

**MINUTES OF  
THE VILLAGE OF PORT CHESTER  
INDUSTRIAL DEVELOPMENT AGENCY**

**HELD: December 9, 2020**

**TIME AND PLACE: 6:30 P.M via WebEx Virtual conferencing**

A meeting of the Village of Port Chester Industrial Development Agency was convened on Wednesday December 9, 2020 at 6:30 p.m. via WebEx Virtual Conferencing.

**ROLL CALL**

The PCIDA meeting was called to order at 6:30 p.m. by Chairman Frank Ferrara. On the motion of Board member Richard Cuddy, which was seconded by Board member John Hiensch, the meeting was called to order with the following additional Board members being present: Daniel Brakewood, Michael Brescio, O'Connell, and James Taylor.

Also in attendance was Administrative Director Christopher Steers, Board Counsel Justin Miller, Treasurer Anthony Siligato, Planning Director Eric Zamft and Acting Board Secretary Constance Phillips.

**Roll Call**

| <u>MEMBER</u>    | <u>MOTION</u> | <u>SECOND</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAIN</u> |
|------------------|---------------|---------------|------------|-----------|----------------|
| <u>BRAKEWOOD</u> |               |               | <u>x</u>   |           |                |
| <u>BRESCIO</u>   |               |               | <u>x</u>   |           |                |
| <u>CUDDY</u>     | <u>x</u>      |               | <u>x</u>   |           |                |
| <u>FERRARA</u>   |               |               | <u>x</u>   |           |                |
| <u>HIENSCH</u>   |               | <u>x</u>      | <u>x</u>   |           |                |
| <u>O'CONNELL</u> |               |               | <u>x</u>   |           |                |
| <u>TAYLOR</u>    |               |               | <u>x</u>   |           |                |

## **PRESENTATION – Bridget Gibbons, Westchester County Director of Economic Development**

Ms. Gibbons provided the Board with an overview of two new Westchester County Economic Development Programs

**Program – Launch 1000** – a program to foster entrepreneurship in Westchester County. The goal is for 1000 Westchester residents to be able to launch their own business or develop an income stream for themselves and their families within a 6-month period

**Program – Westchester Rises** is a free program designed to support existing businesses who are looking to pivot or rebuild in response to the pandemic, or build resilience to prepare for whatever shock might be next. It is a mentoring and training program to support business owners who are reinventing, reinvigorating, or otherwise changing their business as the result of COVID-19.

## **CHAIRMAN’S REMARKS**

Chairman Ferrara said the BOT is issuing a letter to higher government officials for assistance during the pandemic for small businesses in Port Chester. There’s a desperate need for financial relief for small businesses in Port Chester. Last week with Port Chester as the only Orange Zone designee, state officials held a webinar to discuss available resources to Village residents. However, they did not mention small businesses who are currently facing a real threat and may be closing their doors in the coming months. Customers are going elsewhere due to the Orange designation. State officials basically pointed to the direction of Washington.

Tonight, the IDA is proud to say we did what we could within our means for small businesses with our modest Covid 19 Grant Program.

## APPROVAL OF MINUTES

On the motion of Board member John Hiensch, which was seconded by Board member James Taylor, the minutes of the November 11, 2020 meeting were approved.

### Roll Call

| <u>MEMBER</u>    | <u>MOTION</u> | <u>SECOND</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAIN</u> |
|------------------|---------------|---------------|------------|-----------|----------------|
| <u>BRAKEWOOD</u> |               |               | <u>x</u>   |           |                |
| <u>BRESCIO</u>   |               |               | <u>x</u>   |           |                |
| <u>CUDDY</u>     |               |               | <u>x</u>   |           |                |
| <u>FERRARA</u>   |               |               | <u>x</u>   |           |                |
| <u>HIENSCH</u>   | <u>x</u>      |               | <u>x</u>   |           |                |
| <u>O'CONNELL</u> |               |               | <u>x</u>   |           |                |
| <u>TAYLOR</u>    |               | <u>x</u>      | <u>x</u>   |           |                |

## ADMINISTRATIVE DIRECTOR REPORT

### Website Overview

The Website is being worked on, both IDA and Village. They are about 70% complete. IT Director Rosalind Cimino provided an overview/walkthrough of the proposed new website. Squarespace will be the platform of the new website. Ahead of her presentation she provided a link for Board members to explore the site and have a more meaningful discussion. Ms. Cimino said the site will be fully updated before fully given to the IDA.

### Resolution for Grant Authorizations

At a previous meeting the criteria for awarding grants had been established. The grants would fall into three basic categories and also include number of jobs to help the Board make a decision.

