



BOARD MEETING MINUTES

The WCBC Board of Directors met on September 8, 2024 at 9:30 a.m. at the Wyoming County Ag & Business Center in the 2nd Floor Conference Room

Roll call to establish quorum.

Dan Leuer, Vice Chair, called the meeting to order at 9:49 a.m. In attendance were: James Pierce, President/CEO; Dan Leuer, Vice Chair; Jim Brick, Treasurer; Brianna Stone, Director (left the meeting at 10:23 a.m.); Robin Marschilok, Jennifer Tyczka and Scott Gardner, Wyoming County IDA; and Kevin Zanner, Agency Counsel.

Absent: Chairman, Sam Gullo; Rick Fish Jr., Secretary

Guest: Rob Napieralski, Vice President and Derek Banach, Project Manager LaBella Associates

1. Administrative

A. Review/approve minutes from August 15, 2024

The minutes from the August 15, 2024 meeting were reviewed. The minutes were approved on a motion made by J. Brick. The motion was seconded by B. Stone and unanimously carried.

B. Review/approve financial report for August- September 2024

J. Brick presented the financial report for August- September 2024 to the Board. After review a motion was made by B. Stone to approve the financial report. The motion was seconded by J. Brick and unanimously carried.

C. Review and complete Board member compliance documents

The Board members completed the compliance documents as required by PAAA.

2. Action Item

A. Board Authorization is requested to transfer the land at Emkay site over to 58 Church Street, LLC for the compensation of \$1.

Pierce reviewed a resolution in packet detailing the agreement between the WCBC North, LLC and Great Lakes Industrial Development, LLC (“the Developer”) to transfer the Emkay property to the Developer for a dollar. The Developer had signed a Designated Developer Agreement (“DDA”) dated September 2, 2021, agreeing to take ownership of the property after our EPA Brownfield Clean-up Grant, for the demolition of the buildings and the clean-up of the site, was completed. The work has been completed and the property is now ready to be transferred. With a recently revised DDA executed on September 27, 2024, the Developer agrees to take control of the property and apply for the acceptance into the NYS Brownfield program to receive tax credits to further clean-up the site and redevelop the property. The revised DDA gives the developer 9 months to complete the application to be accepted into the NYS Brownfield program, or there is an option for the WCBC North, LLC to take the property back. Once the property is transferred to the Developer, they will assume liability of the site, and will have to have insurance on the property. The proposed end goal of the site is to be a multi-use 3-story building for residential apartments and small retail spaces on the bottom floor. After discussion, the Board agreed to Authorize the transfer of the Emkay site property to the Developer for a \$1 on a motion made by B. Stone. The motion was seconded by J. Brick and unanimously approved.

3. Emkay Brownfield Cleanup Project Updates

A. Review progress of the EPA Brownfield Cleanup project at the Emkay site with a presentation provided by a representative from Labella, the WCBC North’s Environmental Services consultant for the project.

Pierce introduced Rob Napieralski and Derek Banach from LaBella Associates to present an overview of the demolition and clean-up project. Napieralski presented a power point and an ariel video of the project showing the site prior to the project, during the clean-up process and what it looks like today. The project went through many obstacles to get to where it is today. There were disturbances created by other salvage companies that mingled non-asbestos with asbestos laden materials along with cement walls that were covered in styrofoam and paint and had to be removed assuming there is asbestos and disposed of accordingly. The site was hazardous to the community with many dilapidated and rundown buildings that were unsafe after sitting untouched for decades and close to the elementary school and the creek. The structures and debris have now been removed, much, of what could be, was recycled. Banach added that the site was secured by fencing and erosion control to catch run-off, air monitoring equipment and misters were used to keep down dust. The fencing and erosion control continues to be in place. The next steps will be to provide a final summary report to the EPA, hold a final public meeting on November 5th and complete the grant close-out documents. The property will be transferred to the designated developer who will be able to apply and get the site qualified as a NYS Brownfield site, this will allow for reimbursements of tax

credits for removal and clean-up of any hazardous materials underground. The WCBC completed a phase I and phase II and met with the DEC to confirm that the site would be considered a Brownfield previous to the demolition starting. The IDA will be involved at a later phase when redevelopment starts.

- B. **An amended Designated Developer Agreement has been executed with 58 Church Street LLC (a new LLC created by Frontier Global Companies).** Pierce informed the Board of the revised Designated Developer Agreement which provides timelines for the process of entering into the NYS Brownfield program. If the time is not met the WCBC North has the option to take the property back.

4. Program Updates – The Board agreed to defer the remaining items until the next meeting of the WCBC Board.

- A. Micro Loan Program
- B. Wyoming County Rapid Start Loan Program
- C. Fast Track Program
- D. Business Accelerator Program
- E. Business Mentorship Program

5. Other Business - None

6. Next Meeting: TBD

7. Adjournment

With no other official business, the meeting closed at 10:39 a.m.

Minutes Prepared by: R. Marschilok

<https://www.youtube.com/watch?v=15V92YQDStE>