

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

HELD: February 10, 2021

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 February 10, 2021 at 6:30p.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 Michael Brescio, the meeting was called to order with the following additional Board members being present: Daniel Brakewood, John Hiensch, Richard O’Connell, and James Taylor.

Also in attendance was Administrative Director Christopher Steers, Board Counsel Justin Miller, Treasurer Anthony Siligato, Acting Planning Director Curt Lavalla 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>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>		

PRESENTATION - Tarry Lighthouse, LLC

Proposed project at 163, 175-179 North Main St, 18 Mill St, and 20 Abendroth Ave

Acting Planning Director Curt Lavalla introduced the Tarry Lighthouse project to the Board and gave an overview of its status at the Planning Commission. Mr. Lavalla said the project is approaching approval by the Planning Commission and will receive approval documents for the project. He also said David Mann has been working with the Planning Commission, to make the project as good as it can be. He's one of the first to contend with some of our more stringent architectural standards but has been patient with the commission and the staff, in terms of discussing all of those requirements to become compliant. The resulting project reflects the mandates of the Form Based Code, appearing to be multiple buildings with small footprint retail spaces that activate the street.

Chairman Ferrara introduced Mr. David Mann of Tarry Lighthouse to make a pre-application presentation to the Board. Mr. Mann had previously been given sales tax and mortgage recording tax benefits from the PCIDA for his Lighthouse Project at 120 North Pearl Street in 2014.

Mr. Mann gave an overview of the project that encompass 5 parcels representing the entire block from 163 North Main Street to 175-179, which was the old Tarry Market and Tavern; 18 Mill Street, which is the old Tarry Lodge; and 20 Abendroth Avenue, which was a warehouse in the back.

The project is a true mixed use development with 209 apartments that consists of 74 studios, 85 one bedrooms, 5 two bedrooms and 10% of the units are allocated towards affordable housing. There are 27,905 square feet of retail or commercial space. There is a 271 space valet operated parking garage.

This project creates a retail quarter on Abendroth Avenue, which is one of the priorities of the Village. It creates much needed parking in this area and creates over 200 permanent jobs and a significant economic stimulation. In addition, there are also outside dining spaces which have never existed in this area. Having outdoor dining in a seasonal climate like Port Chester adds to the charm of the Village and is an attractive amenity. The 271 car garage, which will be open to the public, represents an increase in parking for the core downtown of 42%.

Besides the publicly available parking, and the permanent and temporary jobs, benefits of the project will include green infrastructure and infrastructure improvements on Highland Street requested by the Planning Commission.

A full suite of benefits is requested from the IDA because of the high costs of demolition and construction, and Port Chester’s property tax burden. Mr. Mann mentioned that as the more experienced developer he is today he would not have proceeded with the 120 North Peal Street project without a PILOT.

Having heard Mr. Mann’s presentation, the Board engaged in a question and answer session with him about various other aspects of the project and continued to discuss the presentation after his departure.

APPROVAL OF MINUTES - January 13, 2021

On the motion of Board member Richard Cuddy, which was seconded by Board member James Taylor, the minutes of the January 13, 2021 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>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>		

RESOLUTION - Defining the participation of Planning at the IDA

Chairman Ferrara said with the Planning Department down from 3 planners to 1 the Village can't afford the luxury of giving us someone full time on staff. Accordingly, he spoke with Mr. Lavalla, the Village’s Acting Planning Director, and has narrowed the scope of responsibilities in Eric Zamft’s prior contract and suggested a per appearance fee of \$500 when Mr. Lavalla appears before the Board on an application.

In comments Board members emphasized that this would not be a monthly payment, as with Mr. Zamft, but payment per appearance as dictated by the Agenda.

On the motion of Board member James Taylor, which was seconded by Board member Richard Cuddy, the Agency Planner Resolution was approved.

See resolution on next page.

RESOLUTION
(Appointing Agency Planner)

A meeting of the Village of Port Chester Industrial Development Agency was convened on Wednesday February 10, 2021, at 6:30 p.m.

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

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

ABSENT: No one

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Board Counsel Justin Miller, Administrative Director Christopher Steers, Treasurer Anthony Siligato, Planner Appointee Curt Lavalla 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 APPOINTING CURT LAVALLA TO THE POSITION OF AGENCY PLANNER

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 civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, pursuant to and in accordance with the Agency’s By-laws, the Agency may establish staff positions and appoint individuals to serve the Agency in defined capacities; and

WHEREAS, the Agency desires to establish a staff level position of Planner and appoint Curt Lavalla to individually serve in said capacity, all as more particularly set forth within the Consultant Agreement set before this meeting (the “Consultant Agreement”).

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

Section 1. The Agency hereby establishes the staff level position of Planner and appoints Curt Lavalla to individually serve in said capacity in accordance with the Scope of Services as set forth within the Consultant Agreement. The Chairman is authorized to execute the Consultant Agreement in substantially the form set before this meeting.

