Village of Port Chester
Industrial Development Agency

Village Hall Conference Room, 222 Grace Church Street,
Port Chester, NY 10573

Minutes: Wednesday, October 12, 2022

Time: 6:30pm

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1. IDA Roll Call

The PCIDA meeting was called to order at 6:30 p.m. by Chairman Frank Ferrara. On the motion of Board member Mike Brescio, which was seconded by Board member Juliana Alzate, the meeting was called to order with the following additional Board members being present: James Taylor, John Hiensch and Richard O’Connell. Chairman Ferrara commented that Mr. Allen was away on Village business and hoped to call in to the meeting.

ROLL CALL

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO	X		X		
HIENSCH			X		
O'CONNELL			X		
TAYLOR			X		
ALLEN					X
ALZATE		X	X		
FERRARA			X		

2. Presentation on a Project at 140-150 Westchester Avenue

a. Presentation on a project at 140-150 Westchester Avenue
St. Katherine Group - Mr. Nick Williams *and* Saxum RE - Mr. Brett Rubin

Chairman Ferrara re-introduced Mr. Nick Williams of St. Katherine Group and Mr. Bret Rubin of Saxum Real Estate as presenters who discussed their proposed mixed use project in the Village CD-6 district that allows for 12 stories in height. They focused on the various benefits of the project:

• Temporary and part time job creation
• Non-combustible construction (Type 1A/1B)
• Green roof/stormwater management improvements
• All-electric building
• Brownfield remediation
• Affordable units will be indistinguishable from market rate
• Residential and commercial tenant relocation assistance
• Building on an underutilized assemblage, including a parking lot that operates at 50% of capacity
• Transit Oriented Development, per Village expressed preference, with pedestrian enhancements

Board members engaged in a spirited Q&A session. Most notably the applicant was asked to consider how they would mitigate construction impacts in an as built environment, and to include how being in an Opportunity Zone impacts their project in any financial due diligence performed by the Board.

There were some comments made regarding disapproval of the height and density of the project. Chairman Ferrara stated that the proposal was zoning compliant. He further stated that the Village Board of Trustees controls the zoning. He suggested that if a project comes to the IDA with its approvals, the IDA must stay in its lane and consider that project based on the IDA's narrow scope.

For the record Chairman Ferrara mentioned that retail is a higher impact traffic and parking use than residential and that the mostly residential projects coming before the Board should generate considerably less traffic than strictly commercial or commercial/retail projects.

The proposers were invited to submit an application for staff review and Board presentation at their convenience.

3. Presentation on a Project at 229 Willett Avenue

a. Presentation on a project at 229 Willett Avenue
NRP Group - Mr. Jonathan Gertman *and* St. Katherine Group - Mr. Nick Williams

Chairman Ferrara introduced the presenters for 229 Willet Ave., Mr. Jonathan Gertman of NRP Group and Mr. Nick Williams of St. Katherine Group.

Mr. Gertman proceeded to present their project to the Board, which is workforce housing, not market rate. A number of points were discussed, either as part of the presentation or through an animated Q&A session that followed:
• The site is currently a closed Catholic Church that the diocese is selling. Part of the

reason they were allowed to purchase the site is the Diocese liked the idea of affordable housing as a use.
• The front 8' of the structure will be retained to memorialize the former use and retain the historic look and feel.
• Affordable Housing tends to generate more schoolchildren than market rate. There will be 71 units, including some 3-bedrooms, and the Urbanomics forecasting model projects 24 schoolchildren.
• Locals cannot be given preference for residency. There is a centralized NYS screening that relies in part on a waiting list. • The income limits were discussed, which are based on a percentage of County Average Median Income (AMI). • The design has insufficient parking according to the new zoning changes recently passed by the Village Board of Trustees. The developer is opting to pay a fee in lieu of parking beyond the original number of spaces planned.

Chairman Ferrara asked PCIDA Counsel Justin Miller to explain the affordable housing PILOT discussed in the Uniform Tax Exemption Policy (UTEP). Mr. Miller explained the concept of constructing a PILOT based on a percentage of "shelter rent." The Village is given a payment as the "Host Community" and a PILOT is constructed with the balance of the payments distributed to the various tax jurisdictions over the life of the agreement, which will likely exceed 20 years depending upon the length of the underlying financing. The project will have funding and remain affordable for the life of the agreement.

Mr. Taylor asked Mr. Miller if the "But-For" test was applicable in this type of project. Mr. Miller stated that it still runs in the background, and a review of the project financials would be in order.

Mr. Gertman said he had spoken to Chairman Ferrara and understood that usually an application is only accepted when a project is ready to proceed. He was hoping to have the IDA Board accept their application as a measure of support, that they could incorporate into their application for New York State tax credits, that are critical to the success of affordable housing. They expect the next round of funding to be awarded in the Spring of 2023 and would like to submit an application for Board review at the next meeting.

