

TOWN OF CONCORD TOWN BOARD  
Work Session 6:30 p.m.

September 10, 2020

Supervisor Drake discussed the following:

1. Erie County has worked to free up some money to help towns with their Comprehensive Plans and their Solar laws. Because of what is going on between Concord and Sardinia, they reached out to him; Dan Castle from Erie County Planning said we should be first on the list for this. Andrew Reilly from Wendel Companies reached out to say that he could help the Town which would make sense because he helped on the Comprehensive Plan. Supervisor Drake has not yet talked with Kevin Rautenstrauch. There is a portion about contributions to the Town and he has no idea of percentages. Still it may be the smarter thing to do rather than doing it ourselves. Town Attorney Attea advised that Attorney Rautenstrauch is out of the office but he is aware of this; and getting a better understanding of it. Mr. Reilly's experience may allow the Town to streamline the process and get some of the changes made. Town Attorney Attea also wants to talk to Mr. Reilly about is how do we see this creating an advantage for the Town because basically those changes limit what the state can do. The problem becomes how much control the local municipality is going to have. Town Attorney Attea expressed concerns. The Town needs to make sure from Mr. Reilly that the changes we are making are putting the Town into a position where we have as much say as we can under the new state law. Supervisor Drake asked the Board what their thoughts were on this matter; should it go for a vote tonight even though he doesn't know what the numbers are but he does know some of the bigger towns will jump on this for sure. Councilman Krezmien asked how much money we were talking and Supervisor Drake said that he did not know but he would think it could be \$5,000 to \$10,000. The Town would have to kick in something to get it done. Town Attorney Attea questioned if that meant to pay for the soft costs to get it done and Supervisor Drake said yes. Mr. Reilly knows the Comprehensive Plan inside and out. You start off with the model from New York State. Supervisor Drake was going to try to tackle this himself but he keeps getting distracted on a few other town matters. Town Attorney Attea advised that we can certainly ask Mr. Reilly for his opinion on what types of funds might be available and what the costs might be. Supervisor Drake said that the Town could also reach out to Dan Castle too.

2. Supervisor Drake then asked Town Attorney Attea to update the Board on the IDA. Town Attorney Attea advised that it is what they anticipated with regards to the deficit that the Concord IDA has found itself in. There is really only one project in the pipeline which is the senior housing project. They were hoping very much that somehow that would come together so that there would be additional funds to balance their books and give them a little bit of surplus but there just has not been enough new activity for the Concord IDA so they have a deficit. Supervisor Drake's concern was that if the Concord IDA could not cover it, would that somehow become a Town obligation. The Concord IDA like all IDAs is a completely separate entity/corporation with no direct connection to the Town. Town Attorney Attea told Supervisor Drake that he did not think there was liability but he checked into this further. He spoke to Attorney Jennifer Strong, who has been an attorney for a considerable number of years and has represented pretty much all the IDAs. She agreed wholeheartedly that the Town has no obligation to pay any of the obligations of the Concord IDA. If the IDA cannot come up with new business that would generate revenue then they may have to dissolve which would be unfortunate. Town Attorney Attea noted that the important take-away for this Board is not to help the Concord IDA. In a year where we are particularly challenged in the budget, we can take comfort in the fact that we are not all of sudden trying to figure out how to cover that gap; and maybe there will be some good for the Concord IDA and activity will come. The deficit included normal expenses. Supervisor Drake noted that the PARIS report is

due by October 21, 2020 and he asked the representative whether that is the drop-dead date and he has not had any contact; he will just tell them the situation and if they want to allow more time then maybe the Concord IDA can get the revenue. Town Attorney Attea noted that he was very happy to deliver some good news. Councilman Drozd asked who can dissolve the IDA? Do they have to dissolve themselves? Can the Town make the IDA dissolve? Town Attorney Attea answered that the IDA has to do it themselves. People assume that because it is the Concord IDA that it is some type of division or department of the Town but it is not. The Town actually has no control over what they do and we have no obligation for the IDA; not that the Town would not work in conjunction to support some of the projects they are trying to do but the Town has no control.