Section 2. The Agency hereby authorizes the amendment to its budget to appropriate and spend the consultant service fees as set forth within the Consultant Agreement.

Section 3. These Resolutions shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a 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 Resolution was 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 June 23, 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 10th day of February 2021.

Constance Phillips
Secretary

[SEAL]

ADMINISTRATIVE DIRECTOR REPORT

IDA Grant Program update and discussion

Administrative Director Chris Steers gave an update on the status of the grant awards, the completion of the applications and the signatures of the agreements that the chairman was kind enough to put together on a spreadsheet making them easier to track.

A brief discussion was held regarding the incompleteness or lack of receipts for some of the applications. The Chairman injected that this has been a daunting task to which the AD agreed and said it's a joint effort with the Treasurer and Acting Secretary to get the documentation together as well. The receipts have been trickling in slowly, not everybody kept records. The receipts have to be vetted, applicants have to be called, etc., etc.

Chairman Ferrara stated that the other day we received an application dated February 3rd. He said it's a new application, and the window's been closed for a couple of months and was posted on our website. We've got about \$25,000 left, and it may be a little bit more because some people appear to have dropped out of the process. Apparently an application in question was brought to the Village Hall in either September/October and was misplaced according to the applicant. There were other potential applicants who were turned away after the closing deadline.

The Board agreed after a brief discussion to reopen the program with an expiration date of March 1, 2021. The website and applications will be updated in English and in Spanish.

Website

IT Director Roz Cimino gave an update on the new IDA Website. She said the website is finished however it is being held up until the new Village website launches as it makes sense to launch them both at the same time.

Chairman Ferrara mentioned that Board member John Hiensch had circulated online post from various residents that talk about development. It appears that they are not truly informed about the rezoning and development process although every piece of information is posted on our website. With complaints about navigating our website we look forward to a new user friendly website so as to better inform the public.

NEW BUSINESS

Ivy Realty proposed project at 27-45 North Main St update

Chairman Ferrara and Interim Planning Director Curt Lavalla gave an update on this project that made a pre-application to the IDA Board last month. The prospective applicant will wait to submit their application until they are further along in the Site Plan process, but they continue to be well received at the Planning Commission and are complying with all requests.

TREASURERS REPORT

Treasurer Anthony Siligato provided the Board with the financial snapshot:

Approval of Invoices

Constance Phillips
Anthony Siligato
Christopher Steers
Harris Beach – Gen Corporate Matters

Agency Financial Snapshot

(See following page)

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



Cash on Hand @ 1/1/2021 \$321,837.57

Deposits/Wire Transfers/ Interest Received :

JP Morgan Chase	Interest Earned - January 2021	1.34	
TD Bank	Interest Earned - January 2021	13.20	
Southport Mews	FY2020/21 Administrative Compliance Fee	500.00	
		-	
		-	
	Total Deposits/Transfers/Interest	514.54	\$

Checks Written / Disbursements :

Christopher Steers-A/P	Administrative Director - December 2020	\$ (1,500.00)
Anthony Siligato-A/P	Treasurer / CFO - December 2020	\$ (750.00)
Constance Phillips-A/P	Secretary - January 2021	\$ (400.00)
Harris Beach, PLLC	PCIDA Corporate Matters - December 2020	\$ (1,250.00)
HR&A Advisors, Inc.	Applicant Pro Forma Review	\$ (5,000.00)

Checks Written / Disbursements during January 2021 \$ (8,900.00)

Cash on Hand @ 1/31/2021 \$313,452.11

Reconciliation of Bank Accounts

JPMorgan Chase at 1/1/2021	\$ 166,415.76	
Deposits	\$ 500.00	
Interest Earned	\$ 1.34	
Checks Presented	\$ (8,900.00)	
Total JPMorgan Chase at 1/31/2021	\$ 158,017.10	

TD Bank at 1/1/2021	\$ 155,421.81	
	\$ -	
Interest Earned	\$ 13.20	
Total TD Bank at 1/31/2021	\$ 155,435.01	

Total Bank Balance @ 1/31/2021 \$ 313,452.11

Eric Zamft - Planning Director December 2020 (Chk #1827, 1/15/21)	\$ (650.00)	
Clay Arts Center - Financial Assistance Grant (COVID-19) (Chk #1829, 1/29/21)	\$ (5,000.00)	
Paletaria Fernandez, Inc. - Financial Assistance Grant (COVID-19) (Chk #1830, 1/29/21)	\$ (2,000.00)	
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	\$ (5,681.00)

PCIDA Net Assets @ 1/31/2021 \$ 307,771.11

Prepared by PCIDA Financial Officer

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>		

ADJOURNMENT

On the motion of Board member John Hiensch, which was seconded by Board member James Taylor, the meeting was adjourned to March 10, 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>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>		

Respectfully submitted,

Constance R. Phillips