (Finger Lakes Regional Economic Development Council) to put together a \$280,000 GAIN loan package.

**BOMET**---Jim reported that BOMET is working on a 1.5-million-dollar equipment upgrade project in Albion and is expected to add more employees.

**MBP Strategic Plan Project**---Jim reported on the funding for this project.

### **Facilities/Sites**

**Sale of Albion Business Park Update**---Jim reported that the 23-acre sale of land to the Armstrongs is expected to close shortly.

**Legal – Committee Structure Update**---Kevin reported on discussions with Jim regarding the possible restructuring of the Audit, Finance and Governance committees and the elimination of committees that are no longer required for Agency operations. A committee restructuring proposal was presented by Kevin.

**Live Streaming of Meetings**---Kevin reported that effective January 1, 2020, industrial development agencies will be required to livestream their Board and committee meetings and public hearings and later upload video recordings under legislation that was recently signed by the Governor. The recordings must be posted online within five business days of the public meeting or hearing and remain online for at least five years.

### **MAP and LDC Report**

Diane reported the Fall MAP class started on September 3<sup>rd</sup> and runs through November 5<sup>th</sup>. To date, 506 participants have gone through the program. Diane has 14 participants in the class. These are the proposed businesses:

Paparazzi Jewelry Consultant

Sports Bar/Grill & Gaming Center

Handyman Service & Exterior and Interior Painting

Commercial/Residential Construction Co.

Air Duct Cleaning Business

Credit Repair Counseling

Masonry Repair

Recreation Center for Youths

Welding Business

Bakery

B&R Trailer Repair& Fabrication

Agribusiness

Chicken & Rib Food Truck

Life Coach/Spiritual Healing with Reiki

**Loans Status:** Printed reports from 09/10/19 are available for review.

### **Total Funds in RLF account as of 08/31/19:**

HUD unrestricted funds---\$7,086.94

Five Star Money Market Account-Unrestricted Funds---\$112,173.41.

Skip Draper left the meeting during the presentation of the MAP and LDC report.

**Marketing Update**

**Ag and Food Exhibit**----Jim reported on the Grow-NY Food & Ag Summit, a two-day event showcasing food and ag innovations that will change the path of the industry. The event is scheduled to take place November 12-13 at the Rochester Riverside Convention Center.

**VI. Unfinished Business**---Nothing reported.

**VII. New Business**

**WNYE Rail Spur Lease Extension-Resolution**

**A Resolution was presented as follows:**

**RESOLUTION OF THE BOARD OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF A FOURTH AMENDMENT TO RAIL SPUR LEASE AGREEMENT IN CONNECTION WITH THE 2006 WESTERN NEW YORK ENERGY, LLC PROJECT.**

**Resolution moved by John DeFilipps, seconded by Ken DeRoller.**

**Roll Call Vote:**

<b>Paul Hendel</b>	<b>Aye</b>
<b>Ken DeRoller</b>	<b>Aye</b>
<b>John DeFilipps</b>	<b>Aye</b>
<b>Jim Panek</b>	<b>Aye</b>
<b>Carol D'Agostino</b>	<b>Absent</b>
<b>Skip Draper</b>	<b>Absent</b>
<b>John Misiti</b>	<b>Absent</b>

**4 Ayes**

**0 Nays**

**Resolution Passed; Resolution attached. M0919-03.**

**Northern Border Regional Commission -Falls Road RR Grant Award-Resolution**

**Northern Border-Falls Road RR Grant Award**—Jim reported that the Northern Border Regional Commission awarded the Agency \$480,000 in grant funding to be

used for Falls Road Railroad bridge and culvert improvements. The railroad will be responsible for providing match funding in the amount of \$120,000 for the project. Jim noted that the original grant award included nine bridges and culverts, three of which are located outside Orleans County.

A Resolution was presented as follows:

**RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY REGARDING THE ACCEPTANCE OF GRANT FUNDING FROM THE NORTHERN BORDER REGIONAL COMMISSION (NBRC), THE EXECUTION OF A GRANT AGREEMENT WITH NBRC, THE EXECUTION OF RELATED AGREEMENTS AND TAKING OF RELATED ACTIONS.**

John DeFilips made a motion to amend the resolution to state that the project be limited to improvements to 6 bridges and culverts in Orleans County. The motion to amend was seconded by Jim Panek and unanimously carried.

**The Amended Resolution was then moved by Jim Panek, seconded by John DeFilippis.**

**Roll Call Vote:**

<b>Paul Hendel</b>	<b>Aye</b>
<b>Ken DeRoller</b>	<b>Aye</b>
<b>John DeFilippis</b>	<b>Aye</b>
<b>Jim Panek</b>	<b>Aye</b>
<b>Carol D'Agostino</b>	<b>Absent</b>
<b>Skip Draper</b>	<b>Absent</b>
<b>John Misiti</b>	<b>Absent</b>

**4 Ayes**

**0 Nays**

**Resolution Passed; Resolution attached. M0919-04.**

**3959 Bates Road/Brunner Site-Environmental Easement-Resolution**

The following resolution was presented:

**RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF AN ENVIRONMENTAL EASEMENT IN CONNECTION WITH THE NYSDEC ENVIRONMENTAL**

**RESTORATION PROGRAM PROJECT AT 3959 BATES ROAD,  
MEDINA NEW YORK.**

**Resolution moved by John DeFilipps, seconded by Jim Panek.**

**Roll Call Vote:**

<b>Paul Hendel</b>	<b>Aye</b>
<b>Ken DeRoller</b>	<b>Aye</b>
<b>John DeFilipps</b>	<b>Aye</b>
<b>Jim Panek</b>	<b>Aye</b>
<b>Carol D'Agostino</b>	<b>Absent</b>
<b>Skip Draper</b>	<b>Absent</b>
<b>John Misiti</b>	<b>Absent</b>

**4 Ayes**  
**0 Nays**

**Resolution Passed; Resolution attached. M0919-05.**

**VIII. Adjournment**

**Ken DeRoller made a motion to adjourn the meeting subject to Chairman's recall, seconded by Jim Panek. Motion Passed.**

Respectfully Submitted,  
Diane Blanchard