

NAME

9-15-21 IDA Board Meeting Part Two

DATE

September 29, 2021

DURATION

40m 51s

11 SPEAKERS

Rose Woodworth

James Malcolm

William Kembel

Richard Jones

Faye Storms

Orlando Reece

Michael Ham

(All)

Joe Scott

Diane Eynon

Daniel Savona

START OF TRANSCRIPT

[00:00:01] Rose Woodworth

Ok. Welcome back, Jimmy.

[00:00:03] James Malcolm

Alright. We didn't take any action, Bill.

[00:00:10] William Kembel

Ok, thank you.

[00:00:11] James Malcolm

You're welcome, sir. You're welcome. Financials, Rick.

[00:00:19] Richard Jones

Hang on one second, chair. If you would turn to page 10 of the package, we are again in good shape. I point out some of the the big items that- big expense items and income items on the income side, you can see that our income is \$123,917 on a budget of \$215,000. Administrative fees, we're almost at a budget point. So our revenues are running appropriately at this time of the year versus the budget. On the expense side, administrative staff fees are running quite reasonable, if not low, in spite of the time that was spent on the PPE project, although that was moved to a different line. So we budgeted at \$144,000; we're only at \$91,000. We think we're going to come substantially under the budgeted amount, which is which is a good thing. Website and marketing: there were few items, few expense items that we haven't spent much of anything. So, for example, website and marketing, we've only spent \$550 on a budget of fifteen, which suggests that we have some room here to do some of the marketing that Rose has been talking about, particularly around a brochure or something, explaining the process and procedures. Now, other expenses. The only one that pops out as substantial is the PPE program, which is now over, and it represents money well spent in terms of the PPE program. So we're in good shape. On the next page, which presents the cash in the bank, if you would. We have almost \$800,000 of cash in the bank. We have some CDs coming due shortly. Interest at all of the banks is under 0.5%, Rose, if I recall, it's extremely low.

[00:02:44] James Malcolm

Why do we have \$800,000 in the bank then?

[00:02:49] Richard Jones

Where would you want to put it other than a bank?

[00:02:50] James Malcolm

Anywhere that you get more than a half a point.

[00:02:53] Richard Jones

We could go to the stock market, but I wouldn't recommend that.

[00:02:57] Rose Woodworth

We can't do that.

[00:02:58] James Malcolm

What's out there, no passbook stuff? Nothing like that? (Nothing.)

[00:03:02] Faye Storms

Are we allowed to buy a building?

[00:03:08] Richard Jones

We have the authority built by a building.

[00:03:10] James Malcolm

Yeah. Ok.

[00:03:12] Richard Jones

Orange County's done it.

[00:03:13] Faye Storms

Maybe we should look into something that gives us rents and also gives us space for our meetings.

[00:03:24] James Malcolm

Well, we could certainly put together a working committee to look at that.

[00:03:29] Orlando Reece

What happens if we need the money for something, it's hard to-

[00:03:31] Faye Storms

Well, it wouldn't be all the money it would be, you know-

[00:03:35] James Malcolm

Well, we got a lot of fees coming in this... People are closing, so it never hurts to take a look at it. I might not be the right vehicle for us, but nothing's off the table. Go ahead, Rick, is that it?

[00:03:51] Richard Jones

That's it.

[00:03:52] James Malcolm

Ok, can I get a motion to accept the financials as presented?

[00:03:58] Michael Ham

Motion.

[00:03:58] James Malcolm

Thank you, Mike. Danny, second. Anyone on the question? All those in favor?

[00:04:03] (All)

Aye.

[00:04:04] James Malcolm

Oppose? Carry. That brings us to the chair's report. We continue to have dialogue with various parts of government and developers in the county. It's an ever changing field and communication is always the key, right? You have to communicate with people. So this is what we do. We make sure that we get back to our members and share these things with them and good input. Then there's some things coming out, hopefully. And you know, it'll be a beneficial time the last couple of years for fees and everything else to allow us to do some of the things we did, like the personal protective stuff and some grants, so that's about it. Rose?

