

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

HELD: February 18, 2010

TIME AND PLACE: 7:00 P.M., Village Hall, Conference Room, 222 Grace Church Street, Port Chester, New York

In attendance were Chairman Neil Pagano, Vice Chairman Joseph Kenner and members James Taylor II, John Hiensch and Dennis Pilla.

Also in attendance were IDA CFO Leonie Douglas and IDA Secretary, Joan Mancuso.

Absent was member Charles Rosabella

I. Approval of Minutes:

The meeting was opened at 7:00 p.m. with the Secretary presenting the minutes of the December 17, 2009 meeting. Vice-Chairman Kenner made a motion to approve the minutes of December 17, 2009, Member Pilla seconded the motion.

Ayes: Members Hiensch, Pilla, Taylor, Vice-Chairman Kenner and Chairman Pagano

Noes: None

Absent: Member Rosabella

III. Motion for Executive Session:

Chairman Pagano said that he would change the order of the agenda at this time in order for the members to conduct an executive session to review and deliberate the request for proposals for the position of part-time Executive Director for the Agency and the proposals for legal services for the Agency.

At 7:03 p.m., Member Hiensch motioned to adjourn to an executive session for the purpose to review and deliberate the request for proposals for the position of part-time Executive Director and legal services for the Agency, Member Pilla seconded the motion.

Ayes: Members Hiensch, Pilla, Taylor, Vice-Chairman Kenner and Chairman Pagano

Noes: None

Absent: Member Rosabella

The members set the date of March 3, 2010 for a meeting of the Agency for the purpose of interviewing candidates for the position of part-time Executive Director and firms for legal services.

At 7:27 p.m., Vice-Chairman Kenner made a motion to close the executive session and re-open the public portion of the meeting, Member Pilla seconded the motion.

Ayes: Members Hiensch, Pilla, Taylor, Vice-Chairman Kenner and Chairman Pagano
Noes: None
Absent: Member Rosabella

II. Invoices and Correspondence:

An invoice from the Agency's Secretary Joan Mancuso for the December 17, 2009 meeting in the amount of \$150.00 was presented to the members.

Member Pilla made a motion for payment of invoice in the amount of \$150.00 from Joan Mancuso, Secretary to the Agency, Vice-Chairman Kenner seconded the motion.

Ayes: Members Hiensch, Pilla, Taylor, Vice-Chairman Kenner and Chairman Pagano
Noes: None
Absent: Member Rosabella

A letter from the New York State Department of Taxation and Finance for the 2009-2010 administrative services assessment. Ms. Douglas explained this notice to the members and that the fee for this service is \$331.00.

Member Taylor made a motion to authorize payment to the New York State Department of Taxation and Finance for the 2009-2010 administrative service assessment in the amount of \$331.00, Member Pilla seconded the motion.

Ayes: Members Hiensch, Pilla, Taylor, Vice-Chairman Kenner and Chairman Pagano
Noes: None
Absent: Member Rosabella

IV. Discussions:

Vice-Chairman Kenner said that he requested a discussion regarding the open position of the Agency and absentee members. He asked Member (Mayor) Pilla is there has been advertisement for open positions for this agency. Vice-Chairman said that the Agency has an open position and a member that has not attended meetings in some time. He was not sure if not having a full active membership is a PAA exposure. Member Pilla said that as the Mayor he has been advertising for all Boards and Commissions including the IDA. He stated that the Village Board of Trustees appoints to the different Boards and Commissions and the Agency has not had a difficulty with gaining a quorum for meetings. The members further discussed the open positions and absentee member and quorums. The members were of a consensus that the absentee Member Rosabella would be contacted to determine his status with the Agency.

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Member Pilla said that he requested the discussion item regarding the G&S Pilot Agreement and payment status. He said that the way the Pilot was written that billing of the payment process would be on the closing of the units but was not done the way the Pilot was written because the units did not close as anticipated so G&S is paying on an annual basis. Member Pilla said that there needs to be change to the Pilot Agreement between the Village, the IDA and G&S so it will state the billing / payment will be on an annual basis. He said that G&S is agreeable to change the Pilot to be billed annually. Member Hiensch inquired when does G&S receive payment from their tenants and he would like that tenants instead of paying G&S to make the payments directly to the Village. He said that he would like to know how much time G&S holds onto this money before paying the bills on the Pilot. Members Pilla, Taylor and CFO Douglas noted that with the agreement G&S is responsible for the obligation. Member Hiensch said that he would still like payments to come from tenants directly to the Village because he is concerned with the financial strength of entity that G&S set up for this development.

CFO Douglas provided the members with an analysis for the G&S Pilot payments which was reviewed and discussed by the members and Ms. Douglas. Member Taylor indicated that in the past G&S was agreeable to start fresh with no penalties regarding outstanding Pilot payments. Member Pilla also stated that G&S has indicated that they are paying in advance of a period of a year. There was a discussion between the members and the CFO regarding the timing of the billing and Ms. Douglas advised the members that is why the billing is done in June with payment due by September 30th. Further discussion was held regarding the leases of the unit and that more information is required on this matter.

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Member Hiensch inquired on the proposed parking management plan for G&S for the Marina Parking Lot and the start time restrictions of 10:00 a.m. Member Pilla stated that the start time has been changed to begin at 9:30 a.m. Member Taylor inquired if the Agency needs to take action on this matter. Member Pilla stated per Section 16 of the Land Acquisition Agreement (LADA), only the Village has to approve with the proposed parking plan but the Agency can verify this Mr. Tulis the Agency's attorney. There was further discussion regarding the parking management plan for this parking area and the effect to the surrounding businesses. Member Pilla explained that the individuals that received a permit for the Village Marina will receive a parking permit for this lot and that G&S will receive parking permits for their use.

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Ms. Douglas inquired as to the status of the G&S Main Street Firehouse Retail location and when will this building be subject to the Pilot Agreement because this information is required for the Village budget process. Member Pilla said that this should be opening soon. He spoke about the late fee that G&S is willing to pay on the school taxes regarding the Pilot payments and inquired if we should bill. There was a discussion regarding these

late fees and it was the consensus of the members that G&S be billed for the late fee for the school taxes because the rest of the late fees would continue to accrue.

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There being no other business on motion of Vice-Chairman Kenner, seconded by Member Pilla the meeting was closed at 8:05 p.m.

Respectfully submitted,

Joan Mancuso
Secretary