

**NIAGARA FALLS URBAN RENEWAL AGENCY**  
**Minutes of Meeting – March 16, 2016**  
**Dept. of Community Development – 1022 Main Street**  
**Niagara Falls, New York**

**Present:** Mayor Paul Dyster, Chairman  
Council Member Kristen Grandinetti  
Council Member Ezra Scott  
Council Member Tompkins  
Council Member Andrew Touma  
Mr. Michael Hooper  
Ms. Doreen O'Connor

**Absent:** Ms. Janet Markarian  
Mr. Christopher Robins  
Council Member Charles Walker

**Staff** Mr. Anthony Vilaro  
**Present:** Mr. Richard Zucco  
Ms. MaryAnn Colangelo

**Others** Mr. Seth Piccirillo  
**Present:**

Chairman Dyster called the meeting to order at 6:20 p.m. Roll was called and a quorum was present (7 members).

Chairman Dyster welcomed the new members of the Agency Council Member Scott and Council Member Tompkins.

**Approval of Minutes of Meeting**

The Minutes of Meeting dated September 14, 2015, were put before the Board. There were no questions or comments concerning the minutes, a motion for approval of the minutes was made by Council Member Touma, second made by Doreen O'Connor. The minutes were unanimously approved by voice vote (7) members.

**URA Meeting Schedule for 2016 - Informational**

The meeting schedule for 2016 was put before the Board. Mr. Zucco stated that the item did not need to be voted on as the dates are established according to By-Law guidelines. The URA regular meeting dates for 2016 are as follows: January 19 (meeting was cancelled no quorum); March 16, May 9, July 18, Sept. 12 and November 7. The meetings shall be at 4:30 p.m. at City Hall unless notified otherwise.

**Election of Officers:**

Chairman Dyster stated that if no one had any other changes or nominations then he would like to recommend that the same 2015 slate of officers be kept for 2016. He stated that if there were no changes bank signature cards and other paperwork would not have to be updated. There were no objections or new nominations made.

Mr. Hooper made a motion to keep the 2015 slate of officers for 2016. The 2016 officers would be: Chief Fiscal Officer - Council Member Grandinetti, Alt. Fiscal Officer – Council Member Touma, Secretary – Doreen O’Connor, Alt. Secretary – Council Member Walker, second to the motion was made by Council Member Tompkins.

POLLED VOTE

In Favor: 7  
Opposed: 0  
Approved

Mr. Zucco noted for the new members that the Mayor automatically serves as Chairman of the Agency according to the By-laws and that position did not require a vote. Chairman Dyster noted for new members that Anthony Vilardo is the Executive Director of the Agency.

**Approval of Banking Resolution:**

The following Resolution was put before the Board:

**BE IT RESOLVED**, that the Agency continue to maintain checking or savings accounts and certificates of deposit in M & T Bank, Key Bank and/or First Niagara Bank, and be it further

**RESOLVED**, that the newly elected officers are authorized to sign such bank signatory cards and standard banking resolutions as may be necessary to effectuate this resolution.

A motion to approve the Resolution was made by Council Member Grandinetti, second made by Council Member Touma. Unanimously approved by voice vote (7 members).

**Approval of Retention of Bonadio & Co. for 2015 Audit and ABO Filings:**

Mr. Zucco stated the discussion of the retention of auditors Bonadio & Co. is the same as was just presented at the N.F.C. meeting. He noted that next year the City will be looking at new auditors for the City, URA and N.F.C. URA members had received a memo outlining the item.

There being no discussion a motion to approve retaining Bonadio & Co. for the 2015 URA Audit and ABO Filings at a maximum fee of \$6,000 and authorization to execute any of the documents necessary to effectuate the same was made by Council Member Grandinetti, second made by Council Member Touma.

