



## COIDA Board Meeting Agenda

Friday October 14, 2022 8:00 AM

Updated 10/11/22

- **Call COIDA Board meeting to order-Chair**
- **Roll Call** – Calling of Board members, announcement as to whether a quorum is present
- **Approval of Previous Board Meeting Minutes**
  - *September 09, 2022 (Electronic) – Motion*
- **Financial** – Michael Dobell
  - *COIDA/ORLF Accept Monthly Financials (Finance Package) – Motion*
  - *PILOT Report- Diane*
- **Report of Committees/Departments/Sites**
  - Business Development – Gabrielle Barone
  - Project Update – Staff
  - Facilities/Sites
  - MAP and LDC Report - Diane
  - Legal – Kevin Zanner
  - Marketing – Michael
- **Executive Session – If Required – Motion (Including invitees)**
  - *Action on any matters from executive session – Motion*
- **Unfinished Business**
  -
- **New Business**
  - *Consider an Amendatory Resolution Relating to the Heritage Wind Project – Motion*
  - *Consider Resolution authorizing and agreement with H. Sicherman for the provision of Technical Services in connection with the microenterprise program grant – Motion*
  - *Consider Engagement letter for Hurwitz Fine - Motion*
  - *Discuss November meeting date*
- **Adjournment**





KeyBank  
P.O. Box 93885  
Cleveland, OH 44101-5885

**Public Sector Statement**  
**September 30, 2022**  
page 1 of 3

852011750

15 X 968 00015 R EM T1  
COUNTY OF ORLEANS INDUSTRIAL  
DEVELOPMENT AGENCY  
121 N MAIN ST FL 2  
ALBION NY 14411-1237

*Questions or comments?*  
Call our Key Business Resource Center  
1-888-KEY4BIZ (1-888-539-4249)

— O E D A —

Public Transaction Basic 852011750  
COUNTY OF ORLEANS INDUSTRIAL  
DEVELOPMENT AGENCY

Beginning balance 8-31-22	\$39,626.66
3 Additions	+75,283.12
23 Subtractions	-40,236.27
<b>Ending balance 9-30-22</b>	<b>\$74,673.51</b>

**Additions**

Deposits	Date	Serial #	Source	
	9-6	1687	Transfer of Funds From DDA 1687	\$283.12
	9-12		Deposit Branch 0290 New York	27,500.00
	9-19		Deposit Branch 0290 New York	47,500.00
<b>Total additions</b>				<b>\$75,283.12</b>

**Subtractions**

*Paper Checks* \* check missing from sequence

Check	Date	Amount	Check	Date	Amount	Check	Date	Amount
2687	9-2	\$2,153.00	2696	9-14	3,105.90	2701	9-19	0.07
*2691	9-7	125.32	2697	9-14	170.10	2702	9-15	101.31
2692	9-8	139.98	2698	9-21	10.00	2703	9-27	129.07
*2694	9-12	100.00	2699	9-19	85.00	2704	9-29	74.75
2695	9-12	93.00	2700	9-21	255.72	2705	9-29	32.98

**Paper Checks Paid \$6,576.20**

Withdrawals	Date	Serial #	Location	
	9-1		Direct Withdrawal, Paychex - Rcx Payroll	\$7,040.66
	9-2		Direct Withdrawal, Paychex Tps Taxes	3,571.62
	9-12		Direct Withdrawal, Paychex Eib Invoice	231.04
	9-15		Direct Withdrawal, Paychex - Rcx Payroll	7,344.05
	9-16		Direct Withdrawal, Paychex Tps Taxes	3,776.24
	9-29		Direct Withdrawal, Paychex Payroll	7,313.70
	9-30		Direct Withdrawal, Paychex Tps Taxes	3,755.79

*Revised 10/3/22  
D. Anderson*

Orleans Economic Development Agency  
A/R Aging Summary  
As of October 3, 2022

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
A.J Piedimonte-Magc Inc.PILOT	0.00	0.00	0.00	0.00	0.00	0.00
BOMET Property LLC PILOT	0.00	4,152.02	0.00	0.00	4,418.95	8,570.97
Brunner International	0.00	10,851.52	0.00	0.00	0.00	10,851.52
Cottages at Troutburg LLC PILOT	0.00	92,301.58	0.00	0.00	0.00	92,301.58
Customer	0.00	0.00	0.00	0.00	0.00	0.00
Falls Railroad PILOT	22,500.00	0.00	0.00	0.00	0.00	22,500.00
Holley Cold Storage PILOT	0.00	0.00	0.00	0.00	0.00	0.00
Medina Hospitality	0.00	0.00	135,000.00	0.00	0.00	135,000.00
Misc. OEDA Customers	0.00	0.00	0.00	0.00	573.84	573.84
Orleans County Treasurer	0.00	0.00	0.00	0.00	0.00	0.00
Pride Pak Inc PILOT	0.00	11,689.25	0.00	0.00	0.00	11,689.25
Quorum Group LLC. PILOT	0.00	0.00	0.00	0.00	0.00	0.00
Quorum/Takeform PILOT	0.00	0.00	0.00	0.00	0.00	0.00
Town of Albion	0.00	0.00	0.00	0.00	0.00	0.00
Village of Holley (c)	0.00	0.00	0.00	0.00	500.00	500.00
Waddington North America Inc./PPP	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>22,500.00</b>	<b>118,994.37</b>	<b>135,000.00</b>	<b>0.00</b>	<b>5,492.79</b>	<b>281,987.16</b>

