

**PORT JERVIS COMMUNITY DEVELOPMENT AGENCY
DIRECTOR'S REPORT
November 2014**

I. GRANT PROGRAMS & ACTIVITIES

A. Small Cities CDBG Programs

1. FY2011 Economic Development: 938ED736-11 – Samaki, Inc.

The PJCDA Board was briefed on the underwriting efforts of the CDBG loan for Samaki, Inc. at the March 2014 CDA Board meeting. The company CEO, Simon Marrian, declined to pledge his personal guarantee for the loan. It is the policy of PJCDA to request personal guarantees for all PJCDA loans as an important part of the Agency's lending criteria and it would not be fair or prudent to change this policy. As such, the PJCDA Board would not approve to move forward with the loan. Julianne Clouthier of NYS Homes and Community Renewal (HCR) was advised of this change and requested a letter from the Mayor's office stating such. The letter from Mayor Decker was sent on May 2, 2014. A request for Administrative fees for work performed by former Executive Director Hendrickson with documentation will be considered by HCR. Whether it will be up to \$14,000.00 or a percentage thereof will be discussed by HCR. Former Executive Director Hendrickson has agreed to write this report. June 2014 – still awaiting this report.

July 2014 – Former Executive Director Hendrickson provided the report detailing \$7,127.55 documented activities. Director Maginsky must fill out NYS HCR Forms and submit to Jason Purvis in Albany.

August 2014 - Director Maginsky must fill out NYS HCR Forms and submit to Jason Purvis in Albany.

Sept. 2014 - Director Maginsky must fill out NYS HCR Forms and submit to Jason Purvis in Albany.

Oct. 2014 - Director Maginsky must fill out NYS HCR Forms and submit to Jason Purvis in Albany.

Nov 2014- Director Maginsky must fill out NYS HCR Forms and submit to Jason Purvis in Albany

2. Proposed 2014 Small Cities Program for Housing Activities

PJCDA submitted a Small Cities CDBG application for housing activities on Friday, January 17th. The program to be funded is a \$1.5M restoration of the 29-31 Front Street building, converting the upper 2nd and 3rd floors into six (6) new apartments, (5 – 2-bedroom units and one 1-bedroom unit). Four (4) of the units will have dens and a recreation space/laundry facility will be located on the 3rd floor. The developer plans to add parking in the rear of the building. The ground floor of the building will contain three (3) commercial storefronts including the original Variety Show store in one of the commercial units. We are requesting \$350,000 in CDBG funds, leveraged with private investment of \$1.1M, proposed New York Main Street funds of \$69,375, and a \$75,000 loan from PJCDA. The Ruby Group will be applying for HUD HOME funds through the Orange County Office of Community Development and is meeting with the OCCDA staff on Thursday, February 27th. They are also submitting an application to the NYS Homes & Community Renewal for funding assistance under the HC Community Investment Fund.

Peter Berman of the Ruby Group made his first presentation to the Planning Board (pre-submission) on Tuesday, March 18th. He and his architect, Hector Baras, provided a site plan, floor plan designs, and project specifics to the members of the Planning Board. A public hearing was held on May 20, 2014 and was approved contingent upon approval by the Orange County Planning Board.

June 24, 2014 – the Ruby Group has not yet heard from the Orange County Planning Board. In the first week of June, Director Maginsky learned that the City of Port Jervis had been awarded this \$400,000 grant in April 2014, but the City had not received the notice. Grant Award contracts including an updated Lead-Based Paint Plan was submitted by June 20, 2014 to Charlie Pillion. An Environmental Review Record is next on the agenda and must be completed and submitted and accepted before work may begin on 29-31 Front St.

July 2014 – The submitted Lead Paint Plan was returned for revision as it did not meet updated standards. An updated plan was sent to PJCDA Counsel and Chair for review with a question as to whether City of Port Jervis Corporation Counsel should also review the proposed document.

The initial commitment letter was returned for revision and is now with PJCDA attorney for input on the Lead Based Paint plan and possible inclusion.

August 2014 – Lead paint plan still under review. City of Port Jervis Willam Bavaso offered an opinion for lead disclosures to potential buyers and that remediation costs are to be paid by the buyer of real estate. Discussion must continue with CDA Attorney Matthew Witherow.

The PJCDA commitment letter will also need to be discussed with Attorney Witherow.

The Environmental Review Report (ERR) is ongoing. The three sections that need to be completed include the National Environmental Policy Act of 1969 (NEPA), NYS State Environmental Quality Review Act (SEQRA) and NY State Historic Preservation Office (SHPO). The SHPO section is complete. The NEPA section is awaiting the finalization of the SEQRA section. We just received the updated form for the new Short Environmental Assessment forms Part 1 from The Ruby Group and Part 2 from the Port Jervis Planning Board. Director Maginsky will review the work to date before proceeding to the required publication of a public notice. Sept. 2014 - Lead paint plan still under review. Discussion must continue with CDA Attorney Matthew Witherow and City of Port Jervis Legal Counsel Willam Bavaso.