[00:04:52] Rose Woodworth

Actually, I have a really short report for a change this month. Everything I've worked on has to do with the committee, so I let those handle it, but I just wanted to remind you all of the board training day is on the 26th from 9-5. I wanted to clarify that that will be in person. Am I correct in that assumption?

[00:05:14] James Malcolm

Yeah, where are we having it?

[00:05:16] Rose Woodworth

We have it scheduled for the legislative chambers.

[00:05:23] James Malcolm

They might padlock us there and not be able to get any use it.

[00:05:27] Orlando Reece

(laughs) Yeah, exactly.

[00:05:29] James Malcolm

You got you got substantial room in your backyard, Orlando?

[00:05:33] Orlando Reece

I got it in the house. Anybody could come in. I think I might not want to go near that county building for a while.

[00:05:40] Rose Woodworth

The cost benefit analysis software that we use in form analytics is no longer going to be, I don't know the word to say, is no longer going to be available after December 31st, 2020. They had staffing changes at the company that deals with it. I think some of it was pandemic driven. And so they no longer have somebody that's going to be there and continuously developing that software.

[00:06:12] James Malcolm

Rose, can you work in conjunction with Rick and Orlando if you have some time on, you know, coming back with some recommendations of other software?

[00:06:23] Rose Woodworth

I've reached out to the New York State Economic Development Council because they're the ones who originally got with this group to deal with the cost benefit analysis software that they had. They have indicated that they have some ideas about replacements for us all because obviously there are a bunch of other IDAs in the state that are in the same position we're in here.

[00:06:45] James Malcolm

Ok, well, I want you guys to vet- I want you along with the two board members to vet them and come back with some sort of recommendation.

[00:06:52] Rose Woodworth

Sure. So I will- obviously, we'll keep you posted on those things. Other than that, I've had several phone calls with prospective projects again this past month. Nothing is really concrete yet, just people kind of getting feelers out and understanding the IDA and IDA process.

[00:07:13] James Malcolm

Ok, great.

[00:07:14] Rose Woodworth

That's it for me.

[00:07:15] James Malcolm

Ok, any questions for Rose? No. Moving forward then, audit?

[00:07:23] Rose Woodworth

I'm going to do the audit report for Diane because she has poor service where she is and she didn't want to be cut out. So after the audit committee meeting, we discussed the projects that had closed, closing affidavits that still had not come back or that had come back. And you notice when Rick said we have \$123,000 in fees collected so far this year, I would say \$60,000 or \$70,000 of that is literally just because of these post closing affidavits, which is projects that closed in other years; their construction is now complete. So now we circle back with them and get the 1% of our fee on whatever the increased costs were on those projects.

[00:08:10] James Malcolm

So, you know, receivables.

[00:08:13] Rose Woodworth

Yeah, yep. So we got it all in now. We got the checks physically in. We have one more that we're working on, which is PODS, but our counsel sent him a letter, a firm letter, letting him know that there would be an issue and he would go to governance if it didn't come through. So we did finally get the paperwork. Some, let me rephrase, some of the paperwork in the mail from him this past week, and there'll be a small amount of fees collected from that one as well. UHY: I had spoken with our auditors shortly before the governance meeting last week, so our update there was that they agreed to the \$10,000 that they had given us with the RFP, and that means they had written off about \$4000, not the \$500+ that they had billed us for. So going forward, we discussed what some of the issues were where we can do better on our end as staff, and then also UHY can do better. And then we're going to probably plan to increase the budget for the audit for next year because part of the issue was the grants that we had, right? So where they would normally check nine documents for payments out, they checked fifty one this past year. So it was a lot more work. And I think it's a temporary cost and it's just part of this grant process. Um, we- the committee approved the agency staff time, as you remember. The committee goes through and looks at the time sheets and gets a real close look at it to make sure that there's nothing extra being billed. We did a second quarter financial review and there weren't any questions there. The annually- then we started discussing annual site visits and year end reporting. I really liked the idea. I think it was Faye. We're going to try to maybe do the annual reporting through something like the Google survey or SurveyMonkey. And instead of sending out paper so that people are forced to answer certain questions before being able to move forward. Because we were getting a lot of annual reporting back that didn't answer all the questions. So it was wasting our time. It's wasting the project's time. And so I think this will help kind of mitigate some of those issues. And then for review of current, we reviewed the last two policies that audit had on the table. So for the policy respecting uniform criteria for the evaluation of projects, we tabled going back and changing anything on this until after Governance Committee completed their review and recommendations for our UTEP and Matrix, it didn't seem to make sense to revise what we look at for projects if we're going to just change what the UTEP is. Besides that, we changed the code of ethics and if you look in your packet, there's actually a resolution. So I'm going a little bit out of order here, sorry. On Page 14, there's a resolution to change the code of ethics. The changes are on page 18. It's underlined; it's hard to see if you're looking at black and white like I am, but a section number for the chairperson of the agency or his or her designee shall annually- that was a change, provide to each current member a copy of the Code of Ethics and a copy shall be presented to each future member before being appointed to the agency. Each member shall be required to sign the Code of Ethics each year upon receipt and return it to the agency. So rather than having it be a one time piece of paper that you look at, you'll get it every year, just like you get your fiduciary responsibilities every year to sign. So that was the only change. So I need a motion and a roll call for that, Jimmy.

