

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

**HELD: September 8, 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 September 8, 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 Daniel Brakewood, 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. Board member Richard Cuddy joined the meeting after roll call due to technical difficulties

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>x</u>		
<u>BRESCIO</u>			<u>x</u>		
<u>CUDDY</u>					
<u>FERRARA</u>			<u>x</u>		
<u>HIENSCH</u>			<u>x</u>		
<u>O’CONNELL</u>		<u>x</u>	<u>x</u>		
<u>TAYLOR</u>			<u>x</u>		

**Chairman’s Remarks**

Chairman Ferrara began by saying at last night's Board of Trustees meeting the relatively new owners of the United Hospital site gave a broad overview of a potential project that they suggest is zoning compliant and there's an entire process that this is going to have to go through. This agency's going to be very much involved in whatever

project eventually get built. Planning Director Eric Zamft can walk the Board through it a little bit better but there's still a long way to go.

Chairman Ferrara said the other thing he talked about last month was, a potential settlement with G&S on the bulkhead matter. That is still with the attorneys. We're waiting for them to conclude agreements. Once that's done, it'll be before this Board hopefully within the next month.

**Minutes**

**August 12, 2020**

On the motion of Board member John Hiensch, which was seconded by Board member James Taylor, the minutes of the August 12, 2020 meeting were approved 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.**

Administrative Director Christopher Steers began by saying that he continues to have discussions with some of the local businesses and had an opportunity to meet with the Capitol Theatre to see what we can do to help them out. He said he was able to meet under his hat as Village Manager along with the Building Inspector to talk about how they could safely open Garcia's with proper spacing and perhaps utilize some of the sidewalk area and the area under their Marquee to generate some foot traffic and some business to the facility. This past Sunday or this coming Sunday they're going to be selling merchandise outside underneath the marquee and they're looking at perhaps opening Garcia's in conjunction with some food truck, because they have to be able to provide food. They're also looking at converting the theater temporarily for miniature golf which apparently is a model at some other locations state that seems to be working,

however there may be some barriers to that. Further discussions are scheduled for later in the week.

Mr. Steers also stated that Along with the Chairman he had some discussions also with Zachy's the wine distributor, specifically talking about their potential relocation to Midland Avenue and would be focusing on local recruitment for the jobs that may become available. I think initially we discussed a hundred jobs, so they're willing to work with us to facilitate local employment, whether it be having the applications on the website, or perhaps doing something under storefront where they do look up recruitment and we'll be discussing that further as well

Mr. Steers said that he and Eric Zamft and I have been discussing with Justin Miller, and Chairman Ferrara about the **Liberty Square** projects, and how that is developing

Mr. Steers informed the Board that an update to the **Board of Director's Evaluation** has been included in their packets. The summary reflects all Board member participation and 1 areas of concern might be something the Board may want to discuss further at a later date.

Mr. Steers said he been working with the IT Director Roz Cimino, and she's been working with the Chairman looking at a **new website**. We believe that we could produce a standard website for the IDA that would loosen up some of the restrictions we have with dot Gov. accounts to make it easier and more easily accessed by the public and easier to manage. It would be about twelve hundred dollars. Chairman Ferrara stated that it would be our own independent domain. We'd no longer be under the villages domain, which frankly was never a problem in the past, but using dot Gov. Can be somewhat restrictive. It can be really tough for the Board members who would like to get their emails on their phones. And you can't do that with the village domain with a dot Gov. Domain. There's no monthly maintenance fee for the website and the domain name, so we bought the domain name already. It's .org domain and twelve hundred to start it up and then it's about four to five hundred a year after that to just keep it. It's a Squarespace site.

Mr. Steers shared an update on his continuing efforts to help the Board establish the Grant program for small business. The Board along with Counsel Justin Miller discussed the merits and particulars of establishing and implementing the program. After a lengthy discussion it was decided that the program would offer grants to small businesses with 50 or less employees. Grants would begin at \$500 and begin on October 5<sup>th</sup> with an application closing date of November 5<sup>th</sup>.

### Annual Reorganization

On the motion of Board member Richard Cuddy, which was seconded by Board member Michael Brescio, the Annual Agency Reorganization Resolution was approved.

