

BATAVIA DEVELOPMENT CORPORATION (BDC)
Zoom Meeting (recorded) @ 8:30am
Meeting Minutes May 28th, 2020

Attendance

BDC Attendees: Pier Cipollone, Wesley Bedford, Rebecca Cohen, Andrew Maguire, Marty Moore, Jake Whiting, Lori Aratari, Nathan Varland, Steve Pies, Chris Fix.

Excused: Derek Geib, Rebecca Cohen

Media/Guests: Mike Pattinella – The Batavian

Call to Order

At 8:34 a.m. L. Aratari, President of the BDC, called the meeting to order via Zoom Meeting ID: 592 401 749, which will be recorded and transcribed for posting on the BDC website. The BDC will not enter executive session.

Presentations: None.

Executive Session

No Motion made to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion discipline, suspension, dismissal or removal of a particular person or corporation.
2. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

Enter Public Session

Chairman's Report

No agenda additions to be proposed.

President L. Aratari presented the meeting minutes from the April 23rd, 2020 meeting. W. Bedford made a motion to approve the meeting minutes as presented; seconded by C. Fix and approved by all members present.

L. Aratari announced the next scheduled meeting for the BDC will be held on June 25th, 2020 at City Hall at 8:30 a.m. If the ban on social gatherings pertinent to the BDC meeting is still in effect, the meeting will be held Via Zoom and the Meeting ID will be posted on the agenda and the website.

L. Aratari addressed the Board Member Confidential Evaluations that addressed questions 5-8. The BDC website has a lot of information and many of the regulatory documents for reading and all policy documents. Each meeting the Board will address a set number of the responses to strengthen the Boards knowledge on the topics at hand. Goal setting for next year will be easier as A. Maguire had just started. N. Varland addressed the ABO and PARIS reporting requirements as they need to be completed by a certain date. L. Aratari did state there has been many transitions in the last year that could also have affected some of the scoring on these.

Committee Reports

Governance and Nomination Committee:

A. Maguire states that BDC Attorney Bob Murray is working on the process of amending the By-Laws to increase the eligible number of voting members. The resolution is not complete yet and therefore cannot be voted on this meeting but he will have it ready for the June 25th, 2020 meeting.

2020-2021 BDC/City of Batavia Amended Agreement- The Board reviewed the amended BDC agreement with the City of Batavia and found it to be compliant and sufficient with receiving a bi-annual payment instead of a full onetime payment. M. Moore states that structuring the agreement this way will be beneficial to the city as the City navigates through the data of their financials and delay of certain payments to the City.

N. Varland made a motion to approve the 2020-2021 BDC and City of Batavia Agreement as presented and authorize Board President, Lori Aratari, to execute said agreement; seconded by J. Whiting and approved by all members present.

Audit and Finance:

Financial Statements- The April 2020 financial statements were reviewed with the board, and a brief overview was given.

C. Fix made a motion to approve the April 2020 financial statements; seconded by S. Pies and approved by all members present.

Real Estate/BOA/DRI/BIF/NYMS

Batavia DRI/DRI-BIF Project Updates- A. Maguire states there has been movement on these projects since our last meeting as construction is now allowable through the phasing process. Project owners for that received reallocated funds from vacated BIF projects were very pleased to receive amended awards as approved from April's meeting. It should be the push that owners need to continue to project as these are very difficult fiscal times. 99 Main Street has been bid out and hope to select the contractor mid-June. 242 Ellicott is ready for construction once the contractor provides certain insurance docs. All other projects are still committed at this time despite the difficulties posed with the pandemic. The major DRI projects are also moving forward, Jackson Square and City Centre are making progress, the roof is still under repair and about 30-40% complete. A. Maguire states we continue to patiently wait for an announcement on Ellicott Station funding and should remain positive and hopeful. YMCA/UMMC continues to move forward and hope to have design RFP completed soon. P. Cipollone inquired if Savarino has completed any progress at the site. M. Moore states he has boarded up the windows and he is working with the Code and Zoning Departments about the next steps and how to divide that parcel properly. A. Maguire states that he concurs with M. Moore on the most up to date. L. Aratari asked if Theater 56 hired a project manager? A. Maguire states Theater 56 is nearing completion of design and has taken on a project manager to help with the process as it is a large complex project. C. Fix inquired if the DRI funding has been extended. A. Maguire states he has still not heard of any extensions on these programs officially and have asked the DRI- NYS DOS representative if there has been any and he stated no. If a project is getting close to the drop-dead date, NYS-HCR should be receptive to an extension with the pandemic as it has caused delays across all levels of the project processes.

A. Maguire states that the New York Main Street Grant Scoring and Selection Committee had met a couple times to review and discuss the projects and ultimately score each and make selections with grant awards that total \$277,500 to recipients. Until the award letters are returned, we will not disclose which projects were selected at this time. From a high-level overview, 5 projects were selected to receive proposed awards. There will be 10 total commercial units involved and 3 residential conversions if the owners accept the grant awards. This should be a smooth process and we do have LaBella and InSite support as well, just like the BIF projects did. The City was a recipient of the BOA grant for City Centre and Harvester so we are working with Chris Bauer at Dept of State and this will help with predevelopment activities and phase 1 work and set us up for phase 2 work.

Small Business – None at this time.

Old Business- None at this time.

New Business –

COVID-19 Update: Director Maguire states that the COVID-19 has had a negative impact on our local, national and even international economy. New York State has created a NY Forward loan program which could catch the overflow of SBA products. We continue to move forward with phases and hope the figures do not show a regression. As we do move forward, capacity will be limited. Masks are not legally required, but businesses can make the discretion if they will allow people in without a mask. The BDC website is continually updated with links and resources. Phase 2 should be on the horizon and we all need to be safe and patient. Direct effects of this pandemic will likely last years, unfortunately. He has been in contact with many of our clients and loan participants to try and spread the word of the relief efforts that are available to both employers and employees.

L. Aratari asked if we had heard about the settlement offer for American Legal's City loan. A. Maguire states yes, we were notified last week that the payment was made and the legal release is official.

S. Pies states that the Ellicott Bike Trail, that the BDC had sold a plot of land for, is phenomenal and everyone should go enjoy it!

Adjournment

J. Whiting made a motion to adjourn the meeting; seconded by W. Bedford and approved by all member present. The meeting stood adjourned at 9:07 a.m.