[00:12:30] James Malcolm

I need a motion to take a roll call vote on the matter to have a motion.

[00:12:39] Faye Storms

I'll make that motion.

[00:12:40] James Malcolm

Thank you, Faye. Mike Ham second?

[00:12:43] Michael Ham

Yes.

[00:12:43] James Malcolm

All those in favor?

[00:12:46] (All)

Aye.

[00:12:46] James Malcolm

Ok, we'll move forward with a roll call. Thank you.

[00:12:48] Rose Woodworth

James Malcolm?

[00:12:50] James Malcolm

Yes.

[00:12:51] Rose Woodworth

Diane Inam? Ok, she must have stepped out for a second. Faye storms?

[00:12:59] Faye Storms

Yes.

[00:13:01] Rose Woodworth

Michael Ham?

[00:13:03] Michael Ham

Yes.

[00:13:04] Rose Woodworth

Orlando Reece? Muted. He said yes? And Daniel Savona?

[00:13:12] Orlando Reece

Yes, yes, sorry.

[00:13:14] James Malcolm

That's OK. I'm having the internet issues like Diane.

[00:13:17] Rose Woodworth

Yeah, I know. Okay. Danny must have stepped away for a second as well. Zoom is fun. And Richard Jones.

[00:13:27] Richard Jones

Yes.

[00:13:32] Rose Woodworth

Ok, so we still have five out of seven there, chair.

[00:13:37] James Malcolm

Ok. That it for you?

[00:13:42] Rose Woodworth

A couple more things. The local construction labor policy, unfortunately. Mike wasn't able to attend the last meeting, so we decided the IDA- sorry, the audit committee decided to table it and wait until the next meeting when he was there because we knew that Mike had some specific language that he had for the local labor policy. Other than that, the information for Lokey Brill is on Page 12. So the total monthly compliance average for Inness was at 82%. I just wanted to let you all know Baxter is now off the job at Inness; I'm not sure what's going to be happening with the spa, and who's building that, but now all of the reporting is going through Tavo as opposed to through Baxter.

[00:14:46] Faye Storms

And Rose, they're doing it every two weeks now? The reporting?

[00:14:51] Rose Woodworth

Not yet. So we, I sent them the revised contract. They agreed to the changes because there were a few other things that were in that contract, you know, it was like about the procurement policy changes that we had, et cetera. So I wanted to make sure that all of that was OK with them. And now it was just, I think this last week they agreed to it. And so now I'm just looking for Joe to make sure that the changes I've put into it are legal and we don't get into any trouble. So that should be dealt with shortly.

[00:15:22] Faye Storms

And then there's one other thing on the meeting, the audit meeting, didn't we talk about annual site visits like how we were going to discuss it with the board members?

[00:15:37] Rose Woodworth

Yes, but I think we decided we were going to discuss it with governance committee.

[00:15:41] Faye Storms

Ok. That's right. Yeah. Ok, very good.

