

SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

MEETING MINUTES

Regular Meeting
Thursday, October 6, 2011
12:00 Noon
Abigails Restaurant
Waterloo, New York

Attendance:

Board Members Present: Thomas Macinski, Vice Chair; Robert Rosenkrans; Kenneth Riemer; Patricia Amidon; Steven Brusso; Robert Kernan; Ralph Lott and Michael Hryzak

Board Members Absent: Thomas Kime

Staff Attending: Robert Aronson, Executive Director; Patricia Jones, Deputy Director; Kelly Kline, Executive Assistant; Bruce Johnson, CFO and Russell Gaenzle, Harris Beach

Others Attending: Adam Gawarecki, WEDA

Call to Order:

Vice-Chairman Macinski called the meeting to order at 12:06 p.m. A quorum of the Agency's members were present.

Approval of IDA Minutes / Meeting of September 1, 2011:

The minutes of the Agency's meeting of September 1, 2011 had been sent to Board members prior to the meeting. A motion was made by Mr. Rosenkrans to approve the September 1, 2011 minutes. Seconded by Mr. Brusso. Motion carried.

Approval of August 2011 Financial Statements:

The August 2011 Financial Statements had been mailed to Board members prior to the meeting. Mr. Kernan and Mr. Johnson presented the August 2011 Financial Statements to the board. After discussion, a motion was made by Mr. Rosenkrans to approve the August 2011 Financial Statements. Seconded by Mr. Brusso. Motion carried.

Approval of 2012 IDA Budget / Posting to PARIS:

Board Members had been provided a copy of the Proposed 2012 IDA Budget prior to the meeting. Mr. Aronson advised Board Members that a meeting of the IDA Audit Finance (AF) Committee had taken place on September 29, 2011 and the Audit Finance Committee is recommending approval of the 2012 IDA Budget and

posting to PARIS by November 1, 2011 to the Full Board. After discussion, a motion was made by Mr. Rosenkrans approving the 2012 IDA Budget and Posting to PARIS. Seconded by Mr. Hryzak. Members Rosenkrans, Macinski, Amidon, Hryzak, Riemer, Kernan, Brusso and Lott voted "yea". Motion carried. Mr. Kime was absent.

Approval of Engagement Letter / Raymond F. Wager, CPA.PC for 2011 IDA Audit:

A copy of the 2011 IDA Annual Audit Engagement Letter from the office of Raymond F. Wager, CPA, P.C. was provided to Board members prior to the meeting. Mr. Aronson advised the Board that the IDA Audit and Finance Committee had met on September 29, 2011 and recommends approval of Annual Audit Engagement Letter. After discussion, a motion was made by Mr. Kernan approving the 2011 Annual Engagement Letter from the office of Raymond F. Wager, CPA, P.C and authorizing the Executive Director to sign the agreement. Seconded by Mr. Brusso. Motion carried

Adam Gawarecki / WEDA:

Mr. Aronson introduced Board members to our account representative at WEDA, Mr. Adam Gawarecki, who is visiting Seneca County to deepen his awareness of our location. Mr. Gawarecki advised the board that, in total, the IDA has been represented in approximately 12 trade shows over the past 1 ½ years. Numerous contacts and leads have been generated, including one that has come to fruition, and that is Western Ag Enterprises, Inc. WEDA has produced a couple email blasts which help to direct leads to the IDA Website. There are two more email blasts that are to be produce for the IDA, one of which will be going out this month. Mr. Aronson stated that even though we are receiving a numerous amount of leads from the trade shows and email blasts, he has not been able to follow up as a focused salesperson would do. After discussion, the board directed staff to draft a job description for a contract salesperson

Approval of Local Labor Policy:

Mr. Aronson advised Board Members that at the request of a Seneca County Supervisor, staff along with legal counsel have drafted a Local Labor Policy which, if approved by the IDA Board, would be included as an Addendum in the IDA Application for Financial Assistance. The Policy states that the company which is applying for assistance will, with best efforts, hire or use local companies, contractors, employees etc. on their project. After discussion, a motion was made by Mr. Rosenkrans approving the Local Labor Policy Addendum to the IDA Financial Assistance Application. Seconded by Mr. Kernan. Motion carried.

Approval of IDA Resolution No. 2011-19 (SCIDA to Act as Acting Applicant on NYS Consolidating Funding Applications):

Mr. Aronson advised Board Members of the new state system for applying for grants known as the Consolidated Funding Application (CFA), which went into effect September 2, 2011. In this regard, staff was contacted by a division of ESDC for permission to be the applicant on a grant that would normally not have to go thru an agency like a local IDA. This is purely an administrative function and will not require extensive work; however, since the deadline for all these applications is October 31, 2011, it is possible that this request may happen again. Therefore, Resolution No. 2011-19 has been drafted authorizing staff to proceed with SCIDA acting as applicant on consolidating funding applications for NYS agencies upon request and approval of the SCIDA Executive Director. The resolution was then read as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (SCIDA) AUTHORIZING STAFF TO PROCEED WITH SCIDA ACTING AS APPLICANT ON CONSOLIDATING FUNDING APPLICATIONS FOR NYS AGENCIES UPON REQUEST AND APPROVAL OF THE SCIDA EXECUTIVE DIRECTOR

After discussion a motion was made by Mr. Rosenkrans Approving IDA Resolution No. 2011-19. Seconded by Mrs. Amidon. Members Rosenkrans, Macinski, Amidon, Hryzak, Riemer, Kernan, Brusso and Lott voted "yea". Motion carried. Mr. Kime was absent.

