

NIAGARA FALLS URBAN RENEWAL AGENCY
Minutes of Meeting October 9, 2019
City Council Chambers – 745 Main Street
Niagara Falls, New York

Present: Mayor Paul Dyster
Council Member Andrew Touma.
Council Member Christopher Voccio
Council Member William Kennedy
Mr. Michael Hooper
Mr. Doug Mooradian

Excused: Council Member Ken Tompkins
Council Member Ezra Scott
Ms. Doreen O'Connor
Mr. Christopher Robbins

Staff Thomas DeSantis, AICP
Present: Mr. Doug Janese
Ms. Michelle Shaughnessy
Mr. Allen Booker

Mayor Paul Dyster called the meeting to order at 5:23 P.M. Roll was called and a quorum was present.

Approval of Minutes of URA Meeting dated May 22nd, 2019:

No changes to be made. Motion to approve was made by Council Member Touma, seconded by Council Member Voccio.

POLLED VOTE:

In Favor:	6
Opposed:	0
Approved	Unanimously

Action Item #1: Whistleblower Policy and Resolution-

Doug Janese presented the following Policy and Resolution:

Whistle-Blower Protection/Code of Conduct Policy

In keeping with the policy of maintaining the highest standards of conduct and ethics, the Niagara Falls Urban Renewal Agency (the "Agency") will investigate any suspected Fraudulent or Dishonest Conduct (as such term is defined below) by an employee, board member or agent of the Agency. The Agency is committed to maintaining the highest standards of conduct and ethical behavior and promotes a working environment that values respect, fairness and integrity. All employees, board members and agents shall act with honesty, integrity and openness in all their dealings as representatives of the organization. Failure to follow these standards will result in disciplinary action including possible termination of employment, dismissal from one's board or agent duties and possible civil or criminal prosecution if warranted.

Employees, board members, consultants and agents are encouraged to report suspected acts of Fraudulent or Dishonest Conduct by an employee, board member or agent of the Agency, (i.e. to act as "Whistle-Blower"), pursuant to the procedures set forth below.

Reporting

A person's concerns about suspected acts of Fraudulent or Dishonest Conduct by an employee, board member or agent of the Agency should be reported to the Chief Executive Officer of the Agency. If for any reason a person finds it difficult to report his or her concerns to the Chief Executive Officer, the person may report the concerns directly to any board member. Alternatively, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to anyone of the individuals listed above.

Definitions

Baseless Allegations: Allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action by the Agency, and/or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct: The act of wrongdoing, misconduct, malfeasance or other inappropriate behavior by an employee, board member or agent of the Agency, including a deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

- forgery or alteration of documents;
- unauthorized alteration or manipulation of computer files;
- fraudulent financial reporting;
- pursuit of a benefit or advantage in violation of the Agency's Conflict of Interest Policy;

Mr. Mooradian asked if this Policy was based off a statewide policy. Mr. Janese stated it was based on a model policy but changed for URA's use.

Motion to adopt this policy was made by Council Member Voccio and seconded by Mr. Mooradian.

POLLED VOTE:

In Favor:	6-
Opposed:	0
Approved	Unanimously

Old Business-

Mr. DeSantis reviewed with the Board the URA Budget Performance Report and Fund Balances as follows:

At the end of September 2019, according to the Agency's Controller, the URA has a Fund Deficit in the amount of \$58,629.47. The accumulated fund balance is now \$521,771.97. This deficit is largely caused by lease payments on 3625 Highland Avenue only being paid up until May 2019 in addition to the payments for Downtown Revitalization initiative. Both of these accounts have grant funding reimbursements pending.

New Business- Mr. DeSantis reported to the Board on the ‘Developers Forum’ conducted last month. The forum was sponsored by Commercial Real Estate Development Association and held at Wine on Third. There were nearly 60 people in attendance. The theme of the presentation by staff was “Developing Niagara Falls 2020.” The presentation materials were developed in conjunction with the South End’s Gateway Project. Overall it was well received by those attending and successful in getting our new messaging out, and to a new audience. Anthony Vilardo was in attendance, handling a brief rundown on USA Niagara Development Corp.’s recent activities. In particular, the SLAP Program as well as their upcoming RFP’s, of which one was on the street, with several others upcoming in the new year. Best of all, there are continuing discussions with at least two developers from this meeting who have interest in exploring the possibility of putting together a project here.

There was also a discussion around the federal Opportunity Zone Program incentives and how the City is marketing itself as an OZ community that has OZ investment Funds already set up to receive the tax-favored investments and using that in trying to attract investors who might be interested in taking advantage of the incentive.

Lastly, while we focused on the Gateway Project Area at the Forum , we did also identify the City’s other economic development initiatives, those in the Falls District, the Gorge View-Cultural District and the Main Street Bridge District, including the NF DRI award for the North Main Street area.

Mr. DeSantis reported that staff is also working on an analysis of site assembly options in the Gateway Project Area, which will be used to as part of an outreach and assistance package, in the near future, to help bring in new and more technical perspective on what the options are in assembling and securing potential sites for appropriate development. The easiest example of how this might work is the 616 Seventh (& Niagara) Project by Montante Group, which involved multiple vacant parcels, dilapidated buildings and where a ‘blocker parcel was acquired to complete the assemblage that allowed the project to get started.

There have been Developer’s interested in bringing projects into the City, but have had a hard time finding large enough parcels in the right locations for their needs. Given the fractured state of parcel ownership generally and the very low cost of holding real estate in the City, speculators have become a serious impediment to assembling sites and more importantly to new developer entry into this market. With a new message and more targeted assistance offerings, we should be able to change that situation as we go forward.

There will be more information on all the above to come at the next URA meeting, set for November 20, 2019.

Adjournment-

There being no further business, a motion for adjournment was made by Council Member Voccio, second made by Council Member Touma. Unanimously approved. Meeting was adjourned at 5:44 P.M.