9:56 AM

10/03/22

Cash Basis

**Orleans Economic Development Agency**  
**Balance Sheet Prev Year Comparison w/PILOT**  
**As of September 30, 2022**

	Sep 30, 22	Sep 30, 21	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
<b>200 · Cash Accounts</b>				
200.006 · OEDA County Fund Acct	465,999.99	0.00	465,999.99	100.0%
200.005 · Village of Medina Proj Closed	0.00	558.08	-558.08	-100.0%
200.001 · OEDA Agency Checking	67,536.65	56,445.57	11,091.08	19.7%
200.003 · OEDA PILOT Checking	0.00	3,789.38	-3,789.38	-100.0%
<b>Total 200 · Cash Accounts</b>	<b>533,536.64</b>	<b>60,793.03</b>	<b>472,743.61</b>	<b>777.6%</b>
<b>Cash Restricted</b>				
Agency 3rd Party PILOT Account	465,946.54	931,532.51	-465,585.97	-50.0%
<b>Total Cash Restricted</b>	<b>465,946.54</b>	<b>931,532.51</b>	<b>-465,585.97</b>	<b>-50.0%</b>
<b>Total Checking/Savings</b>	<b>999,483.18</b>	<b>992,325.54</b>	<b>7,157.64</b>	<b>0.7%</b>
<b>Accounts Receivable</b>				
385 · Interest & Penalties-A/R	3,097.82	3,097.82	0.00	0.0%
380 · Accounts Receivable	-54,441.68	-54,441.68	0.00	0.0%
381 · PILOT Receivable	179,536.00	593,719.89	-414,183.89	-69.8%
<b>Total Accounts Receivable</b>	<b>128,192.14</b>	<b>542,376.03</b>	<b>-414,183.89</b>	<b>-76.4%</b>
<b>Other Current Assets</b>				
Interfund Activity	359.35	359.35	0.00	0.0%
205 · Due From OLRC	72,466.80	72,466.80	0.00	0.0%
<b>480 · Prepaid expenses</b>				
480.001 · Express Mail Corporate Account	129.40	128.45	0.95	0.7%
<b>Total 480 · Prepaid expenses</b>	<b>129.40</b>	<b>128.45</b>	<b>0.95</b>	<b>0.7%</b>
<b>Total Other Current Assets</b>	<b>72,955.55</b>	<b>72,954.60</b>	<b>0.95</b>	<b>0.0%</b>
<b>Total Current Assets</b>	<b>1,200,630.87</b>	<b>1,607,656.17</b>	<b>-407,025.30</b>	<b>-25.3%</b>
<b>Fixed Assets</b>				
<b>101 · Land</b>				
<b>101.002 · Medina Business Park</b>				
<b>    MBP Sewer System</b>				
County Interagency Installmnt	11,034.85	12,565.50	-1,530.65	-12.2%
MBP Sewer System - Other	155,785.07	177,394.00	-21,608.93	-12.2%
<b>Total MBP Sewer System</b>	<b>166,819.92</b>	<b>189,959.50</b>	<b>-23,139.58</b>	<b>-12.2%</b>
101.002 · Medina Business Park - Other	87,549.65	99,693.65	-12,144.00	-12.2%
<b>Total 101.002 · Medina Business Park</b>	<b>254,369.57</b>	<b>289,653.15</b>	<b>-35,283.58</b>	<b>-12.2%</b>
101.003 · Holley Business Park	319,622.09	319,622.09	0.00	0.0%
101.004 · Land - Other	83,964.50	83,964.50	0.00	0.0%
<b>Total 101 · Land</b>	<b>657,956.16</b>	<b>693,239.74</b>	<b>-35,283.58</b>	<b>-5.1%</b>
104 · Machinery & equip	22,331.05	22,331.05	0.00	0.0%
114 · Accum deprec- Mach & equip	-22,331.05	-22,331.05	0.00	0.0%
<b>Total Fixed Assets</b>	<b>657,956.16</b>	<b>693,239.74</b>	<b>-35,283.58</b>	<b>-5.1%</b>
<b>Other Assets</b>				
Payment transfer to OLRC/OEDA/	-6,227.50	33,772.50	-40,000.00	-118.4%
399 · Deferred Outflow of Resources	135,803.00	120,995.00	14,808.00	12.2%
<b>Total Other Assets</b>	<b>129,575.50</b>	<b>154,767.50</b>	<b>-25,192.00</b>	<b>-16.3%</b>
<b>TOTAL ASSETS</b>	<b>1,988,162.53</b>	<b>2,455,663.41</b>	<b>-467,500.88</b>	<b>-19.0%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Accounts Payable</b>				
600 · Accounts payable	-21,199.63	-21,199.63	0.00	0.0%
<b>Total Accounts Payable</b>	<b>-21,199.63</b>	<b>-21,199.63</b>	<b>0.00</b>	<b>0.0%</b>

9:56 AM

10/03/22

Cash Basis

**Orleans Economic Development Agency**  
**Balance Sheet Prev Year Comparison w/PILOT**  
**As of September 30, 2022**

	Sep 30, 22	Sep 30, 21	\$ Change	% Change
<b>Other Current Liabilities</b>				
Note Payable - Current	0.00	813.00	-813.00	-100.0%
Loan Payable - Current	0.00	33,333.34	-33,333.34	-100.0%
Deferred inflow of Resources	75,785.00	3,170.00	72,615.00	2,290.7%
604 · Cash Held on Behalf of Others	520,998.03	986,584.00	-465,585.97	-47.2%
Due to OLRC	166,704.39	165,888.67	815.72	0.5%
601 · Accrued Liabilities	9,637.12	7,342.12	2,295.00	31.3%
602 · Payroll Deductions				
602.100 · Company Liabilities				
602.104 · NYS Unemp. Ins. - Company	0.00	-598.52	598.52	100.0%
Total 602.100 · Company Liabilities	0.00	-598.52	598.52	100.0%
602.200 · Employee Deductions				
602.205 · NYS & Local Retirement	-11,746.01	-9,614.25	-2,131.76	-22.2%
602.206 · Cafeteria Plan	3,185.37	2,542.24	643.13	25.3%
Total 602.200 · Employee Deductions	-8,560.64	-7,072.01	-1,488.63	-21.1%
602 · Payroll Deductions - Other	1,054.29	2,206.49	-1,152.20	-52.2%
Total 602 · Payroll Deductions	-7,506.35	-5,464.04	-2,042.31	-37.4%
631 · Due to Other Governments				
631.001 · PILOTs payable	123,413.32	541,386.59	-417,973.27	-77.2%
Total 631 · Due to Other Governments	123,413.32	541,386.59	-417,973.27	-77.2%
<b>Total Other Current Liabilities</b>	889,031.51	1,733,053.68	-844,022.17	-48.7%
<b>Total Current Liabilities</b>	867,831.88	1,711,854.05	-844,022.17	-49.3%
<b>Long Term Liabilities</b>				
680 · Pension Liability	245.00	75,393.00	-75,148.00	-99.7%
Loan Payable - LT				
Cardone Trust Note Payable	-0.18	812.83	-813.01	-100.0%
Cardone Trust - Contra	0.00	-813.00	813.00	100.0%
Total Loan Payable - LT	-0.18	-0.17	-0.01	-5.9%
689 · Other Long Term Debt (spec)				
689.003 · Loan Payable - Orleans Co.	500,000.00	0.00	500,000.00	100.0%
Total 689 · Other Long Term Debt (spec)	500,000.00	0.00	500,000.00	100.0%
<b>Total Long Term Liabilities</b>	500,244.82	75,392.83	424,851.99	563.5%
<b>Total Liabilities</b>	1,368,076.70	1,787,246.88	-419,170.18	-23.5%
<b>Equity</b>				
908 · Transfer from OLRC	567,500.00	500,000.00	67,500.00	13.5%
909.001 · Retained Earnings	122,680.09	304,780.39	-182,100.30	-59.8%
Net Income	-70,094.26	-136,363.86	66,269.60	48.6%
<b>Total Equity</b>	620,085.83	668,416.53	-48,330.70	-7.2%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,988,162.53</b>	<b>2,455,663.41</b>	<b>-467,500.88</b>	<b>-19.0%</b>

9:56 AM

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**As of September 30, 2022**