- The PJCDA commitment letter will also need to be discussed with Attorney Witherow
- The ERR is ongoing. The Public notice was published on 9/8/14. The letters with the certified notice was sent to required recipients on 9/22/14. NYS HCR release of funds is expected around mid-Oct
- The HOME funds were approved in Sept. 2014., CIF funding is still outstanding
- NYS MAIN ST funds also require an Environmental Checklist to be completed in the near future

Oct. 2014 – Bid spec information initially supplied by The Ruby Group was inadequate and additional conversation with Charlie Philion and Kathy Hendrickson was delayed by occurred. The new information was relayed to The Ruby Group. Essentially everything that is called out in a public notice to bid needs to be included. Once received, all information, including blueprints and the Lead-Based Paint Plan and any possible Davis Bacon requirement, needs to be reviewed and approved by Charlie Philion before printing the bid in the newspaper.

November 2014 – The Ruby Group was denied \$350k in CIF monies and before any activity continues, those monies must be replaced and their written commitment is required before any other actions are taken for CDBG funding. Release of Funds notice was signed by Charlie Philion but no funds may be drawn until the finding gap is addressed. Director Maginsky met with Peter Berman and Suzanne Forni on 11/6/14 and it was agreed that he will attend the 11/19/14 CDA Board Meeting. Otherwise, received bid spec information from The Ruby Group and the contract is with legal counsel for review. The proposed lead-based paint plan was submitted to Charlie Philion at NYS HCR for review and he said it was adequate for CDBG purposes. NY Main St. monies still need to be addressed.

4. 2014 NYS CDBG – Jersey Ave. Sewer Replacement Project

The Priority Project application to the Mid-Hudson Regional Economic Development Council and the online Consolidated Funding Application were submitted on time on June 16, 2014. The announcements are expected in August 2014.

July 2014 – No update, August 2014 – No update, **Sept 2014** – per the Mid-Hudson Regional Economic Development Council website this project was not chosen as a Priority Project but is still eligible for funding to be announced sometime in the fall – TBD. Oct 2014 – no word yet whether any funds may be awarded. Nov. 2014 - no word yet whether any funds may be awarded.

5. Monitoring/Close-Out Documentation

Sometime after June 16, 2014, a one-to-two day monitoring session is to be scheduled with Julianne Clothier and Jason Purvis of NY State Homes and Community Renewal for:

938ED682-10 – Save-a-Lot

938ED695-10 - Kolmar

938SB704-11 – Gio's Gelato

And perhaps Beach Road Pump House 938PF141-11

Close-out paperwork for Roberta Ginton Medical Office Building 938ED594-07 is to be submitted to Jason Purvis of HCR by June 4, 2014.

June 24, 2014 – Close-out paperwork for Roberta Ginton Medical Office Building 938ED594-07 was submitted to Jason Purvis of HCR by June 4, 2014. And Close-out paperwork for 9 Sussex St. Project Number 938CO88-07 was submitted to Jennifer Teichner as well. Certificates of Completion were sent by NYS HCR confirming closure in mid-June. No schedule's been set for the monitoring sessions.

July 2014 – Note: Julianne Clothier is no longer with NYS HCR. No other updates.

August 2014 – No update, September 2014 – No Update, October 2014 – No Update. **November 2014** – No Update

B. OTHER PROGRAMS

1. Port Jervis Safe Sidewalks Program

NYS DOT officials have contacted PJCDA seeking to schedule a visit to Port Jervis to inspect the project site and discuss the requirements of the Grant program with assigned staff. PJCDA will not be involved in the administration of this Grant. All grant documentation and administration duties will be the responsibility of the City. At the PJ Department Head meeting on Monday, 4-14-14, Chief Worden offered to coordinate this meeting which was set for May 12, 2014, 10:30 a.m. at the Mayor's office at PJ City Hall. Director Maginsky attended the meeting and gained knowledge as to policies, procedures, environmental concerns such as the long-eared bat, traffic/sidewalk/bike lane requirements, and traffic signals that will be useful in future projects. June 24, 2014 - Per Mayor Decker the plan may now have bike lanes on one side of the street instead of both. Also, per a NYS engineer the City may need to re-engineer sidewalks and one tombstone in St. Mary's cemetery may need relocation.

