

SENECA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

MEETING MINUTES

Regular Meeting  
Thursday, December 2, 2010  
12:00 P.M.  
Abigails Restaurant  
Waterloo, NY

Attendance:

Board Members Present: Thomas Kime, Chair (arriving at 12:25pm); Robert Kernan; Robert Rosenkrans; Steven Brusso; Kenneth Riemer; Michael Hryzak, and Patricia Amidon (left at 12:20pm)

Board Members Absent: Thomas Macinski

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

Others Attending: Suzanne Sinclair, County Manager and Dave Shaw, Finger Lakes Times

Call to Order:

Secretary Rosenkrans called the meeting to order at 12:15 p.m. A quorum of the Agency's members were present.

Approval of IDA Resolution No. 2010-19 / PETRO Sewer Line Transfer:

A copy of Resolution No. 2010-19 had been mailed to board members prior to the meeting. Ms. Jones advised Board members that this is the last step in the transferring of the sewer line to the Towns of Seneca Falls and Tyre. Ms. Jones presented the resolution as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY DETERMINING THAT THERE IS NO REASONABLE ALTERNATIVE TO THE PROPOSED BELOW-MARKET TRANSFER OF THE OWNERSHIP OF A SEWER LINE TO THE TOWN OF TYRE AND THE TOWN OF SENECA FALLS SEWER DISTRICT (AS DESCRIBED BELOW) THAT WOULD ACHIEVE THE SAME PURPOSE OF SUCH TRANSFER AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS

Ms. Jones also advised board members that staff is requesting approval to submit the 90 day notice of transfer to the state and to post a public notice of the transfer on the IDA website. After discussion, a motion was made by Mr. Hryzak approving IDA Resolution No. 2010-19 / PETRO Sewer Line Transfer and approving staff to submit the 90 day notice to the state and posting public notice on IDA website. Seconded by Mr. Kernan. Members Rosenkrans, Kernan, Reimer, Hryzak and Brusso voted "yea". Motion Carried. Mr. Kime and Mr. Macinski were absent. Mrs. Amidon Abstained.

**Mrs. Amidon left meeting at 12:20pm**  
**Chairman Kime arrived to meeting at 12:25pm**

**Approval of IDA Minutes / Meeting of November 4, 2010:**

The minutes of the Agency's meeting of November 4, 2010 had been sent to Board members prior to the meeting. A motion was made by Mr. Rosenkrans to approve the November 4, 2010 minutes. Seconded by Mr. Hryzak. Motion carried.

**Approval of October 2010 Financial Statements:**

The October 2010 Financial Statements had been mailed to Board members prior to the meeting. Mr. Kernan presented the October 2010 Financial Statements to the board. After discussion, a motion was made by Mr. Rosenkrans to approve the October 2010 Financial Statements. Seconded by Mr. Hryzak. Motion carried.

**Board Meeting Schedule 2011:**

A proposed meeting schedule for the monthly 2011 IDA Board Meetings had been mailed to Board Members prior to the meeting. No adjustments were made.

**Approval of IDA Resolution No. 2010-18/ Final Resolution / Hampton Inn of Seneca Falls Project**

Mr. Aronson advised the Board that IDA Resolution No. 2010-18, which had been forwarded to Board members prior to the meeting, is the final resolution for the Hampton Inn of Seneca Falls Project. He then presented IDA Resolution No. 2009-15 as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) MAKING A DETERMINATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX-AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE SENECA HOSPITALITY, LLC PROJECT

After discussion a motion was made by Mr. Kernan to approve IDA Resolution No. 2010-18/ Final Resolution / Hampton Inn of Seneca Falls Project. Seconded by Mr. Brusso. Members

Kime, Rosenkrans, Kernan, Reimer, Hryzak and Brusso voted "yea". Motion Carried. Mr. Macinski and Mrs. Amidon were absent.

**Approval of Sales Tax Exemption for ITT/Goulds Project:**

Mr. Aronson advised board members that ITT/Goulds has requested an extension of their Sales Tax Exemption. Being that they have not purchased all of the equipment on their list for 2010 they are requesting an extension through March 31, 2011. After discussion, a motion was made by Mr. Rosenkrans to approve the Extension of Sales Tax Exemption for ITT/Goulds Project. Seconded by Mr. Hryzak. Members Kime, Rosenkrans, Kernan, Reimer, Hryzak and Brusso voted "yea". Motion Carried. Mr. Macinski and Mrs. Amidon were absent.

**Cost Benefit Model Discussion:**

Mr. Aronson advised board members that the Center for Government Research in Rochester has developed a user friendly cost-benefit model that can help IDAs estimate how incentives will be returned to the community in terms of jobs, sales tax, property tax, income taxes, construction jobs and PILOT payments. After discussion, Chairman Kime recommended that Staff bring the model before the finance committee for review/recommendation and then come back before the board during the first quarter of 2011 for discussion.

**Other Business:**

Mr. Aronson gave Board members an update on the Prevailing Wage Act.

Ms. Jones gave board members an update on the progress of the timber harvest being done at the Depot. Ms. Jones and Mr. Reimer recently toured the site with Mr. David George of Empire State Forestry. They were shown which trees were selected for removal. Ms. Jones and Mr. Reimer were very satisfied with the progress of the project and the selection of trees being removed, most of which were ash. Ms. Jones advised board members that an Invitation to Bid went out to sawmills this week and bids will be opened on December 21, 2010 at 4:00 pm in the Seneca County Office Building, Heroes Conference Room. Ms. Jones advised the board that once bids are received, staff will come back to the Board for approval.

**Executive Session:**

Chairman Kime requested a motion to enter into Executive Session for the purpose of possible litigation... A motion was made by Mr. Kernan at 1:25 p.m. to enter into Executive Session. Seconded by Mr. Rosenkrans. Motion carried. A motion was made by Mr. Rosenkrans at 1:45 p.m. to come out of Executive Session. Seconded by Mr. Reimer. Motion carried

**Approval of IDA Resolution No. 2010.20 / Authorizing Settlement and Execution Mazzoni):**

Mr. Aronson presented the following resolution to the Board:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY AUTHORIZING THE EXECUTION OF A PRE-SETTLEMENT  
AGREEMENT WITH RESPECT TO LEGAL FEES AND A SETTLEMENT

AGREEMENT, RELEASES AND RELATED DOCUMENTS WITH RESPECT  
TO A REAL PROPERTY DISPUTE PENDING IN NEW YORK STATE  
SUPREME COURT, SENECA COUNTY, UNDER INDEX NO. 36715.

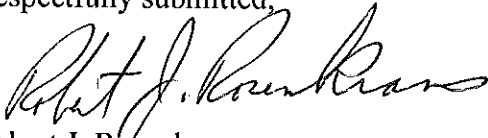
A Motion was made by Mr. Kernan approving IDA Resolution No 2010-20 / Authorizing Settlement and Execution (Mazzoni). Seconded by Mr. Brusso. Members Kime, Rosenkrans, Kernan, Reimer, Hryzak and Brusso voted "yea". Motion Carried. Mr. Macinski and Mrs. Amidon were absent.

**Adjournment:**

A motion to adjourn the meeting was made by Mr. Rosenkrans. Seconded by Mr. Reimer Motion carried. The meeting adjourned at 1:57 p.m.

The next regular scheduled meeting will be held on **January 6, 2011 12:00 Noon** at **Abigails Restaurant**, Waterloo, NY

Respectfully submitted,



Robert J. Rosenkrans  
Secretary

pc: Suzanne Sinclair, Seneca County Manager  
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