

**Military Installation Remediation and
Infrastructure Authority (“MIRIA”)
Board Meeting Minutes
AUGUST 7, 2020**

In attendance:

BOARD:

Todd Stephens, Chair
W. William Whiteside, Vice Chair
Thomas Panzer, Secretary
Tara Conner-Hallston
Scott DeRosa
Theresa Harmon
Gregory Nesbitt

STAFF:

William Gildea-Walker, Executive Director
Kelly Eberle, Esq., Acting Solicitor
Larry Burns, Treasurer

Absent:

Mary Eberle, Esq., Solicitor

To ensure public safety during the COVID-19 crisis, the August 7, 2020 board meeting of MIRIA was held as an audio and video conference, and was duly advertised as such on Thursday, July 30th. Public comment was available before and during the meeting by email to Horsham@horsham.org.

Mr. Stephens opened the meeting with a Pledge of Allegiance at 9:05 AM.

Mr. Stephens asked if there were any question or comments from the audience. Mr. Gildea-Walker noted that the meeting had been advertised as a video conference and that the public was encouraged to provide comments or questions by email. Horsham@horsham.org is being monitored before and during the meeting, and any public input will be relayed to the board.

Mr. Stephens inquired if it was appropriate to have a roll-call to confirm attendance. Mr. Gildea-Walker called roll. All board members answered to the affirmative, except for Mr. Whiteside. Mr. Gildea-Walker also noted for today’s meeting, Kelly Eberle would be the solicitor as Mary Eberle was on vacation. Mr. Gildea-Walker also confirmed Deana Zosky our compliance consultant was also in attendance and that she’d be speaking later in the meeting. Mr. Stephens asked again if there were any questions or comments from the public. Mr. Gildea-Walker confirmed we had received no emails from the public.

Mr. Stephens asked for the will of the board regarding the June 5, 2020 meeting minutes. Mr. DeRosa motioned to approve the minutes of the June 5th board meeting. Mr. Nesbitt seconded. All were in favor and the motion passed unanimously.

Mr. Stephens asked if the Executive Director had a report. Mr. Gildea-Walker with the assistance of a power point presentation reviewed recent events and the timing of future MIRIA efforts. May, 2020 was an active and busy month, as the engagement of our compliance consultant was approved, the local effort agreement was finalized, we received 5 grant applications totaling \$11,871,135, local effort funds of \$3,165,608.35 were deposited in a MIRIA account, local effort funds was certified to PA Revenue, and the MIRIA Zone parcels were finalized. In June, the MIRIA budget was amended, we closed on a new \$300,000 line of credit with Huntingdon Valley Bank, Horsham Township was reimbursed for accrued MIRIA operating costs to date, the compliance consultant agreement was finalized and executed, June 17th a letter was sent to all parcel owners and businesses, the MIRIA website went live at www.theMIRIA.org, and that grant applications are under review.

Mr. Gildea-Walker also confirmed that on July 1 the PA Revenue secure website went live and is the mechanism by which parcel owners and businesses will file their parcel reports between July 1 and August 31st. All parcel owners and businesses have been contacted. In August, grant applications continue to be reviewed by staff. At our September board meeting, we will be acting on and seeking approval for any Quick Response Grant applications received. We have October and November board meetings, followed by a busy December meeting. The deadline for PA Revenue reporting of fund is December 1st and later on, under new business, we will consider moving the date of the December board meeting. At the December board meeting, we will be seeking final approval of the MIRIA grant applications. Also, the MIRIA 2021 budget will be submitted. The deadline for funds transfer from PA Revenue to MIRIA is December 16th. Mr. Gildea-Walker noted he was not going to review MIRIA Zone parcels as nothing has changed since our last meeting.

Mr. Gildea-Walker indicated he was then turning the meeting over to Deana, our compliance consultant, to discuss compliance and for an update. Ms. Zosky thanked the board and that she appreciated the opportunity to work in the zone. She provided a brief overview of her firm as a small CPA firm, that works in the compliance function in a couple other programs in the state. Her firm has worked with the Allentown NIZ and the Lancaster CRIZ for many years. Her firm is very familiar with the state programs and has developed a good relationship with the PA Revenue staff. MIRIA staff had provided her firm with the master listing, which contains all parcel owners and all businesses in the zone. That list serves to affix the reporting population of the zone as of June 1. In year 1 of a program there are normally challenges. This year in particular with COVID19 and the limits on face to face meetings. A letter went out to the zone population in the middle of June. The letter described the program and provided a 1-page form to be completed. The goal was to make the process as easy as possible to understand and get the information back so that we could file for the taxpayer. Ideally, that's the best approach as it allows us to gather accurate information on the entity and to assure filing is done on time. The letter discussed the various forms of state taxes and where each could be found and provided our contact information. As you mentioned, the reporting system opened July 1st and taxpayers have 60 days to file their

