

**Meeting of the Olean Urban Renewal Agency  
Wednesday, January 20, 2021  
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, Tiffany Taylor, Managerial Confidential Administrative Secretary, and Fred Saradin, City Auditor.**

**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 October 21, 2020 meeting minutes and November 5, 2020 special meeting minutes**

Ms. Foster explained that in the October minutes on the third page in the third paragraph, the minutes explain that \$339,868.33 will be requested to pay R.E. Kelley \$339,618.33 and Neeson Clark \$250.00. Ms. Foster explained that in the Bills portion of the minutes, it shows that the entire amount of \$339,868.33 is being paid to R.E. Kelley to close out the project and release retainage, and she questioned if this amount should instead be broken out between R.E. Kelley and Neeson Clark. Ms. Kerper explained that the amount should have been broken out, and that the minutes should be amended to add Neeson Clark under “Bills” for \$250.00 and to amend the amount for R.E. Kelley from \$339,868.33 to \$339,618.33.

A motion to approve the October 21, 2020 meeting minutes as amended, as well as the November 5, 2020 special meeting minutes, was made by Mr. Ash, seconded by Ms. Foster. Voice vote, ayes all. Motion carried.

**3. October, November, and December Financials**

Mr. Corcoran asked if the Agency should invest more of the cash on hand from grant reimbursement for the Manufacturers’ Hanover Stabilization Project on a short-term basis if the BAN does not need to be paid immediately, and asked if this is an authorized use of the grant funds. Ms. Kerper explained that she is unsure if this is allowed, and noted that \$141,636 in grant fund reimbursement has been received to date. Ms. Kerper explained that the BAN matures on August 12, 2021. Mr. Corcoran explained that we are still waiting on reimbursements and questioned if the reimbursement received to date can be invested in a short-term CD. Ms. Foster explained that interest rates on short-term CD’s are currently very low. Ms. Foster asked if there is anything in the Grant Agreement that indicates that the funding needs to be deposited into a non-interest bearing account, and Ms. Kerper responded that she is aware that CDBG funds need to be deposited into non-interest bearing accounts. Ms. Kerper explained that she is unsure about Parks and ESD funding.

Mayor Aiello asked if the City Auditor would have this information, and Mr. Hart responded that he might and it would not hurt to look into it. Mayor Aiello explained that he believes that if the Agency gains interest on the funds, that it must be turned over to the State. Mr. Corcoran asked if the funds received from the sale of the property could be invested, and Ms. Kerper explained that the Agency would be able to invest these funds. Mr. Corcoran explained that in the \$369,000 cash balance, there is approximately \$172,000 in funds from the sale of the properties and Ms. Kerper explained that this is the Agency's money free and clear. Ms. Foster asked how much was in the account prior to the grant funds being deposited and if this could be included with the \$172,000 for short-term investing. Ms. Kerper explained that she believes that approximately \$50,000 was in the account prior to the deposit of grant funds.

Mayor Aiello asked Mr. Saradin if the \$141,636 received by the Agency in State grant funds could be invested to gain interest prior to the payment on the BAN in August. Mr. Saradin explained that he does not see why the Agency would not be able to invest the funds in a short-term CD. Mayor Aiello explained that it is probably contained within the Grant Agreement with Parks as to what the Agency can and cannot do with the funds received.

Ms. Foster explained that the Agency could at least invest the sale money, and Mr. Corcoran explained that at this time to be conservative to account for possible expenses, the Agency can invest at least another \$150,000.

Mr. Hart asked when the closing occurred for the sale of the properties, and Ms. Kerper responded that the closing occurred on November 13, 2020. Mr. Hart asked if the financial statements could be changed to remove the asset from the statements, as it is still located in the November and December statements. Mr. Corcoran explained that Mr. Bysiek will need to create a journal entry for Ms. McDivitt to close the buildings out.

