

Meeting of the Olean Urban Renewal Agency
Wednesday, October 21, 2020
8:30 a.m.
Room 119 – Olean Municipal Building

Attendance: Members – Chairman Charles Corcoran, Vice Chairman John Ash, Deanna Foster, Earl McElfresh, and Mayor Aiello. Staff - Keri Kerper, Community Development Program Coordinator, Jack Hart, Attorney, and Michiko McElfresh, Mayor's Secretary. Others: Ed Bysiek, CPA

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, who was excused.

2. Reading & Approval of the September 16, 2020 meeting minutes

A motion to approve the September 16, 2020 meeting minutes was made by Ms. Foster, seconded by Mr. Ash. Voice vote, ayes all. Motion carried.

3. August and September Financials

Ms. Kerper explained that she held back the August financials last month because she had to work with Ed Bysiek to figure out how to actually classify the Manufacturers' Hanover Stabilization Project costs and funding.

Mr. Corcoran asked Ms. Kerper to explain the difference between the \$700,000 financing and the \$691,000 entry. Ms. Kerper explained that when the Agency went out for financing, we had to go out again and they would not give us the full \$700,000. Ms. Kerper explained that the lender would only give the Agency \$691,000 in financing.

Ms. Kerper explained that the smaller CD is up for renewal, and asked if the Agency would like to renew the CD for thirty days or a longer period moving forward. The Agency chose to renew the CD for thirty days at this time.

A motion to approve the August and September financials was made by Mayor Aiello, seconded by Ms. Foster. Voice vote, ayes all. Motion carried.

4. New Business

5. Old Business

i. Manufacturers' Hanover Stabilization Project

Ms. Kerper explained that the roofer has mobilized and will be back on site tomorrow. Ms. Kerper explained that they have completed the asbestos abatement, and next week the crane will be

arriving. Ms. Kerper explained that traffic will be diverted with cones, but will still be a two directional flow. Ms. Kerper explained that the crane will be on site for approximately three hours during which time the roofer will offload the materials. Ms. Kerper confirmed that the crane plan indicates that the time the crane is estimated to be in place is three hours, which was signed off on by the Mayor, Code Enforcement and the Department of Public Works. Ms. Kerper explained that the contractor will begin the tear off tomorrow to be ready by next week, and the work will be complete by October 30, 2020.

Mr. Hart asked what the tear off will entail, and Ms. Kerper indicated that all of the current roofing material needs to be removed. Ms. Kerper explained that they will not overlay the roof, and it will be a complete tear off and redo. Ms. Foster asked if rain will impede the work, and Ms. Kerper responded that it has. Ms. Kerper explained that is why the tear off was not done this week. Ms. Kerper explained that the first layer put down after the tear off is waterproof, so the work would not be impeded from that point on since it will be protecting the building. Mr. Corcoran explained that once the layers are removed during the tear off process, what is underneath will need to be dried out prior to placing the first layer.

Ms. Kerper explained that the crane may be on site for two hours, but we have allocated a three hour time slot. Ms. Kerper explained that the City's DPW crews will come out and put cones to divert traffic away, and the crane will come and put the materials on the roof. Ms. Foster asked if the roundabout will still be open, and Ms. Kerper indicated that it will be.

Ms. Kerper explained that with the project coming to a completion, she has scheduled Parks for the final inspection and walkthrough. Ms. Kerper explained that Kate Badgley will be on site November 4, 2020. Ms. Kerper explained that one of the stipulations to close out the grant is for Parks to inspect the completed project. Ms. Kerper explained that she has already submitted reports and photographs from all of her weekly inspections, and she will continue to go up to the roof, inspect the progress and submit the photographs. Ms. Kerper explained that SHPO needs to review and sign off on the photographs, as well as Parks. Ms. Kerper explained that she needs to complete a final report on the project, and do the final reimbursement request showing cancelled checks. Ms. Kerper explained that this may take a couple of weeks longer after the final payment, but this is one of the other stipulations in order for us to do the closeout.

