

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

HELD: December 10, 2014

TIME AND PLACE: 6:30 P.M., Village Hall, Conference Room, 222 Grace Church Street, Port Chester, New York

A regular meeting of the Village of Port Chester Industrial Development Agency was convened on Wednesday December 10, 2014 at 6:30 p.m. at 222 Grace Church Street, Port Chester, New York 10573.

Roll Call

The meeting was called to order by Chairman Frank Ferrara. On the motion of Board member Dennis Pilla, which was seconded by Vice Chairman Neil Pagano the meeting was called to order with the following Board members being present: Richard Cuddy, John Hiensch, Joseph Kenner, Neil Pagano and, Dennis Pilla. Board members James Taylor arrived later in the meeting.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>			<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>			<u>X</u>		
<u>KENNER</u>			<u>X</u>		
<u>PILLA</u>	<u>X</u>		<u>X</u>		
<u>TAYLOR</u>			<u>Absent</u>		
<u>PAGANO</u>		<u>X</u>	<u>X</u>		

Also in attendance were, Board Counsel Justin Miller (via telephone), Administrative Director Christopher Steers, Treasurer Leonie Douglas, Planning Director Christopher Gomez and Acting Board Secretary Constance Phillips. Village Attorney Cerreto joined the meeting for a few minutes at 8:20 pm.

Chairman Ferrara told the Board that Justin Miller, Board Counsel would be available by phone and that the Administrative Director has a conference call at 7pm so he would like to let him make his remarks first.

Administrative Director Comments

Mr. Steers told the Board that he had performed a rudimentary analysis of the Economic Development Strategic Plan, putting things into context, outlining how things might work, and identified a couple of key areas pertaining to our core mission. Mr. Steers Provided the Board members, a very detailed analysis report (included in the member meeting packages) which he reviewed and highlighted the issues/areas that were of vital importance to the success of the ID Board.

Mr. Steers said that he had been in contact with John Nolan to inquire as to what assistance he could provide in further analyzing the strategic plan. Mr. Steers was asked by Mr. Nolan to identify some suggested areas that the Board should be looking at. Mr. Steers said he would provide this list at the next IDA meeting. Mr. Steers is also negotiating a price for Mr. Nolan to work with IDA.

Another portion of Mr. Steers’ comments addressed the Marketing of IDA services and identification of the direction the Board would like to go and how to get there. This also could be facilitated in a workshop/retreat facilitated by Mr. Nolan. Mr. Steers said this is still a developing process and will have more information for the next meeting.

Chairman Ferrara reminded the Board that one of the items discussed at the last meeting was as branding strategy. Although there was disagreement in the room there was a sense of the Board that was a need some type of presentation. Brett Collins of Counterspace, a Port Chester based business that has since relocated to WP. He has agreed to come in and talk to the Board regarding digital advertising, website enhancements etc. He would apprise the Board of their options and give an idea as to the potential costs. Chairman Ferrara said the decision is ultimately up to the Board and he has Mr. Collins tentatively scheduled in for the next meeting.

Public Hearing – AGD North Pearl LLC

On the motion of Vice Chairman Neil Pagano, seconded by Board member Richard Cuddy the Public Hearing for AGD North Pearl LLC was opened.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>		<u>X</u>	<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>			<u>X</u>		
<u>KENNER</u>			<u>X</u>		
<u>PILLA</u>			<u>X</u>		
<u>TAYLOR</u>			<u>X</u>		
<u>PAGANO</u>	<u>X</u>		<u>X</u>		

Justin Miller, Board Counsel offered the following. We have a Public Hearing which has been noticed. There is an information packet which includes the Public Notice, project description that was reviewed at the last meeting, the financial assistance that is being considered by the Board, (Sales and Use Tax, Mortgage Reporting Taxes) The Planning Commission along with Planning Director Chris Gomez, approved the Final Site Plan for this application. The project also went through the Bonus Density process before the Board of Trustees and received all of its necessary approvals. The Cost Benefit Analysis is also contained in the Public Hearing documents.

Board member Richard Cuddy stated for the record that there is no one present from AGD North Pearl LLC to represent the application. For the record they were asked several times to be present.

