

City of Dunkirk

Economic Development Committee Meeting

Meeting Minutes

Wednesday, March 13, 2013
11:00 am, Conference Room in City Hall

Attendees: Bill Rivera, Councilman, Board Member
Andy Gonzalez, Councilman, Board Member
Stephanie Kiyak, Council Member-At-Large, Chair
Stacy Szukala, Councilwoman
Steve Neratko, Director of Planning and Development
Tim Gornikiewicz, CDBG Administrator, Planning and Development Department
AJ Dolce, Mayor
Ron Szot, City Attorney
Richard Halas, Fiscal Affairs Officer
Gib Synder, Observer

Guests: Jay Warren - Chairperson for the NCCF Local Economic Development Committee
Kathy Tampio - Director of the Chadwick Bay Regional Development Corporation
James Muscato

Call to Order: 11:03 am

Approval of Meeting Minutes: Approval of last meeting minutes (January and February, 2013) moved by Bill Rivera and seconded by Andy Gonzalez.

Items Discussed:

Jay Warren, Chairperson for the NCCF Local Economic Development Committee, spoke to the Board concerning LWRP certification and what that would entail. LWRP is a plan that addresses land and water uses, promotes development and transportation, manages natural resources, defines policies and encourages environmental protection. A report regarding natural resources was nearly completed in March 1998 and included seven municipalities (Fredonia, Sheridan, City of Dunkirk, Silvercreek, Portland, Town of Dunkirk and Pompfret). At that time, Peter J. Smith submitted the report to the Department of State and it was reviewed by the County Executive. Bonnie Devine (from Coastal Resources) submitted back a specific list of things that needed to be addressed within the report. Then the report was shelved until recently. Jay provided a list of sixty-six projects approved by the state for over \$15 million after they were LWRP

certified. Mark Guise and Jay went to see Wendall (an engineering firm that specializes in these types of studies) to get an idea of what it would cost to get the plan back on the table – an estimate was provided of \$90,000-100,000, based on seven communities participating. Wendall provided a scope of services to back the estimate. Mark Guise was contacted and it was assured that the LWRP fits with the County Plan approved in April 2011 by County Legislators – basically, the plan calls for use of natural resources to drive economic activity. Mark also informed Jay that the 20/20 Plan (written by SNL), which includes a “Greenway Plan”, was approved in 2012 and is currently being implemented across the county (an equestrian trail is being developed in Cherry Creek and between Westfield and Barcelona harbor, and Chautauqua Institution is developing a multi-purpose trail). Jay provided further information on how other communities have turned around their “rust belt communities” utilizing their natural resources. So now they are trying to revitalize this plan and have recently talked to the Department of State – the Department will support this plan by 50%, with the participating communities providing the matching 50%. Since this is a regional effort, Jay is talking to all lakefront communities, starting at Ripley all the way to Hanover. Jay has met with five communities already before coming here today to talk with the City and has plans on visiting the other communities within the next few weeks.

Details of the plan include dredging and restoring harborfront, development, erosion studies, harbor management plans, oversight of ecosystem, fish and wildlife habitat, protecting historical and cultural scenic resources and their use, protecting water and air quality, and addressing solid waste issues. Once the LWRP plan is approved (assuming it is) the projects noted in the plan become eligible for funding in future years, and those projects become eligible for 50/50 match funding. It requires a lot of public participation and an inventory of assets and resources we have, policies that support the vision, and local commitment combined with state action. Jay stated that a difficult part of the process is discovering who’s on board. So, the first step would be to pass a resolution to support the project. The City would also have to commit \$2000 out of the 2014 budget. A representative would also have to be chosen to attend meetings that would be held to discuss details and concerns with the plan.

It was questioned if there were outstanding issues that weren’t addressed in the 1998 report – Jay said that the report was cited as not having a Harbor Management Plan and that this would be required. Councilwoman Szukala posed the question that if \$130,000 is needed to move forward does half that money come from the recipients? Jay stated yes and that the other half of the money will come from other sources (the County has offered financial support through the IDA, and the Lake Erie Watershed commission recently enacted has committed funds, the Community Foundation and SUNY Fredonia have also committed support). Stacy then asked why he’s asking for \$2000 up front and Jay said that this is a basically a commitment fee. Once we’re certified, then any projects the City would like to undertake would be our responsibility to fund (50/50). The \$130,000 is the cost to redo the plan and submit to the State for approval. Perhaps another review will be needed if other communities decide to come on board. The \$2000 is being asked for by ten communities and even if everyone isn’t on board, the amount will remain the same. If less than 8 communities are on board, then the whole thing may be put on indefinite hold. But Jay assured us that there’s a commitment from the County to get this done as well as from the Lake Erie Management Commission – Kathy Tampio mentioned that she had a conversation with George Borrello (County Legislator and the chair of this commission) and he told her that through the bed tax funding they have an annual commitment of \$25,000 that carries into future years so they’re looking at projects like this and this is high on their list to support.