July 2014 – No new activity

August 2014 – No update

Sept. 2014 - per the Mayor at the August 2014 meeting, the route will stop at the hospital so the cemetery monuments are no longer an issue. Linear footage and curb cuts for accessibility are being calculated and trees on Kingston Ave. that are in the way will be removed.

October 2014 – Jack Farr may take the lead on this project from Chief Worden

2. New York Main Street (NYMS) Program

All required documentation has been submitted to the NYS Homes & Community Renewal (NYS HCR) including signed Grant Agreements by the Mayor. PJCDA Director will undertake the environmental review and, when approved by NYS HCR, we will be ready to commence the program.

July 2014 – No new activity

August 2014 – No update

Sept. 2014 – per a call from Erin Kinne of NYS HCR Main St., an Environmental Checklist for the entire Main St. target area needs to be performed, a review committee needs to be identified, and outreach needs to be performed. Ms. Kinne forwarded a list of manuals and websites to be reviewed.

October 2014 – Director Maginsky to work on this project, **November 2014** – Director Maginsky to work on this project

3. 2013 REDC – NYS HCR MicroEnterprise Grant

Based on the proposal submitted in June by the City of Port Jervis, the PJCDA as sub-recipient has been invited to submit a full application by August 29, 2014.

August 27, 2014 – Application in process

Sept. 2014 – Full application was submitted on August 29, 2014 and confirmed received

October 2014 – Received an email stating responses are expected in 30-60 days. Joe Donat of US Maloney's office offered to send a Letter of Support.

4. White Water Kayak Park

August 2014 – The project is moving into the initial permitting stage. The White Water Park Committee met and discussed fund raising activities to commence in the next few months. The initial goal for the WWP and grounds is some \$4 million dollars.

Sept. 2014 – Committee met on 9/16/14. Director Maginsky to review the file at the Mayor's office and make an appointment with MHREDC to discuss possible options.

October 2014 – Director Maginsky spoke briefly with Empire State Development Director, Aimee Vargas about the status of the park. Technical difficulties ended the call and the Director sent a follow-up email with a status report and request for information and feedback to Director Vargas. The Tri-State Chamber of Commerce may have a speaker from Frontier Communications to talk about an upcoming grant of up to \$3 million – TBD. The

WWP Committee is scheduled to meet on Tuesday, 10-21-14 @ 6pm @ City Hall. Per request of the Mayor, Director Maginsky contributed to an OC IDA WWP application for \$150k.

November 2014 – Port Jervis plans to partner with Deerpark on the Frontier/Dish America's Best Communities competition. We've registered on the website and the Tri-State Chamber Executive Board and Board will discuss and decide if the Chamber as a 501c6 will take the lead.

5. CDBG Municipal Disaster Recovery Program

September 2014 – Supported by both Representative Maloney and NYS Senator Bonacic, Director Maginsky will work with DPW Director Jack Farr to submit appropriate applications.

October 2014 – The Port Jervis Common Council approved Resolutions with engineering monies for three separate submittals: 1) Permanent Generator for MacArthur Circle for some \$120k, 2) Alternate Access Road to "The Acre" for some \$410k, 3) Moving the DPW for \$3.5 million. Director Maginsky to work with DPW Jack Farr and engineers to complete submissions. The Director confirmed with the Orange County Planning Department that all three projects were eligible for city/area wide benefits. There are no administrative funds available for these projects.

November 2014 – Jack Farr completed and sent the requested information to the State. There is concern regarding the property acquisition and coordination with the Mayor's office and Council Members Oney and Waligrowski is needed to move forward.

6. HMGP – Hazard Mitigation through NYS Governor's Office of Storm Recovery (GOSR)

October 2014 – With DPW Director Jack Farr and Councilman-at-Large David Bavaso, Director Maginsky met with Matt Goldstein of GOSR, subcontractor, Stephen Kaerwer of CohnReznick Advisory Group and Joe Donat of U.S. Rep. Maloney's office to discuss the possible funding of two Storm Water Pumps in the Acre for some \$3 million and a Maiden Lane Storm water Upgrade of some \$6.7 million dollars. Initial Request For Information due on 10/27/14. There are no administrative funds available for these projects.

November 2014 – Director Maginsky attended a site tour with Jack Farr and Ethan Mindrebo of M&H&E. The permanent generator should be straight forward. There were different site options for a future DPW site which require further investigation. The access road looks to be problematic. Metro North placed a small building and electrical module in the road some 200-300 feet from the North St. entrance. Avoiding these structures would force the road to be built over a steep embankment and toward a brick DEP(?) building on High St. Environmental issues may complicate this option. TBD per additional research by the engineers.

II. AGENCY ADMINISTRATION

November 2014 – Sally von Sauers was out a week and returned with a doctor's note.