[00:15:47] Rose Woodworth

So that's it for the audit report chair.

[00:15:49] James Malcolm

Ok, a motion to accept the information as presented?

[00:15:56] Orlando Reece

Motion.

[00:15:56] James Malcolm

Thank you, Orlando. Do I have a second?

[00:15:59] Faye Storms

Yes.

[00:15:59] James Malcolm

Thank you, Rick. Sorry, Faye, thank you as well. All those in favor?

[00:16:04] (All)

Aye.

[00:16:05] James Malcolm

Ok, moving on. Faye, finance?

[00:16:09] Faye Storms

No finance meeting, but there will be one shortly- today.

[00:16:13] James Malcolm

Thank you, Faye. Mike, do you have anything on governance?

[00:16:19] Michael Ham

Yeah, governance. So an update on the mentoring we've talked about mentoring moving ahead, as is right now and it's a work in progress. Things will be updated from time to time. The board discussed using 485Bs instead of IDA incentives with potential clients, and a recommendation was made to look for a marketing company to put together a toolkit to assist potential applicants. And also, there was a brief discussion on creating required training for annual reporting in November with any client that's out there. The Board discussed the amendment to the enforcement of agency projects. We discussed this thoroughly, Rose, you have those changes there. And the board voted three to nothing to move it ahead for board review and a vote.

[00:17:15] Rose Woodworth

Yeah, so it was- to add- well, sorry, what I'm reading here isn't worded right, but the wording was to represent what the IDA is already doing as a process, which is to add a few things that mimic, I think it was Dutchess County. So for example, what we do right now is if a project defaults in year one, we would have the potential to claw back 100% of their benefits. But if a project is a 30 year project, we're not going to claw back 100% of the benefits they've received for the last 30 years. So it's based on a percentage and the number of years that a project does, but we'll have that for the next board meeting.

[00:18:06] James Malcolm

I would caution governance to take a long, hard look at that, just given the fact that people are going to pick a point somewhere there as an easy out.

[00:18:15] Michael Ham

Yes, agreed.

[00:18:17] James Malcolm

Just a little bit of spitballing, as we say, OK?

[00:18:23] Michael Ham

The IDA also discussed the shared fees between the UCIDA and the UCCRC. We have- Rose, does everybody have a copy of that information from my governance packet that was on Page 17 from our meeting?

[00:18:42] Rose Woodworth

No, because it was too- it was so close to when the deadline was for the board.

[00:18:48] Michael Ham

Alright.

[00:18:50] Rose Woodworth

Basically, we just said we were going to look into getting advice from ABO and from counsel on whether or not the IDA can share fees with the CRC.

[00:19:05] Michael Ham

Great, thank you. And the committee also looked into the cost benefit analysis if, when, and where and if we should use a third party study to offset some of these projects. We will be discussing more about that on our next meeting, which I'm going to schedule later on in October. Hopefully it's before our board meeting, depending on-

[00:19:33] Rose Woodworth

We did Schedule one for November 3rd for after the board training.

[00:19:36] Michael Ham

We did. I apologize; I don't have that in my notes.

[00:19:39] James Malcolm

Alright. So I have a question on the third party study thing.

[00:19:42] Michael Ham

Sure.

[00:19:43] James Malcolm

As you know, you probably have the language in your CBAs, as we did, and they talk about drug testing and the initial one- the contractor, the second one, the third one, if it proves such and such. So if... Who does it fall on to call for the third party study? Is there a triggers there, Mike?

[00:20:03] Michael Ham

You know, Jim, Rick brought that up, too. I'm positive it was Rick, you know, on who the who that would fall upon, whether we felt as though we did our due diligence on behalf of that or if the potential client, which I think we just had that with a client went to a third party on his own. Ok, to come back with some information on us. I guess it all depends on what information we're basing our, you know, our initial evaluation of the project off of.

[00:20:39] James Malcolm

The reason I bring it up is let's go, we'll revisit the Kingstonian and it was part of the taxing jurisdiction in question of them doing their due diligence.

[00:20:51] Michael Ham

Yes.