On the motion of Board member James Taylor, which was seconded by Board member John Hiensch, the Disaster Relief Grant Authorizing Resolution was approved.

**Roll Call**

| <u>MEMBER</u>    | <u>MOTION</u> | <u>SECOND</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAIN</u> |
|------------------|---------------|---------------|------------|-----------|----------------|
| <u>BRAKEWOOD</u> |               |               | <u>x</u>   |           |                |
| <u>BRESCIO</u>   |               |               | <u>x</u>   |           |                |
| <u>CUDDY</u>     |               |               | <u>x</u>   |           |                |
| <u>FERRARA</u>   |               |               | <u>x</u>   |           |                |
| <u>HIENSCH</u>   |               | <u>x</u>      | <u>x</u>   |           |                |
| <u>O'CONNELL</u> |               |               | <u>x</u>   |           |                |
| <u>TAYLOR</u>    | <u>x</u>      |               | <u>x</u>   |           |                |

**AUTHORIZING RESOLUTION**

*(State Disaster Emergency Grant Fund – Grant Award Approvals)*

A regular meeting of the Village of Port Chester Industrial Development Agency was convened on Wednesday December 9, 2020, at 6:30 p.m. at 350 North Main Street, Port Chester, New York, 10573.

The meeting was called to order by, Chairman Frank Ferrara with the following members being

PRESENT: Richard Cuddy, Daniel Brakewood, Michael Brescio, O’Connell, and James Taylor.

ABSENT: No One

THE FOLLOWING PERSONS WERE ALSO PRESENT: Administrative Director Christopher Steers, Board Counsel Justin Miller, Treasurer Anthony Siligato, Planning Director Eric Zamft and Acting Board Secretary Constance Phillips.

On motion duly made and seconded, the following resolution was placed before the members of the Village of Port Chester Industrial Development Agency:

Resolution No. 2020 -

RESOLUTION OF THE VILLAGE OF PORT CHESTER INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) AWARDING STATE DISASTER EMERGENCY GRANT FUND FOR QUALIFYING LOCAL SMALL BUSINESSES AND NOT-FOR-PROFIT CORPORATIONS

**WHEREAS**, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 632 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the “Act”), the **VILLAGE OF PORT CHESTER INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities within the Village of Port Chester (the “Village”) as authorized by the Act; and

**WHEREAS**, the COVID-19 Pandemic and directives issued by the State of New York (the “State”) to reduce transmission has negatively impacted the State’s economy and caused financial hardship to businesses, including many businesses in the Village; and

**WHEREAS**, , on June 17, 2020, Governor Andrew M. Cuomo signed into law Chapter 109 of the Laws of 2020 (herein, the “COVID Act”), which amends certain sections of the Act to allow industrial development agencies in the State, including the Agency, to provide financial assistance in the form of loans and/or grants to eligible small businesses and not-for-profit corporations in an effort to alleviate the financial hardship caused by the COVID-19 Pandemic; and

**WHEREAS**, pursuant to the COVID Act, and pursuant to a resolution adopted September 9, 2020, the Agency (i) established a Grant Program for eligible small businesses and not-for-profit corporations with not more than fifty (50) employees (each an “Eligible Entity”) in an amount not to exceed \$10,000 (the “Grants”), the proceeds of which must be used by Eligible Entities for the purpose of acquiring personal protective equipment or installing equipment necessary to prevent the spread of COVID-19 (herein, the “Grant Program”); and (ii) adopted a form of Application for submission by Eligible Entities (the “Application”); and

**WHEREAS**, the Agency has received Applications and upon review of same desires to authorize a first round of Grant recipients subject to the terms and conditions contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE VILLAGE OF PORT CHESTER INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby approves the award of Grants and recipients thereof as set forth within **Exhibit A**, hereto. The disbursement of the Grants shall be subject to (i) each Grantee executing a Grant Agreement (the “Agreement”, to be approved as to form and content by the Chairman, Vice Chairman and/or Chief Executive Officer of the Agency), and (ii) each recipient providing the Agency with cost documentation and/or proof of eligible expenses as deemed necessary and appropriate by the Chairman, Vice Chairman and/or Chief Executive Officer of the Agency. The Agency hereby approves the execution and delivery of each Agreement and all documents necessary and incidental thereto (including, but not limited to any requirements approved by Harris Beach PLLC as transaction counsel to the Agency).