It was reiterated that no money would be collected right now but rather a letters of commitment from the participating municipalities (eight communities @ \$2000 each) coupled with letters of commitment from the County and various agencies which would accommodate the application to cover \$65,000 (half of the \$130,000 needed). Jay mentioned that this is a group of volunteers putting together the application on everyone's behalf without any money at this point – just commitment letters. Jay promised the Board a timeline outlining the whole process. Rich Halas questioned how the \$130,000 was derived and Jay said that one independent consultant gave a price of \$90,000 to \$100,000 to do a study for seven communities. It was pointed out that a comprehensive plan was already completed (by the County) at a cost of \$250,000 or so and that the goals of both plans are quite similar and why wouldn't we just utilize that plan instead of moving forward with this plan? Jay explained that this \$130,000 is what it would take to utilize information from both of those plans and submit a grant application to secure the LWRP certification. Jay left a sample copy of the resolution with City Attorney Ron Szot, and provided the Board with a copy of the timeline. Also attached to these minutes is an article dated March 7, 2013, from the Buffalo News that covered a previous meeting Jay held with the Town of Dunkirk regarding the information he shared with this Board today.

Brownfield cleanups: Steve said last week the DEC and a consultant began cleanup work at the Bertges Site (drilling and testing commenced to see what needs to be accomplished). Additional properties that will be addressed this year to clean up include the marina (by the boat store). Boats will need to be moved and a prior resolution from council will be required. We also received a \$330,000 AI Tech grant last year – a steering committee has been assembled and will meet this month to begin the process and discuss the goals including an RFP to go out to bid. Basically it's a planning grant for the AI Tech site that could expand to include up to the western half of the city and include cleanup at the Lucas area site as well. Steve said that developer Brian Burke is still interested in securing funding for the Flickenger building and he dropped off Phase 1 and Phase 2 reports last week. Rich asked if we can meet with the DEC to discuss these cleanups and why they're targeting these areas. Steve promised to forward communication from the DEC regarding targeted properties to Rich.

Boardwalk: One tenant is late, and Ron sent them a letter. The tenant emailed Tim yesterday claiming that they were out of town and that they would send someone over with the check in the next couple of days.

CDBG program: Monthly reports were submitted to the board by Tim: Chair Kiyak told the Board that from now on these monthly CDBG reports would be submitted electronically to committee members prior to the next meeting for review, as well as to the rest of council, including a copy sent to the press. Everyone approved this procedure. Tim discussed the report briefly and said the only expenses for the month of February were administrative and postage, with no other new activity for the month. Stacy asked if funding for the Code Enforcement position can be used for Wendy or another part-time inspector. Steve said that he spoke to HUD last week and HUD wants the money used for more than just a city inspector, and that if CDBG money is used the work should be "above and beyond" what would be the normal duties of an inspector. Because Wendy is doing work for the whole city, HUD says she should be focusing on only targeted areas. It was questioned that since the entire city has been labeled "low/mod" by HUD, why do they have a problem with this and Steve said it still needs to be targeted, and again that the work needs to be "above and beyond". They aren't fond of the way we've been using the funding up till now. Steve said the issue is that she's being paid \$25,000 out of CDBG funding and \$10,000 from the city, which means only \$10,000 should be spent on the area of the entire city while the \$25,000 should only be spent on "targeted areas" (which breaks down to only certain blocks). The "Wave Plan" could perhaps work if she spent the

majority of her time in those designated areas; however, it would not cover her normal duties throughout the city. HUD is telling Steve that there's a potential for removing funding for this position altogether, and Steve mentioned this is one of the issues cited in the report he's currently working on (that has a 30-day turnaround due back to them). Steve will bring us up to date at the next meeting or soon thereafter. Rich asked if CDBG funding could be used for part of the study that Jay presented earlier. Steve said that there's a potential since there's "planning and administration funds" as well as the planning department having funds in their budget. Stacy asked if it would meet one of the three objectives and Steve said that "planning and administration" doesn't have the "three objectives" requirement but rather it has a 20% cap each year, including funding for salaries. He said we had roughly \$13,000 set aside right now from last year but will probably be used towards the consultant we've hired (Harry Sicherman).

Sequestration: We received a letter last week that said we should expect a 5% reduction in CDBG funds (this is a minimum amount and is affecting all CDBG recipients, not just the City). It was questioned what is "sequestration" and Rich said it is the "postponement of cuts". Different federal departments are being cut with CDBG being one of them. This will be affecting all 2013 funding. Tim said this will cause us to revisit and reallocate the CDBG plan. We won't know exactly how much we're receiving until April or May and that we'll have to create a new budget when we receive that letter. There may be less grant funding in general as well.

New Business

Stephanie brought up the farmers market training seminar that she attended and mentioned the three grants (discussed at the seminar) that are available from the state Agricultural department. Steve informed the board that the Chamber of Commerce, who is handling the farmer's market for the city, as well as Janet Forbes, will be applying for two of the grants (WIC and SNAP) on our behalf.

Paint program: Stacy asked Tim for an electronic and hard copy of the report (including pictures) of all houses that participated in the program last year. Tim assured her that he sent it and will resend it since she had trouble opening the file.

Next Meeting

Next meeting will be April 3, 2013 at 11 am in the conference room.

Adjournment

A motion to adjourn the meeting at 12:16 was made by Andy Gonzalez, seconded by Bill Rivera.