

# Niagara County Brownfield Development Corporation

## BOARD OF DIRECTORS

William L. Ross  
Chairperson

Paul A. Dyster  
Vice Chairperson

Samuel M. Ferraro  
Secretary

Amy E. Fisk  
President

John M. Baird  
Treasurer

## MEETING MINUTES

Niagara County Brownfield Development Corporation

Wednesday, April 28, 2010

1:00 pm

Vantage Center

Sanborn, NY 14132

**Members Present:** Paul Dyster, Samuel Ferraro, William Ross

**Others Present:** J. Baird, T. Burgasser, S. Figueroa, A. Fisk, S. Hapeman, Joyce Miles, T. O'Donnell, K. Sanacore

- 1.0 The meeting was called to order at 1:03 p.m. by Chairman Ross.
- 2.0 Ms. Karen Sanacore called the roll, and Board members present were William Ross, Samuel Ferraro, Paul Dyster.
- 3.0 Introductions - Chairman Ross introduced Joyce Miles from the Lockport Union Sun and Journal.
- 4.0 Pledge of Allegiance
- 5.0 A motion to approve the March 4, 2010, Board of Directors meeting minutes and the annual membership meeting minutes was made by Mr. Ferraro and seconded by Mr. Ross. Unanimous. Carried.

## ACTION ITEMS

6.0 **Discussion and Action** – S. Hapeman reported there has been a request by Santarosa Holdings Inc. to modify the existing Promissory Note for the \$250,000 BCRLF loan for 1501 College Avenue in the City of Niagara Falls. A motion to go into executive session at 1:10 p.m. to discuss the negotiations that Santarosa Holdings Inc. requested was made by Chairman Ross and seconded by Mr. Ferraro. Unanimous. Carried.

A motion to return from executive session at 1:20 p.m. was made by Chairman Ross and seconded by Mr. Ferraro. Unanimous. Carried.

A motion to approve the revised monthly payment of \$1,667.89 as proposed by Santarosa Holdings Inc. was made by Mr. Dyster and seconded by Mr. Ferraro. Unanimous. Carried. It was requested that Mr. Hapeman draft the necessary loan documents to modify the existing loan to reflect the new payment structure. Once the documents are drafted, Mr. Hapeman will work with Santarosa Holdings Inc.'s legal counsel to execute the documents.

- 7.0 **Resolution – NCBDC-042010-01** – The Board members reviewed and discussed the proposals received in response to the RFP for legal services for the ARRA BCRLF grant. A motion to select Personius Melber for legal services for the ARRA BCRLF was made by Mr. Ferraro and seconded by Mr. Dyster. Unanimous. Carried.

## **NEW BUSINESS**

### **8.0 Project Updates**

A. Fisk reported remediation recently started at the Youngstown Cold Storage site. Invoices will likely be submitted for the project in the near future.

A. Fisk reported one additional project funding request has been received from the City of Lockport for asbestos abatement at Dussault Foundry. EPA determined that the site is eligible for subgrant funding. EPA requested that if the project is approved then the subgrant must be issued through the new ARRA BCRLF grant because of the August 2010 deadline to approve a project for funding. All of the necessary staff reviews and recommendations have been received for the project. It will be necessary for the Board to meet within the next month to take action on the project.


- 9.0 **List of authorized expenses** – A. Fisk provided an update on the expenses paid since the last Board meeting. All expenses were for legal services.

**ATTORNEY BUSINESS** – S. Hapeman discussed PAAA training and the need for a mission statement, which A. Fisk reported was approved by the Board members as part of the 2009 Annual Report.

- 10.0 The next meeting date of the Niagara County Brownfields Development Corporation will be May 18, 2010 at 1:00 p.m.
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- 11.0 A motion for adjournment at 1:40 p.m. was made by Mr. Dyster and seconded by Mr. Ferraro. Unanimous. Carried.

Respectfully submitted,

  
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Karen Sanacore  
Recording Secretary