

**ONONDAGA CIVIC DEVELOPMENT CORPORATION**  
**Special Meeting Minutes**  
**October 28, 2020**

The Special meeting of the Onondaga Civic Development Corporation reconvened on Wednesday, October 28, 2020 via Zoom Teleconference.

Matthew Marko called the meeting to order at 11:10 am with the following:

**PRESENT:**

Matthew Marko  
Michael LaFlair  
Alison Miller  
Gerald Albrigo  
Mitch Latimer  
Kevin Keuhner

**ABSENT:**

Kimberly Townsend

**ALSO PRESENT:**

Robert M. Petrovich, President/CEO  
Carolyn Evans-Dean, Secretary  
Karen Doster, Recording Secretary  
Chris Andreucci, Harris Beach Law Firm

**OUTDOOR DINING GRANT PROGRAM**

Robert Petrovich stated this was announced by the County Executive. He stated there was a slight pivot to OCDC as opposed to CRT which was in the paper. He stated staff is looking for the Board's approval of this program specifically designed for a short term situation to help defray costs associated with extending the outdoor dining season as a result of COVID, the issues associated with indoor dining and the lack of capacity and space. He stated he looking to get the Board's acknowledgment of this program, its concurrence and endorsement so that we can effectively help our local businesses in Onondaga County by way of helping them with tenting, portable heaters and things of that ilk to be able to facilitate outdoor dining. He stated the Outdoor Dining Program proposal and application is in the Board packet. He stated staff worked with Chris Andreucci to get this to comport with the program and what we are trying to accomplish.

Karen Doster did a roll call of the Board Members.

Carolyn Evans-Dean stated due to COVID restaurants had to pivot and try to find ways to have more patrons able to sit and eat on the premises. She stated they had to limit the number of patrons they allowed in. She stated outdoor dining helped them find ways to bring in additional revenue. She stated the premise for this program is if restaurants have the ability to extend their dining season a little longer into the colder months then that may help to keep them in business and keep our economy going. She stated the program is designed to have a \$200,000 limit for all the grants issued. She stated the maximum grant that would be approved for this is \$5,000 per restaurant and that \$5,000 would be reimbursable at 50% of the purchase price for things like tents, outdoor heaters and things of that sort to create an artificially warm and comfortable environment for diners to be able to eat outside. She stated in order to qualify for this program restaurants must be active and currently operating in Onondaga County. She stated the idea is to support those restaurants and give them the chance to be able to thrive in environments that isn't hospitable. She stated another issue staff wanted to be able address is being able to confirm the installation of these items from the program funds. She stated staff would go out and inspect the site to ensure those items were operational and in actual use.

Gerald Albrigo asked if a not for profit veterans club operating a kitchen inspected by Onondaga County DOH would be allowed to apply. Robert Petrovich stated to the extent they are facilitating outdoor dining, he would think so. Chris Andreucci stated the only issue is if it would fit inside the mission of OCDC and argue that it is lessening the burden of government because it is a non-profit providing community services that would otherwise have to be provided by government.

Robert Petrovich asked if they would be precluded because they are a not for profit. Chris Andreucci stated that is not the application that was drafted. He stated it recites one of the purposes of OCDC is to encourage the development of economic activity in the County. He stated another purpose of OCDC is to lessen the burden of government so if this is going to open up to non-profits that are providing community services that would otherwise fall on the government to provide them he thinks OCDC is lessening the burden of government and it can be done but it should be noted in the application.

Matthew Marko stated by receiving they would be lessening that burden of government. Chris Andreucci stated yes and they are providing a community service that would otherwise fall to government.

Robert Petrovich asked if the Veteran's kitchen is doing outdoor dining. Gerald Albrigo stated they would potentially do that. He stated their numbers are abiding by the County statutes in terms of the numbers that they are allowing in. He stated if there was additional outdoor dining he thinks it would help them increase the number of dinners they would put out. He stated because they have been limited to he believes 50% of what the fire marshal would allow inside for capacity, outdoor dining would allow for them to increase that.

Matthew Marko asked who from OCDC is vetting applicants regarding their ability to receive funding. Carolyn Evans-Dean state she will be vetting the applicants. Robert Petrovich stated staff will be involved.

Matthew Marko asked if any questions would be funneled to the attorney if necessary. Carolyn Evans-Dean stated yes.

Matthew Marko stated we are simply developing a grant program and providing funding and making this available to these rightful applicants that will hopefully provide an opportunity for them to them to save some jobs or maybe even create some jobs because of this expanded opportunity which he believes is within our mission. He asked if we have to worry about concerns about the safety with what is being purchased and utilized and what is the risk of OCDC regarding compliance with all applicable health department regulations, fire and other general codes. Chris Andreucci stated the service contract will be a little bit different then what has been used in the past. He stated the initial service contract includes language that says this is not a joint venture. He stated it is a relationship of grantor and grantee and that is it. He stated that alone should be sufficient because we are not taking any underlying liability of the underlying business. He stated what we will do is include broader application language and we can also add we make no representation that the equipment you purchase is suitable for its purpose or that we are expecting that you are going to comply with all relevant codes and laws. Matthew Marko stated that sounds great and that would make him satisfied.

Robert Petrovich stated it is very straight forward and he knows we are going to have a document that goes out to the recipient of the grant where they will sign off so we will be able to mitigate any liability exposure. He stated he feels comfortable with that.

Matthew Marko asked if OCDC has the funds to do this. Robert Petrovich stated yes. He stated there is a cash balance of about \$900,000 in the account.

Matthew Marko asked if this is for \$200,000. Robert Petrovich stated yes.

Chris Andreucci stated this is an approval to grant staff to make these awards. He stated this is the delegation of authority to Bob Petrovich and his team to actually make the awards. He stated the contemplation is that staff wouldn't come back to the Board each time a grant is made. Matthew Marko stated that is his understanding is the establishment of this program and staff is going to run it.

Robert Petrovich stated OCDC meets every couple of months so if staff were to come back for an approval for a batch of applications, we will be in December and it's probably going to be too late to help. He stated if the Board feels comfortable in the delegation of that authority, staff can come back in December and report what was done. He stated staff is keenly aware of their fiduciary responsibility so he is comfortable if the Board is comfortable. Chris Andreucci stated he is comfortable and that is why he raised it. He stated the practicality of coming back to the Board in a month severely reduces the effectiveness of this program so he thinks it is better that the Board receive a report from staff at the December meeting.

Matthew Marko stated there is no reason why Carolyn Evans-Dean couldn't give the Board bi-weekly updates if that was of value to the Board members to understand how many people have applied, general basic information and where we stand on the \$200,000 by email and Board can ask any questions that might be appropriate at that time.

Matthew Marko asked if it is a reimbursement. Robert Petrovich stated yes.

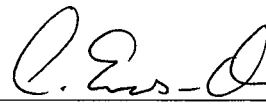
Mike LaFlair stated we just did that with the last grant having updates of who had been funded.

Robert Petrovich stated staff was going to do an update in December on the loan program which was done earlier for businesses that were trying to get a bridge between where they were and the PPE program. He stated staff can do a formal presentation on that as well as the Outdoor Dining

Program in December. He stated he doesn't see any reason why in November before Thanksgiving a written update on both can't be sent to the Board.

Upon a motion by Michael LaFlair, seconded by Mitch Latimer, the OCDC Board approved a resolution to create, administer and fund the Outdoor Dining Grant Program to provide financial assistance to local restaurants. Motion was carried unanimously.

Upon a motion by Matthew Marko, the meeting was adjourned at 11:33 am. Motion was carried unanimously.



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Carolyn Evans-Dean, Secretary