

NAME

2/16/2022 IDA Board Meeting Part Two

DATE

March 2, 2022

DURATION

29m 52s

9 SPEAKERS

James Malcolm

Rose Woodworth

Richard Jones

Faye Storms

UCIDA Board members

Daniel Savona

Diane Eynon

Michael Ham

Joe Scott

START OF TRANSCRIPT

[00:00:05] James Malcolm

Ok. Let the records show we came out of executive session at 9:20. And what do we say Rose?

[00:00:15] Rose Woodworth

No action was taken during executive session.

[00:00:18] James Malcolm

Ok, Bill? All right. That brings us to the financials.

[00:00:34] Rose Woodworth

Rick, did you want me to...

[00:00:36] Richard Jones

I'll let you Rose. When you get a chance, go ahead.

[00:00:39] Rose Woodworth

No problem. So there's not, I mean there's more activity I guess than normal, but that's not saying too much. So there's revenue for this month, and we're on the accrual basis. So the thirty six thousand dollars that's here is for the annual fees. They were billed out for January 1st and that's for all of our projects. And remember, the range for an annual fee is between five hundred and one thousand five hundred, depending on the size of the project. We've been receiving money in. And I will be circling with Mike on having a governance committee meeting shortly to go over annual reporting issues, et cetera. And also people that may or may not be paying those invoices on time. The staff fees are high for the month of January, but no different than other Januaries. I look back and I think it was about the same last January. January, February and March are typically high because of the annual reporting coming in, going out and all of the extra things that we have going on in the first part of the year. There was a live stream expense for January. The Zoom expense, and then two hundred and twenty five dollars on here was for the EDC conference that'll be on February twenty eighth that both Diane and I will be attending, as well as a very sad amount of interest income. The bank balances are not different on Page 14. I did move money, it's not reflected here because it happened in February. I did move two hundred thousand dollars out of the M&T checking account to the Bank of Greene County checking account. As you all remember, the interest rate is slightly, although not much, but slightly higher over at Bank of Greene County, and it also feels better to me to not have so much money in the account that we use for operating. The accounts receivable is mostly due to the Kingstonian because of the payment terms that we agreed upon, but also, of course, any annual fees and CPA fees that aren't paid yet by any projects. There was a small amount due from the CRC at year end, and that's just like the bookkeeping things going back and forth of the CRC reimbursing the IDA for administrative fees and a small amount of postage, that kind of stuff. Accounts payable was on there. Again, that's going to be the CPA fees from year-end. And this was all part of year-end bookkeeping stuff that's still kind of hanging out and will get cleared up this month. Escrow, most of it is the Kingstonian for their stuff for Loewke Brill. And the accrued expenses, again, that was stuff accrued for twelve thirty one for the financial statement purposes that we make the adjusting entries at year-end. That's it for me.

[00:03:43] James Malcolm

Ok, do I have a motion to accept the financials as presented? I do from Dan Savona. Do I have a second? Faye?

[00:03:53] Faye Storms

Yes, second.

[00:03:54] James Malcolm

Anyone on the question? All those in favor?

[00:03:58] UCIDA Board members

Aye.