Section 2. The Chairman, Vice Chairman and/or Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to negotiate, approve the form and substance of, execute and deliver the Agreement and any certificates, documents and agreements, based on the advice and counsel of counsel, necessary or desirable to allow for such Grant. The

Chairman’s, Vice Chairman’s and/or Chief Executive Officer’s execution and delivery of such documents shall constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. The Agency hereby agrees to abide by certain reporting and record retention obligations in connection with the Grant Program, including reporting the following information to the Authorities Budget Office within ninety (90) days of the end of the Agency’s fiscal year:

- (1) The Name and address of each grant recipient;
- (2) The Amount of the grant provided; and
- (3) The Date the grant or loan was awarded.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolutions was duly put to vote on roll call, which resulted as follows:

|                       | <i>YEA</i> | <i>NEA</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-----------------------|------------|------------|----------------|---------------|
| Hon. Daniel Brakewood | [ x ]      | [ ]        | [ ]            | [ ]           |
| Richard Cuddy         | [ x ]      | [ ]        | [ ]            | [ ]           |
| Hon. Frank Ferrara    | [ x ]      | [ ]        | [ ]            | [ ]           |
| John Hiensch          | [ x ]      | [ ]        | [ ]            | [ ]           |
| Richard O’Connell     | [ x ]      | [ ]        | [ ]            | [ ]           |
| James Taylor          | [ x ]      | [ ]        | [ ]            | [ ]           |
| Michael Brescio       | [ x ]      | [ ]        | [ ]            | [ ]           |

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK                    )  
COUNTY OF WESTCHESTER        ) SS:

I, the undersigned Secretary of the Village of Port Chester Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Village of Port Chester Industrial Development Agency (the “Agency”), including the resolution contained therein, held on December 9, 2020, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 9th day of December, 2020.

\_\_\_\_\_  
Secretary

[SEAL]

**EXHIBIT A**  
**GRANT RECIPIENTS**

| <b>Company Name</b>                      | <b>Address</b>         | <b>Award</b> |
|--|------------------------|--------------|
| Paleteria Fernandez Inc                  | 33 North Main St.      | \$2,000      |
| Ellegancy Beauty Salon                   | 141 Willett Ave.       | \$1,000      |
| Kevin Nails Spa Inc                      | 33 1/2 North Main St.  | \$2,000      |
| Empire Coffee Co, Inc.                   | 106 Purdy Ave.         | \$5,000      |
| BST 106, LLC (Waterfront Roasters Dist.) | 106 Purdy Ave.         | \$1,000      |
| Clay Arts Center                         | 40 Beech St.           | \$5,000      |
| La Fortuna Deli Corp.                    | 174 North Main St.     | \$1,000      |
| Asi es Colombia Restaurant & Bakery Inc  | 172 North Main St.     | \$2,000      |
| NM Accounting Inc                        | 16 King St.            | \$500        |
| Westchester Laundry Place Corp.          | 185 Westchester Ave.   | \$1,000      |
| Westchester Market Plaza Inc.            | 179 Westchester Ave.   | \$1,000      |
| Four J's Transportation                  | 132 Pearl Street STE A | \$1,000      |
| CKE Fitness Corp                         | 509 Boston Post Rd.    | \$2,000      |

**PLANNING DIRECTOR REPORT**

There isn't much change in projects at the Zoning or Planning levels. Planning is still getting a pretty heavy load of inquiries for projects that may come to Planning and eventually may end up seeking assistance from PCIDA. Those are projects that tend to be more impactful and may be a result of all the good work the Village did with the Code and the PCIDA did with the UTEP. There is still the Commercial Displacement Study which will be spoken about at the LDC meeting. We are working very closely with the United Hospital Site and there may be a submission in January and that will have implications for IDA at some point.

There is a Zoning Change that the BOT is considering up around Pearl Street and the Master Developer RFP is still on the radar screen

In terms of the ongoing inquiry into Port Chester's "special sauce" for development, Port Chester is the "hole in the donut" that I've heard from many developers as to why Port Chester is attractive and desirable, as opposed to the immediately surrounding communities. This is a positive connotation, since storefront density is a strong indicator of walkability and 'place' and is a "...critical ingredient to the success of neighborhood commercial..." A complete report will be furnished next month.



## TREASURER’S REPORT

Treasurer Anthony Siligato provided the Board with the financial snapshot

### **Approval of Invoices**

Constance Phillips  
Eric Zamft  
Anthony Siligato  
Joelle Rovello  
Christopher Steers  
Harris Beach – Gen Corporate Matters  
Harris Beach – 30 Broad Street Matters  
HR&A – Independent Review Services

### **Agency Financial Snapshot**

*See next page*

On the motion of Board member Richard Cuddy, which was seconded by Board member James Taylor, the Invoices and Treasurer’s report were approved.

