

CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Minutes of Meeting

April 9, 2010

A meeting of the Chemung County Industrial Development Agency was held on Friday, April 9, 2010, at 8:30 a.m. in 5<sup>th</sup> floor conference room of the Hazlett Building, 203 Lake Street, Elmira, New York. The following members were present: Cornelius Milliken, Thomas J. Santulli, G. Thomas Tranter, Jr., Alan Winston, Donald Quick, John Burin and Michael Hosey.

Also present were George Miner, President of STEG; Jamie Johnson, Vice President of STEG; Thomas F. O'Mara, Esq., Agency Counsel; Mike Armiak, Millennium Pipeline; labor representatives; media; and Sharon Chrisjohn, recording secretary.

Chairman Milliken called the meeting to order and asked if anyone wished to speak and the following spoke:

Dave Blauvelt, IBEW 139 reported that there are 30 workers at CVS who are paid an average of \$500 per week.

Mick Pavlick, Carpenters 281, advised there are 16 carpenters working on the interior of CVS.

Don Kraft, Building Trades, commended the IDA for its work.

On Motion No. 2010-16 by Mr. Winston, seconded by Mr. Burin and unanimously carried, the minutes of March 19, 2010 were approved as presented.

Mr. Quick reviewed the financial report for the period ending March 31, 2010. Mr. Miner stated that we will have to talk to our auditors about how revenue is reported to the State since this is only pass-through.

On Motion No. 2010-17 by Mr. Santulli, seconded by Mr. Tranter and unanimously carried, the financial report was approved as presented.

On Motion No. 2010-18 by Mr. Santulli, seconded by Mr. Burin and unanimously carried, the following officers were elected: Mr. Milliken, Chairman, Mr. Winston, Vice Chairman, Donald Quick, Treasurer, Mr. Tranter, Secretary, and Mr. Santulli, Assistant Secretary.

Mr. Miner advised that the PILOT with Anchor Glass is up. Their biggest concern is the increase in assessment and making improvements in the building here in Elmira. Mr. Miner is recommending extension of the PILOT for another 5 years. Mr. Santulli added that this is important. Anchor Glass does a lot for the local community and it operates in the black. We are lucky to have them.

On motion by Mr. Tranter and seconded by Mr. Quick, the attached Resolution No. 2010-19 "RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO (A) SEND A LETTER TO THE CHIEF EXECUTIVE OFFICERS OF THE AFFECTED TAXING ENTITIES INFORMING THEM OF A PROPOSED DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY AND (B) CONDUCT A PUBLIC HEARING IN CONNECTION WITH THE ANCHOR GLASS CONTAINER CORPORATION PROJECT" was unanimously carried.

Mr. Miner advised that the next item is a resolution consenting to a sublease from Millennium Pipeline to Anschutz. There is a natural gas well in The Center at Horseheads that needs to be hooked up along with some corrections to the original easements. Mr. Armiak added that as a result of community outreach, Anschutz approached Millennium to request this sublease.

On motion by Mr. Quick and seconded by Mr. Tranter, the attached Resolution No. 2010-20 "RESOLUTION CONSENTING TO SUBLEASE AND AUTHORIZING CERTAIN AMENDMENTS IN CONNECTION WITH THE MILLENNIUM PIPELINE COMPANY, L.L.C. PROJECT" was unanimously carried.

Mr. Miner advised that the Board needs to review and reaffirm or modify the IDA Investment Policy and also the Annual Report is to be posted on the IDA website. Both documents were emailed to Board members.

On Motion No. 2010-21 by Mr. Tranter, seconded by Mr. Quick and unanimously carried, it was

MOVED, that the Chemung County Industrial Development Agency reaffirms the Investment Policy and the Annual Report as submitted.

Mr. Miner distributed a letter from the State Attorney General's Office regarding the lawsuit against the State for the cost recovery assessments of IDAs. We need to send a letter to the State Budget Office explaining why we have not sent in the check in the amount of \$100,639.

Mr. Quick advised that he has meet with the auditors and reviewed the draft of the annual audit.

On Motion No. 2010-22 by Mr. Santulli, seconded by Mr. Quick and unanimously carried, the annual audit prepared by EFP Rotenberg, LLP as December 31, 2009 and 2008 is hereby accepted.

Mr. Tranter advised that Calamar has requested whatever information we have on Appleridge, Woodbrook and Hathorn Redevelopment. Mr. Santulli remarked that we do not oppose the project, just the way it is being done. Calamar is for-profit. Calamar is not a job creation project; we do projects that create jobs.

Mr. Santulli asked Attorney O'Mara if we were any closer to closing on Clemens Center and Attorney O'Mara advised we are very close.

There being no further business, on motion by Mr. Quick, seconded by Mr. Tranter and unanimously carried, the meeting adjourned.