[00:20:53] James Malcolm

So that to me, we utilize the software we had that we've historically used. So if they wanted to bring another one to share, compare and contrast, so I just you're on the right track. You guys are on the right page. I just wanted to have an idea as to what.

[00:21:10] Michael Ham

And last but not least, we discussed the update on the UTEP in the Matrix. We really discussed the community investment, how we were going to utilize that. And we pretty much between myself, Diane and Rick, we came up with a point system. And Rick, you jump in at any time and refresh my memory, but I believe we landed on three, five and eight and I think it was still up for discussion whether or not we were going to eliminate the use of public transportation in that one column. And then I don't have my notes in front of me, so did we circle back around on that, Rick, and decide that we were going to leave the use of public transportation in there? No that's a no from Rose.

[00:21:55] James Malcolm

I think we took that out because it was only worth one point.

[00:21:57] Richard Jones

Correct.

[00:21:58] James Malcolm

Am I right, Rick?

[00:21:59] Richard Jones

(nods yes)

[00:22:00] Rose Woodworth

Yeah. So I just wanted to remind- I mean, so I know we did make a bunch of changes, but again, all of it was so close to this board meeting. So we'll have all of it on paper and written out for you all next board meeting because they had talked about making a formalized recommendation and having a resolution ready for the board to sign.

[00:22:22] Michael Ham

Yeah, we just wanted to update the board on where we were at moving ahead. Ok. And I think that's just let me take a look, Rick.

[00:22:32] Rose Woodworth

We had talked about the environmental sustainability and Diane, Rick and I think Orlando got volunteered for that as well, to meet with the, to meet together with the board. Because Diane is on a committee for the county, and so the three of us were going to- four of us were then going to meet together and talk after the board training day to discuss more changes to environmental sustainability once we understood more of solar and green technology projects.

[00:23:09] Michael Ham

That's correct. Orlando, you got the call on that, right?

[00:23:13] Orlando Reece

Yeah, I did.

[00:23:15] James Malcolm

(laughs) Very good, Orlando. Very good. So that's it, chair?

[00:23:22] Michael Ham

And chair, that's my report. Thank you.

[00:23:25] James Malcolm

Can I get a motion to accept the information as presented?

[00:23:28] Richard Jones

I'll motion.

[00:23:28] Faye Storms

I'll make it.

[00:23:29] James Malcolm

OK. I got a motion, a second. All those in favor?

[00:23:35] (All)

Aye.

[00:23:35] James Malcolm

Opposed? Carried. Alright, brings us to New Business. Counsel?

[00:23:49] Joe Scott

Sorry, sorry, chair, I'm slow on the uptake here.

[00:23:54] Rose Woodworth

Page 19.

[00:23:55] Joe Scott

Page 19 is the moratorium resolution that was distributed to the board members. What I want to do is focus on one particular section and that is Page 23. Resolution, which describes the term of the moratorium, which provides for a means to extend that term if need be. And the context is outlined in the resolution itself on 20 and 21, which in summary, is that the IDA has been receiving inquiries regarding housing, has an actual housing application before it currently. The IDA would like to review that in the context of getting more information to address some of the issues and concerns that the IDA has with respect to the potential granting of financial assistance for housing projects, and the IDA is determined that in order to do that, they need to put a moratorium on the consideration of housing projects so that they have time- the IDA has time to consider the information that it's going to get with respect to its outreach. And then once it's completed its review of the outreach and active policy and then start and then pick up again with respect to the consideration of projects.

[00:25:39] James Malcolm

So you would say this is probably a well thought out typical decision made by a by a board to educate themselves on something?

[00:25:49] Joe Scott

Yes, and that's the purpose, chair is, and it does happen in other contexts with other governmental entities; planning boards are a good example. I did have on page 21 a subsection there in Section 2D. If you want me to add anything further with respect to the discussion at this meeting, but Section 3 provides a high degree of flexibility on the part of the staff and the chair in order to implement the resolution. So in terms of conducting outreach, we don't need to get into specifics. We can we can work with staff to prepare a list of people, groups et cetera, to to contact so we could, if you want, eliminate D altogether. But again, yes, this is a prudent way to to move forward with respect to the consideration of housing projects. And by way of precedent, many years ago, and I would have to go back and check my file, this particular IDA did that in connection with a wholesale review of their policies. They actually- they didn't create a moratorium per se; what they did do, though, was to say, look, we're looking at policies and projects are going to be considered in light of those policies. So in any event, there's there's plenty of precedent, if you will, with respect to this IDA's activity with respect to this resolution.