[00:03:58] James Malcolm

Opposed? Ok, motion carries. That brings us to the Chair's Report. Well it's, you know what? It's been busy with a lot of discussion. Whether it's housing or it's Enterprise Drive and now what's going to happen there? And all I can tell people is whatever's going to happen there is better than what was going to happen there last year. You know, the county has a plan I believe. I would hope that they're moving along with it, and you know with an outlook towards the future. And I got to believe if there indeed is some sort of pilot, if somebody comes to visit the IDA, whoever that may be. That board at that time, it's going to be something where it certainly won't be typical, but that you know what? Things change and you have to learn to change with them. And all it ends up doing is creating a better, more educated, open minded board. So I've had a lot of that. I just, I wanted to say, you know and I appreciate last month I was reelected by my peers as Chair of the Board. Which was really, truly an honor. But I have to say I will not be, based on some you know, health care issues and a few other thing. I will not be seeking reappointment to the Board. And I shared that with Brian Cahill yesterday. And I just want you to know it's been an honor and a privilege to serve the citizens in the county for nearly 14 years. I don't know, I guess that puts me in a top ninety nine percentile. If they can't find you, they can't fire you, right? You know, I work with some very talented people on the board level as well as the administrative and our professionals who you know, brought great perspective and the ability to have real, good educated dialogue and come to some common ground and common belief. Because at the end of the day, that's what it's all about. I'm not one to take compliments. I don't believe in that. I believe working as a collective is a lot more important. I'm one of those people. The name on the front of the jersey is more important than the name on the back of the jersey and I just, it was an honor to finish my tenure as a Board member by serving as Chair. And you know, there's going to be changes. I understand there's a significant amount of people. I guess you would call it insanity. You want to jump in and be board members. It takes away a lot. And you know, you're in the middle of doing something as somebody runs up to you out in public and they, you know before they tell me to go f myself, please introduce yourself kind of thing. But it's you know, it again, you know, when your people who are kind of in charge of, there's no such thing as a pat on the back, it's usually just a kick in the ass. And that's OK because if you're doing it for a pat on the back, you're doing it for the wrong reasons. So I want to thank the board members. I want to thank people like Brian Cahill and his group that sought, you know, vetted us and saw enough in us and the whole Legislature to reappoint so many times and you know, our attorney, Joe Scott who was, I could tell you once or twice has probably talked me off the ledge with things and, you know of course, new vision out there. I don't think we've ever had a uh, someone in Economic Development who actually came out with a vision. And, you know, there's always room for dialogue there, but thank you Tim, for putting together your report. You know, it's been kind of boring the last couple of years. Nothing exciting, you know? But but thank you to all of you for that. That's my report, thank you. And that would bring us to the CEO's report.

[00:08:46] Rose Woodworth

So our annual reporting is underway. We have had some disappointing amount of pushback from projects yet again. Last week I spoke with, you know, just to run it by some, the governance committee and Vice Chair that I sent out late fees in accordance with our policy. I did, of course, even give 10 days leeway as usual in against the policy that we normally have because things happen. We understand and I also understand that some, we've had the problem every year. We all understand that some people are having trouble with their fourth quarter NYS-45'S coming back from their payroll company on time. So we did give a little bit of leeway. But in the meantime, we still had to issue 11 late fees on the... I believe it was 11. 11 late fees on the 10th. And yesterday we issued a few more additional late fees because every so many days, another two hundred and fifty dollars will accrue. If if these people don't have their information in by the end of the month, it'll be \$1000 altogether. And so it'll be another two hundred and fifty. There's been pushback from the people, of course, getting late fees, but I've explained to them repeatedly. This has been the same thing every year. The only change we have this year was that the information was on Google forms. And as you all know, since you all sat in on site visit meetings, I explained it to them all in person or over Zoom, as well as us sending out emails. We made phone calls for reminders and we emailed for reminders. Just God forbid, there was some kind of an issue with anybody getting that annual reporting email. We wanted to be sure. So we'll go over that stuff. We'll go over the information that was reported with the Audit Committee and then we'll go to the Governance Committee for any issues and any non-compliant projects. We had an additional prescreen last week for one of our current projects that's looking to restructure. Their application should be before the Board by next month. We made it clear that there were some additional things they had to do before their application would be considered. And I believe they've finished meeting all of the requirements. And so now once they should have their application and their fees submitted shortly and it should be official. The open meetings law. I know a few of you were on edge waiting to see what was going to happen, but I can assure you so was I, because of dealing with where we were going to be, how we would be live streaming, et cetera. One of the great things about the new law was that the law didn't say that we couldn't be on Zoom or you know, I'm going to say Zoom for ease here. We couldn't be on Zoom past a certain date. What it said was once the state of emergency ended. Of course, the state of emergency ended February 14th, and so that needed to be extended. So it's literally the same issue we were dealing with. We did not know until I saw finally after business hours on Monday that we were going to be allowed on Zoom for today. The good news is that the extension is through March 16. Our next board meeting is March 16th, which means we are in the clear through March and we won't have to do any last minute planning. And so we'll stay tuned, of course, and I'll keep you all posted on where we will be for April. ABO and Paris, there's a training from the ABO on Paris this Friday. I've never taken one and I think I have a really good handle on the Paris reporting by now, but I don't think it hurts to sit down and see what the ABO has to say. Learn any new tricks. And I also will have Emily from my office joining me on that training as well, as she started helping with the Paris reporting last year or two. Last month at the board meeting it wasn't clear on the resolution extending the housing moratorium. So I just wanted to say, for the record, what we had put in the minutes and make sure that nobody had any issues. The resolution for the housing moratorium, it was that Mike had made the motion and then Danny had seconded it. And then you all obviously voted in favor of doing so. A quick thing, and then the last piece I'll need a vote on, but I know I said it, but the there will not be a plaque large enough for Jimmy, no matter what he wants to hear or not hear from us, and even if he doesn't want the compliments. But for all of the work, yeah he will send cash. But For all of the work, the time, and the changes that were instituted. It is a very different board over the last couple of years, and it's been a pleasure to watch it change and morph into what it is now. So the last piece here we have an invoice from Hodgson Russ that I need board approval for because it's over the twenty five hundred, so it's more than the Chair can approve. The full invoice would be five thousand three hundred and sixty eight dollars. Two thousand ninety of it is for the CRC. Three thousand two hundred and seventy eight dollars of it is for the IDA. So I need a motion and board approval please.