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<b>ASSETS</b>				
<b>Current Assets</b>				
Checking/Savings				
200 · Cash Accounts				
200.006 · OEDA County Fund Acct	465,999.99	0.00	465,999.99	100.0%
200.005 · Village of Medina Proj Closed	0.00	558.08	-558.08	-100.0%
200.001 · OEDA Agency Checking	67,536.65	56,445.57	11,091.08	19.7%
Total 200 · Cash Accounts	533,536.64	57,003.65	476,532.99	836.0%
Cash Restricted				
Agency 3rd Party PILOT Account	465,946.54	931,532.51	-465,585.97	-50.0%
Total Cash Restricted	465,946.54	931,532.51	-465,585.97	-50.0%
Total Checking/Savings	999,483.18	988,536.16	10,947.02	1.1%
Accounts Receivable				
385 · Interest & Penalties-A/R	3,097.82	3,097.82	0.00	0.0%
380 · Accounts Receivable	-54,441.68	-54,441.68	0.00	0.0%
Total Accounts Receivable	-51,343.86	-51,343.86	0.00	0.0%
Other Current Assets				
Interfund Activity	359.35	359.35	0.00	0.0%
205 · Due From OLRC	72,466.80	72,466.80	0.00	0.0%
480 · Prepaid expenses				
480.001 · Express Mail Corporate Account	129.40	128.45	0.95	0.7%
Total 480 · Prepaid expenses	129.40	128.45	0.95	0.7%
Total Other Current Assets	72,955.55	72,954.60	0.95	0.0%
Total Current Assets	1,021,094.87	1,010,146.90	10,947.97	1.1%
Fixed Assets				
101 · Land				
101.002 · Medina Business Park				
MBP Sewer System				
County Interagency Installmnt	11,034.85	12,565.50	-1,530.65	-12.2%
MBP Sewer System - Other	155,785.07	177,394.00	-21,608.93	-12.2%
Total MBP Sewer System	166,819.92	189,959.50	-23,139.58	-12.2%
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Total 101.002 · Medina Business Park	254,369.57	289,653.15	-35,283.58	-12.2%
101.003 · Holley Business Park	319,622.09	319,622.09	0.00	0.0%
101.004 · Land - Other	83,964.50	83,964.50	0.00	0.0%
Total 101 · Land	657,956.16	693,239.74	-35,283.58	-5.1%
104 · Machinery & equip	22,331.05	22,331.05	0.00	0.0%
114 · Accum deprec- Mach & equip	-22,331.05	-22,331.05	0.00	0.0%
Total Fixed Assets	657,956.16	693,239.74	-35,283.58	-5.1%
Other Assets				
Payment transfer to OLRC/OEDA/	-6,227.50	33,772.50	-40,000.00	-118.4%
399 · Deferred Outflow of Resources	135,803.00	120,995.00	14,808.00	12.2%
Total Other Assets	129,575.50	154,767.50	-25,192.00	-16.3%
<b>TOTAL ASSETS</b>	<b>1,808,626.53</b>	<b>1,858,154.14</b>	<b>-49,527.61</b>	<b>-2.7%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
Current Liabilities				
Accounts Payable				
600 · Accounts payable	-21,199.63	-21,199.63	0.00	0.0%
Total Accounts Payable	-21,199.63	-21,199.63	0.00	0.0%

9:56 AM

10/03/22

Cash Basis

**Orleans Economic Development Agency**  
**Balance Sheet Prev Year Comparison w/o PILOT**  
**As of September 30, 2022**

	Sep 30, 22	Sep 30, 21	\$ Change	% Change
<b>Other Current Liabilities</b>				
Note Payable - Current	0.00	813.00	-813.00	-100.0%
Loan Payable - Current	0.00	33,333.34	-33,333.34	-100.0%
Deferred Inflow of Resources	75,785.00	3,170.00	72,615.00	2,290.7%
604 · Cash Held on Behalf of Others	520,998.03	986,584.00	-465,585.97	-47.2%
Due to OLRC	166,704.39	165,888.67	815.72	0.5%
601 · Accrued Liabilities	9,637.12	7,342.12	2,295.00	31.3%
602 · Payroll Deductions				
602.100 · Company Liabilities				
602.104 · NYS Unemp. Ins. - Company	0.00	-598.52	598.52	100.0%
<b>Total 602.100 · Company Liabilities</b>	<b>0.00</b>	<b>-598.52</b>	<b>598.52</b>	<b>100.0%</b>
602.200 · Employee Deductions				
602.205 · NYS & Local Retirement	-11,746.01	-9,614.25	-2,131.76	-22.2%
602.206 · Cafeteria Plan	3,185.37	2,542.24	643.13	25.3%
<b>Total 602.200 · Employee Deductions</b>	<b>-8,560.64</b>	<b>-7,072.01</b>	<b>-1,488.63</b>	<b>-21.1%</b>
602 · Payroll Deductions - Other	1,054.29	2,206.49	-1,152.20	-52.2%
<b>Total 602 · Payroll Deductions</b>	<b>-7,506.35</b>	<b>-5,464.04</b>	<b>-2,042.31</b>	<b>-37.4%</b>
<b>Total Other Current Liabilities</b>	<b>765,618.19</b>	<b>1,191,667.09</b>	<b>-426,048.90</b>	<b>-35.8%</b>
<b>Total Current Liabilities</b>	<b>744,418.56</b>	<b>1,170,467.46</b>	<b>-426,048.90</b>	<b>-36.4%</b>
<b>Long Term Liabilities</b>				
680 · Pension Liability	245.00	75,393.00	-75,148.00	-99.7%
Loan Payable - LT				
Cardone Trust Note Payable	-0.18	812.83	-813.01	-100.0%
Cardone Trust - Contra	0.00	-813.00	813.00	100.0%
<b>Total Loan Payable - LT</b>	<b>-0.18</b>	<b>-0.17</b>	<b>-0.01</b>	<b>-5.9%</b>
689 · Other Long Term Debt (spec)				
689.003 · Loan Payable - Orleans Co.	500,000.00	0.00	500,000.00	100.0%
<b>Total 689 · Other Long Term Debt (spec)</b>	<b>500,000.00</b>	<b>0.00</b>	<b>500,000.00</b>	<b>100.0%</b>
<b>Total Long Term Liabilities</b>	<b>500,244.82</b>	<b>75,392.83</b>	<b>424,851.99</b>	<b>563.5%</b>
<b>Total Liabilities</b>	<b>1,244,663.38</b>	<b>1,245,860.29</b>	<b>-1,196.91</b>	<b>-0.1%</b>
<b>Equity</b>				
908 · Transfer from OLRC	567,500.00	500,000.00	67,500.00	13.5%
909.001 · Retained Earnings	122,680.09	304,780.39	-182,100.30	-59.8%
Net Income	-70,094.26	-136,363.86	66,269.60	48.6%
<b>Total Equity</b>	<b>620,085.83</b>	<b>668,416.53</b>	<b>-48,330.70</b>	<b>-7.2%</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,864,749.21</b>	<b>1,914,276.82</b>	<b>-49,527.61</b>	<b>-2.6%</b>



