

## **DLDC BOARD OF DIRECTORS MEETING- July 25, 2012**

**Present:** Mayor Anthony J. Dolce, Time Gornikiewicz, Lacy Lawrence, Steve Neratko, Nicole Waite, Jaime Rodriguez, Rosemary Banach, Joe Becerra, Judy Presutti, James Muscato, Stephanie Kiyak, Andy Gonzalez, and Richard Halas. Also present was Ron Szot, City Attorney, Stacy Szukala, Fourth Ward Councilwomen, Mike Michalski, First Ward Councilman, and Tony Gugino, Director of Public Works.

**Absent:** Ginger Pokoj, Shannon Solares, Judy Lockett, and Mark Woods.

Meeting was called to order by Steve Neratko at 11:04 AM, located in the Mayor's Conference Room.

**Reading of Minutes of preceding minutes:** Richard Halas made a motion to accept prior minutes of April 19, 2012 with note that Judy Presutti would be added to the present list of names, seconded by Stephanie Kiyak.

**Reports of Committees:** no reports of committees.

**Officer Reports:** Steve Neratko mentioned he was in contact with Krog, preferred developer for the Burtgess site. They are no longer interested in being the preferred developer of this site along with Benchmark Turn Key, their partner on this site. They did an in-house informal market survey and with economics and the site, and in general with the region right now they couldn't come up with much that they saw as feasible with a project at this time. There are some consequences with this. One being that they have done about \$8,000 worth of work and they mentioned they were eligible for up to \$10,000 in reimbursement from the DLDC. Steve Neratko mentioned that at this time he has not went through all documentation to see if this went through all the right procedures with everything, but did ask them for documentation supporting this agreement. Steve Neratko also made note that as of today he has not received any of this requested documentation from them. The site is currently in the Brown Field Opportunity Program. Krog applied for this on behalf of DLDC, and have been making progress on this. There is a deadline for a next step, which is August 1, 2012. Steve Neratko stated they were confident they could get an extension until mid-August. The work is the environmental remediation work plan, in which Steve asked for documentation on, but again has received nor heard anything back as of current date. There will be no action taken until we have received further information from them.

Tim Gornikiewicz gave his Treasurer's Report. He noted that all insurances and taxes are paid. The expense of grass cutting for the properties are done through privately contracted companies but will be switching to having the city maintain it. Rent will also be split between DLDC and city. Delinquent Loans have not changed, except that Chautauqua Woods was passed in June meeting to start repayments in September.

Richard Halas provided a sample collection policy procedure for delinquent accounts to be reviewed for next meeting. Input/feedback will be discussed at next meeting so we can adopt our own policy in the near future.

A ledger was provided for 2010 and 2011. Nicole Waite explained she did a year to date and then compared all ledgers. This will help when preparing for our future budget. Stacy Szukala asked questions in regards to donations. She mentioned she thought this was not the place to be doing donations from. Stephanie Kiyak also asked if this was something that would need board approval, Steve answered that our bylaws state anything over \$200 would need approval. Stephanie Kiyak asked what the training was for, and Stacy Szukala requested a more detailed break down for the training expense. There was some discussion in regards to previous stipends and the bylaws stating officers are not to be paid.

Enviroteknix's last payment was October 2011, which paid them up to September 2010. Collection policy steps need to be established in order to move ahead with action. DLDC cannot stop services between city and them, it must be decided upon throughout city and council.

**Old/Unfinished Business:** Steve Neratko gave an update on our audits, stating he spoke with Johnson Mackowiak's and they said we would have our independent audit report by today, but so far still have not received it. It was due March 31<sup>st</sup> and it is needed before state reporting can be submitted. Steve Neratko said he would put another request in for it. Stacy Szukala asked if because the auditors Johnson Mackowiaks were not providing service to us within a timely fashion and we are now not in compliance with the state could this void the contract. Attorney Ron Szot mentioned that City Council could explore alternative public accounting avenues if decided but that he would also encourage professional discussions with Johnson Mackowiak could possibly clarify this situation. Tim Gornikiewicz noted that he remembers the reports being received the same time in previous years. Steve Neratko then notified the board that he received a letter in the mail last week from the IRS stating that the extension for filing the organizational tax report had been accepted and that it was due by August 15. Steve said that he had thought this was already completed.

Nicole Waite reviewed the Acknowledgement of Fiduciary Duty Forms. She mentioned making a binder for board members (new and existing) that contains these forms as well as info on training, our bylaws, mission statements, etc. The mission statement draft was given out so it could be reviewed and approved in a future committee meeting.

ABO training was completed by Nicole Waite, Tim Gornikiewicz, and Steve Neratko. This training only has to be completed once.

**New Business:** Community Development Block Grant Proposal, as part of working with HUD officials and state auditors, there was some concerns over the City's CDBG program as well as what the DLDC is doing. Therefore Steve mentioned they are

redoing their action plan for 2012. First public hearing regarding this will be held July 25<sup>th</sup> at SUNY Fredonia Incubator followed by public hearing for 5-year action plan. DLDC will need to submit an actual proposal for what they would like to utilize funds for this year and also going forward.

Steve Neratko discussed Ficade program, and potentially have DLDC take over this program. It is preferred to be ran by this type of organization or a nonprofit. Steve stated he preferred to do this with the DLDC if the board was interested. He stated it was a better fit with DLDC than with the city. It was done in the past through the DLDC and they were eligible for administration funds. Steve mentioned this was introduced for future discussion.

Jim Muscato made a motion to adjourn at 12:46 PM.