

Meeting of the Olean Urban Renewal Agency

Wednesday, July 22, 2020

8:30 a.m.

Room 119 – Olean Municipal Building

Attendance: Members – Chairman Charles Corcoran, Vice Chairman John Ash, Deanna Foster, Earl McElfresh (arrived late), and Mayor Aiello. Staff - Keri Kerper, Community Development Program Coordinator, Jack Hart, Attorney, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Mr. Corcoran called the meeting to order at 8:30 a.m. and asked that the record show that all members were present except Paul Gonzalez and Ron DaPolito, who were excused.

2. Reading & Approval of the June 15, 2020 special meeting minutes

A motion to approve the minutes of the June 15, 2020 special meeting was made by Mr. Ash, seconded by Ms. Foster. Voice vote, ayes all. Motion carried.

3. March, April, May, and June 2020 Financials

Mr. Corcoran asked if the CDs were renewed, and Ms. Kerper explained that the smaller CD was renewed for 30 days and matures on July 24, 2020, while the larger CD was renewed for six months.

A motion to approve the March, April, May, and June 2020 financials was made by Mr. Ash, seconded by Ms. Foster. Voice vote, ayes all. Motion carried.

4. New Business

i. OURA Policies and Statements

Ms. Kerper explained that she has included in the members' packets policies and statements. She explained that the first is the Equal Employment Opportunity and Affirmative Action Policy Statements, which is actually relating to the Agency's grant with Empire State Development. Ms. Kerper explained that the City adopted these policies years ago, and it is one of the conditions that will be outlined in the Grant Disbursement Agreement. Ms. Kerper explained that she is being proactive and getting ahead of this so that the policies are in place in order to prevent anything holding up the reimbursement of the grant.

Ms. Kerper explained that the next statement that the Agency will need to adopt is the Minority / Women Business Enterprise Policy Statement, and the third is the Affirmative Action Statement.

A motion to approve the Equal Employment Opportunity and Affirmative Action Policy Statements, the Minority / Women Business Enterprise Policy Statement, and the Affirmative

Action Statement was made by Mayor Aiello, seconded by Ms. Foster. Voice vote, ayes all. Motion carried.

At this time, Mr. McElfresh entered the meeting.

Ms. Kerper explained that the next set of policies are the Defense and Indemnification Policy, the Time and Attendance Policy, and the Salary and Compensation Policy. Ms. Kerper explained that when she did the PARIS reporting for the Public Authorities Reporting Information System, these were three policies that they had suggested when she had done the reporting the previous year. Ms. Kerper explained that we did not have them, so she has created the policies so that the Agency is in further compliance with the PARIS.

Mr. Corcoran asked if these are boilerplate policies that have been tested, and Ms. Kerper responded that they are, and that she found the policies on the Public Authorities Law.

A motion to approve the Defense and Indemnification Policy, the Time and Attendance Policy, and the Salary and Compensation Policy was made by Mr. McElfresh, seconded by Mayor Aiello. Voice vote, ayes all. Motion carried.

Ms. Kerper explained that the next item in the members' packets is the Confidential Evaluation of Board Performance, which is done annually at this time of year. Ms. Kerper asked that members complete this evaluation and return it to her office so she can do that reporting as well.

ii. Audit, Finance & Governance Committee Members

Ms. Kerper explained that the next three items in the packet are the Finance Committee, the Audit Committee, and the Governance Committee member lists. Ms. Kerper explained that the last time that members were appointed to these committees was in 2018, but some of the committee members are no longer members of the Urban Renewal Agency, such as John Crawford and Nate Smith. Ms. Kerper explained that committee members need to be updated and appointed so that next month the committees can hold their annual committee meetings at 8:15 a.m. prior to the regular Urban Renewal Agency meeting.

Paul Gonzalez was appointed as Chairman of the Finance Committee, and Deanna Foster and Earl McElfresh were appointed as members.

Paul Gonzalez was appointed as Chairman of the Audit Committee, and Deanna Foster and Earl McElfresh were appointed as members.

Mayor Aiello was appointed as Chairman of the Governance Committee, and Charles Corcoran and John Ash were appointed as members.