Mr. Corcoran asked if the proceeds from BAN financing are reflected in the cash portion of the financial statements, and Ms. Kerper responded that they are. Ms. Kerper explained that there is an increase in cash reflected in the October financials because of the reimbursement of grant proceeds. Ms. Kerper explained that the \$700,000 in BAN funding has been in the checking account and payments have been made to R.E. Kelley as the project progressed. Ms. Kerper explained that in addition to this, the reimbursement from Parks for \$141,636 was received on December 15, 2020 which, along with the proceeds from the sale of the property, are why the cash has remained steady.

Ms. Foster asked if the BAN funding has been expended. Ms. Kerper explained that it has been, and we have made all of our payments out of the funding. Ms. Foster explained that \$175,000 or a conservative \$150,000 could then be taken out for a short-term investment.

Ms. Kerper noted that there is still \$200,000 that needs to be reimbursed by Empire State Development.

A motion to approve the October financials was made by Mr. Ash, seconded by Ms. Foster. Voice vote, ayes all. Motion carried. November and December financials will be corrected prior to the next meeting.

#### **4. New Business**

##### **i. North 12<sup>th</sup> Street Property**

Mayor Aiello explained that the Agency owns a piece of property off of North Twelfth Street that goes along the Country Fair property. He explained that it is a narrow piece that is approximately 60 feet by 260 feet. Mayor Aiello explained that the Agency always has issues getting this parcel mowed.

Mayor Aiello explained that he feels that it would be a nice project to make this property the entrance to the Allegheny River Valley Trail. Mayor Aiello explained that as it is now, people have to walk through the Country Fair parking lot to access the trail and it would be a nice enhancement for the neighborhood. Mayor Aiello explained that Mr. Ring and the Engineering Department could blacktop a strip there and a sign could be installed similar to the arch that is at Lincoln Park in recognition of the Agency. Mayor Aiello explained that the Agency would then not need to have the parcel mowed anymore unless there are small strips to mow.

Mr. Corcoran asked who maintains the trail, and Mayor Aiello responded that the City maintains our portion of the trail per an agreement signed by Mr. Ash when he was Mayor. Ms. Foster asked how far the City's portion of the trail goes, and Mayor Aiello explained that quite a bit of the trail is located within the City. Mayor Aiello explained that it is not plowed in the winter because if the City begins to plow the trail, then they will have to maintain the plowing throughout the winter. Mayor Aiello explained that the City is trying to tie in more and more of the City to the trail system.

Ms. Foster asked if the parcel would be donated to the City so that the Agency is no longer responsible for care, and Mayor Aiello responded that he is open to suggestions. Mr. Hart explained that the City's agreement regarding the Allegheny River Valley Trail is that the City maintains the entire trail within the City's boundaries. Mr. Hart explained that since there is no charge being levied for the use of the trail that the State provides some protection in terms of liability. Mr. Hart explained that if there is a foreseeable risk that the Agency would have to act. Mr. Corcoran asked if the property could be turned over to the City, and Mr. Hart responded that it could be. Mr. Corcoran asked if Mayor Aiello is proposing that the Agency pay for the installation of the path and signage, and Mayor Aiello responded that he is. Ms. Kerper explained that it would probably be a cleaner transaction to donate the property to the City.

Ms. Foster asked if there is enough property to provide parking. Ms. Kerper explained that the parcel is located in the back yard of peoples' houses, and she does not feel that it would be fair to put parking behind these homes.

Mayor Aiello explained that he is putting this idea out there and asked the Agency to think about it. Mayor Aiello explained that he would speak with Mr. Ring and have Engineering draw up something to look at as well as prepare projected costs.

## **5. Old Business**

### **i. Manufacturers' Hanover Stabilization Project Update**

Ms. Kerper explained that the Form E now shows the entire Manufacturers' Hanover Stabilization Project and that it is complete, and all expenses have been paid. Ms. Kerper explained that the final checks were sent out in December, and the only outstanding item will be Municipal Solutions' remaining balance on their contract of \$3,876. Ms. Kerper explained that when the Agency moves forward to close the financing from the Note, they will bill us for the remainder of their contract. Ms. Kerper noted that the Note matures on August 12, 2021.