[00:14:41] James Malcolm

All right. So the motion is going to be reflective of the 3,278?

[00:14:47] Rose Woodworth

Yep, that's fine.

[00:14:48] James Malcolm

I need a motion to pay the IDA portion of that bill. Can I have a motion?

[00:14:54] Daniel Savona

I'll make a motion for the IDA to pay Hodgson Russ.

[00:14:58] Richard Jones

I'll second.

[00:14:59] James Malcolm

A motion. Do have a second? Rick Seconds it. Anything on the question? All those in favor?

[00:15:05] UCIDA Board members

Aye.

[00:15:07] James Malcolm

Opposed? Carried. That's it, Rose?

[00:15:11] Rose Woodworth

That's it.

[00:15:12] James Malcolm

For you?

[00:15:12] Rose Woodworth

Diane I'm sorry, did you have a question about my? Yes.

[00:15:16] Diane Eynon

Yes, I do. Could you give us an update on where we are with getting an RFP out to some communication firms?

[00:15:23] Rose Woodworth

I got, yeah. Oh, yeah so further from what I've talked to you about or to tell the whole board what I talked to you about too? So you mean all of the above?

[00:15:34] Diane Eynon

Well, just where we are in the process. It's something we've been talking about.

[00:15:38] Rose Woodworth

Okay, so I had reached out to three different marketing companies that the EDC had recommended and I met with all of them on Zoom or on the phone, and I took notes on everything that they have to offer. I also got an RFP from the EDC, which I don't think was really comprehensive enough. So one of the vendors for marketing actually was able to, he sent me over just yesterday. I got some RFP that he's responded to from other IDA's just to give us more ideas of what we should put in it. And after this, I wanted to reconvene with the marketing group, which was Diane, Fay, and Orlando.

[00:16:27] Diane Eynon

Great. Thanks, Rose.

[00:16:29] Rose Woodworth

No problem.

[00:16:30] James Malcolm

Ok. Either Danny wants something or I think he's OK.

[00:16:34] Rose Woodworth

He's Italian, he can't help it.

