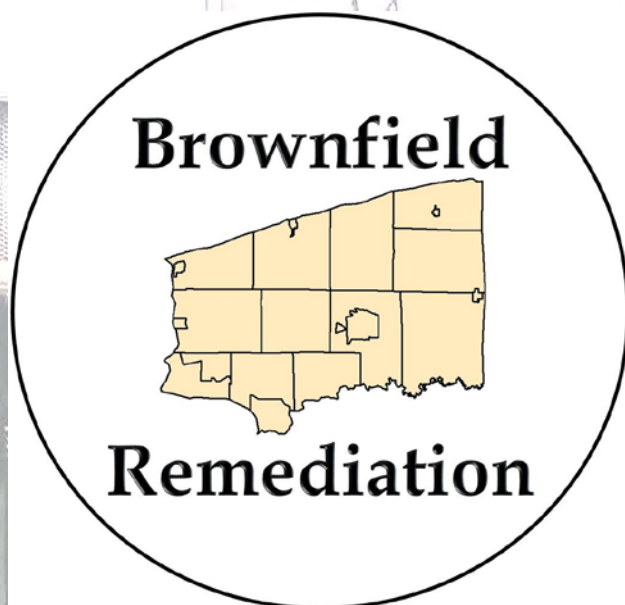


# **NIAGARA COUNTY BROWNFIELD DEVELOPMENT CORPORATION**



## **2009 ANNUAL REPORT**

**SUBMITTED: MARCH 4, 2010**

# MISSION STATEMENT

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**The Niagara County Brownfield Development Corporation (NCBDC) is a not-for-profit corporation formed in October 2008 by the Niagara County Legislature. The NCBDC was created to establish and operate the Niagara County Brownfields Cleanup Revolving Loan Fund (BCRLF) program. Through the BCRLF, the NCBDC provides financial assistance in the form of low-interest loans and subgrants to eligible entities for remediation of brownfield sites throughout Niagara County. Revitalizing and returning brownfield sites to productive use creates jobs, contributes to the tax base, and eliminates the potential risk to public health and the environment.**

# CORPORATION STRUCTURE

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The Niagara County Legislature created the NCBDC in 2008 to implement the Niagara County BCRLF Program. Funding for the NCBDC is provided by Niagara County through competitively awarded brownfields cleanup revolving loan fund grants from the United States Environmental Protection Agency (USEPA). In conjunction with the federal fiscal year, the NCBDC's fiscal year runs from October 1st to September 30th of each year.

The NCBDC is governed by a three member board of directors. Per the NCBDC by-laws, the members of the corporation consist of the individuals holding the following positions:

- a. Chairman of the Board of Legislators, Niagara County
- b. Executive Director, Niagara County Industrial Development Agency
- c. Mayor, City of Niagara Falls

For the 2009 Fiscal Year, the above positions were held by the following individuals:

- a. William L. Ross, Chairperson
- b. Samuel M. Ferraro, Secretary
- c. Paul A. Dyster, Vice Chairperson

In addition to the membership, the NCBDC has two Executive Officers elected by the Board of Directors. For the 2009 Fiscal Year, the Executive Officers were as follows:

- a. President – Amy E. Fisk
- b. Treasurer – John M. Baird

# 2009 ACCOMPLISHMENTS

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During the 2009 fiscal year (October 29, 2008 to September 30, 2009), a Board of Directors was established, Executive Officers were appointed, corporate policies were adopted, and two brownfield remediation projects were approved; one for a \$250,000 loan and the second for a \$90,000 subgrant. Both projects are discussed in detail below.

## **Santarosa Project**

In December 2008, the NCBDC Board of Directors approved the first BCRLF project, a \$250,000 loan to Santarosa Holdings, Inc. for asbestos abatement at 1501 College Avenue in the City of Niagara Falls. The 13 acre site was previously used for heavy industrial manufacturing from around 1910 to the mid-1980's by the Union Carbide Company and later the Niagara Vest Corporation. The site is currently an abandoned industrial site and contains several neglected and dilapidated buildings.

Santarosa Holdings, Inc. intends to remediate the site and operate a tire recycling business to produce tire-derived fuel and crumb rubber feedstock. During 2009, asbestos abatement was initiated and it is anticipated that during 2010, asbestos abatement will be completed and additional site remediation will commence.



## **Youngstown Cold Storage Project**

In June 2009, the NCBDC Board of Directors approved the second BCRLF project, a \$90,000 grant to the Village of Youngstown for the remediation of the Youngstown Cold Storage Site, 701 Third Street, in the Village of Youngstown. The 2.4 acre site was previously used from around 1910 to 1996 for the storage, washing, and packaging of locally grown apples. The site is currently occupied by three structures that include a deteriorating three-story stone warehouse building, a single story brick ice house building, and a vacant house. Grant funding will be used to remove and properly dispose of contaminated soils. Proposed reuse of the site is for housing.



The status of both projects is included in Table 1 below.

**Table 1. Status of Funded Projects**

Project Name	Type of Project	Funding Amount	Interest Rate	Term	Amount Dispersed	Remaining Balance
Santarosa Project	Loan	\$250,000	3.0%	5-years	\$92,822.21	\$157,177.79
Youngstown Cold Storage	Subgrant	\$90,000	N/A	N/A	\$0	\$90,000

## FINANCIAL REVIEW

Upon incorporation of the NCBDC in October 2008, the Corporation was funded with a \$1 million grant awarded to Niagara County from USEPA. During the 2009 fiscal year, the NCBDC encumbered \$340,000 in projects and spent \$28,922.92 on programmatic expenses. A summary of the budget is included in table 2 below.

**Table 2. Budget Summary for 2009 Fiscal Year (October 1, 2008 – September 30, 2009)**

Category	Amount Committed	EPA Grant Amount	Amount Unobligated
Project Expenses	\$340,000.00	\$900,000.00	\$560,000.00
Programmatic Expenses			
Insurance	\$2,400.00	N/A	N/A
Financial Services	\$827.00	N/A	N/A
Legal Services	\$25,695.92	N/A	N/A
<b>Total Programmatic Expenses</b>	<b>\$28,922.92</b>	<b>\$100,000</b>	<b>\$71,077.08</b>
<b>Total Expenses</b>	<b>\$368,922.92</b>	<b>\$1,000,000</b>	<b>\$631,077.08</b>

The NCBDC has no paid staff and board members serve without compensation. At the end of Fiscal Year 2009, the NCBDC did not own any property.

An assessment of the effectiveness of the NCBDC internal control structure and procedures will be forthcoming as part of the annual independent certified audit.

# CERTIFICATION

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Based upon the Executive Officers' knowledge,

- (i) the information presented in this report is accurate, correct, and does not contain any untrue statement of material fact;
- (ii) does not omit any material fact which, if omitted, would cause the financial statements to be misleading in light of the circumstances under which the statements are made; and,
- (iii) fairly presents in all material respects the financial condition and results of operations of the Corporation as of, and for, the periods presented in the financial statements.

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Amy E. Fisk, President / Date

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John M. Baird, Treasurer / Date