# Orleans Economic Development Agency Profit & Loss Budget Performance September 2022

	Sep 22	Budget	Jan - Sep 22	YTD Budget	Annual Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
980 · Revenues					
2116 · Fees (specify)					
2116.07 Administrative Fee	0.00		8.14		
2116.01 · Application Fees	0.00	500.00	0.00	4,500.00	6,000.00
2116.03 · Economic Development Fees	0.00		37,681.00		
2116.04 · Consulting	0.00		4,856.96		
<b>Total 2116 · Fees (specify)</b>	<b>0.00</b>	<b>500.00</b>	<b>42,546.10</b>	<b>4,500.00</b>	<b>6,000.00</b>
2401 · Interest & Earnings	0.00		0.00		
2706 · Grants from Local Governments					
2706.02 · Grants from Local Govts - Other	47,500.00		204,000.00		
<b>Total 2706 · Grants from Local Governments</b>	<b>47,500.00</b>		<b>204,000.00</b>		
2770 · Other Unclassified Revenue					
2770.1 · Misc. Reimbursements	0.00		815.50		
2770.2 · Misc. Income	27,500.00		27,500.03		
<b>Total 2770 · Other Unclassified Revenue</b>	<b>27,500.00</b>		<b>28,315.53</b>		
<b>Total 980 · Revenues</b>	<b>75,000.00</b>	<b>500.00</b>	<b>274,861.63</b>	<b>4,500.00</b>	<b>6,000.00</b>
<b>Total Income</b>	<b>75,000.00</b>	<b>500.00</b>	<b>274,861.63</b>	<b>4,500.00</b>	<b>6,000.00</b>
<b>Gross Profit</b>	<b>75,000.00</b>	<b>500.00</b>	<b>274,861.63</b>	<b>4,500.00</b>	<b>6,000.00</b>
<b>Expense</b>					
522 · Expenses					
6460 · Administration					
6460.1 · Salaries & related expenses					
6460.11 · Salaries & wages	31,543.52		209,721.56		
6460.13 · Social Security Expense	1,934.61		12,652.88		
6460.14 · Fed Unemp Tax Exp	0.00		151.60		
6460.15 · Medicare Exp.	452.45		2,959.13		
6460.17 · NYS Unemploy. Ins.	0.00		730.43		
6460.18 · Disability Cnty Self-Ins	0.00		2,415.18		
<b>Total 6460.1 · Salaries &amp; related expenses</b>	<b>33,930.58</b>		<b>228,630.78</b>		
6460.4 · Contractual Expenses					
~4.100 · Other personnel expenses					
~4.101 · Legal fees	3,119.04		21,238.32		
~4.102 · Accounting fees	85.00		840.00		
~4.103 · Consultant Services	0.00		11,189.27		
~4.105 · Payroll Services	231.04		2,090.72		
~4.107 · Professional fees - other	10.00		4,655.32		
<b>Total ~4.100 · Other personnel expenses</b>	<b>3,445.08</b>		<b>40,013.63</b>		

## Orleans Economic Development Agency Profit & Loss Budget Performance September 2022

	Sep 22	Budget	Jan - Sep 22	YTD Budget	Annual Budget
~4.200 · Non-personnel expenses					
~4.201 · Supplies	107.73		2,039.40		
~4.202 · Telephone & telecommunications	471.90		6,423.79		
~4.203 · Postage, shipping, delivery	100.00		550.82		
~4.204 · Equip rental & maintenance	93.00		2,450.65		
~4.205 · Printing & copying	0.00		59.40		
~4.206 · Books, subscriptions, reference	0.00		198.36		
~4.207 · Advertising expenses	0.00		262.34		
~4.208 · Marketing	0.00		5,050.70		
<b>Total ~4.200 · Non-personnel expenses</b>	<b>772.63</b>		<b>17,035.46</b>		
~4.300 · Occupancy expenses					
~4.301 · Rent, parking, other occupancy	2,153.00		19,335.00		
<b>Total ~4.300 · Occupancy expenses</b>	<b>2,153.00</b>		<b>19,335.00</b>		
~4.700 · Travel & training					
~4.701 · Travel	14.27		777.99		
~4.704 · Meals	0.00		983.10		
<b>Total ~4.700 · Travel &amp; training</b>	<b>14.27</b>		<b>1,761.09</b>		
~4.800 · Misc expenses					
~4.801 · Interest expense - general	666.67		666.67		
~4.802 · Insurance - non-employee	1,269.00		2,214.73		
~4.803 · Membership dues - organization	0.00		125.00		
~4.805 · Outside computer services	617.00		657.00		
~4.808 · Other Reimbursements	0.00		170.10		
~4.800 · Misc expenses - Other	0.00		988.38		
<b>Total ~4.800 · Misc expenses</b>	<b>2,552.67</b>		<b>4,821.88</b>		
<b>Total 6460.4 · Contractual Expenses</b>	<b>8,937.65</b>		<b>82,967.06</b>		
6460.8 · Employee Benefits					
6460.81 · Health Insurance	3,276.00		36,058.05		
<b>Total 6460.8 · Employee Benefits</b>	<b>3,276.00</b>		<b>36,058.05</b>		
<b>Total 6460 · Administration</b>	<b>46,144.23</b>		<b>347,655.89</b>		
<b>Total 522 · Expenses</b>	<b>46,144.23</b>		<b>347,655.89</b>		
<b>Total Expense</b>	<b>46,144.23</b>		<b>347,655.89</b>		
<b>Net Ordinary Income</b>	<b>28,855.77</b>	<b>500.00</b>	<b>-72,794.26</b>	<b>4,500.00</b>	<b>6,000.00</b>

Orleans Economic Development Agency  
 Profit & Loss Budget Performance  
 September 2022

	Sep 22	Budget	Jan - Sep 22	YTD Budget	Annual Budget
Other Income/Expense					
Other Income	0.00		2,700.00		
Office Space Rental	0.00		2,700.00		
Total Other Income	0.00		2,700.00		
Net Other Income	28,855.77	500.00	-70,094.26	4,500.00	6,000.00
Net Income					