Ms. Kerper explained that she is still waiting on Parks to allow her to input the M/WBE payments into the contract system. Ms. Kerper explained that everything is in there correctly, but in order for them to open up the system, Parks needs to give the Agency a reimbursement payment. Ms. Kerper explained that she did a reimbursement request of approximately \$188,000, the funds of which we are still waiting on to come in. Ms. Kerper explained that once we receive this reimbursement, the system should open up and she will be able to input all of the M/WBE payments that were made to suppliers and subcontractors.

Ms. Kerper explained that once this is complete, SHPO and Parks can review all of our work and we can move to project closeout and completion which will allow us to transfer the properties to Savarino Companies. Ms. Kerper explained that the closeout needs to occur prior to the transfer. Ms. Foster asked what the timeframe for all of this is, and Ms. Kerper explained that she will work as quickly as possible. Ms. Kerper explained that she will be asking for permission from the

Agency to make the final payment and release retainage to R.E. Kelley so that a special meeting does not need to be held next week when she has the final bill. Ms. Kerper indicated that this will help with the time frame because ultimately she needs to show the cancelled check, so we need to get the check out as soon as the work is finished so that it can be cashed and the cancelled check can be included in the reimbursement. Ms. Foster asked if this will be done when bills are done, and Ms. Corcoran explained that it would be.

Ms. Kerper showed the Agency on the Form E where everything is broken down, and if the Agency looks at the project cost, construction went down to the cent and did not go one cent over budget. Ms. Kerper explained that even with the change order that occurred, the contingency provided for some of the unknowns that were to be expected because of the age of the building, and the project didn't go over budget. Ms. Kerper explained that the construction portion ended up being \$686,000. Ms. Kerper explained that the total project costs with administrative and technical costs is \$734,000, which is what the project was budgeted for. This includes \$15,000 for Hodgson Russ and \$9,000 for Municipal Solutions for costs associated with obtaining financing for the project.

Ms. Kerper explained that we have spent \$370,000 to date, and she will be asking for \$339,868.33 to pay R. E Kelley \$339,618.33 and Neeson Clark \$250.00 for the independent asbestos abatement inspection. Ms. Kerper explained that the project will then be fully expended besides the administrative costs, as Municipal Solutions and Hodgson Russ have not yet billed the Agency. Ms. Kerper indicated that this does not affect the grant.

Mr. Corcoran asked when Ms. Kerper expects the first draw from Parks to arrive, and Ms. Kerper responded that she does not know. Mr. Corcoran asked who she invoiced, and Ms. Kerper explained that she invoiced Parks and they are still reviewing it. Ms. Kerper explained that she does not know the timeline, but that they pay quicker than Empire State Development. Mr. Corcoran asked if the payment won't arrive until after the closing is complete, and Ms. Kerper explained that she does not know. Ms. Kerper explained that either way, the Agency has more than enough funding to cover the costs in the checking account.

Mayor Aiello explained that the State is withholding 20% of funding in other funding circumstances. Mayor Aiello explained that he does not know if this will take place in this situation or not. Mayor Aiello explained that the Governor has stated that he is not reducing funding, he is just withholding it until the State sees what the Federal Government is going to do. Mayor Aiello explained that this withholding occurred on the City's AIMs funding and CHIPS funds, and we are being told that it is on all funding. Mayor Aiello explained that there may be a period of time when 20% is on the URA. Ms. Foster asked what we invoiced Parks for, and Ms. Kerper responded that we invoiced Parks for \$188,000. Ms. Kerper explained that when the payment from Parks is received, she will email the members so that they are aware that it was received, as well as to indicate whether or not 20% of the funding was withheld.

Mayor Aiello explained that he has spoken with Ms. Kerper regarding doing a ceremony in front of the Municipal Building looking up at the Manufacturers' Hanover building where it is turned over to Savarino Companies. Mayor Aiello explained that he feels that it would be a nice touch to do so.