information. They have an opportunity to file on their own, but our goal is to have as many file through our office as possible for reasons discussed. Part of the effort in year one is explanation and education about the program. Feedback from the population has been favorable. The master listing may change as interaction with taxpayers may confirm more entities or less entities on a particular parcel. As of yesterday, there were 112 listings on the master list, and 39 confirmed filings. The majority of those filings were done by her firm. There have been multiple touches on each of the listing. Generally, the feedback has been good given the program supports water remediation efforts and there might be a future opportunity for economic development. Her firm also keeps a detailed phone log of calls made and we return calls within 24 hours. Emails are returned in the same timeframe. With some of the bigger businesses it typically takes more time to get through to the population of entities that may need to report and with the gathering of information. We've had many, many conference calls and very good dialogue. Some of the smaller businesses have been challenged given the stresses of COVID19 on running their daily operations. As of today, Ms. Zosky indicated she thought the program was in good shape. She acknowledges through her experience with the other programs that the majority of filings come in in the last week, and that's not a year one thing, that's an every year thing. She wishes it was different as it is very stressful. As it relates to the reporting and certification process, the deadline for reporting is 11:59pm on September 1st. Revenue shuts the system down and there remains no ability to file or amend a filing after that point. Then the Department of Revenue has the ability to verify the tax types of the filing parties, and then certifies the cash basis of taxes paid and then consolidates the amounts. Revenue will then provide a letter that certifies all consolidated tax amounts and the number of filing entities. Her office works closely with Revenue and through the parcel filing process, the master list is update and provided to Revenue before August 31st to assure Revenue accepts and certifies all taxpayers on the updated master list. Later in the year, Revenue, though the Department of Budget, will transfer funds to MIRIA for their use. As previously stated, we encourage tax payers to file through our office, but they are not obligated to do so. Some of the population may opt to input the information in themselves, or to have their accountant input the information. If they do file on their own, as a courtesy, we ask them to share copies of the filing and confirmation number with us so the completed filing may be verified. Some filers are concerned about sharing social security numbers and such, and we understand that. Our office has signed confidentiality agreement with PA Revenue and we're CPA's by license, and there's confidentiality there.

Ms. Zosky confirmed that that's a general overview of the process and how we are to date. At the end of the day, Ms. Zosky and Mr. Stephens and Mr. Burns have had detailed conversations on each listing and we'll be updating the list regularly sharing status and progress. She then invited board members who might have questions to ask them. Mr. DeRosa commented that the package Ms. Zosky sent out was very easy to follow, made it much easier to understand, and certainly was simplified. Mr. Stephens commented that he thinks it is important publicly to thank businesses and parcel owners for their participation in the program. Ms. Zosky asked if there had been any press on the program and the deadlines. Mr. Nesbitt inquired whether other zones

have held informational meetings and whether that might be helpful? Ms. Zosky confirmed that certainly in year 1, a public meeting is preferable, and perhaps every couple of years after that. Meetings could include taxpayers, contractors, tax repayors or the general public. Mr. Nesbitt asked why we couldn't consider a zoom type meeting? Ms. Zosky confirmed she thought that could be value added and a great idea. Mr. Nesbitt asked Kelly Eberle whether a vote would be required? She confirmed that she did not believe a formal notice would be required. Chair Stephens concurred it could be a good idea. Mr. Whiteside joined the meeting and was acknowledged, and agreed a zoom meeting could be a great idea. Mr. Gildea-Walker confirmed that he, Mr. Burns and Ms. Zosky would talk next week and strategize for a zoom town hall meeting. Mr. Nesbitt asked who or how many taxpayers have files? Ms. Zosky confirmed it had been covered earlier in a high-level manner that of the 112 entries on the master list and as of yesterday there were 39 filings or in the 30% range. She reminded that with other similar programs, the majority of filings come in the last week. She was pleased with the 39 filings, a majority of which was filed through her office. There are also many in-process where information has been provided and a piece or two is missing. Mr. Nesbitt reinforced that the deadlines are fixed and need to be adhered to. Ms. Zosky underscored that in the later stages of the deadline, that the approach does then discuss penalties for non-filing. Mr. Stephens asked if there were any additional questions of Ms. Zosky, and there were none. Mr. Gildea-Walker indicated that concludes the executive directors report and that staff was working on a recognition program which we hope to discuss at the September board meeting.

Mr. Stephens asked if Ms. Kelly Eberle had a Solicitors report. Ms. Eberle confirmed that the grant agreement has been drafted and circulated to staff and with some input, it was recently revised. Mr. Burns commented that the draft grant agreement was not circulated to the full board and did not presume the document was actionable at a board level. He confirmed that it had been shared with Chair Stephens and Mr. Gildea-Walker, and that his own recommended revisions have been incorporated into the most recent draft. Ms. Eberle noted that she solicited and received feedback related to the critical infrastructure protection act and information related to that remains private. She confirmed that concluded her report. Chair Stephens asked whether any of the applicants have seen or commented on the grant agreement? Ms. Eberle indicated she didn't believe so, but applicants did have input regarding the right to know law and the secure information as to what we'd keep private. Chair Stephen inquired if there were additional questions, and there were none.

Mr. Stephens confirmed there were bills or communications in the list of checks. Mr. Stephens asked for the will of the board relating to the list of checks. Mr. Nesbitt motioned to approve the list of checks totaling \$19,422.26. Mr. Whiteside seconded. All were in favor and the motion passed unanimously.

Mr. Stephens confirmed under new business, there was a staff recommendation to change the December board meeting dated and invited Mr. Burns to discuss it. Mr. Burns confirmed he

circulated a July 16th memo discussing the timetable for PA Revenue certification of funds on December 1st and the original December 4 date was problematic as there would be too little time to evaluate the funding certification and to analyze it versus the grant applications and potential awards. He indicated he poled the board members and based on their feedback recommends the meeting be moved to December 18th. Mr. Stephens asked if there was a motion. Mr. Panzer made a motion to approve revising the meeting schedule to move the December board meeting from December 4, 2020 to December 18, 2020. Mr. Nesbitt seconded. Motion passed unanimously.

Mr. Stephens inquired if there was any other business. There was none.

Mr. Stephens reminded all that the next MIRIA board meeting was to be held on Friday, September 4th, 2020 at 9:00 am. He commented that it is scheduled for the township building and he is hopeful we can meet in person as September's meeting will be an important one. We expect to discuss and act on MRIA Quick Response Grants at that meeting.

With no other business, Mr. Stephens adjourned the meeting at approximately 9:39 am.

/S/

Thomas Panzer, Secretary