[00:27:25] James Malcolm

Ok, so before I ask for a motion for a roll-call vote, are there any questions for counsel regarding this potential moratorium? Anyone? Alright, that being the case, I need a motion to move to take a Roll-call vote on the proposed moratorium. Do I have a motion?

[00:27:50] Michael Ham

I will make that motion, chair.

[00:27:52] James Malcolm

Orlando and Danny Savona, anyone on the question? No? All those in favor?

[00:27:59] (All)

Aye.

[00:28:01] James Malcolm

Oppose? No one. Let the record show unanimous move. So roll call vote.

[00:28:07] Rose Woodworth

James Malcolm.

[00:28:08] James Malcolm

Yes,

[00:28:10] Rose Woodworth

Diane Eynon?

[00:28:11] Diane Eynon

Yes.

[00:28:12] Rose Woodworth

Faye Storms?

[00:28:14] Faye Storms

Yes.

[00:28:14] Rose Woodworth

Michael Ham?

[00:28:15] Michael Ham

Yes.

[00:28:16] Rose Woodworth

Orlando Reece?

[00:28:18] Orlando Reece

Yes.

[00:28:19] Rose Woodworth

Daniel Savona?

[00:28:21] Daniel Savona

Yes.

[00:28:21] Rose Woodworth

Richard Jones.

[00:28:22] Richard Jones

Yes.

[00:28:24] Rose Woodworth

Ok.

[00:28:27] James Malcolm

Alright. Thank you very much. That brings us to all business status of pending projects.

[00:28:38] Joe Scott

Thank you, chair. The only thing I'll add that's been new is Apherea. We have distributed documents for that project, and that's- they've indicated that they want to close fourth quarter. We're finishing up the papers for Kingstonian, again, that's a fourth quarter transaction. So all well, frankly, on the list of projects here.

[00:29:04] James Malcolm

Quick question, and just outside of order I guess it would be, or would it come under enforcement matters? Have we had any communication back from the nursing home people?

[00:29:19] Joe Scott

No, I've received nothing. I am putting together final documents, we did get everything recorded and we expect to have final documents to them this week, but no, nothing back on from Golden Hill.

[00:29:33] James Malcolm

Ok, great, thank you. Status, does anyone have a question on the pending projects?

[00:29:40] Faye Storms

Again, Wildberry Lodge, we talked about that last month was seems to be taking forever. Is there any reason did anyone find out what's? Just because, New Paltz.

[00:29:52] James Malcolm

Well, listen, I think there's issues with the DOT- when I was still involved in that, and maybe Mike could lend an opinion. I think there's issues, DOT issues as far as getting a cut over there and wetland issues. So I just think it's the wheels turning slow thing.

[00:30:13] Joe Scott

I mean, if it's a sense of the board I could send, I have reached out to their counsel, and not gotten any response. If you want, I can send a letter to their counsel into the company saying, look, it's been X years. We'd like to know whether this is still active and keep it on our active list or take it off our active list. I could do that if you'd like.

[00:30:35] James Malcolm

Listen, did we? And the theory behind that is great. Just an answer would suffice. But I think the problem when we discuss that when we wanted some sort of communication was is we didn't want him to have to go through the entire process again and end up costing the applicant money as opposed to just updating an application. So it would be in the best interests of the developers or Wildberry to give us an answer one way or the other. And at that point, we can make a decision as a board to keep them, you know, on the list, so to speak, or because I don't really think anybody wants to see them have to start the process all over again. Would you concur with that?

[00:31:19] Daniel Savona

Rocking horse took a beating during COVID too, so...

[00:31:23] James Malcolm

No, no, listen, I know the developer well, but one of the first jobs I ever had. It's just answering something. It doesn't take that- I mean, just tell us what your plans are. That's all.

