

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

HELD: August 12, 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 August 12, 2020 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 Richard O’Connell, the meeting was called to order with the following additional Board members being present: Michal Brescio, Richard O’Connell, John Hiensch, 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.

Board member Daniel Brakewood had earlier informed the Chair that he was unable to attend.

Roll Call

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>BRAKEWOOD</u>					<i>absent</i>
<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>		

FY2019-20 FINANCIAL AUDIT PRESENTATION

a. Drescher and Malecki, via WebEx

Chairman Ferrara reminded the Board that due to our non-calendar year end date the August meeting is critical in that the Board must receive, review, and approve our year end audited financial statements and PARIS report for filing prior to the end of the month. With that he turned the meeting over to Treasurer Anthony Siligato who oversaw the audit this year.

Mr. Siligato pointed out that due to the Covid-19 pandemic the audit was conducted remotely this year but that everything went very smoothly. He referred the Board to the draft Financial Statements that were e-mailed to them with the meeting back up, and introduced Messrs. Carl Widmer and Nick Patronic from Drescher and Malecki, the Agency's independent auditors.

Mr. Widmer thanked the Treasurer and Administrative Director for making the remote process easy and accessible. He mentioned that he and his team met with both staff members along with the Chairman to review the process. He stressed that this was an external independent audit of the Treasurer's financial statements performed to provide an unbiased review.

Mr. Widmer stated that the process did not uncover any issues that they believe merited a "finding" and he commended the Agency on a good report. Accordingly, they conclude that the agency's financial statements are fairly stated and can be relied upon and they will therefore be issuing what is called an "unmodified audit opinion."

He offered that the Agency is in an adequate financial position with a healthy fund balance at this point in time.

There were a few matters of discussion on the part of Board members where footnotes were requested to offer further clarifications, but Board members were largely satisfied with the report.

The [complete Audited financial statements for FY 2019-2020](#) are posted on the Agency website.

CHAIRMAN'S REMARKS

a. G&S Waterfront Update

Chairman Ferrara addressed what he called the sole remaining outstanding issue regarding the G&S Investors Waterfront at Port Chester project, the matter of the bulkhead failure. His purpose in updating the Board was to inform them that any settlement would eventually have to come to the IDA for approval, which could occur as early as the September meeting.

Mr. Ferrara recounted a brief history of the mishap. The entire project was a complicated three-way agreement that included G&S, the Village, and the County and the ability to assign clear blame for the incident has been judged doubtful. In recent years all three parties agreed to try and find a negotiated solution to lay the matter to rest and the process may now be drawing to a close. At the last Board of Trustees meeting the board voted on a unanimous basis to endorse the broad strokes of an agreement that features a \$200,000 annual payment for 30 years to assist in debt servicing.

Because the project remains under the auspices of the IDA, any monies pledged to one Taxing Jurisdiction might have to be shared with all Taxing Jurisdictions the IDA serves. To avoid this, the monies will be structured as a rental agreement in exchange for the Village not objecting to G&S being allowed to charge for parking in the Marina Lot. The Village will retain enforcement rights that are currently in effect and retain all fines as it does now, which pre-Covid were often running over \$100,000 a year.

To be clear, G&S is currently restricted in charging in the Marina Lot because of lease restrictions with its lessees and its agreement with the County mandates free parking. The County has indicated it will waive such restriction if the Village agrees. We should also bear in mind that the Mobility study the IDA funded in part a few years back suggested a key to resolving mobility problems downtown was to price and time parking accordingly, and suggested the Marina Lot should be the centerpiece of these efforts.

For now, this matter is in the hands of attorneys for all parties, with instructions to draw up firm and final agreements prior to the end of September.

Board Counsel Justin Miller fielded questions from Board members. Salient points discussed were that after the PILOT ended the lot would indeed be taxed at full assessed value, with the annual rental payment and enforcement fines on top of this.

b. Schools

Chairman Ferrara reminded the Board that he and staff do their best to meet with School Staff and Trustees appointed by the School Board 4 times a year, although due to the pandemic the April meeting was cancelled and a rescheduled meeting was only recently concluded. He wanted to report to the Board on that meeting, in which we apprised the Schools of the 30 Broad project, which had recently been awarded benefits, and did our best to clarify misconceptions regarding our recently adopted UTEP amendment and the Village's new form based zoning code.

Mr. Ferrara thanked Board member Mr. Jim Taylor for his suggestion of putting a "schools" page together on our website, which succinctly details the benefits to the Schools of these recent changes. For example when a developer pulls a building permit, he has to pay \$27,000 per projected school child immediately to the school district and then has to make an annual payment for ten years based on the actual number of kids in the schools. And it is the IDA's projection tool, borne out of the updated Urbanomics Child Generation Study, that has been embedded into the zoning code for this purpose. The page references the report as well, which was put together with input and active participation of the Schools.

There was some concern on the part of School participants about being overwhelmed with kids from new projects and needing to expand the schools further to accommodate them. We pointed out that the 3 projects that are built and stabilized downtown consist of 266 units and the last year for which we have statistics, there were 2 children attending the schools. We also had a frank discussion on a couple of other matters, and we will continue to meet on a quarterly basis.

Chairman Ferrara concluded by referring Board members to the new web page and invited any comment now or in the future as to how it can be improved.

MINUTES

- a. March 11, 2020
- b. June 10, 2020
- c. June 23, 2020
- d. July 8, 2020

On the motion of Board member James Taylor, which was seconded by Board member Richard Cuddy, the minutes of all 4 meeting were bundled together and approved.