Ms. Kerper explained that on September 29, 2020 she submitted a reimbursement to Parks for \$188,848 and on December 15, 2020 \$141,636. Ms. Kerper explained that she emailed members at this time and explained that the amount is 25% less than what we reimbursed because when we do a reimbursement request from Parks, we have to include the Agency's match of 25%. Ms. Kerper explained that on December 21, 2020 she did the final reimbursement request to Parks for \$477,818.67, so we will be receiving \$358,364. Ms. Kerper explained that these two reimbursement amounts equal the \$500,000 total funding from Parks, and the Agency will be done with Parks.

Ms. Kerper explained that Parks reviewed the final reimbursement request as well as SHPO, and they had no changes. Ms. Kerper explained that the final reimbursement request has been sent to Albany, so the Agency can expect to receive the final reimbursement at any point. Ms. Kerper explained that it is up to the Office of the State Comptroller as to when the Agency will receive the reimbursement, and she will notify members when it is received.

Ms. Kerper explained that she has been working with Parks to do the project closeout. Ms. Kerper explained that because there were no errors in the reimbursement requests and because she was thorough with all documentation, Parks has advised that they will not be auditing the Agency. Ms. Kerper explained that she has done paperwork waiving an audit and she has submitted the paperwork to Parks. Ms. Kerper explained that this is something that she has never had happen, and it is wonderful news.

Ms. Kerper explained that she has done all of the M/WBE reporting. Ms. Kerper explained that it was opened for reporting at the beginning of January and she submitted everything into the system. Ms. Kerper explained that she did a Final Audit Report and it has been approved. Ms. Kerper explained that we are waiting on the Governor to grant the Agency the partial waiver request, but Parks has indicated that they do not see an issue with the request.

Ms. Kerper explained that she has been working with Empire State Development on the \$200,000 grant reimbursement. Ms. Kerper explained that they are taking it before their Board of Directors on January 21, 2021. Ms. Kerper explained that she has done all of the affirmations, has provided all of the photos of the project, has provided ESD with the general project plan, and has submitted all of the paperwork necessary to ESD. Ms. Kerper explained that on January 21, 2021, the ESD Board of Directors should approve the Agency's request and the general project plan.

Ms. Kerper explained that what will happen then is that Albany will send her a final Grant Disbursement Agreement. Ms. Kerper explained that a motion will be needed to authorize Mr. Corcoran to execute the Grant Disbursement Agreement. Ms. Kerper explained that after Mr. Corcoran executes this document, she will be able to make the final reimbursement request. Ms. Kerper explained that in the meantime, ESD will hold a public hearing as required by law, which will occur prior to her ability to submit the reimbursement request.

Ms. Kerper explained that the Agency will owe Empire State Development 1% of the grant amount, which she budgeted into the URA's budget this past fiscal year. Ms. Kerper explained that 1% of the grant amount is \$2,000. Ms. Kerper explained that the Agency will also need to reimburse ESD for their expenses for the public hearing and the publications of the public hearing. Ms. Kerper explained that when we do the bills, she would like to be able to have a motion made authorizing her to spend up to \$3,000 to pay ESD. Ms. Kerper explained that she does not foresee the public hearing costing \$1,000, but she would like to be conservative so that a special meeting doesn't need to be called to pay ESD for the hearing. Ms. Kerper explained that we need to pay ESD prior to submitting a reimbursement request.

Ms. Kerper explained that it could take months to get the funds back from ESD. Ms. Kerper explained that after they review her reimbursement request, they will perform an internal audit. Ms. Kerper explained that the request then goes to New York City where their main office is, and if approved, then goes to the Office of the State Comptroller. Ms. Kerper explained that it could take up to 90 days for the Comptroller to give ESD the money, and then ESD will provide the Agency with the funds.

A motion to authorize Mr. Corcoran to execute the Grant Disbursement Agreement with Empire State Development was made by Ms. Foster, seconded by Mr. Ash. Voice vote, ayes all. Motion carried.

A motion to authorize disbursements of up to \$3,000 to reimburse Empire State Development for the costs associated with a public hearing and necessary publications, as well as for 1% of the grant amount, was made by Mr. McElfresh, seconded by Mr. Ash. Voice vote, ayes all. Motion carried.