[00:31:35] Daniel Savona

Ok.

[00:31:38] James Malcolm

Ok. Status of pending enforcement matters?

[00:31:45] Joe Scott

Thank you again, chair. Items one and two. Frankly, unprecedented, we asked and required the companies to refinance their existing bond issues, and they've done that. So that's, we've been advised that that's complete. I'm getting the paperwork to confirm that. Greenhouse, they've accepted our terms with respect to the restructuring. Darian Lake, the issue there is that there appears to have been some issues with respect to some prior PILOT billing from that was that was approved by the county with respect to their PILOT arrangement. And so they would like to make sure that everything is reconciled in connection with the amendments of these documents. Excuse me, but they have not pushed back with respect to our restructuring, and Golden Hill, we're essentially done. I just need to send out the file copies.

[00:32:47] James Malcolm

Ok, any questions on any of that, the enforcement? Guys, ladies? No? Ok. That brings us to Bayside Marlboro.

[00:33:10] Rose Woodworth

I believe the way the resolution was passed that we can't do a public hearing or anything now, right Joe?

[00:33:24] Joe Scott

Yeah, reading the moratorium most reasonably, it's any action. We can certainly modify that based on the consideration of this resolution. And again, it's the sense of the board as to, do you want to have multiple parallel paths with respect to the consideration of housing?

[00:33:48] James Malcolm

Well, here's my take on it as chair. Like a lot of things, it's in the hopper, so to speak. I don't know if I'm using the right phraseology when I say grandfathered in, I mean, a public hearing doesn't mean a project is going to go through or not go through. But again, there's a lot of money involved that the applicant has already put in. And I don't know if we're able to grandfather that project because it's like kind of changing in the middle of a race. So I don't know what the sense of the board is. I'm just pointing that out. I think we've taken action in the past where things have been active and we grandfathered them. So let's have some discussion. Faye, what do you think?

[00:34:39] Faye Storms

Well, the moratorium that we just passed is going to enlighten us more about housing and what is going on in the marketplace now. So I would not be in favor of doing a public hearing right now.

[00:34:57] James Malcolm

Ok. Michael?

[00:35:01] Michael Ham

I kind of tend to agree with you, chair. You know, we don't want it to look suspect and I'm not, we're not trying to do that for this project. It's just that we really don't understand exactly how we're going to move ahead with housing. But I do believe he's already in the queue and he's pretty involved. You know, he's been handing the paperwork in pretty timely and doing everything and met with the pre-screen. I don't think it hurts this board to have them move along to a public hearing to see what what anybody down there has to say.

[00:35:32] James Malcolm

Dr. D?

[00:35:36] Rose Woodworth

Muted.

[00:35:39] Faye Storms

I would agree the applicant has done a lot of work, has presented to the board, has had to prescreen meetings, and I believe that we should let them continue through the process and we work with the criteria that we have today to make decisions about projects. But I think we should move forward with the public hearing.

[00:35:59] James Malcolm

Rick? You're muted.

[00:35:59] Richard Jones

I also think we should just let him know that that doesn't in any way signify a yes or no final vote, or even that we would take the final vote while the moratorium was in place. But I think it's fair to get a public hearing because we do want to hear from the public on this project, but also in housing in general as we conduct a study of where the board wants to be with housing. So I think we need to emphasize with the applicant that this doesn't symbolize a yes vote on what he wants to do or a no vote. And in fact, we're unlikely to even take a vote until we're finished with the moratorium of the study, which extends into January of 2022.

[00:36:51] James Malcolm

So your position is to allow them to have a public hearing,

[00:36:55] Richard Jones

Just the public hearing.

[00:36:56] James Malcolm

Because that doesn't insure anything. They still come back to us for final resolution. Danny?

[00:37:03] Daniel Savona

I vote to move forward with the public hearing.

[00:37:05] James Malcolm

Ok. Orlando?

[00:37:07] Orlando Reece

I vote for we move forward with the public hearing.