A motion to accept the appointment of members of the Finance Committee, Audit Committee, and Governance Committee as listed was made by Mayor Aiello, seconded by Mr. Ash. Voice vote, ayes all. Motion carried.

Ms. Kerper explained that the three committees will meet at 8:15 a.m. prior to the 8:30 a.m. URA meeting in August, and she will send out materials prior to those committee meetings.

Ms. Kerper explained that she has been in contact with Ed Bysiek and has assembled items and provided him with information for the URA's fiscal year end audit. She explained that he may be either at the August or September meeting to review the audit results, depending on how quickly he can get through the materials.

5. Old Business

i. Manufacturers' Hanover Stabilization Project

Ms. Kerper explained that she has some updates regarding the Project. Ms. Kerper explained that she was able to provide the M/WBE Utilization Plan to Parks. She explained that there are M/WBE requirements on ESD and Parks funding. Ms. Kerper explained that ESD's M/WBE requirement was \$60,000, and Parks was \$150,000 for a total of \$210,000 in M/WBE participation.

Ms. Kerper explained that she contacted Empire State Development and Parks, provided them both with her good faith efforts as well as the contractor's, and requested a waiver from Parks because we do not have enough participation since this project is such specialty construction and there are limited contractors, subcontractors and suppliers that can participate. Ms. Kerper explained that she was able to come up with approximately \$86,000 in participation and was able to get a Project Exclusion from Empire State Development so they have now put the M/WBE participation goal at zero. Ms. Kerper explained that this removes their \$60,000 M/WBE requirement, which will eventually be reflected in the Grant Disbursement Agreement, so that the Agency will have it in writing. She explained that Geraldine Ford from Empire State Development put this Project Exclusion into the contract system yesterday. Ms. Kerper explained that this is extremely good news so that we can move forward.

Ms. Kerper noted that she is still waiting to hear back from Parks on the Utilization Plan that she submitted into the online system and the waiver request. Ms. Kerper explained that she did provide all of the required documentation and backup to show the good faith efforts, so she is hopeful that we will receive the partial waiver.

Mr. Corcoran asked if Ms. Kerper had thought that Parks would be easier to get the waiver from, and she responded that she did. Mr. Corcoran asked if the Agency has then received the hard waiver, and Ms. Kerper responded that we have. Ms. Kerper explained that the Project Exclusion is something new that ESD has been doing because they have realized the difficulty agencies are facing with large M/WBE goals, especially with a limited availability of M/WBE participation that can occur on complicated projects with specialty work being the majority of the project scope.

Ms. Kerper explained that the next item in the members' packets is the Manufacturers' Hanover Stabilization Project Construction Schedule. She explained that the Agency included in the contract that the contractor has 118 days to perform the work from the Notice to Proceed. Ms. Kerper explained that the scaffolding went up, and SEG Construction came in and did the abatement for all of the asbestos. Ms. Kerper explained that the FRP (fiberglass reinforced

polymer) was surveyed for layout and fabrication. Ms. Kerper explained that they are working on the FRP shop drawings and approvals which are going to the Architectural Fiberglass Company out of Cleveland, Ohio.

Ms. Kerper explained that the contractor is now on the demolition portion of the project. Ms. Kerper explained that the AT&T equipment was shored and is secured, and the demolition has a completion date of August 3, 2020. Ms. Kerper explained that she went to the site yesterday and inspected the project again, and she believes that the contractor may beat that timeline as they are doing a phenomenal job working their way through this. Ms. Kerper explained that the contractor will then be ordering the steel and the CMU, and doing the stud shop drawings after that. She explained that the roofing section will take place with the roof trough, and then the contractor will do the framing. Ms. Kerper explained that the FRP fabrication will be ongoing with Architectural Fiberglass Company, and R.E. Kelley will construct the block wall and install it.

Mr. Corcoran explained that Savarino Companies was trying to close as quickly as possible, and he asked if anything was brought up at any time with either grantees on how the Agency might be able to expedite that. Ms. Kerper responded that we have not gotten to this point yet. Ms. Kerper explained that right now, we are concerned with the timeline of construction to figure out where we are at. Ms. Kerper explained that she and Mayor Aiello have been attending the bi-weekly construction Go To Meeting with Savarino Companies, R.E. Kelley, and the architect, and that has not been brought up since we were trying to get into construction and see where we are at in our timeline.