Ms. Kerper explained that she will update Agency members when the bill is received regarding the costs for the public hearing.

Ms. Kerper explained that she would like to update the Agency on the construction occurring at the Manufacturers' Hanover building. Ms. Kerper presented photos to the Agency and explained that the photos show where the contractor is in the FRP panel installation. Ms. Kerper explained that it is no longer the Agency's contract, but she wanted to provide the photos so that the Agency could see where they are on the parapet.

Ms. Kerper explained that she spoke with Marcus from Paramount Roofing this morning, and he advised that he will be finishing up the siding to the outbuildings on the roof within the next couple of weeks. Ms. Kerper explained that they have the siding strapped on a truck ready to come here, but they are waiting for a break in the weather. Ms. Kerper explained that this is the last part of the construction, and then it will be complete.

Ms. Kerper explained that in the Agency's packets she has included the Manufacturers' Hanover construction schedule which pertains to the FRP panels. Ms. Kerper explained that the scaffolding will be coming down most likely the second week in March, and R.E. Kelley will be done with this contract with Savarino. Ms. Kerper explained that the second shipment of FRP panels will be arriving this week so the third layer will begin.

Mayor Aiello explained that Ms. Kerper and he were at the construction meeting last week, where they were taken out to the trailer and shown the FRP sections. Mayor Aiello explained that they are five foot sections that one man can pick up and handle, and they have lips that interlock the panels that also allow for movement. Mr. Corcoran asked if the next section contains the trough, and Ms. Kerper explained that it does. Ms. Kerper explained that she climbed the scaffolding last week and saw how the section will be with the roof trough, which Paramount will come in and finish.

Ms. Kerper explained that an inspector from Carlisle needs to come out to look at the roof, and they were originally scheduled to come out last week. Ms. Kerper explained that they indicated that Carlisle advised that they will not come out until the rest of the roof is over the side and hooked into the panels, and then the roof will be warrantied for Savarino. Ms. Kerper explained that she will advise the Agency of when this occurs.

## **ii. Certificates of Deposit**

Ms. Kerper explained that she has been renewing the smaller CD every 30 days, and the larger CD has been renewed previously for 6 months. Ms. Kerper asked if the Agency would like to continue in this way, or if they would like to renew the smaller CD for six months. Ms. Foster asked if funds could be added to the smaller CD at the next renewal, and the CD renewed for six months. Ms. Foster explained that the CD's would then renew in August, and she questioned if any of the funds would be needed in the meantime. Mr. Corcoran asked if the smaller CD should be renewed for three months, and Ms. Foster agreed that the Agency should be conservative and only renew the CD for three months.

Ms. Foster explained that she would like to see \$150,000 or \$175,000 added to the smaller CD at the next renewal, and Ms. Kerper asked if the Agency would rather have a new CD. Ms. Foster explained that she does not see why the Agency would need to do a new CD.

A motion to authorize adding \$175,000 to the smaller CD at the next renewal, and to renew the CD for three months, was made by Mr. Ash, seconded by Mr. McElfresh. Voice vote, ayes all except Ms. Foster, who abstained. Motion carried.

## **6. Bills**

i. National Grid (101 NUS – final bill)	\$6.45
ii. National Grid (107 NUS – final bill)	\$22.93
iii. FedEx	\$50.59
(For costs associated with shipping financing documents)	

iv. Wagner & Hart (October 2020 – November 2020)	\$2,727.00
v. Crystal McDivitt (June 18, 2020 – January 13, 2021)	\$1,120.10
vi. Empire State Development	up to \$3,000

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

## **7. Next Meeting Date**

The next meeting of the Olean Urban Renewal Agency was tentatively scheduled for Wednesday, February 17, 2021 at 8:30 a.m. in room 119 of the Olean Municipal Building.

Ms. Kerper explained that she hopes to have the Grant Disbursement Agreement back and the public hearing complete prior to this meeting date.

## **8. Adjournment**

A motion to adjourn was made by Ms. Foster, seconded by Mr. Ash. Voice vote, ayes all. Motion carried. Meeting adjourned at 9:20 a.m.