Vice Chairman Neil Pagano summarized the application as 50 Market rate apartments, 26 project jobs to be created over a three year time frame, and two permanent jobs. Total Benefit is \$364,160.00. There is no PILOT for this application. None has been requested or considered. These apartments are manufactured units that will be assembled in place. (Modular construction). The tax rate was calculated using a special sales tax provision in NYS that relates to modular homes.

Planning Director Chris Gomez said that although there are no parking requirements for the area, the project will be providing 46 parking spaces. Unit sizes are relatively small; 700 square ft. per unit. There are only 9 2-bedroom apartments of the proposed 50 units. The project is in line with the Village Comprehensive Plan and is the first application to take advantage of the Density Bonus. Mr. Gomez took a few minutes to describe how the density bonus works. The IDA fee for this project is approximately \$30,000.00. A brief discussion was held regarding the distribution of monies that will be received on this application vs what we are giving in benefits.

After a lengthy discussion and some questions that were not able to be answered without the input of the applicant, Board member James Taylor suggested that any action on this matter be deferred to the January 14, 2015 meeting but the Public Hearing could be closed.

On the motion of Board member Joseph Kenner which was seconded by Board member Richard Cuddy, the Public Hearing was closed.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>		<u>X</u>	<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>			<u>X</u>		
<u>KENNER</u>	<u>X</u>		<u>X</u>		
<u>PILLA</u>			<u>X</u>		
<u>TAYLOR</u>			<u>X</u>		
<u>PAGANO</u>			<u>X</u>		

On the motion of Board member John Hiensch, which was seconded by Board member Joseph Kenner, the Board agreed to defer any action on the Project Authorizing Resolution until the January 14, 2015 meeting.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>			<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>	<u>X</u>		<u>X</u>		
<u>KENNER</u>		<u>X</u>	<u>X</u>		
<u>PILLA</u>			<u>X</u>		
<u>TAYLOR</u>			<u>X</u>		
<u>PAGANO</u>			<u>X</u>		

Review and Approval of 2013-2014 Audit Management Letter

A conference call was conducted with Auditors of Drescher and Malecki (Tom and Jordan Malecki) who performed an independent audit of IDA activities and finances. Due to various factors the audit report had previously been received by the Board but had not been presented by the auditors. The Auditors reviewed the report with the Board and each Board member received a copy of the audit. Overall the IDA Activities are in compliance and financial aspects of the business have been conducted properly.

On the motion of Board member James Taylor which was seconded by Board member Joseph Kenner, the Audit report as prepared by Drescher and Malecki was approved.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>			<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>			<u>X</u>		
<u>KENNER</u>		<u>X</u>	<u>X</u>		
<u>PILLA</u>			<u>X</u>		
<u>TAYLOR</u>	<u>X</u>		<u>X</u>		
<u>PAGANO</u>			<u>X</u>		

MINUTES

On the motion of Board member Richard Cuddy, which was seconded by Vice Chairman Neil Pagano, the minutes of the November 13, 2014 meeting was approved.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>	<u>X</u>		<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>			<u>X</u>		
<u>KENNER</u>			<u>X</u>		
<u>PILLA</u>					<u>X</u>
<u>TAYLOR</u>					<u>X</u>
<u>PAGANO</u>		<u>X</u>	<u>X</u>		

CHAIRMAN’S REMARKS

Chairman Ferrara told the Board because of the time constraints of last month’s meeting he did not make any remarks and would like to do so now. Chairman Ferrara said it was a sudden change in leadership at the last meeting and certainly sudden for him. We all understood, supported and respected Mr. Pagano’s decision to step down after several years of leading the agency. Mr. Ferrara said he personally wanted to thank the Board for their support and that he would do everything going forward to warrant that support.

Chairman Ferrara said he viewed his role of Chairman as very modest and as a first amongst equals. In addition his vision is to steward a proactive agency in which they can help shape and not just react to economic development in the Village. When it comes to economic development tools he is a bit of a skeptic but we delude ourselves if we do not believe that they are necessary in a place like NYS which can be very hostile to capital investment and the private investor. However these tools are a quiver in our arsenal and it is important that we use them with great discretion. In order to do that we need the support and regular attendance of each Board member because these are tools that can be misused and abused if we are not careful.

