

Chemung County Industrial Development Agency
Minutes of the Meeting
April 4, 2013

A meeting of the Chemung County Industrial Development Agency was held on Thursday, April 4, 2013 at 8:40 AM in the 5th Floor Conference Room of the Hazlett Building, 203 Lake Street, Elmira, New York. The following members were present: John Burin, Donna Draxler, Michael Hosey, Donald Quick, Thomas Santulli and Alan Winston.

Excused: Thomas Tranter

Also present were George Miner, Executive Director of the Chemung County Industrial Development Agency; Thomas O'Mara, Counsel; Jill Koski, Southern Tier Economic Growth; Mary Rocchi, Recording Secretary and local labor and media representatives.

Chairman Alan Winston called the meeting to order at 8:45 a.m.

Public Comment: There was no Public Comment from the media or labor representatives. Mr. Winston discussed the statewide effort of local economic development officials opposing the governor's initiative to eliminate the ability of IDA's to abate New York State sales tax. Mr. O'Mara stated that the sales tax abatement issue was not in the final budget. However, there will be additional reporting requirements thrust upon the IDA's.

On Motion No. 2013-10 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, the minutes of the February 14, 2013 meeting were approved.

Mr. Quick reviewed the February 2013 financial statement. On Motion No. 2013-11 by Mr. Hosey, seconded by Mr. Burin and unanimously carried, the February 2013 financial report was approved.

Mr. Quick reviewed the audited financial statement from EFP Rotenberg. The CCIDA received a clean opinion with no findings and findings from last year were corrected. On Motion No. 2013-12 by Mrs. Draxler, seconded by Mr. Burin and unanimously carried, the audited financial statement was approved.

Mr. Miner reviewed a request from First Excelsior Group LLC, new owners of the First Arena. First Excelsior Group is requesting the Chemung County IDA to pledge collateral and provide a limited guaranty to support \$2,500,000 from Chemung Canal Trust Company, pursuant to the terms and conditions of a Commitment Letter dated March 29, 2013. The guaranty would be limited to the pledge and assignment of the revenues to be paid by Millennium Pipeline Company, LLC to the CCIDA under a grant letter dated 12/4/08, a pledge and assignment of the revenues to be paid by Empire State Pipeline, Inc. to the CCIDA under a Host Community Benefit Agreement dated 7/1/07; and an assignment of leases, profits and rents arising from the CCIDA premises currently leased to Gas Field Specialists, Inc. Miner noted that these revenue sources yield approximately \$200,000 annually to the Agency. There was discussion. On Motion No. 2013-13 by Mr. Santulli, seconded by Mr. Burin and unanimously carried, with Mr. Quick abstaining, the agency approved the Pledge, Assignment and Limited Guaranty, authorized the Chairman to sign the Commitment Letter and closing documents related to the Pledge, Assignment and Limited Guaranty, upon the review and approval of the Agency counsel.

Mr. Miner discussed the requirement by the State of New York Comptroller and its Authorities Budget Office for the Agency to annually review and readopted various policies of the Agency as well as its Mission Statement. On Motion No. 2013-14 by Mr. Quick, seconded by Mr. Hosey, and unanimously carried, the Authority Mission Statement and Performance Measurements; the Procurement Policy and the Investment Policies and Guidelines of the Chemung County Industrial Development Agency were approved.

Mr. Miner provided a review and summary of the Best Practices Training provided by Hodgson Russ on January 13, 2013 to the members. Each was provided a copy of the training documents. Chairman Winston and Treasurer Quick along with George Miner and Jill Koski participated in the training in January.

Mr. Miner discussed an application being made by Southern Tier Economic Growth Inc. to the United States Department of Agriculture to form and fund a revolving loan fund through its Rural Business Enterprise Grant program to benefit businesses and economic growth in Chemung County. STEG has successfully administered loan programs through the City of Elmira and the Village of Horseheads. . Mr. Miner requested that the Agency authorize up to \$25,000 of its funds be committed as a match to be further matched by a \$25,000 commitment by STEG in order to leverage a \$99,000 grant request from the USDA. On Motion No. 2013-15 by Mr. Quick, seconded by Mrs. Draxler and unanimously carried, a commitment of \$25,000 of CCIDA funds was approved.

Mr. Miner presented two proposals for an NYSDEC Brownfield's Clean-up Program on the former Schweizer building at 1250 Schweizer Road to monitor the clean-up process. The proposals received were from Fagan Engineers in Elmira and Fuss & O'Neill in Connecticut. Mr. Miner stated that Fagan Engineers feels they can close out this clean-up by the end of 2013, possibly early 2014. Fagan Engineers quoted a price of \$27,800, much less than was budgeted by the CCIDA. On Motion No. 2013-16 by Mrs. Draxler, seconded by Mr. Burin and unanimously carried, a proposal by Fagan Engineers to monitor the former Schweizer facility located at 1250 Schweizer Road at a cost of \$27,800, was approved.

Mr. Miner discussed retaining DPC Engineering PC to look at subdividing the Schweizer building for possible future tenants and improving the heating system. On Motion No. 2013-17 by Mrs. Draxler, seconded by Mr. Quick, and unanimously carried, the request to continue the CCIDA's relationship with DPC Engineering to work on subdividing the former Schweizer Aircraft building at 1250 Schweizer Road was approved.

On Motion No. 2013-18 by Mr. Santulli, seconded by Mr. Burin, the meeting was adjourned at 9:16 AM.

Respectfully submitted,

Mary K. Rocchi
Recording Secretary