

CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Minutes of Meeting
May 14, 2010

A meeting of the Chemung County Industrial Development Agency was held on Friday, May 14, 2010, at Noon in 5th 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; James Orsillo, CEO, Orthstar; 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:

Mr. Orsillo read a prepared statement which is attached.

On Motion No. 2010-23 by Mr. Winston, seconded by Mr. Hosey and unanimously carried, the minutes of April 9, 2010 were approved as presented.

Mr. Quick reviewed the financial report for the period ending April 30, 2010.

On Motion No. 2010-24 by Mr. Tranter, seconded by Mr. Quick and unanimously carried, the financial report was approved as presented.

Attorney O'Mara advised we had a public hearing on the request for an extension of the PILOT agreement with Anchor Glass.

On motion by Mr. Tranter and seconded by Mr. Santulli, the attached Resolution No. 2010-25 "RESOLUTION APPROVING A DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY WITH RESPECT TO THE ANCHOR GLASS CONTAINER CORPORATION PROJECT" was unanimously carried.

Attorney O'Mara advised that Tops Markets on the Southside is being sold. Mr. Miner added there is another 1 ½ years left on the PILOT and the assignment of the PILOT will make the sale happen.

On motion by Mr. Burin and seconded by Mr. Winston, the attached Resolution No. 2010-26 "RESOLUTION AUTHORIZING ASSIGNMENT AND ASSUMPTION OF CERTAIN DOCUMENTS AND AUTHORIZING THE EXECUTION AND DELIVERY BY CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT AND OTHER DOCUMENTS IN CONNECTION WITH THE HUDSON-ELMIRA ASSOCIATES, LLC PROJECT" was unanimously carried.

Mr. Miner reported that several years ago Vergason Technology along with the IDA deeded property to Spencer VanEtten Community Services Corporation for use as a medical arts facility. Spencer VanEtten Community Services Corporation is merging with Youth and Community Foundation of Spencer VanEtten and to complete the

merger they need to obtain a release of the deed restriction that the property be used solely as a medical arts facility.

On Motion No. 2010-27 by Mr. Tranter, seconded by Mr. Quick and unanimously carried, it was

MOVED, that the Chairman or Vice Chairman of the Chemung County Industrial Development Agency is hereby authorized to execute a Release of the deed restriction contained in the deed from Vergason Technology, Inc. and Chemung County Industrial Development Agency to Spencer VanEtten Community Services Corporation dated October 5, 1999 for premises at 164 State Route 224, VanEtten, New York 14889.

Mr. Miner explained that the pump station for the sewer line serving the CVS plant is in New York and that the Athens Township Authority is across the street. He is requesting authorization to enter into an operations and maintenance agreement with Athens Township Authority.

On Motion No. 2010-28 by Mr. Quick, seconded by Mr. Burin and unanimously carried, it was

MOVED, that the Chemung County Industrial Development is authorized to enter into an Operations and Maintenance Agreement with the Athens Township Authority to maintain the pump station serving the CVS plant subject to review and approval of Agency Counsel.

Mr. Miner advised that there is a restoration hangar which Wings of Eagles will lease to Sikorsky. Sikorsky will make improvements to this hangar will be mostly a delivery center. The IDA has been asked to enter into an agreement with Sikorsky and Wings of Eagles where the IDA will pay for the improvements and be reimbursed over 12 months in rents. Attorney O'Mara added that this sets up a tenant fund and will be repaid in the form of rent in 12 months.

On motion by Mr. Quick and seconded by Mr. Santulli, the attached Resolution No. 2010-29 "RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY BY CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF A DEVELOPMENT AGREEMENT AND OTHER DOCUMENTS FOR THE BENEFIT OF WINGS OF EAGLES DISCOVERY CENTER AND SCHWEIZER AIRCRAFT CORP." was unanimously carried.

Mr. Santulli thanked Mr. Tranter for his help in obtaining Corning Inc.'s assistance. This project will make this community international.

Mr. Miner advised that any time Sonwil (IST) subleases to a tenant, the IDA and bank have to sign off. Sikorsky is leasing space in the IST building to house people from Brazil. Mr. Santulli added that Sikorsky originally promised about 100 jobs and now have produced 800.

On Motion No. 2010-30 by Mr. Santulli, seconded by Mr. Winston and unanimously carried, it was

MOVED, that the Chemung County Industrial Development Agency consents to the lease agreement between Sonwil Development Group and Sikorsky Aircraft Corporation.

On Motion No. 2010-31 by Mr. Winston, seconded by Mr. Tranter and unanimously carried, the meeting went into Executive Session to discuss a real property acquisition.

On motion by Mr. Mr. Winston, seconded by Mr. Santulli and unanimously carried, the meeting resumed.

Mr. Milliken advised Mr. Orsillo that the IDA was not able to do anything on the reverter clause on the land. Mr. Orsillo asked what the IDA's intention was with the land and Mr. Miner advised it was for future job growth. Mr. Santulli stated that the reverter clause expired 5 years ago and the land, per the agreement, is now owned by the IDA. Mr. Santulli further stated that because of that reverter clause, there was no formal action necessary by the IDA.

Mr. Miner distributed a performance report of IDA's from the State Comptroller.

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