[00:16:37] James Malcolm

Well listen, let's not label people. Ok, OK. All right. So audit.

[00:16:49] Diane Eynon

Thank you, Chair. If you refer to Page 15 in the meeting packet, you'll see the report from Loewke Brill. The only one, only project reported for the month of January was Inness, and you can see they were 100 percent compliant. Rose, I think it's an error though, it says nine of 20.

[00:17:10] Faye Storms

Right.

[00:17:11] Diane Eynon

With 100 percent, so that's actually an error in their report.

[00:17:15] Rose Woodworth

Definitely is.

[00:17:16] Diane Eynon

Yes. And I guess the...so that is all I have.

[00:17:19] Rose Woodworth

I can tell you from last month, there were 20 workers last month, so that 20 is the error.

[00:17:26] Diane Eynon

Right, yeah.

[00:17:27] James Malcolm

So the line below that, the line below, that's probably more reflective zero of nine or nine non-compliant so.

[00:17:34] Diane Eynon

Correct.

[00:17:35] Rose Woodworth

Yeah.

[00:17:35] Diane Eynon

So I have one question for Rose related to Loewke Brill. We changed the contract because we had decided as a board we wanted more insight into what was happening at projects and in their monthly reporting to us. So Rose, I know we went through that, but when will we start to see more detailed monthly reports from them?

[00:17:55] Rose Woodworth

Well, the only thing we were asking for in more detail, you mean about the OSHA stuff?

[00:18:00] Diane Eynon

That and I also think the subcontractors.

[00:18:03] Rose Woodworth

So the OSHA stuff, I had gone back and forth with Mike and we were more clear about what we were looking for. They don't put, you know, I'll talk to them about it. They don't put what they were looking for like they go to, I'm sorry, they don't go to RBW, they get insurance information et cetera, from RBW, for example. And they were going to also ask them for the OSHA certificates. But that just got hammered out like during this past month because they were trying to narrow down exactly what we were talking about. Mike knows more about the OSHA stuff than I do, but I believe there's like a three. I want to say, Jimmy, you probably know too. It's like a three hour or a seven hour course or something like that.

[00:18:51] James Malcolm

There is the basic one is OSHA 10. And you know, honestly, it's something that anyone who is doing a project somewhere, this is the bare minimum requirements as far as health and safety, and I would urge the board moving forward to include that into their contractual documents.

[00:19:12] Rose Woodworth

Yeah.

[00:19:13] James Malcolm

I mean, we do have some equity in these projects and you know, to not have oversight and make sure people are you know, have the bare minimum training for health and safety. I don't think anybody would want to fight us on that. But if they do, that's fine. I think it's necessary.

[00:19:32] Rose Woodworth

A ten hour and a 30 hour and they weren't sure which one we were looking for specifically. So Mike and I had gone back and forth, and it wasn't a matter of 10 or 30. It's a matter of we want them to have one or the other, it doesn't matter. And we also wanted to issue...

[00:19:47] James Malcolm

I would suggest, Mike, are you muted are you on? You're not on the dialogue here. I would suggest that 10 is a bare minimum to start where we're not looking to be punitive with people, but we're certainly looking to protect both them and you know, the county, the IDA's position I should say.

[00:20:10] Michael Ham

I agree with Jimmy with a basic 10 hour OSHA. I mean, it's just a matter of either the employer sitting people down in front of the computer screen for an eight hour stand, 10 hour stand or them doing it at home, and they can pay online to do it. So it is, it's a matter of safety, and I agree 100 percent with Jimmy that we do have a stake in every one of these projects. And you know, one of the biggest things we say in construction, you know, you get up in the morning to come home in the afternoon. So you know, it can only apply across the board.

[00:20:50] Faye Storms

So...

[00:20:50] Daniel Savona

You know, you guys, this is all new to me with OSHA and stuff, but it brings up a lot about points. So Joe, since we are invested in some of these projects and someone isn't following OSHA protocol and someone gets hurt and there's a lawsuit, is the IDA? Can the IDA be named in those lawsuits because someone's not following protocol with OSHA?