**ROLL CALL**

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

See Resolution starting on next page

## ANNUAL ORGANIZATIONAL MEETING RESOLUTIONS

A regular meeting of the Village of Port Chester Industrial Development Agency was convened on Wednesday September 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 Ferrara with the following members being:

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

ABSENT:

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 –

ANNUAL ORGANIZATIONAL MEETING RESOLUTIONS OF THE VILLAGE OF PORT CHESTER INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) AUTHORIZING (i) THE RATIFICATION OF THE AGENCY’S MISSION STATEMENT AND CERTAIN POLICIES, (ii) THE APPROVAL OF AGENCY ANNUAL AUDIT AND MANAGEMENT LETTER, (iii) THE APPROVAL OF ANNUAL BUDGET SUBMISSIONS, AND (iv) THE ELECTION AND APPOINTMENT OF BOARD OFFICERS; COMMITTEE MEMBERSHIP AND AGENCY STAFF

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 as authorized by the Act; and

**WHEREAS**, pursuant to the Public Authorities Accountability Act of 2005 (“PAAA”), which was signed into law on January 13, 2006 as Chapter 766 of the Laws of 2005, and Chapter 506 of the Laws of 2009 enacting the Public Authority Reform Act of 2009 (“PARA”), the Agency desires to undertake certain required annual mission statement policy review and adoption; and

**WHEREAS**, the Agency further desires to review and approve the annual audit of the Agency, the election of board officers, designation of board committee assignments, the appointment of Agency Staff, and certain other annual meeting matters.

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

Section 1. Pursuant to PAAA and PARA, the Agency has reviewed the Mission Statement and Performance Measures and the Agency hereby adopts amendments to the Mission Statement as presented before this meeting.

Section 2. Pursuant to PAAA and PARA, the Agency has reviewed the Investment Policy and Disposition of Property Policy and the Agency hereby determines that no changes are required to the Investment Policy and that the same is hereby approved.

Section 3. The Agency previously reviewed the Independent Auditor's Report for the fiscal year ended May 31, 2020 in the form presented at the meeting, and such audit and related management letter are hereby approved.

Section 4. The Agency hereby authorizes and approves the 2018-2019 Annual Report to be filed with (i) the New York State Authority Budget Office via the Public Authorities Reporting Information System, and (ii) the appropriate local officials.

Section 5. That the budget for fiscal year ending May 31, 2021 and the proposed budgets for fiscal years ending May 31, 2022 through May 31, 2025, as presented before this meeting are hereby approved and the Board ratifies the actions of the officers and directors consistent with each such budget and any payments made thereunder prior to the date of this meeting.

Section 6. Pursuant to and in accordance with the By-laws of the Agency, the Board hereby elect the following Members to serve in the respective offices of the Board:

Frank Ferrara, Chair
Richard Cuddy, Vice Chair
Daniel Brakewood, Treasurer
John Hiensch, Secretary

All Members of the Agency shall participate in such required annual and continuing training as may be required to remain informed of best practices, regulatory and statutory changes relating to the effective oversight of the management and financial activities of public authorities and to adhere to the highest standards of responsible governance. Further, each Member shall

execute (i) a Certification of No Conflict of Interest (ii) an Acknowledgement of Fiduciary Duties and Responsibilities.

Section 7. Pursuant to and in accordance with the By-laws of the Agency, the Members of the Agency hereby appoint the following individuals to serve in the following appointed positions:

Christopher Steers, Administrative Director
Eric Zamft, Planning Director
Anthony Siligato, Chief Financial Officer
Joelle Rovello, Deputy CFO
Acting Secretary, Acting Secretary

The foregoing officers shall enter upon the discharge of their duties as provided in the By-Laws of the Corporation.

Section 8. Pursuant to subdivision 4 of Section 2824 of the PAL, and in accordance with the By-laws of the Agency, the Audit and Finance Committee of the Agency shall be comprised of the following Members:

1. John Hiensch, Chair
2. Daniel Brakewood
3. Frank Ferrara
4. Michael Brescio

The Audit and Finance Committee shall perform the functions as described in the By-Laws.

Section 9. Pursuant to subdivision 7 of Section 2824 of the PAL, and in accordance with the By-laws of the Agency, the Governance Committee of the Agency shall be comprised of the following Members:

1. James Taylor, Chair
2. Richard O'Connell
3. Michael Brescio
4. Richard Cuddy

The Governance Committee shall perform the functions as described in the By-Laws.

Section 10. The Board hereby designates the Administrative Director as the Agency's FOIL Officer and Contracting Officer. The Chairman shall serve as the FOIL Appeals Officer of the Agency.

Section 11. That the proper officers of the Agency are hereby authorized, empowered and directed to do all things, and acts and to execute all documents as may be necessary, or advisable and proper, to carry on the business of the Agency, for and on behalf of the Agency.

Section 12. 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 September 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 September, 2020.

*Constance R. Phillips*

Secretary

[SEAL]

## Planning Director's Report

Planning Director Eric Zamft began by saying a lot of activity is happening in Port Chester this month at the Planning Commission and at the Zoning Board of Appeals. Tarry Lighthouse, which is still at the Zoning Board and The Complex (from a couple of years ago) may eventually come before this Board.

Mr. Zamft said Trustee Brakewood brought up some very interesting points about this Zoning petition before the board of trustees in which the petitioner indicated that it didn't matter what height that they were going to be granted, they were going to need to come to the IDA. that's the topic that the Board may want to talk about further, because that sort of goes against the zoning and new tech partnership.

