

**Sunset Lake Local Development Corporation**  
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Lowell Feldman, Chairman  
William Chellis, Vice Chairman  
Michelle Huck, Secretary/Treasurer

Nadia Rajs, Member  
Albee Bockman, Member

**Sunset Lake Local Development Corporation Organizational Meeting**  
**September 24, 2020 at 4:00 PM**

**Present: William Chellis, Michelle Huck, Lowell Feldman, Albee Bockman, Nadia Rajs,**

**Absent: Joshua Potosek**

The Sunset Lake Local Development Corporation Organizational Meeting was called to order by Chairman Feldman at 4:03 pm.

**Approval of Minutes:**

Albee Bockman made a motion to approve the September 10, 2020 minutes, seconded by Nadia Rajs, put to a vote and carried 5-0, with Joshua Potosek absent.

Nadia Rajs stated that on the first page, fourth paragraph from the bottom, when it states Chairman Feldman stated that County Attorney McGuire mentioned that it would be repaid by proceeds from the LDC or a sale. She stated that she is assuming the sale that Chairman Feldman referred to is of the ACC. So she then stated "we are still discussing a sale?" Then Chairman Feldman stated that sale was in the resolution passed by the Legislature. Ms. Rajs continued by stated that she needs to clarify this because it still boggles my mind. She then inquired what is in the resolution.

Michelle Huck stated that in the resolution it states lease or a sale.

Mrs. Rajs inquired if sale is the last resort or is that something we are trying to push first. She is still trying to figure out what our goal is; what is our goal?

Chairman Feldman stated that their goal is to take the financial burden off of the county through a lease and/or sale based on who the responding bidders of the RFP will be and then what the LDC recommends to the Legislature. The LDC recommends three bidders to the Legislature from the outcome of the submitters to the RFP.

Mrs. Rajs stated that their primary focus is to look for agencies that will manage the ACC correct.

County Attorney McGuire stated that the singular focus of this group currently is to lease for operational purposes the Adult Care Center and the CHHA. That is the singular focus of this group currently. The RFP that is still in the drafting stages that the LDC will see in another 24-48 hours in a draft form, talks about a lease. The proposals that come in will be to lease and operate and take on the financial responsibility for the operation, care, salaries of the county employees. The county employees will be compensated at a rate pursuant to their collective

bargaining agreement. The County will pay a share of the benefit package because historically that is much higher than a benefit package for a private entity. The resolution provides a broader authority to this group but the Legislature's marching orders currently is for the lease.

**Discussion:**

**Directors and Officers Insurance Update-**

Ms. Huck stated that she sent out four requests for quotes for Directors and Officers insurance, she got a lot of questions and applications. She is hoping that she will have something by the next meeting.

**Official Depository Authorization-**

Ms. Huck stated that she spoke with Jeff Bank, one of the local banks and they have a free checking for Not-for-profits along with an initial \$25.00 towards the purchase of checks. They need something formalize in the minutes to reflect the board's approval of the bank for the LDC. The County Treasurer suggested that we open up a savings account as well as a checking account.

**Nadia Rajsz made a motion to approve the Jeff Bank as the official depository (savings & checking account) of the Sunset Lake LDC, seconded by William Chellis, put to a vote and adopted 5-0 with Joshua Potossek absent.**

**Request for Proposals-**

County Attorney McGuire stated that they put together a very rough draft from a variety of different templates and sources that were available to us. All of them had to be modified to meet our criteria. Harris Beach who will be the official attorney's for the LDC once we get into the real meats of the work that we are doing here. Shawn Griffin is the attorney for Harris Beach that is handling our account was out a few days so there was a delay in getting his comments regarding our rough draft back. I finally got him this afternoon around 2pm and we spent about 20 minutes on the phone and he is very comfortable with what is in it and the language in it is consistent with what our objectives are. At the Chairman's direction we will distribute that document as a draft, attorney client privileged information to this board and at the next meeting, the LDC can vote to adopt it. County Attorney McGuire's recommendation going forward would be to utilize in-kind services of the county's Purchasing Department to put the RFP out. We have a growing list of people that are interested in the RFP and we would certainly send that directly to those people that have inquired. The RFP is very boilerplate. County Attorney McGuire spoke briefly about the information spoken of in the draft RFP.

Chairman Feldman stated that in this industry some companies will want to do a claim to stay.

County Attorney McGuire stated that is certainly something that the LDC can look at. There are some companies that have approached the county about the operations and also want to lock in a sale price. He stated that he told them that the facility may never be sold and they understand that but they still want to lock in a sale price.

Mrs. Rajsz stated that the CHHA is included in the RFP, correct. Will Nancy McGraw have an opportunity to weigh in on that RFP.

Chairman Feldman stated that she is certainly welcome to advise this committee on the CHHA.

Mrs. Rajsz stated it is not the point of her being welcomed it is the point of her being requested to weigh in on it.

Ms. Huck stated that our office spoke with her yesterday about reviewing the RFP.

County Attorney McGuire stated that they have had constant dialogue with her and Karen Holden and obviously with Stephanie Brown. The more critical input from them is going to come when they review the proposals. There really isn't a lot of technical information in the proposals but when they get them back we ask for voluminous information from them. That is where the input from Mrs. McGraw, Ms. Brown and Mrs. Holden will be a real benefit to the LDC.

Mrs. Rajsz stated at whatever point, she just wants to make sure that they are involved.

Chairman Feldman requested that the draft RFP be sent to the board and hopefully by the next meeting we will have some quotes for the D&O insurance policy.

Ms. Huck stated that after the Board reviews the draft RFP, if there are certain things that the board would like to talk about, please email them to her and she will put together all of the comments on one sheet for the board to review.

**Set an Agenda/Date for next Meeting:**

The Board set the next meeting for Wednesday, September 30, 2020 at 3:30pm.

**Any other business:**

Mrs. Rajsz asked if these meeting were being streamed.

Ms. Huck stated no but they are being recorded.

**Public Comment:**

David Calovito made a public comment.

Ken Walter made a public comment.

Catherine Scott made a public comment.

Bruce Ferguson made a public comment.

Lou Setren made a public comment.

Mrs. Rajsz inquired if this attorney group is on retainer, is that why we are using them? She also inquired why the Board didn't have input to RFP an attorney. They are an independent group and they should be able to hire an attorney to benefit this group in its operations and not be force-feed someone that she isn't aware of, not that she is aware of a lot of attorneys that is not her area of expertise.

County Attorney McGuire stated that Harris-Beach is the foremost authority on nursing home operations, construction and transfers. They have done many of them in NYS, which is primarily what they do. They are recognized, nationwide, as the foremost authority. That is why they spoke to them early on. This body can certainly choose to use someone else if they want to have a lesser accomplished firm. That certainly is this body's prerogative to do that.

Kate Hawk made a public comment.

**Adjournment:**

Michelle Huck made a motion to adjourn, seconded by Nadia Rajsz, meeting adjourned at 4:36pm.

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Michelle Huck, Secretary