



Niagara Orleans Regional Land Improvement Corporation (NORLIC)

Meeting Minutes – September 27, 2019

A meeting of the Niagara Orleans Regional Land Improvement Corporation was held at 9 a.m. on September 27, 2019 at the Samuel M. Ferraro Center for Economic Development, 6311 Inducon Corporate Drive, Sanborn, NY.

Board of Directors:

Richard Updegrove – Chairman (Niagara Co.)

Rob DePaolo – Board Member (N. Tonawanda)

Kyle Andrews – Board Member

Brian Smith – Vice Chairman (via phone)

Michael Casale – Board Member

Lynne M. Johnson- Board Member (via phone- Orleans Co.)

Officers:

Andrea Klyczek – President (Niagara Co.)

Amy Fisk – Treasurer (Niagara Co.)

Jacquiline Minicucci – Recording Secretary (Niagara Co.)

Others in Attendance:

Tom Burgasser - Attorney (Niagara Co.)

John Ottaviano – Attorney

Charles Nesbitt (via phone – Orleans Co.)

1-2. **Welcome Remarks/Roll:**

3. **Approval of Minutes:**

- A motion to approve the minutes from the August 23, 2019 NORLIC meeting minutes as submitted by Jacqueline Minicucci was made by Mr. Casale, seconded by Mr. Smith. Ayes, 6. Noes, 0. Motion Passed.

Action Items:

4. **48 Prentice Street:**

- Mr. Smith reviewed the submission application stating that the property owner abandoned the house which has roof damage from a fire and was not insured. Mr. Smith stated that the City is requesting the dwelling be renovated which will be beneficial to the neighborhood. Mr. Smith also stated that he will inquire with the Grigg Lewis Foundation, Inc. for the possibility of additional renovation funding. A motion to accept 48 Prentice into the Landbank was made by Mr. Smith and seconded by Mr. Casale. Ayes, 6. Noes, 0. Motion Passed.

5. **120 W. Bank Street:**

- Mr. Nesbitt stated that the house is currently condemned and Orleans County is requesting the dwelling be demolished. Prior to demolition, an asbestos study must be performed and Mr. Nesbitt will inquire if the local Land Development Corporation will assist with expenses. Orleans County will also share services in the form of equipment and engineering services to assist with the demolition plan. A motion to accept 120 W. Bank into the Landbank contingent upon attorney contract approval was made by Mr. Smith and seconded by Mr. Casale. Ayes, 6. Noes, 0. Motion Passed.

6. **544 E. State Street:**

- Mr. Nesbitt stated that the building was removed in September of 2017 and the parcel is vacant. Orleans County is requesting the parcel be put up for sale. A motion to accept 544 E. State Street into the Landbank was made by Mr. Andrews and seconded by Mr. Smith. Ayes, 6. Noes, 0. Motion Passed.

7. **NYSDEC Agreement:**

Mr. Ottaviano stated that communication with NYSDEC regarding contract language is ongoing.

a) Properties for Phase I and II ESAs: Ms. Fisk presented properties across Niagara County that are tax delinquent and flagged as being contaminated. The sites were categorized according to environmental status. Three properties were identified for Round 1 testing based on redevelopment potential.

- 1.) 5222 Lockport Junction Road (Town of Cambria): A Phase I ESA is done and Phase II ESA is required.
- 2.) 3505 Hyde Park Boulevard, Niagara Vest (City of Niagara Falls): No environmental data exists for the site and a private party is interested in purchasing the property for industrial redevelopment.
- 3.) 4287 Witmer Road (Town of Niagara): The parcel is vacant and a Phase I ESA recommended a Phase II ESA.

The Board agreed to utilize NORLIC grant funding to perform assessments as needed for the three properties. Property access will need to be discussed further with the County Attorney's Office.

b.) Creation of LLC: No action taken at this time until decisions with NYSDEC are made.

c.) Tax Delinquent Junkyard Parcels: Several junkyards were identified that could be eligible for assessment and remediation. Site access is required either through owner consent or through a Temporary Incidence of Ownership. Chairman Updegrave requested that letters be sent to property owners requesting site access.

A motion was made by Chairman Updegrave and seconded by Mr. Casale to enter into an agreement with Niagara County to allow NORLIC to use the County's Temporary Incidence of Ownership to conduct site testing. Ayes, 6. Noes, 0. Motion Passed.

A second motion was made by Chairman Updegrave authorizing NORLIC to use grant funding for Phase I and II ESAs once property access is granted. Ayes, 6. Noes, 0. Motion Passed.

d.) Tax Roll Section 8: Several properties were identified that are eligible for Tax Roll Section 8. This action will place highly contaminated properties into non-taxable status. Chairman Updegrave stated that involved municipalities need to be informed before proceeding.

New Business:

8. Closing Fees: Mr. Ottaviano asked the board to authorize a \$350.00 payment fee for property transfers from the municipalities to NORLIC stating that the complexity of some transfers are beyond the scope of work from the original attorney agreement. A motion to approve the new payment structure was made by Chairman Updegrove and seconded by Mr. Andrews. Ayes, 6. Noes, 0. Motion Carried.

9. Closing Update:
 - a.) 417 Ferry Avenue – Closing is scheduled
 - b.) 601 Moore Ave – In Process
 - c.) 162 Vandervoort Ave – Under contract, closing to be scheduled

Other Business:

10. Landbank Forum – Ms. Klyczek and Chairman Updegrove stated that the event had good attendance with several municipalities represented.

11. Mr. Smith asked that the Treasurers Report be added to the agenda for future meetings providing a profit/loss statement and balance sheet.

Adjournment:

A motion to adjourn the meeting at 10:17 a.m. was made by Mr. Andrews, seconded by Mr. DePaolo. Ayes, 6. Noes, 0. Motion Passed.

Minutes respectively submitted by: Jacqueline Minicucci