POLLED VOTE

In Favor: 7  
Opposed: 0  
Approved

**Approval of 2016 URA Budget:**

The following 2016-2018 URA Budget was put before the Board:

NIAGARA FALLS URBAN RENEWAL AGENCY  
 ANNUAL ADMINISTRATIVE BUDGETS  
 2016-2018

Revenues:

Parking Lot Lease Payments.....	\$5,400.00
(ParMed @ \$150/month and Jefferson Apts @\$300/month)	
Interest on bank deposits.....	<u>+350.00</u>
Total Revenues.....	<u>5,750.00</u>

Expenses:

Legal Counsel .....	\$7,000.00*
Executive Director .....	5,200.00*
Recording Secretary, 2016.....	1,750.00* **
(Recording Secretary 2017-18 \$600.00/year)	
Audit for ABO compliance .....	6,000.00
Office Supplies, postage .....	<u>+200.00</u>
Total Expenses .....	<u>-20,150.00</u>
Appropriated Fund Balance .....	(14,400.00)

Deficit paid from cash on hand  
 All additional expenses paid with board of directors' approval

\*plus payroll taxes, etc.; paid by City and reimbursed  
 \*\*New Recording Secretary for 2017 and 2018 to be hired at entry-level stipend

Mr. Vilardo reviewed the budget with the Board. There being no questions or comments a motion for approval of the above budget was made by Council Member Grandinetti, second made by Council Member Scott.

**POLLED VOTE:**

In Favor:                 7  
 Opposed:                 0  
 Approved

**1987 Easement Extinguishment:**

Mr. Vilardo and Mr. Zucco reviewed the 1987 easement extinguishment item with the Board. The item was also outlined in the following distributed memo:

In 1987, in connection with the construction of the old Parking Ramp 1, the Agency granted to the City an easement on the “service road” that is located between the ramp (now parking lot) and the hotel. The easement also includes a strip of land on the west side of Third Street along the sidewalk in front of the hotel (now the Sheraton). A copy of the easement is attached for your convenient reference.

The City is in the process of selling a portion of the service road to the owners of the Sheraton, for construction of an indoor water park. The City is also in the process of dedicating the remaining portion of the property covered by the easement as public rights-of way.

The easement parcel was conveyed to the City by the Agency. The easement may have been extinguished on the sale by the legal doctrine of “merger,” which holds that when a benefitted party obtains title to an easement parcel, the easement is extinguished.

Purchasers have requested that the easement be extinguished formally.

In any event, it is appropriate for the Agency to acknowledge formally that the easement may be extinguished. Will the Agency vote to extinguish the 1987 easement and to authorize the Chairman to execute any documents necessary to effectuate the same?

Motion to approve the 1987 Easement Extinguishment as outlined in the above memo distributed to the Board, was made by Ms. O’Connor, second made by Council Member Touma.

**POLLED VOTE:**

In Favor: 6  
Opposed: 0  
Abstain: 1 (Doreen O’Connor)  
Approved

**Update 3625 Highland Avenue Acquisition**

Mr. Zucco stated that 3625 Highland Avenue was the property that the Agency acquired from Nick Dalacu, The idea was that Mr. Dalacu would lease part of the property back and operate his Niagara Science Museum. We have closed on the property and Mr. Dalacu has taken ill and will not be operating the science museum, he has basically abandoned his interest in it. Mr. Zucco noted that we had hoped to have some rent coming back with which to pay some of our minor costs in connection with the building, We are not going to have the rent coming back and we will probably have some minor expenses for utilities. We also have some proposals for development on the site.

Mr. Vilardo stated that we have taken three potential investor clients through the property, one of which is very interested and would like to begin negotiating lease terms. Mayor Dyster stated that we have put in grant applications to do structural redevelopment of the

property. He stated that we are not through that process and we have already gotten interest. He noted that we want to get work done on the property with grant monies prior to a long-term lease or transfer of ownership of the property. The Mayor stated that we are also very concerned about maintaining the science museum collection and we will be working with community not-for-profit partners to catalog and make certain that we find a home for the science museum collection. Mr. Delaqua has removed some of the collection.

Mr. Zucco stated that would he would like to propose that URA approve to pay up to \$5,000 in costs that may be associated with the building at 3625 Highland Avenue such as utility costs, general maintenance and security costs over the next year. These funds were not in the URA budget and we would need approval for that.

Council Member Tompkins asked what was URA's fund balance. Mr. Zucco stated that the Agency has approximately \$900,000 in fund balance.

After discussion a motion was made by Council Member Touma, second made by Council Member Grandinetti to allocate up to \$5,000 in URA funds for pay for costs related to utilities and upkeep at 3625 Highland Avenue.

**POLLED VOTE:**

In Favor: 7  
Opposed: 0  
Approved

**Old Business:**

There was no old business to come before the Agency.

**New Business:**

There was no new business to come before the Agency.

There being no further business, a motion for adjournment was made by Mr. Hooper, second made by Council Member Touma. Meeting was adjourned at 6:30 p.m.