### **Roll Call**

| <u>MEMBER</u>    | <u>MOTION</u> | <u>SECOND</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAIN</u> |
|------------------|---------------|---------------|------------|-----------|----------------|
| <u>BRAKEWOOD</u> |               |               | <u>x</u>   |           |                |
| <u>BRESCIO</u>   |               |               | <u>x</u>   |           |                |
| <u>CUDDY</u>     |               | <u>x</u>      | <u>x</u>   |           |                |
| <u>FERRARA</u>   |               |               | <u>x</u>   |           |                |
| <u>HIENSCH</u>   |               |               | <u>x</u>   |           |                |
| <u>O’CONNELL</u> |               |               | <u>x</u>   |           |                |
| <u>TAYLOR</u>    | <u>x</u>      |               | <u>x</u>   |           |                |

**Port Chester Industrial Development Agency - Fiscal Year June 1, 2020 to May 31, 2021**  
**Cash Analysis & Net Assets Report**  
**As of November 30, 2020** 

Cash on Hand @ 11/1/2020 \$347,602.35

**Deposits/Wire Transfers/ Interest Received :**

|                 |                                   |       |                 |
|-----------------|-----------------------------------|-------|-----------------|
| JP Morgan Chase | Interest Earned - November 2020   | 1.51  |                 |
| TD Bank         | Interest Earned - November 2020   | 25.47 |                 |
|                 |                                   | -     |                 |
|                 |                                   | -     |                 |
|                 |                                   | -     |                 |
|                 |                                   | -     |                 |
|                 | Total Deposits/Transfers/Interest |       | <u>\$ 26.98</u> |

**Checks Written / Disbursements :**

|                        |  |               |
|------------------------|--|---------------|
| Christopher Steers-A/P | Administrative Director - October 2020         | \$ (1,500.00) |
| Anthony Siligato-A/P   | Treasurer / CFO - October 2020                 | \$ (750.00)   |
| Constance Phillips-A/P | Secretary - November 2020                      | \$ (400.00)   |
| Harris Beach, PLLC     | PCIDA Corporate Matters - October 2020         | \$ (925.00)   |
| CNA Insurance          | General Liability Insurance 11/5/20-11/5/21    | \$ (1,015.17) |
| Brown & Brown of NY    | Directors & Officers Insurance 11/5/20-11/5/21 | \$ (3,710.00) |

Checks Written / Disbursements during November 2020 \$ (8,300.17)

**Cash on Hand @ 11/30/2020 \$339,329.16**

**Reconciliation of Bank Accounts**

|   |               |               |
|---|---------------|---------------|
| JPMorgan Chase at 11/1/2020               | \$ 192,219.17 |               |
| Deposits                                  | \$ -          |               |
| Interest Earned                           | \$ 1.51       |               |
| Checks Presented                          | \$ (8,300.17) |               |
| <b>Total JPMorgan Chase at 11/30/2020</b> |               | \$ 183,920.51 |
| TD Bank at 11/1/2020                      | \$ 155,383.18 |               |
|   | \$ -          |               |
| Interest Earned                           | \$ 25.47      |               |
| <b>Total TD Bank at 11/30/2020</b>        |               | \$ 155,408.65 |

**Total Bank Balance @ 11/30/2020 \$ 339,329.16**

|   |             |           |
|---|-------------|-----------|
| Eric Zamft - A/P - Planning Director - September 2020 - Chk#1801                                      | \$ (650.00) |           |
| Eric Zamft - A/P - Planning Director - October 2020 - Chk#1811  | \$ (650.00) |           |
| Prepaid Expense - CNA - General Liability Insurance 6/1/21-11/5/21 (Chk #1803, 10/28/20)              | \$ 423.17   |           |
| Prepaid Expense - Brown & Brown - Director's & Officers Insurance 6/1/21-11/5/21 (Chk #1805, 11/4/20) | \$ 1,545.83 | \$ 669.00 |

**PCIDA Net Assets @ 11/30/2020 \$ 339,998.16**

Prepared by PCIDA Financial Officer

**ADJOURNMENT**

On the motion of Board member Richard Cuddy, which was seconded by Board member John Hiensch, the meeting was adjourned to January 13, 2021

**Roll Call**

| <u>MEMBER</u>    | <u>MOTION</u> | <u>SECOND</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAIN</u> |
|------------------|---------------|---------------|------------|-----------|----------------|
| <u>BRAKEWOOD</u> |               |               |            |           |                |
| <u>BRESCIO</u>   |               |               |            |           |                |
| <u>CUDDY</u>     | <u>x</u>      |               |            |           |                |
| <u>FERRARA</u>   |               |               |            |           |                |
| <u>HIENSCH</u>   |               | <u>x</u>      |            |           |                |
| <u>O'CONNELL</u> |               |               |            |           |                |
| <u>TAYLOR</u>    |               |               |            |           |                |

Respectfully submitted,

Constance R. Phillips