There's a number of a recent projects that were approved which doesn't involve the Zachy's, which Chris mentioned earlier. They did get their administrative approval from the Planning Department and now they can proceed through the Building Department and through discussions with the IDA for assistance. And there's a number of general inquiries that we've gotten over the past month. Mr. Zamft referenced his report to show these are starting to become more substantial and hopefully they reach planning commission and after approvals they would come likely come before this Board.

**16-18 North Main Street** still has a path ahead of them. They would have to go through that same building lot process before they could ever come to the IDA.

Mr. Zamft said he was alerted by Board member Mike Brescio who alerted him to an RFP that's out there, called "The Remote Work Hub" and it was issued by Common, which is a co-living space organization. Being able to work from anywhere is their goal. There aren't too many municipalities that have shown interest yet and in fact, the common people are really excited that maybe we're interested. Mr. Zamft said that he floated this idea by the hospital folks, because if there were one place where you can accommodate a whole bunch of people, it would be on the United hospital site and they have some interest. Discussions will continue. And he thinks it's part of our marketability as a cool downtown just continuing on.

Mr. Zamft reviewed some of the items in his monthly report and said that one idea he had and will share at the next meeting is to actually do a survey of some of our retailers and our landlords, and just ask them straight out what is it about Port Chester that makes businesses like to Costco, Target come here to do business and we'll see what those results bring.

## **Treasurers Report**

Board Treasurer Anthony Siligato provided the Board with a review of the current invoices along with a Financial Snapshot

## **Invoices**

Administrative Director  
Acting Secretary  
Treasurer  
Planning Director  
Board Counsel  
Deputy Treasurer  
Drescher & Malecki

## **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 August 31, 2020**

Cash on Hand @ 8/1/2020 \$450,260.19

Deposits/Wire Transfers/ Interest Received :

JP Morgan Chase	Interest Earned - August 2020	2.42	
TD Bank	Interest Earned - August 2020	26.31	
Jetro (JMDH)	2020/21 Village Pilot (Restaurant Depot)	99,594.15	
Berkadia Comm. Mtg.	2020/21 Pilot (Kingsport / Year 10)	55,125.00	
	Total Deposits/Transfers/Interest	\$ 154,747.88	

Checks Written / Disbursements :

Christopher Steers-A/P	Administrative Director - July 2020	\$ (1,500.00)
Anthony Siligato-A/P	Treasurer / CFO - July 2020	\$ (750.00)
Eric Zamft-A/P	Planning Director - July 2020	\$ (650.00)
Constance Phillips-A/P	Secretary - August 2020	\$ (400.00)
Harris Beach, PLLC	PCIDA Corporate Matters - July 2020	\$ (1,462.50)
Fed EX	Shipping Charges - 6/2020	\$ (46.70)
County of Westchester	JMDH (Jetro) 2020 Pilot Distrib. - Rest Depot	\$ (27,300.57)
Town of Rye	JMDH (Jetro) 2020 Pilot Distrib. - Rest Depot	\$ (1,199.10)
Village of Port Chester	JMDH (Jetro) 2020 Pilot Distrib. - Rest Depot	\$ (99,594.15)

Checks Written / Disbursements during August 2020 \$ (132,903.02)

**Cash on Hand @ 8/31/2020 \$472,105.05**

Reconciliation of Bank Accounts

JPMorgan Chase at 8/1/2020	\$ 294,955.10
Deposits	\$ 154,719.15
Interest Earned	\$ 2.42
Checks Presented	\$ (132,903.02)
<b>Total JPMorgan Chase at 8/31/2020</b>	<b>\$ 316,773.65</b>

TD Bank at 8/1/2020	\$ 155,305.09
	\$ -
Interest Earned	\$ 26.31
<b>Total TD Bank at 8/31/2020</b>	<b>\$ 155,331.40</b>

**Total Bank Balance @ 8/31/2020 \$ 472,105.05**

Berkadia Comm. Mtg. - 2020/21 Kingsport Pilot Payment (Due to School, Town/Cty & Vlg)	\$ (55,125.00)	
G&S Port Chester Unit 2B, LLC - 2020 Pilot Payment (Due to School, Town/Cty & Vlg)	\$ (53,906.00)	\$ (109,031.00)

**PCIDA Net Assets @ 8/31/2020 \$ 363,074.05**

On the motion of Board member John Hiensch, which was seconded by Board member Richard O’Connell, 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>			<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>x</u>		
<u>TAYLOR</u>			<u>x</u>		

**Executive Session to discuss personnel matters and Adjournment**

**Adjournment**

On the motion of Board member James Taylor, which was seconded by Board member Richard Cuddy, the meeting was adjourned to October 14, 2020 and the Board entered into an Executive Session to discuss personnel matters.

**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>		

Respectfully submitted,

Constance R. Phillips