9:57 AM

10/03/22

Accrual Basis

## Orleans Economic Development Agency Transaction Detail by Account September 2022

Type	Date	Num	Name	Memo	Amount	Balance
<b>200 · Cash Accounts</b>						
<b>200.001 · OEDA Agency Checking</b>						
Paych...	09/02/2022		Diane L Blanchard		-1,904.11	-1,904.11
Paych...	09/02/2022		Michael R Dobell		-2,466.15	-4,370.26
Paych...	09/02/2022		Gabrielle L Barone		-2,670.40	-7,040.66
Liabilit...	09/02/2022		Paychex	16-1356958, 161356958 6	-3,571.62	-10,612.28
Check	09/07/2022	2694	Reserve Account/Pitney ...	Postage for Personal Meter	-100.00	-10,712.28
Check	09/07/2022	2695	U.S. Bank Equipment Fin...	Inv# 481283984 Richo Copier Rent...	-93.00	-10,805.28
Check	09/12/2022		Paychex	Small Business Pkg 9/12/22	-231.04	-11,036.32
Transfer	09/12/2022			Funds Transfer to OEDA Acct ....329...	283.12	-10,753.20
Deposit	09/12/2022			Deposit	27,500.00	16,746.80
Check	09/14/2022	2696	Orleans Co. Treasurer	EDA Medical Insurance Billing for ...	-3,105.90	13,640.90
Check	09/14/2022	2697	Diane L Blanchard	Reimb of Medial Insurance for Septe...	-170.10	13,470.80
Check	09/14/2022	2698	Health Economics Group...	Admin Fee Acct 7301 for August 20...	-10.00	13,460.80
Check	09/14/2022	2699	Roush C.P.A. PC	Accounting Services for August 2022	-85.00	13,375.80
Check	09/14/2022	2700	NTT Cloud Communicati...	Inv# USINV2208208867 Conferenc...	-255.72	13,120.08
Check	09/14/2022	2701	AT&T (800#)	Inv# 2475505630 AT&T 800 #s	-0.07	13,120.01
Check	09/14/2022	2702	Michael R Dobell	Reimbursement for Cell Phone and ...	-101.31	13,018.70
Paych...	09/16/2022		Diane L Blanchard		-2,207.50	10,811.20
Paych...	09/16/2022		Michael R Dobell		-2,466.15	8,345.05
Paych...	09/16/2022		Gabrielle L Barone		-2,670.40	5,674.65
Liabilit...	09/16/2022		Paychex	16-1356958, 161356958 6	-3,776.24	1,898.41
Payment	09/19/2022	132...	Orleans County Treasurer	4 of 4 4th Qtr 2022 Pmt of OEDA Co...	47,500.00	49,398.41
Check	09/21/2022	2703	Verizon Wireless	Inv# 9915210669 Cell Phone Usa...	-129.07	49,269.34
Check	09/21/2022	2704	Indoff Incorporated	Inv# 3595058 Office Supplies	-74.75	49,194.59
Check	09/21/2022	2705	Indoff Incorporated	Inv# 3596431 Office Supplies	-32.98	49,161.61
Check	09/28/2022	2706	Village of Albion (v)	Rent for October 2022	-2,153.00	47,008.61
Check	09/28/2022	2707	HurwitzFine PC	Inv# 2035497 Legal Services Thro...	-2,949.30	44,059.31
Check	09/28/2022	2708	HurwitzFine PC	Inv# 2035498 Legal Services Thr...	-169.74	43,889.57
Check	09/28/2022	2709	C & H PC Inc.	Inv# 17838 Microsoft Office (3) ...	-617.00	43,272.57
Check	09/28/2022	2710	Albion Agencies, Inc.	NDO25521346 Directors & Office...	-1,269.00	42,003.57
Paych...	09/30/2022		Diane L Blanchard		-2,177.17	39,826.40
Paych...	09/30/2022		Michael R Dobell		-2,466.14	37,360.26
Paych...	09/30/2022		Gabrielle L Barone		-2,670.39	34,689.87
Liabilit...	09/30/2022		Paychex	16-1356958, 161356958 6	-3,755.79	30,934.08
Gener...	09/30/2022	NY...		NYS&Local Retirment M Dobell for A...	-626.97	30,307.11
Total 200.001 · OEDA Agency Checking					30,307.11	30,307.11
Total 200 · Cash Accounts					30,307.11	30,307.11
<b>TOTAL</b>					<b>30,307.11</b>	<b>30,307.11</b>



KeyBank  
P.O. Box 93885  
Cleveland, OH 44101-5885

**Public Sector Statement**  
**September 30, 2022**  
page 1 of 2

852348282

4 X 968 00004 R EM T1  
COUNTY OF ORLEANS INDUSTRIAL  
DEVELOPMENT AGENCY  
121 N MAIN ST FL 2  
ALBION NY 14411-1237

*Questions or comments?*  
Call our Key Business Resource Center  
1-888-KEY4BIZ (1-888-539-4249)

*- Pkt -*

Public Transaction 852348282  
COUNTY OF ORLEANS INDUSTRIAL  
DEVELOPMENT AGENCY

Beginning balance 8-31-22	\$0.01
4 Additions	+540,015.69
4 Subtractions	-37,610.69
<b>Ending balance 9-30-22</b>	<b>\$502,405.01</b>

**Additions**

Deposits	Date	Serial #	Source	
	9-14		Deposit Branch 0290 New York	\$3,138.58
	9-19		Deposit Branch 0290 New York	28,559.27
	9-19		Deposit Branch 0290 New York	5,912.84
	9-26		Deposit Branch 0290 New York <i>WNYE</i>	502,405.00
<b>Total additions</b>				<b>\$540,015.69</b>

**Subtractions**

*Paper Checks \* check missing from sequence*

Check	Date	Amount	Check	Date	Amount	Check	Date	Amount
841	9-22	\$3,138.58	843	9-29	19,019.25	844	9-30	5,912.84
842	9-29	9,540.02						

**Paper Checks Paid \$37,610.69**

*Revised 10/3/22  
Blaine De*

**Fees and charges**

See your Account Analysis statement for details.



KeyBank  
 P.O. Box 93885  
 Cleveland, OH 44101-5885

**Public Sector Statement**  
**September 30, 2022**  
 page 1 of 2

329681311687

X 809 00000 R EM T1  
 COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT  
 VILLAGE OF MEDINA PROJECT ACCOUNT  
 121 N MAIN ST FL 2  
 ALBION NY 14411-1237

*Questions or comments?*  
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**CLOSED**

Public Transaction Basic Interest 329681311687  
 COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT  
 VILLAGE OF MEDINA PROJECT ACCOUNT

Beginning balance 8-31-22	\$283.12
1 Subtraction	-283.12
<b>Ending balance 9-30-22</b>	<b>\$0.00</b>

**Subtractions**

<i>Withdrawals Date</i>	<i>Serial #</i>	<i>Location</i>	
9-6	1687	Close Account	\$283.12
<b>Total subtractions</b>			<b>\$283.12</b>

**Interest earned**

Current Interest Rate	variable
Number of days this statement period	30
Interest paid year-to-date	\$0.03

*Reviewed on 10/3/22*  
*[Signature]*



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 Cleveland, OH 44101-5885

**Public Sector Statement**  
**September 30, 2022**  
 page 1 of 2

852331428

X 968 00000 R EM T1  
 COUNTY OF ORLEANS INDUSTRIAL  
 DEVELOPMENT AGENCY  
 121 N MAIN ST FL 2  
 ALBION NY 14411-1237

*Questions or comments?*  
 Call our Key Business Resource Center  
 1-888-KEY4BIZ (1-888-539-4249)

*-ORNA-*

Public Transaction 852331428  
 COUNTY OF ORLEANS INDUSTRIAL  
 DEVELOPMENT AGENCY

Beginning balance 8-31-22	\$27,860.94
1 Addition	+1,919.69
Net fees and charges	-42.33
<b>Ending balance 9-30-22</b>	<b>\$29,738.30</b>

**Additions**

Deposits	Date	Serial #	Source	
	9-26		Deposit Branch 0290 New York	\$1,919.69
<b>Total additions</b>				<b>\$1,919.69</b>

**Fees and charges**

Date		Quantity	Unit Charge	
9-9-22	Aug Analysis Service Chg	1	42.33	-\$42.33
<b>Fees and charges assessed this period</b>				<b>-\$42.33</b>

See your Account Analysis statement for details.