Roll Call

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>BRAKEWOOD</u>					<i>absent</i>
<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>		

ADMINISTRATIVE DIRECTOR REPORT

a. ABO annual Board of Directors Evaluation discussion

Administrative Director Christopher Steers said that he was still missing 2 of the Director's evaluations but that the vast majority indicated that we're meeting our criteria. He said it's important because these are part of our filings and we want to keep the ABO happy because we've been smacked before and it's not pleasant.

Mr. Steers said he submitted to the board two reports from the ABO that everyone really should read. In reading them it is apparent that many IDAs throughout the state are experiencing compliance issues, some of which we experienced in the past. He noted that we have cleaned up by improving our reporting standards, redesigning and updating our website, and with the assistance of compliance professional Julie Marshall of Harris Beach.

b. Discussion of potential IDA Loan program

Mr. Steers reported that we are giving serious consideration to bringing to the Board a proposal that would allow us to partner with the County's program, to try and leverage the systems they are putting in place, but much needs to be refined and we are looking at options. For a grant only program seeded with \$50,000, there might be as many as 150 local businesses that could qualify.

The Board engaged in a discussion around this topic and provided ideas and suggestions which need to be further explored and fine-tuned.

c. Presentation of PARIS filings

Treasurer Anthony Siligato walked the Board through the draft that was included in their back up packets, mentioned fine tuning that had been done after a review by Julie Marshall of Harris Beach who advises the Agency on these matters.

On the motion of Board member Richard Cuddy, which was seconded by Board member James Taylor, the audited financial statements and PARIS report with suggested amendments 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>					<i>absent</i>
<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>		

PLANNING DIRECTOR'S REPORT

Planning Director Eric Zamft spoke about how part of his role at the IDA is to advise the Board about projects that could well be applicants in the near future. He said that based on the activity his office is seeing the Village's new Form Based Code, accompanied by the IDA's amended UTEP, are "working," having the desired effect of precipitating development interest in the Village. This past month there has probably a 400% or 500% increase in the amount of inquiries that we've gotten about development projects in the Village.

a. Zachys

The most immediately actionable is likely to be Zachys, the high end wine retailer that is looking to consolidate their operations in Scarsdale and White Plains into the Strauss Paper Company site at 10 Slater Street. The company has a shrinking bricks and mortar retail footprint, reflective of retail trending to online throughout the economy, but their distribution, storage, and auctioneering businesses are growing rapidly. They have over 20,000 customers, many in our area. They will be bringing over 100 employees to Port Chester and are receptive to hiring locally as there is turnover.

Mr. Zamft, the Mayor and Chairman met with them to advise them on planning documentation that they need to navigate and to gauge the impacts of their coming to the Village. It would appear to be a terrific promotional and marketing story for Port Chester.

b. United Hospital and other items

The new owners will be presenting their plans for this Village gateway property at the September 8th Board of Trustees meeting, and they will be speaking to stakeholders right after that. Mr. Zamft promised an update at the September meeting.

Mr. Zamft also gave a brief update on the proposed Liberty Square pedestrian plaza that the IDA has pledged to assist should it obtain necessary approvals. He also referenced the Pace University commercial displacement mitigation study that is ongoing as part of the Form Based Code passage and may well be coming to the IDA Board as part of the implementation process.

TREASURER’S REPORT

Treasurer Anthony Siligato provided the Board with Invoices to be paid and the Financial Snapshot.

See the report on the next page.

On the motion of Board member James Taylor, which was seconded by Board member Richard Cuddy, the Invoices and Financial snapshot 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>					<i>absent</i>
<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 July 31, 2020

Cash on Hand @ 7/1/2020 \$433,231.93

Deposits/Wire Transfers/ Interest Received :

JP Morgan Chase	Interest Earned - July 2020	2.29	
TD Bank	Interest Earned - July 2020	26.30	
Jetro (JMDH)	2020 Town & County Pilot (Restaurant Depot)	28,499.67	
Total Deposits/Transfers/Interest			\$ 28,528.26

Checks Written / Disbursements :

Christopher Steers-A/P	Administrative Director - June 2020	\$ (1,500.00)
Anthony Siligato-A/P	Treasurer / CFO - June 2020	\$ (750.00)
Village of Port Chester	PCIDA License Fee (222 GC & 350 N Main)	\$ (6,000.00)
Constance Phillips-A/P	Secretary - July 2020	\$ (400.00)
Harris Beach, PLLC	PCIDA Corporate Matters - June 2020	\$ (2,850.00)

Checks Written / Disbursements during July 2020 \$ (11,500.00)

Cash on Hand @ 7/31/2020 \$450,260.19

Reconciliation of Bank Accounts

JPMorgan Chase at 7/1/2020	\$ 277,953.14
Deposits	\$ 28,499.67
Interest Earned	\$ 2.29
Checks Presented	\$ (11,500.00)
Total JPMorgan Chase at 7/31/2020	\$ 294,955.10

TD Bank at 7/1/2020	\$ 155,278.79
	\$ -
Interest Earned	\$ 26.30
Total TD Bank at 7/31/2020	\$ 155,305.09

Total Bank Balance @ 7/31/2020 \$ 450,260.19

Jetro (JMDH) - 2020 Town & County Pilot Payment (Due to Town & County)	\$ (28,499.67)	
G&S Port Chester Unit 2B, LLC - 2020 Pilot Payment (Due to School, Town/Cty & Vlg)	\$ (53,906.00)	\$ (82,405.67)

PCIDA Net Assets @ 7/31/2020 \$ 367,854.52

ADJOURNMENT

- a. Next meeting September 9, 2020
 - i. *Annual Reorganization*

On the motion of Board member Richard Cuddy, which was seconded by Board member John Hiensch, the meeting was adjourned to September 9, 2020

Roll Call

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>BRAKEWOOD</u>					<i>absent</i>
<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>		

Respectfully submitted,

Constance R. Phillips