With no objection from the Board, Chairman Ferrara suggested he and staff would work with the applicant on a submission for the November meeting.

4. Chairman's Remarks

Chairman Ferrara reminded the Board that PCIDA committees would now meet on at least a semi-annual basis. He was pleased when he was approached by Governance Chair Jim Taylor, who wanted to undertake a formal review of all Board policies. He asked Mr. Taylor to conduct the Committee meeting during the PCIDA meeting.

a. Governance Committee to kick off our committee meetings.

Mr. Taylor then opened the Governance Committee meeting with fellow Committee members Juliana Alzate, Mike Brescio, and Dick O'Connell all present.

5. PCIDA Governance Committee

a. Members:
James Taylor, Chairman
Michael Brescio
Richard O'Connell
Juliana Alzate

Mr. Taylor suggested that many of these policies are reapproved annually at the "reorg" meeting and the UTEP is regularly revisited, but the Board has not gone on record as actually reviewing and commenting on them, something he believes is important to redress. He commented that of the 8 policies on the IDA website, 6 of them were approved in 2012. He stated that he would send out a reminder with links to review in time for the November IDA meeting and would like the Committee to come forward in November with either suggested changes or a motion to specifically re-approve the policies.

b. Discuss the scheduling and process for IDA policies review.

6. Approval of Minutes

a. September 14, 2022

MOTION TO APPROVE MINUTES FOR SEPTEMBER 12, 2022

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO			X		
HIENSCH		X	X		
O'CONNELL			X		
TAYLOR	X				
ALLEN			X		
ALZATE			X		
FERRARA			X		

7. AD Report

a. AD Report

Gap Analysis RFP Discussion

PCIDA Administrative Director Chris Steers updated the Board on preliminary work on the RFPs for the Gap analysis and Schoolchild Generation Update.

Mr. Taylor said that he has looked at other Villages and Towns Gap analysis RFPs and really liked the RFP from Maine that Chris included in his report. He also stated that he liked the idea of meeting with the Village and would like it expanded to Sustainable Port Chester and other groups to get additional topics and data points for us to consider. He said he would like to be on the record of including outside organizations so that the report will provide objective analysis and the report will be truly representative. Otherwise we risk having people disregard the report due to a lack of consultation.

Mr. Allen suggested we add the Historical Society to the list.

b. Meeting with the Port Chester Rye Union Free School District

Mr. Steers stated that staff and the Chairman had a meeting with the school district and that they had a good conversation. Chairman Ferrara asked them to participate in the Schoolchild Generation Update RFP process and allow for their comments to be incorporated. He told the Board that the School District asked the IDA to produce something to explain the PILOT process for the public, preferably in simple, illustrative form.

Mr. Allen stated that the explanation is essential, that PILOTS are demonized.

Mr. Steers said that PCIDA CFO Tony Siligato presented the Schools with a PILOT aging schedule that is in the Board's backup.

Mr. Steers mentioned that staff is nearly complete with putting together the FAQ requested by the Board for the website and that it should be available for review ahead of the next meeting and comment in November.

It was suggested that once the FAQ is in place and finalized, we might consider a consultant to draw up a report reflecting the FAQ in an illustrative manner, per the School's request.

Mr. Steers spoke briefly on a couple of new software applications that could be helpful to the PCIDA in automating some of the back-office processes and staff will be coming to the Board next month with costs and a full presentation.

Chair Ferrara told the Board that one of the applications is a build out of the Village's Accela platform and the other a "Dashboard" offered by Camoin that could be embedded on the PCIDA website and detail agency info in a user-friendly format.

PILOT 22/23 Billing Summary & Aging Schedule

8. New Business

a. Application from 2SMS

2SMS – Application submission: Mr. Scott Allen – Hyperion Group

Chairman Ferrara reminded the Board that the 2SMS project had already presented on their project and had now submitted an application for Board consideration and acceptance.

Mr. Allen asked for clarification of the application process and vetting process. Chair Ferrara explained it as follows:
• The applicant presents a draft application to staff, that vets it for accuracy and completeness.
• The application is published and brought to the Board for its consideration.
• Board acceptance begins the due diligence process, which includes a financial analysis of the project by one of the certified analysts on the IDA's roster, which was populated through an earlier RFP process.
• The applicant submits detailed income and construction proformas to the analyst, who vets them according to their experience and published benchmarks. They may be adjusted as the analyst sees fit. The submitted financials are not simply accepted at face value.
• The analyst provides a report to the Board as to whether the project could get built absent PCIDA assistance – thus satisfying the "but for…" test in the IDA's mandate.
• The PCIDA Board weighs the preponderance of evidence and decides whether to consider awarding a scope of benefit to the applicant.
• If it does, a Public Hearing is noticed, the Tax Jurisdictions are notified, and all pertinent documents are published for public review.
• At the Board meeting following the televised Public Hearing the Board is presented with all comment, both oral and submitted written, and takes a final decision as to the award of benefit.