*Reviewed 10/2/22*  
*[Signature]*

**Orleans Revolving Loan Fund**  
**Balance Sheet Prev Year Comparison**  
**As of September 30, 2022**

	Sep 30, 22	Sep 30, 21	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
Checking/Savings				
200 · Orleans Revolving Loan Fund	29,780.63	15,652.76	14,127.87	90.3%
<b>Total Checking/Savings</b>	<b>29,780.63</b>	<b>15,652.76</b>	<b>14,127.87</b>	<b>90.3%</b>
Accounts Receivable				
392 · Loan payments receivable	-1,919.69	-1,919.69	0.00	0.0%
<b>Total Accounts Receivable</b>	<b>-1,919.69</b>	<b>-1,919.69</b>	<b>0.00</b>	<b>0.0%</b>
<b>Other Current Assets</b>				
Loan Principal (current yr)				
Medina Hospitality LLC	16,657.39	15,985.39	672.00	4.2%
<b>Total Loan Principal (current yr)</b>	<b>16,657.39</b>	<b>15,985.39</b>	<b>672.00</b>	<b>4.2%</b>
<b>Total Other Current Assets</b>	<b>16,657.39</b>	<b>15,985.39</b>	<b>672.00</b>	<b>4.2%</b>
<b>Total Current Assets</b>	<b>44,518.33</b>	<b>29,718.46</b>	<b>14,799.87</b>	<b>49.8%</b>
<b>Other Assets</b>				
Funds Transf to OEDA/OLRC/ORLF	8,951.82	8,951.82	0.00	0.0%
ORLF Loan Principal -noncurrent				
Medina Hospitality LLC	133,131.68	150,290.47	-17,158.79	-11.4%
<b>Total ORLF Loan Principal -noncurrent</b>	<b>133,131.68</b>	<b>150,290.47</b>	<b>-17,158.79</b>	<b>-11.4%</b>
<b>Total Other Assets</b>	<b>142,083.50</b>	<b>159,242.29</b>	<b>-17,158.79</b>	<b>-10.8%</b>
<b>TOTAL ASSETS</b>	<b>186,601.83</b>	<b>188,960.75</b>	<b>-2,358.92</b>	<b>-1.3%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Long Term Liabilities</b>				
ORLF Deferred Revenue				
Allowance - Medina Hospitality	61,500.00	61,500.00	0.00	0.0%
Medina Hospitality LLC	-61,500.00	-61,500.00	0.00	0.0%
<b>Total ORLF Deferred Revenue</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Total Long Term Liabilities</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Total Liabilities</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Equity</b>				
3000 · Opening Bal Equity	1,060,322.72	1,060,322.72	0.00	0.0%
3900 · Retained Earnings	-870,564.89	-872,409.32	1,844.43	0.2%
Net Income	-3,156.00	1,047.35	-4,203.35	-401.3%
<b>Total Equity</b>	<b>186,601.83</b>	<b>188,960.75</b>	<b>-2,358.92</b>	<b>-1.3%</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>186,601.83</b>	<b>188,960.75</b>	<b>-2,358.92</b>	<b>-1.3%</b>



10:00 AM  
 10/03/22  
 Accrual Basis

**Orleans Revolving Loan Fund**  
**Register QuickReport**  
 September 2022

Type	Date	Num	Memo	Account	Clr	Split	Amount
<b>Medina Hospitality LLC</b>							
Payment	09/26/2022	1299	ORLF Loan Pmt for October 2022	200 · Orleans Rev...	X	392 · Loan ...	1,919.69
Total Medina Hospitality LLC							1,919.69
<b>No name</b>							
Check	09/02/2022		Service Charge	200 · Orleans Rev...	X	Misc Expe...	-43.79
Total no name							-43.79
<b>TOTAL</b>							<b>1,875.90</b>



## OEDA Board Notes

October 14, 2022

- Fall MAP Class 2022
- Diane reported the new class started on September 6 and runs through November 15<sup>th</sup> We have 10 participants in the class.
- Christine Nenni-Best of Tymes Rentals
- Jennifer Walker-Party Bus
- Brandi Di Matteo-Event Planning, Party Rentals
- Charlie Ricci-Heavy EQ and Golf Cart Rentals
- Tracie Fleischhut-Rustic Ridge Country Store
- Gabrielle Joyner-Holistic Wellness Center
- Diago Russell-Hometown Lawn Care
- Dan Rosentreter-Coffee Pot Café in Medina
- Jordan Gawne-Bakery
- Mande Heinsler-Barre Boutique

- Grants

The Microenterprise did get the award for the OCR grant of \$300,000. The funds should be available by October 26<sup>th</sup>. Six businesses have applied for the grant.

- Revolving Loan Fund:
- Loans Status: Printed reports from 09/10/2022 are available for review.
  - Total funds in RLF Account as of 09/30/22
  - \$15,431.22---HUD unrestricted fund
  - \$84,980.08---Unrestricted Money Market Account.

**AMENDATORY RESOLUTION OF THE COUNTY OF  
ORLEANS INDUSTRIAL DEVELOPMENT AGENCY  
RELATING TO THE HERITAGE WIND PROJECT.**

**WHEREAS**, the County of Orleans Industrial Development Agency (the “Agency”) is authorized under the laws of the State of New York, and in particular the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Chapter 918 of the 1971 Laws of New York, as amended (collectively, the “Act”), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and to improve their prosperity and standard of living; and

**WHEREAS**, Heritage Wind, LLC, for itself or for related individuals or entities (the “Company”), has entered into negotiations with officials of the Agency with respect to the construction and equipping by the Agency without the proceeds of a bond issue of a project (the “Project”) consisting of: (i) the construction and operation of a commercial-scale wind power electric generating facility with a nameplate capacity of up to 184.8 megawatts (MW) (the “Facility”), including the installation and operation of up to 33 wind turbines, together with approximately 37 miles of associated 34.5 kV collection lines (below grade), 13 miles of access roads, one permanent meteorological tower, one power performance tower, one operations and maintenance building, a temporary construction staging area, and collection substation (together, the “Improvements”); and (ii) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the “Equipment”); and (iii) the conveyance of the Project pursuant to the lease of the Project to the Company, such Project to be located on fifty (50) tax parcels located in the Town of Barre, New York spanning across a total of approximately 18,133.6 acres (the “Facility Area”); and

**WHEREAS**, the Agency adopted a resolution dated October 8, 2021 to authorize the Project (the “Inducement Resolution”); and

**WHEREAS**, on November 3, 2021, the Agency and Company entered into a project agreement (the “Project Agreement”); and

**WHEREAS**, Section 17 of the Inducement Resolution provides that the Agency Chairman, Vice Chairman, Secretary, Treasurer, Assistant Secretary or CEO/CFO may in writing extend the effectiveness of the Inducement Resolution for good cause shown; and

**WHEREAS**, Section 4 of the Project Agreement provides that the right of the Company to act as agent of the Agency shall expire on October 31, 2022, however if construction of the Project shall not have been completed by this date, the Company may request in writing an extension to time to act as agent for a period of time not to exceed the date of completion of construction; and

**WHEREAS**, on August 4, 2022, the Company filed a modification request (the

“Modification Request”) with the Office of Renewable Energy Siting (“ORES”) to remove two turbines from the Project and relocate four others; and

**WHEREAS**, ORES may not issue an approval of the Project’s amended permit based on the Modification Request until April 2023; and

**WHEREAS**, by letter dated September 23, 2022, the Company requested an extension through December 31, 2024 of the Company’s authorization under the Project Agreement to act as agent for the Agency due to the anticipated timing for receiving an amended permit from ORES.

**NOW, THEREFORE, THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY HEREBY RESOLVES AS FOLLOWS:**

1. The Agency hereby approves the Company’s extension request and authorizes the Company to act as agent for the Agency through December 31, 2024, in accordance with Section 4 of the Project Agreement. The CEO/CFO of the Agency is authorized to execute an amendment to the Project Agreement to memorialize this extension.
2. Section 17 of the Inducement Resolution is hereby amended to extend the effectiveness of the Inducement Resolution to December 31, 2024.
3. This Amendatory Resolution shall take effect immediately.

The above Resolution was moved for adoption by \_\_\_\_\_ and seconded by \_\_\_\_\_.