[00:21:11] Joe Scott

They certainly could be named. I don't think they'd be successful against us, but they could certainly name us and under the documents, we, the company is supposed to defend us and indemnify us, and they have insurance for that purpose also.

[00:21:27] James Malcolm

But the thing is this you know what, over the years it's been, I've observed that people throw mud at the wall to see where it sticks. And I know that's kind of a weird saying, but you know what? Everybody within eye level is going to get sued.

[00:21:45] Daniel Savona

Liable but not named. Anybody can be named.

[00:21:51] James Malcolm

Yeah but you know what? It's nothing, and when that happens, it takes away time from what it is we're supposed to be doing. Okay, and we have to answer it and you get up in arms. And it's just for lack of a better term, it's a pain in the ass. You know for us when we can control, kind of control the narrative, and put it in our contractual documents that they have the bare minimum. And OSHA of course, I don't know if you would say a company safety course, but something that meets their minimum standard.

[00:22:24]

Inaudible.

[00:22:26] Richard Jones

The original question I heard from Diane was when are we going to start seeing the reporting on this from Loewke Brill?

[00:22:34] Diane Eynon

And the other part about that because it's related Rose and get it down ? sorry to interrupt. Is we also wanted to have more actual site visits instead of the way that the information has been reported back to Loewke Brill.

[00:22:47] Rose Woodworth

Right. But the problem is the site visits aren't going to be increased going backwards, right? So it will be going forward. So Inness is a project that's already been in place, so there won't be more than...

[00:22:57] Diane Eynon

No, I'm talking about future like when that will actually start.

[00:23:01] Rose Woodworth

Yeah, and so we literally just finished hammering this out a week or two. Maybe it was two weeks ago, I'm not sure. So I will talk to them about getting the report changed for February to show information on RBW for their OSHA compliance, as well as Inness with the OSHA compliance stuff. And then if there was more stuff that you want specifically on the subcontractors, I can also make that clear, but we should see, I would have, and then we'll see more with the monthly site visits once we have other projects starting. But nobody started construction yet that they're dealing with.

[00:23:46] Faye Storms

I just had a question. Was this the resolution that we did to require the OSHA or was just something that was just added in?

[00:23:55] Michael Ham

And that was in the Labor Policy.

[00:23:59] Rose Woodworth

It is part of the Labor Policy. There was something already in the Labor Policy about it, and so we were realizing it wasn't something that Loewke Brill was staying on top of as much as we would have hoped.

[00:24:12] Faye Storms

Okay. All right.

[00:24:14] James Malcolm

Well, again, if you put it in the contractual documents as opposed to the Labor Policy, then they'll stay on top of it.

[00:24:22] Rose Woodworth

Yeah.

[00:24:24] James Malcolm

They're responsible bare minimum for that so Diane, does that answer your question?

[00:24:30] Diane Eynon

It does. Thank you, and that ends my report Chair.

[00:24:33] James Malcolm

That was a very good report. Thank you very much. Brings us to finance.

[00:24:40] Faye Storms

Chair, there was no finance meeting last month.

[00:24:44] James Malcolm

Boy, oh boy Faye, we...

[00:24:45] Faye Storms

I do not get many meetings with that finance.

[00:24:53] James Malcolm

This brings us to our weary traveler under governance, Mr. Ham.

[00:24:58] Michael Ham

Thank you, Jim. Our last governance meeting was on January 12th. There was a lot of activity there, which was reported in the January 16th meeting. Currently, we're still doing getting gathering information together on the mentoring pamphlet. Because of time restraints at the last Governance meeting, we had to table the housing discussion, discussion of the UTEP and the Matrix updates for the next governance meeting. As Rose talked about earlier, we'll be scheduling another governance meeting I'm hoping before the end of the month. We have a small work group meeting to discuss some stuff on the housing policy too, hopefully we'll bring a full report back to the board in the March meeting. And Chair, that's my report.