6. Bills

i. National Grid (101 NUS)	up to \$50
ii. National Grid (107 NUS)	\$31.37
iii. Crystal McDivitt (November 2019 – June 2020)	\$977.25
iv. E&M Engineers and Surveyors	\$1,300.00
v. Raymond E. Kelley	\$59,945.00
vi. City of Olean (Reimbursement for concrete, Wayne Paving)	\$402.00
vii. Neeson Clark Associates	\$250.00
viii. Wagner & Hart (December 2019 – July 2020)	\$3,609.00
ix. E&M Engineers and Surveyors	\$955.00

Mr. Corcoran asked how much of this amount is reimbursable. Ms. Kerper explained that E&M Engineers and Surveyors, Raymond E. Kelley, and Neeson Clark Associates' bills are reimbursable by grant funding because they are all related to the Manufacturers' Hanover Stabilization Project.

A motion to approve the payment of bills was made by Mr. McElfresh, seconded by Mr. Ash. Voice vote, ayes all. Motion carried.

Mr. Corcoran asked if Raymond E. Kelley has laid out their draws and asked what portion of the draw the \$59,945 amount is for. Ms. Kerper explained that this bill is for scaffolding, mobilization, supervision, and demolition. Ms. Kerper explained that she reviewed the pay app in detail, and Savarino Companies, as the construction manager, did as well, and the architect reviewed and signed off on it as part of the contract. Mr. Corcoran asked at what point in time the wage rate is evaluated, and if we require the contractor to provide certified payrolls. Ms. Kerper explained that we do, and they will get the payroll to her by the end of July. Ms. Kerper explained that she is the City of Olean's Wage Rate Officer, so she will independently review the payroll, and the payment cannot be released until the payroll information has been submitted and reviewed. Ms. Kerper explained that she will do this once it is received, and she previously communicated this to Don Warda of R.E. Kelley to advise him of this requirement.

Mr. Corcoran asked where the Agency is in regards to financing, and if the Agency will receive the cash funding up front. Ms. Kerper responded that we will, and Mr. Corcoran asked if the Agency can then draw down on that amount and use it to pay bills. Ms. Kerper responded that the Agency can do this once the funding is in the bank. Mr. Corcoran asked if there is an expected date when the Agency will see this, and Ms. Kerper advised that Municipal Solutions and Hodgson Russ are working on the financing and she will have an update shortly.

Ms. Foster asked if we have a CD coming due, and explained that we will drain it with the payment of these bills. Ms. Kerper explained that we do, and that it matures on July 24, 2020. Ms. Kerper explained that this smaller CD was only renewed for thirty days in the event that the Agency runs into a cash flow issue with the ongoing project.

A motion to approve the payment of bills was made by Mayor Aiello, seconded by Mr. McElfresh. Voice vote, ayes all. Motion carried.

7. Executive Session

A motion to enter into Executive Session to discuss real estate matters was made by Mayor Aiello, seconded by Ms. Foster. Voice vote, ayes all. Motion carried. Executive Session began at approximately 8:55 a.m.

A motion to adjourn from Executive Session was made by Mr. McElfresh, seconded by Mr. Ash. Voice vote, ayes all. Motion carried. Executive Session adjourned at approximately 9:10 a.m.

A motion to authorize the combining of the projects located at 101 North Union Street and 107 North Union Street into one project and to approve moving forward with said project as one transaction that will be outlined in the Land Disposition Agreement in detail was made by Ms. Foster, seconded by Mr. McElfresh. Voice vote, ayes all. Motion carried.

8. Next Meeting Date

The next meeting of the Olean Urban Renewal Agency was tentatively scheduled for Wednesday, August 19, 2020 at 8:30 a.m. in room 119 of the Olean Municipal Building.

9. Adjournment

A motion to adjourn was made by Mayor Aiello, seconded by Mr. McElfresh. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 9:15 a.m.