ROLL CALL VOTE:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Carol D’Agostino	[ ]	[ ]	[ ]	[ ]
Merle Draper	[ ]	[ ]	[ ]	[ ]
John Fitzak	[ ]	[ ]	[ ]	[ ]
Paul Hendel	[ ]	[ ]	[ ]	[ ]
John Misiti	[ ]	[ ]	[ ]	[ ]
Ed Urbanik	[ ]	[ ]	[ ]	[ ]

Adopted: October 14, 2022

**RESOLUTION OF THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING AN AGREEMENT WITH H. SICHERMAN & COMPANY, INC. FOR THE PROVISION OF TECHNICAL SERVICES IN CONNECTION WITH THE MICROENTERPRISE PROGRAM (OCR GRANT #857ME513-22)**

**WHEREAS**, the County of Orleans Industrial Development Agency (“COIDA”) is authorized under the laws of the State of New York, and in particular the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Chapter 918 of the 1971 Laws of New York, as amended to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and to improve their prosperity and standard of living; and

**WHEREAS**, COIDA, in furtherance of its corporate purposes, undertakes a variety of economic development and community development activities which are funded from various sources, including the Federal Community Development Block Grant (CDBG) program; and

**WHEREAS**, COIDA provides administrative services under contracts with the Orleans County Local Development Corporation (LDC) and the Orleans Land Restoration Corporation (OLRC), both of which are New York not-for-profit corporations, in support of their economic development and community development activities; and

**WHEREAS**, at its February 11, 2022 meeting, COIDA Board of Directors approved, through a competitive request for proposals process, the retention of H. Sicherman & Company, Inc. d/b/a The Harrison Studio (“H. Sicherman”) to provide technical assistance for the administration of OCR grant programs, CDBG microenterprise programs, the financing of economic development projects through loan transactions and the development and implementation of commercial and industrial projects and programs, microenterprise assistance and other community and economic development activities as required, all as more particularly described in the request for proposals; and

**WHEREAS**, Orleans County was awarded a microenterprise grant (Project #857ME513-22) by OCR (the “OCR Grant”) to provide funding for a microenterprise program (the “Program”); and

**WHEREAS**, at its October 6, 2022 meeting, the Board of Directors of the LDC approved a grant agreement with Orleans County in connection with the Program; and

**WHEREAS**, COIDA and H. Sicherman desire to enter into an agreement for the provision of services by H. Sicherman to COIDA in connection with the administration, management and implementation of the OCR Grant and the Program, consistent with the January

27, 2022 proposal submitted by H. Sicherman in response to the COIDA request for proposals (the "2022 Microenterprise Program Services Agreement"); and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:**

1. The execution and delivery of the 2022 Microenterprise Program Services Agreement by and between COIDA and H. Sicherman & Company, Inc. for the provision of technical services in connection with the OCR Grant and the Program is hereby approved.

2. The Chairman, Vice Chairman, Treasurer, Secretary, Assistant Treasurer, Assistant Secretary and the CEO/CFO of COIDA are each individually authorized to execute and deliver such agreements and to take such other actions as may be necessary to effectuate the transactions contemplated by this resolution.

3. This resolution shall take effect immediately.

ADOPTED: October 14, 2022

## AGREEMENT

Made as of the 8th day of September, 2022 by and between **COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY**, a New York public benefit corporation having its principal offices at 121 North Main Street, Albion, New York 14411 (hereinafter "COIDA") and **H. SICHERMAN & COMPANY, INC.**, a New York corporation with offices at 160 Washburn Street, Suite 200, P.O. Box 473, Lockport, New York 14095 (hereinafter "Contractor")

WITNESSETH:

WHEREAS, COIDA issued a Request for Proposals on December 16, 2021 seeking technical services in connection with (1) the implementation and administration of the Economic Development Grants awarded by the New York State Office of Community Renewal (the "OCR") through the Community Development Block Grant ("CDBG") program for projects within Orleans County and (2) the administration, management and implementation of microenterprise grant funding and microenterprise programming; and

WHEREAS, the Contractor submitted a proposal to COIDA dated January 27, 2022 which is attached hereto as Exhibit A; and

WHEREAS, Orleans County (hereinafter "County") was awarded a microenterprise grant (Project #857ME513-22) by OCR (the "Grant") to provide funding for a microenterprise program (such microenterprise program to be hereinafter referred to as the "Program"); and

WHEREAS, the parties hereto are desirous of entering into an agreement for the provision of services by Contractor to COIDA in connection with the administration, management and implementation of the Grant and the Program, consistent with the Proposal.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

### SCOPE OF SERVICES

At the direction of the COIDA, Contractor will provide services to the COIDA in connection with the administration, management and implementation of the Grant and Program, including, but not limited to:

#### Microenterprise Grant Funding and Programming

1. Provide technical assistance necessary for the administration of the microenterprise Program including, but not limited to assisting in the development of written program guidelines that address eligibility, program standards, application process, approvals, closings and disbursements, and post approval monitoring; development of forms for program implementation, including a program fact sheet for marketing purposes, an application and income qualification form, and internal application process and tracking spreadsheets for OCR-required data; the establishment and maintenance of books of account; developing and implementing management systems to provide appropriate recordkeeping, including budget and accounting spreadsheets to track grant approvals, grant administration, and program delivery obligations, disbursements, and balances; assistance in the procurement, selection, and award of contracts as necessary; preparation of required environmental review records for programmatic and individual



project review; assurance of consistency with all Federal requirements regarding procurement, labor standards, fair housing, job creation, etc.; assistance in the development of an entrepreneurial training program consistent with the rules, regulation and policies of the OCR and CDBG program; preparation of required reports and funding draws; oversight of audit activities and recording keeping to ensure compliance with the rules, regulations, and policies of OCR; preparation for and oversight of the OCR monitoring process; preparation of grant closeout materials; and all other activities of a general administrative nature as required to implement microenterprise programming.

2. Assist with the processing of client grant applications, including due diligence associated with the project review, preparation of written credit analyses, and presentation of credit recommendations to the approving authority.
3. Draft appropriate closing documents and provide technical assistance as required to facilitate closings and disbursements, including review of cost documentation, interfacing with microenterprises as required to verify costs and satisfaction of equity requirements, assistance with grant disbursement documentation, and other assistance as required.
4. Provide technical assistance to ensure compliance with CDBG regulations regarding low-and-moderate income benefit.
5. Provide general technical assistance as appropriate to ensure that all Program activities are implemented in an effective and timely manner.

**REMUNERATION**

1. Contractor labor will be charged at the following rates through December 31, 2022:

Harry Sicherman	.....	\$185.00 per hour
R. Charles Bell	.....	\$165.00 per hour
Michael Zimmerman	.....	\$145.00 per hour
Diane Church	.....	\$145.00 per hour
Michael Thomas	.....	\$145.00 per hour
Greg Merriam II	.....	\$130.00 per hour
Karen Burke/Admin. Assistant.....		\$115.00 per hour
Other Professional	.....	\$ 98.00 per hour
Rate in travel status	.....	\$ 80.00 per hour (all personnel)

The labor rates for services provided in subsequent calendar years will be computed by multiplying the rates in effect for the prior year by 1.03 and rounding up to the next whole dollar amount.