Chairman Ferrara also said he hoped Board members would speak up with any dissent they may have if they feel that the Board is moving in a direction that they feel is opposite of what they believe is best. Even if the argument ultimately loses, it’s well worth the time to hear informed and reasoned dissent. If we surround ourselves with people who yell us only what we want to hear we run the risk of making an egregious error. The last several years this Board has done an excellent job of avoiding any egregious error and he would like to do the same.

TREASURER'S REPORT

Treasurer Leonie Douglas gave an overview of the current budget, invoices and escrow reports.

Invoices

The current invoices that were submitted:

\$1,500.00 Christopher Steers – Administrative Director Services

\$500.00 Leonie Douglas – Treasurer Services

\$200.00 Constance Phillips – Secretarial Services

\$600.00 Harris Beach – General Corporate Matters

On the motion of Vice Chairman Neil Pagano, which was seconded by Board member John Hiensch, the submitted invoices were approved.

ROLL CALL

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
<u>CUDDY</u>			<u>X</u>		
<u>FERRARA</u>			<u>X</u>		
<u>HIENSCH</u>		<u>X</u>	<u>X</u>		
<u>KENNER</u>			<u>X</u>		
<u>PILLA</u>			<u>X</u>		
<u>TAYLOR</u>			<u>X</u>		
<u>PAGANO</u>	<u>X</u>		<u>X</u>		

Treasurer Leonie Douglas also reviewed the IDA Financial Report

**Port Chester Industrial Development Agency
Cash Analysis & Net Asset
As of November 30, 2014**

Cash on Hand	\$ 643,262.84	
Prepaid Expenses	\$ 3,000.00	
Cash on Hand & Net Asset @ 11/1/14		\$ 646,262.84

Deposits/ Interest Received during 9/1/2014 to 10/31/2014

JP Morgan Chase	Interest Earned Nov. 2014	\$ 32.00	
TD Bank	Interest Earned Nov. 2014	12.67	
Total Revenues/Interest			\$ 44.67

Expenses

Constance Phillips	Secretary-Nov.	\$ (200.00)	
Leonie Douglas	Fin Officer-Oct.	\$ (500.00)	
Christopher Steers	Administrative Director-Oct.	\$ (1,500.00)	
Harris Beach	Legal Matters-Marina License Agr.	\$ (5,000.00)	
Nat'l Council for Com Dev.	Planning & Economic Dev.-Aug & Sept	\$ (10,000.00)	
Drescher & Malecki	FY 2013-14 PCIDA Audit	\$ (4,050.00)	
NY State Eco Dev.	Membership Dues	\$ (750.00)	
C.N.A. Insurance	Casualty Insurnace	\$ (888.33)	
Spain Agency	Liability Insurance	\$ (3,198.00)	
Port Chester-Rye UFSD	JDMH PILOT	\$ (260,627.41)	
Village of Port Chester	JDMH PILOT	\$ (119,424.44)	
	Checks Paid 11/30/14	\$ (406,138.18)	
	Total Checks Paid		\$ (406,138.18)
Net Asset @ 11/30/2014			\$ 240,169.33

Reconciliation of Bank Accounts & Net Asset

JPMorgan Chase at 11/1/14	\$ 498,785.39	
Deposits	\$ -	
Interest Earned - Nov.	\$ 32.00	
Checks Written-Nov.	\$ (406,138.18)	
Total JPMorgan Chase at 11/30/14		\$ 92,679.21
TD Bank at 11/1/2014	\$ 144,477.45	
Interest Earned - Nov.	\$ 12.67	
TD Bank at 11/30/14		\$ 144,490.12
Total Bank Balance at 11/30/14		\$ 237,169.33
Prepaid Expenses (1 year's rent prepaid)	\$ 3,000.00	
Total Net Asset at 11/30/14		\$ 240,169.33

Prepared by PCIDA Financial Officer

A lengthy discussion was also held regarding PARIS reporting. Because the information is not always received on a timely basis, options were explored on how to get the much needed information on a timely basis.

On a joint motion which was seconded by all, the meeting was adjourned.

Respectfully submitted,
Constance R. Phillips