[00:25:51] James Malcolm

That was another good report as well.

[00:25:53] Michael Ham

And Chair one last thing outside my report, I would like to thank you for all your leadership here.

[00:26:01] James Malcolm

Now, listen, it's not too hard. You know, a wise old guy told me one time, he says you'll know where you stand when they tell everybody to take one step forward and you turn around and everybody took one step back. But we had a lot of kumbaya moments here. And again, I can't thank each and every board member enough. As well as you know Rose especially and Joe Scott for being a voice in the wilderness from time to time.

[00:26:34] Michael Ham

I tell everybody I've worked alongside Jimmy for thirty six, thirty seven years.

[00:26:41] James Malcolm

You're forgetting that little issue at my house 40 years ago.

[00:26:43] Michael Ham

And forty yeah, even longer than that Jim. That's correct. And I'll tell you what, it's never been really a work relationship. It's been a journey, so...

[00:26:53] James Malcolm

Thank you very much. Thank you very much. Appreciate it. Can I get a motion to accept the governance report as presented please? Rick?

[00:27:08] Richard Jones

So moved.

[00:27:09] James Malcolm

Thank you, Rick. Dr. D, do I have a second?

[00:27:13] Diane Eynon

Second.

[00:27:13] James Malcolm

All those in favor signify by saying aye.

[00:27:17] UCIDA Board members

Aye.

[00:27:17] James Malcolm

Opposed? Carried, thank you. Ok. This brings us into old business, status of pending projects. Rose.

[00:27:26] Rose Woodworth

Uh, Joe, I'm going to turn that over to you please, sir.

[00:27:29] Joe Scott

Thank you Rose. Thank you Chair. No change essentially on the list with the exception of Romeo Kia, we're making a lot of progress there. Thank you, Rose, for your comments on the documents. We expect to have re-drafts out the next day or so and we're still pushing to close in the month of February so that project is proceeding. Moving down the list with respect to pending enforcement, I had promised some changes at the last meeting, there are changes there. We are moving along, knocking things off. You'll see that there are two that documents are out and hopefully closing very shortly. And then the third one, I've had two or three communications with the city assessor about that clawback bill. I expect to get information back from him shortly and we'll either send a bill out or at his direction, decide not to. I obviously will review that with Rose and with you all before I close that out, but we are making progress on finishing that list of items. Lastly, no one likes to hear lawyers talk in meetings. I just want to say, Chair, it was a pleasure working with you. I'm not going to tell people that my hair was brown when I first met Chairman Malcolm, and that he's the reason my hair is now gray because that's not the case. It was a pleasure working with him because he made decisions. He had a vision and frankly, he stuck by them. And I just appreciate the opportunity to work with you, thank you very much.

[00:29:03] James Malcolm

Thank you, Joe. Thank you, same feelings here. All right, any questions on any of that? No? New business.

[00:29:14] Rose Woodworth

No new business this month.

[00:29:16] James Malcolm

So I'll seek a motion to adjourn, it's now 9:40. We'll say at 9:50 and we'll look to have, start the CRC in about 15 minutes. So 10:05 but can I get a motion to adjourn?

[00:29:32] Faye Storms

I'll make that motion.

[00:29:33] Richard Jones

So moved.

[00:29:33] James Malcolm

I have a motion, I have a second. All those in favor?

[00:29:38] UCIDA Board members

Aye.

[00:29:38] James Malcolm

Opposed? carried. Ok, good, so let the record show the meeting adjourned at 9:50 and does 10:05 work for everybody?

[00:29:47] Michael Ham

Sure.

[00:29:48] Faye Storms

Yeah.

[00:29:48] James Malcolm

Ok, we'll see you all again at 10:05 hopefully.

END OF TRANSCRIPT



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