2. Travel by private automobile will be charged at the maximum Federal reimbursement rate.
3. All other expenses will be charged at cost.
4. Aggregate charges for services rendered in connection with Grant and the Program, will not exceed \$45,000.00
5. Requisitions for payment shall be presented to COIDA by Contractor in a standard invoice format and shall include a reasonable description of labor charges and expenses,

including copies of receipts where appropriate. Payment shall be made by COIDA within sixty (60) days of receipt of such requisition. For any delinquent payments due Contractor pursuant to this agreement, COIDA shall pay to Contractor a late fee equal to one percent (.01) per month of the overdue amount.

## MISCELLANEOUS

1. COIDA and any of its duly authorized representatives shall have access to any books, papers, documents, and records of Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.
2. Contractor shall retain all required records that are directly pertinent to this Agreement for four years after COIDA has made final payment under this Agreement and all other pending matters are closed.
3. Contractor agrees that none of its officers or employees will hold themselves out as, or claim to be, an officer or employee of COIDA or its agents, and that neither Contractor, nor any of its officers or employees will by reason therefore, make any claim, demand, or application to or for any right or privilege applicable to an officer or employee of COIDA.
4. Contractor acknowledges and agrees that neither Contractor nor its agents, officers, or employees shall be covered by any Worker's Compensation Insurance policy or Disability Insurance policy maintained by COIDA, and that Contractor shall be solely responsible for maintaining such coverage to the extent required by law.
5. To the extent Contractor undertakes the performance of experimental, developmental, or research work pursuant to this Agreement, the Federal Government and Orleans County, as the recipient of the OCR CDBG grant, shall have patent rights in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the United States Department of Housing and Urban Development.
6. The parties to this Agreement shall be bound by, and comply with, all applicable Federal, State, and local laws and regulations, including, but not limited to, 2 CFR Part 200 and 24 CFR Part 570.
7. Contractor hereby indemnifies the Housing Trust Fund Corporation, its agents, and its employees from and against any and all claims, actions, damages, losses, expenses and costs of every nature, including reasonable attorney's fees, incurred by or assessed or imposed against the Housing Trust Fund Corporation, to the fullest extent permitted by law, arising out of any services provided by Contractor pursuant to this Agreement that are being funded in whole or in part with New York State CDBG funds.
8. To the fullest extent allowed by law, Contractor shall defend, indemnify and hold harmless COIDA, its employees, officers, directors and agents, against claims arising from work relative to this agreement. Contractor shall name COIDA as Additional Insured on a primary basis with waiver of subrogation on Contractor's General and Professional Liability policies as well as the Contractor's Auto Liability policies. Contractor shall provide proof of

these insurance coverages and their Workers Compensation coverage to COIDA prior to commencing work for COIDA.

9. Contractor states it has complied with the New York State mandatory annual sexual harassment training requirements, and has provided each of its employees with a copy of its sexual harassment policy and the information presented at the training in English and, if different, the primary language of each employee.
10. Contractor represents that this Agreement will not result in the relocation of any industrial or commercial plant, facility or operation from one Labor Market Area (LMA) to another and that funding under this Agreement will not be used to assist directly the relocation of any industrial or commercial plant, facility, or operation, from one area to another area, if the relocation is likely to result in a significant loss of employment in the labor market area (LMA) from which the relocation occurs.
11. The OCR, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audits, examinations, excerpts and transcriptions.
12. This Agreement may be amended or otherwise modified only upon the written agreement of the parties.

#### **TERM OF AGREEMENT**

1. This Agreement shall become effective as of the date first above written.
2. This Agreement may be terminated by either party at any time without cause to be effected by written notification.
3. This Agreement shall terminate no later than December 31, 2024
4. Contractor shall be entitled to be reimbursed by COIDA for the cost of services provided on or after September 8, 2022, being the effective date of this Agreement.

**[Signatures on following page]**

AGREED TO:

COUNTY OF OLREANS INDUSTRIAL DEVELOPMENT AGENCY

By: \_\_\_\_\_  
Michael Dobell, CEO/CFO

H. SICHERMAN & COMPANY, INC.

By: \_\_\_\_\_  
R. Charles Bell, President

EXHIBIT A

Contractor's Proposal



**Kevin J. Zanner**  
[kjz@hurwitzfine.com](mailto:kjz@hurwitzfine.com)

September 26, 2022

**VIA EMAIL**

Michael Dobell  
Chief Executive Officer  
County of Orleans Industrial Development Agency  
121 North Main Street  
Albion, New York 14411

RE: Representation of County of Orleans Industrial Development Agency

Dear Michael:

Hurwitz Fine P.C. is pleased to provide this letter to formally extend our engagement as general counsel and bond/transaction counsel for the County of Orleans Industrial Development Agency ("COIDA"). This Letter of Engagement sets forth our proposed arrangement for representing COIDA during this extended term, sets forth the details of our billing, and is being provided to you in accordance with Part 1215 of the Joint Rules of the New York State Appellate Division.

I will remain principally responsible for handling this representation, but other firm attorneys will also work on COIDA matters as may be necessary or appropriate. Our extended engagement would be for an additional two-year term and would be reviewed by COIDA's Board of Directors upon the expiration of the term. Legal fees for our attorneys would be billed at \$218.00 per hour, which is a 3% increase from our current rate. Paralegals would be billed at the rate of \$106.00 per hour. We charge a minimum rate of one-tenth per hour for our work, including telephone and email communications, performed in connection with your matter. We charge for travel time at a reduced hourly rate equal to one-half of the blended rate. Invoices for general corporate matters will be issued on a monthly basis. Our fees in connection with IDA lease transactions would be billed in accordance with the COIDA Administrative Fee Schedule then in effect. Our firm generally adjusts hourly rates annually in July but will limit any increase in the second year of this engagement to 3%.

Our statement for legal services would also detail the actual costs of disbursements incurred and advanced on behalf of you, such as filing fees, disbursements, mileage at the federal rate, photocopying, long distance phone and telefax charges and express mail charges, as appropriate in handling the work, for which you would be responsible for paying. We reserve the right to withdraw as counsel if our fees or disbursements are not timely paid, although we hope and trust this would not be necessary.

We appreciate that this letter might appear to you to be unduly formal. However, our Code of Professional Responsibility requires a clear statement in writing of the arrangements for the engagement of attorneys, and we believe that our clients prefer such statements to avoid any misunderstanding later.



Additionally, the Office of Court Administration requires that we advise you that you may be entitled to resolve a fee dispute by arbitration. If a fee dispute arises that we cannot resolve between us and it is eligible for arbitration, we will provide you with written notice of your right to arbitrate as provided under the Part 137 of the Rules of the Chief Administrator of the Courts.

If the foregoing terms are acceptable, please sign a copy of this letter and return it via email to me at [kjz@hurwitzfine.com](mailto:kjz@hurwitzfine.com). We look forward to continuing our role as counsel to COIDA and helping the agency advance economic development in Orleans County.

Very truly yours,

HURWITZ FINE P.C.

A handwritten signature in blue ink, appearing to read 'KJZ', is written over a horizontal line.

Kevin J. Zanner

KJZ/sas

The terms of this Engagement Letter are understood and accepted on behalf of the County of Orleans Industrial Development Agency this \_\_\_\_ day of October, 2022.

COUNTY OF ORLEANS INDUSTRIAL  
DEVELOPMENT AGENCY

By: \_\_\_\_\_  
Name: Michael Dobell  
Title: CEO/CFO