Approval of HUD Grant /B-10-SP-NY-0315:

Mr. Aronson advised Board members that notice of award of HUD Grant /B-10-SP-NY-0315 was received last year and the application was filed with HUD. Staff is now in receipt of the grant contract for \$200,000 for the demolition of two buildings at the Depot Airfield and a motion is needed to approve the grant contract and authorize the Executive Director to sign the grant documents. Mr. Aronson also advised that an Airfield grant project approximately ten years ago included the demo of one of these two buildings; however, grant funds were not adequate for the entire project. The engineering firm was Fisher Associates and demolition specs were prepared. Staff is recommending that Fisher Associates be engaged for engineering services for this new HUD grant and has prepared the sole source justification under PAAA. After discussion, a motion was made by Mr. Hryzak approving HUD Grant /B-10-SP-NY-0315 and authorizing the Executive Director to sign the documents and engaging Fisher Associates for engineering services. Seconded by Mr. Kernan. Motion carried.

Approval of ESDC Grant/X551/Seneca County IDA Project \$125K:

Mr. Aronson advised Board members that staff has received notification of a grant in the amount of \$125,000 for assistance in the redevelopment of former Seneca Army Depot that was included in the state's 2011-12 budget. A motion is needed to accept the grant and authorize the Executive Director sign grant documents. After discussion, a motion was made by Mr. Reimer accepting ESDC Grant X551 and authorizing the Executive Director to sign grant documents. Seconded by Mr. Brusso. Motion carried.

Other Business:

IDA Resolution No. 2011-18 / Waterloo Premium Outlets, LLC Project:

Mr. Aronson advised Board Members that Waterloo Premium Outlets, LLC has submitted an application and is requesting IDA Financial Assistance in the form of a Mortgage Recording Tax Exemption with the refinancing of indebtedness incurred in connection with the original construction of the facility in the Town of Junius. In that regard, the Agency would retain title to the land and improvements constituting the Facility and provide financial assistance in the form of the granting of one or more mortgage liens (collectively, the "Mortgage") on the Facility to secure the Indebtedness, which Mortgage shall be exempt from all mortgage recording taxes imposed in NY State. Mr. Aronson advised the Board that the facility currently employs approximately 900 people. The resolution also authorizes a public hearing to be held with respect to the project. The Resolution was read as follows:

RESOLUTION AUTHORIZING THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO (i) RETAIN TITLE TO CERTAIN REAL PROPERTY AND IMPROVEMENTS COMPRISING THE WATERLOO PREMIUM OUTLETS MALL LOCATED IN THE TOWN OF JUNIUS, SENECA COUNTY, NEW YORK (THE "FACILITY"); (ii) ACCEPTIN THE APPLICATION OF WATERLOO PREMIUM OUTLETS, LLC REQUESTING THE AGENCY TO PROVIDE FINANCIAL ASSISTANCE IN THE FORM OF A MORTGAGE RECORDING TAX EXEMPTION IN CONNECTION WITH THE REFINANCING OF CERTAIN INDEBTEDNESS INCURRED IN CONNECTION WITH THE ORIGINAL CONSTRUCTION OF THE

FACILITY; (iii) MAKE A DETERMINATION UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; AND (iv) AUTHORIZING A PUBLIC HEARING IN COMPLIANCE WITH THE AC.

After discussion, a motion was made by Mr. Rosenkrans accepting the Application, Approving IDA Resolution No. 2011-18/Waterloo Premium Outlets, LLC Project and Authorizing staff to schedule a Public Hearing. Seconded by Mrs. Amidon. Members Rosenkrans, Macinski, Amidon, Hryzak, Riemer, Kernan, Brusso and Lott voted "yea". Motion carried. Mr. Kime was absent

Adjournment:

A motion to adjourn the meeting was made by Mr. Hryzak. Seconded by Mr. Brusso. Motion carried. The meeting adjourned at 1:25 PM.

The next regular scheduled meeting will be held on **Thursday, November 3, 2011 at 12 Noon at Abigails Restaurant in Waterloo NY.**

Respectfully submitted,



Robert Rosenkrans
Secretary

pc: Margaret Li, Clerk, Board of Supervisors
Russell Gaenzle, Esq, Harris Beach
Roberta Jordans, Harris Beach
Shawn Griffin, Esq., Harris Beach
Kevin Overton, Esq., Harris Beach