[00:37:10] James Malcolm

Okay. Alright. So look, I don't, counsel, give me a little bit of good, clear advice here. How do we word this? Do we already in within six minutes make an addendum to the moratorium grandfathering in projects in a queue? Or give me your advice?

[00:37:32] Joe Scott

Yeah, no, I don't see it as a grandfather chair, I would suggest that we simply reflect in the minutes that this is part of our outreach that not only are we looking for comments on housing in general, but we're looking for comments on a particular housing project. This does not- we're not going to commit to doing final approval because unless you want to exempt this from the moratorium per se with respect to final approval, which is not the sense I heard from the board members, I think the way the board is looking at this is that this is part of our outreach. Our outreach consists of general questions on housing and also questions about a particular housing project.

[00:38:18] James Malcolm

Ok. Alright, so listen, can I get a motion and guide me along, counsel, in my verbiage? Can I get a motion to allow projects that are in the queue currently to get grandfathered from the moratorium for a public hearing?

[00:38:37] Joe Scott

And a public hearing, only.

[00:38:39] James Malcolm

There's my motion; can I get a second?

[00:38:46] Orlando Reece

Second.

[00:38:46] James Malcolm

Ok, all those in favor.

[00:38:48] (All)

Aye.

[00:38:51] James Malcolm

And opposed? Let the record show was a unanimous. Thank you, guys.

[00:38:55] Joe Scott

I'm sorry, Rose, who was who moved and who seconded?

[00:38:58] Rose Woodworth

No one yet-

[00:39:00] James Malcolm

I moved, and Danny seconded, or Mike seconded.

[00:39:02] Rose Woodworth

For that one, I'm sorry, but I mean, you were asking- we haven't done the actual public hearing resolution yet.

[00:39:12] James Malcolm

Ok, we'll do the public hearing resolution then.

[00:39:16] Rose Woodworth

Ok, so then that was, was that all part of your motion, Jimmy? I'm sorry.

[00:39:21] James Malcolm

Yeah

[00:39:21] Rose Woodworth

Oh, OK. Ok. So then we have to do a roll call vote for that. So Jimmy?

[00:39:26] James Malcolm

Yes.

[00:39:27] Rose Woodworth

Diane Eynon. Oh, sorry.

[00:39:37] James Malcolm

Alright, move on til she gets off mute.

[00:39:39] Rose Woodworth

Faye Storms.

[00:39:41] Faye Storms

I'm going to say no based on the fact that the jobs that they're offering are minimum to three for a very, very long pilot program. And I don't think it's worth going to a public hearing for.

[00:39:54] James Malcolm

Ok,

[00:39:55] Rose Woodworth

Michael Ham?

[00:39:58] Michael Ham

Yes.

[00:39:59] Rose Woodworth

Orlando Reece?

[00:40:01] Orlando Reece

Yes.

[00:40:02] Rose Woodworth

Daniel Savona.

[00:40:03] Daniel Savona

Yes.

[00:40:04] Rose Woodworth

Richard Jones.

[00:40:06] Richard Jones

Yes.

[00:40:06] Rose Woodworth

And Diane was yours a yes?

[00:40:09] Diane Eynon

Yes.

[00:40:10] Rose Woodworth

Ok, thank you. Ok, so six out of seven, chair.

[00:40:14] James Malcolm

Ok. Good stuff, thank you. Anything under new business? Can I get a motion to adjourn?

[00:40:25] Michael Ham

Motion.

[00:40:28] James Malcolm

Second?

[00:40:28] Daniel Savona

Motion to adjourn.

[00:40:28] James Malcolm

All those in favor?

[00:40:29] (All)

Aye.

[00:40:29] James Malcolm

Would we like to oppose? Ok, so we'll take- does everybody want what, five minutes? Does that suffice?

[00:40:38] Orlando Reece

Firebreak, please.

[00:40:39] James Malcolm

So let's say, we'll say 11:15. Does that work to reconvene?

[00:40:44] Orlando Reece

Yes.

[00:40:45] James Malcolm

Thank you very much for your time.

[00:40:48] Rose Woodworth

Thank you. Yep, thank you. And I'll let you know-

END OF TRANSCRIPT



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