Mr. Hart explained that we have provided Savarino Companies with a Land Disposition Agreement, and they came back with a couple of inconsequential changes which we made. Mr. Hart explained that we will resign the documents and get them back to them. Mr. Hart explained that he feels that we are moving very rapidly towards closing. Mr. Hart explained that Savarino Companies has approved our deed and have asked for some of the other documents that accompany a transaction. Mr. Hart indicated that the documents will be signed today by Mr. Corcoran and will be sent to them in draft. Mr. Hart explained that if they are happy with the documents, they will indicate that they are ready to close. Mr. Hart explained that we first need to get the Land Disposition Agreement signed by Savarino Companies, and this has not happened yet. Mr. Hart explained that he does not see this as an issue, but rather just a process.

ii. Constitution Avenue Parcel

Ms. Kerper showed a map that contains the parcel of Agency-owned land on Constitution Avenue, which was discussed at the previous meeting. Ms. Kerper showed the 60'x260' section of land which we mow behind Country Fair, as well as the section mowed on Constitution Avenue by Armor Building Supply. Ms. Kerper explained that she went with Mayor Aiello to look at the site, and showed photos taken during the visit. Ms. Kerper showed the Allegheny River Valley Trail (ARVT) in relation to the parcel owned by the Agency.

Mayor Aiello explained that right now, to get to the ARVT, you need to walk through Country Fair's parking lot. Mayor Aiello explained that the Agency's property goes all the way to Twelfth Street, and that the Agency should consider opening up this parcel as an entrance point to the River Trail from Twelfth Street. Mayor Aiello explained that this will prevent people from walking through the Country Fair parking lot. Mayor Aiello explained that we already mow the area, and we can put the trail through there.

Mr. Corcoran asked who maintains the River Trail, and Mayor Aiello explained that the City has an agreement with the Town of Allegany for mowing sections. Mayor Aiello explained that it is a joint venture between the City of Olean and Town of Allegany. Mr. Corcoran asked if the URA would be responsible for the mowing of the parcel if a trail entrance was placed on this section, and Mayor Aiello explained that he thinks that we would have to work that out. Mr. Corcoran explained that he feels that this is a great idea.

Mr. Hart asked if there is access to Twelfth Street, and Mayor Aiello explained that right now there isn't because the area is overgrown. Mayor Aiello explained that this might cost the Agency some money to put the trail in, but it could be a good use for this piece of land. Mayor Aiello explained that he will ask the Director of Public Works to have the City Engineers take a look at the parcel during the winter months to see what we would need to do. Mayor Aiello indicated that we may want to include Joe Higgins in the conversation as well.

6. Bills

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| i. National Grid (107 NUS) | \$22.30 |
| ii. National Grid (101 NUS) | \$22.12 |

iii. Emtan Field Services (final monthly payment for mowing)	\$457.50
iv. R.E. Kelley	\$43,692.40
v. Wagner & Hart (July 2020 – September 2020)	\$3519.00
vi. R.E. Kelley (to close out project and release retainage)	\$339,868.33

Ms. Kerper explained that she would also like authorization to pay R.E. Kelley all remaining payments and retainage in order to complete the Manufacturers' Hanover Stabilization Project closeout.

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

Mr. Corcoran asked if the property can be transferred when the project is closed out, regardless of whether or not payment has been received from Parks, as long as the Agency has submitted an invoice for payment to Parks. Mr. Corcoran explained that he does not want the potential 20% withholding to hold up the transfer of the property. Ms. Kerper explained that Parks has a clear understanding of the need and the timing because the Agency needs to get the property transferred. Ms. Kerper explained that she will work as fast as she can to get everything submitted to Parks so that everything can be reviewed and Parks can move towards their closeout. Mayor Aiello explained that the withholding is not a definite, and the 20% withholding is just what the Governor is doing with other funding. Mayor Aiello explained that he was at a NYCOM meeting recently and they did indicate that the 20% withholding is a possibility on grants until the State figures out what the Federal Government is doing with the stimulus. Mayor Aiello explained that if the Agency received the reimbursement with 20% less, he cannot see this stopping the transfer. Mr. Corcoran explained that the only thing that the withholding will do is delay the Agency in paying off the loan for the project.

7. Next Meeting Date

The next meeting of the Olean Urban Renewal Agency was tentatively scheduled for Wednesday, November 18, 2020 at 8:30 a.m. in room 119 of the Olean Municipal Building.

8. Adjournment

A motion to adjourn was made by Mr. Ash, seconded by Ms. Foster. Voice vote, ayes all. Motion carried. Meeting adjourned at 9:00 a.m.