Mr. Allen thanked the Chair for the exposition and suggested he appreciated the Board's process.

Mr. Hiensch commented that the site is an eyesore and that it is a great project, but he has concerns about ingress and egress on South Main Street. Chair Ferrara told the Board that the NYS Department of Transportation (NYS DOT) was invited to weigh in and did not submit remarks. He said that the NYS DOT would have one further opportunity to weigh in when they must approve a work permit on what is a State street.

MOTION TO INITIAL PROJECT RESOLUTION

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO			X		
HIENSCH			X		
O'CONNELL			X		
TAYLOR	X		X		
ALLEN			X		
ALZATE		X	X		
FERRARA			X		

b. Update the status of recent presentations and other prospective applicants.

9. Old Business

a. Update the status of recent benefit awards.

Chairman Ferrara asked Mr. Miller about previously approved projects, 108 Gateway LLC and the Ivy project, which is in the process of being assumed by Hudson Companies/Abendroth Green.

Mr. Miller said that 108 Gateway will likely close later this month and the transfer from Ivy to Hudson should occur in a similar timeframe, although he is uncertain about the actual closing on PCIDA benefits of this project and will keep the Board informed.

10. IT Director Report

a. IT Director Report

PCIDA Director Rosalind Cimino stated that the Website traffic was up 2% last month.

She stated that she looked at some software applications as discussed by the AD and Chairman in the AD Report. She is performing the due diligence and will consult with staff about bringing a presentation to the Board. She said the PCIDA has no software and that staff uses unwieldy Excel spread sheets which unless customized can be difficult to gather timely information. The proposed applications will improve staff efficiency and PCIDA reporting performance.

11. Treasurer's Report

Tony Siligato explained the PILOT schedule he created for the Schools. He expects to update it for every meeting. He verbally apprised the Schools of the new PILOTs that had been approved but cannot create a schedule until they close and begin the construction process.

a. Approval of Invoices

He then read out the expenditures for October.
Administrative Director $1,500
CFO $ 750
Acting Secretary/IT Director $1,000
Deputy CFO $ 250
FedEx $14.95
Harris Beach $1037.50
Chairman Ferrara $ 115.47
Brown & Brown $4024

MOTION TO AUTHORIZE PAYMENT OF INVOICES

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO			X		
HIENSCH		X	X		
O'CONNELL			X		
TAYLOR	X		X		
ALLEN			X		
ALZATE			X		
FERRARA			X		

b. Agency Financial Snapshot

Mr. Siligato also reported the financial snapshot for September, a copy of which follows the Treasurers Report.

c. Investments Update

Mr. Siligato addressed the Board's desire for investing its balance, given that PCIDA coffers have a significantly larger balance than in the past and the inflationary environment in which it is relatively easy to achieve no less than a 2% p.a. return risk free.

He recommended the Board authorize investing in NYClass, which is provided by the State as a service to small communities that lack the resources to perform sophisticated investing. He provided the Board with a snapshot of recent rates, which are over 2%, a large change from the last many years of low interest rates and low inflation. The Board was generally supportive, and Chairman Ferrara asked Mr. Siligato to bring more detailed information next month.

The Board and Mr. Siligato were uncertain if the current PCIDA Investment Policy gave the CFO the authority to invest outside of its nominated bank accounts. The Chairman asked PCIDA Counsel Justin Miller to do research to determine if resolutions or updates to the Investment Policy are required.

12. Executive Session

a. The financial history of particular people or corporations or matters leading to the appointment of particular people.

MOTION TO ENTER INTO AN EXECUTIVE SESSION
On the financial history of particular people or corporations, or matters leading to the appointment of particular people.

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO	X		X		

HIENSCH			X		
O'CONNELL			X		
TAYLOR			X		
ALLEN			X		
ALZATE		X	X		
FERRARA			X		

MOTION TO COME OUT OF EXECUTIVE SESSION

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO	X		X		
HIENSCH			X		
O'CONNELL			X		
TAYLOR		X	X		
ALLEN			X		
ALZATE			X		
FERRARA			X		

13. Resolutions

a. Administrative Director Contract

MOTION TO REAPPOINT CHRISTOPHER STEERS AS PCIDA ADMINISTRATIVE DIRECTOR

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO	X		X		
HIENSCH		X	X		
O'CONNELL			X		
TAYLOR			X		
ALLEN			X		
ALZATE			X		
FERRARA					

14. Adjournment

MOTION TO ADJOURN

MEMBER	MOTION	SECOND	YES	NO	ABSENT
BRESCIO	X		X		
HIENSCH			X		
O'CONNELL			X		
TAYLOR			X		
ALLEN		X			
ALZATE			X		
FERRARA			X		