

Chemung County Industrial Development Agency
Minutes of the Meeting
February 25, 2014

A meeting of the Chemung County Industrial Development Agency was held on Tuesday, February 25, 2014 at 12:00 PM in the 5th floor conference room at 203 Lake Street, Elmira, New York. The following members were present: John Burin, Donna Draxler, Thomas Santulli and Alan Winston.

Also present were George Miner, Executive Director of the Agency; Thomas O'Mara, Counsel to the Agency; Kimberlee Middaugh, Elmira City Manager; Jill Koski, Southern Tier Economic Growth, Mary Rocchi, Recording Secretary and local media and a labor representative.

Excused: Michael Hosey, Donald Quick and Thomas Tranter Jr.

Chairman Winston called the meeting to order at 12:03 PM.

There was no Public Comment.

On Motion No. 2014-01 by Mrs. Draxler, seconded by Mr. Santulli and unanimously carried, the minutes of the December 19, 2013 meeting were approved.

Mr. Miner presented a financial report. Sikorsky continues to pay down on their debt. The IDA's cash position continues to get stronger. The IDA closed on the Finger Lake LLC project, a Best Western being built on the former Howard Johnson's property. The IDA awarded water and sewer project for Airport Corporate Park South to G. DeVincentis and Son. We continue to pay down our debt on loans to build roads to Synthes and DeMet's buildings. Businesses with loans through the CCIDA are current on their payments. It's been a long winter for the old Schweizer building. G. Miner and J. Koski have dealt with frozen or burst pipes. The IDA has a few tenants and that will help to cover the costs of these issues. On Motion No. 2014-02 by Mr. Burin, seconded by Mrs. Draxler and unanimously carried, the financial report was approved.

Mr. O'Mara presented a refinancing project for 100 Woodlawn LLC. On Motion No. 2014-03 by Mr. Burin, seconded by Mr. Santulli and unanimously carried, a RESOLUTION WAS PRESENTED ON BEHALF OF 100 WOODLAWN LLC TO SECURE A NEW MORTGAGE REQUIRING APPROVAL OF THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS THE PROPERTY IS UNDER A LEASE TRANSACTION, not to exceed \$2,814,657.38 WITH THE AGENCY, AS WELL AS AN ASSIGNMENT OF LEASE was approved. Mr. O'Mara noted that there would be no mortgage recording tax.

Mr. Miner discussed a land sale in Airport Corporate Park. Sonwil Development needs to acquire an 8+/- acre parcel at the IST Center from the CCIDA in order to construct a parking lot to serve tenants in a new \$3+ million, 40,000 square foot building being built on a separate parcel. The CCIDA parcel is landlocked and undevelopable and the CCIDA would continue to require a no build covenant on the parcel other than for a parking lot. The purchase price negotiated is \$23,000. The tenant, Access Midstream would retain 135 jobs under a new 10 year lease. The new building will also allow for the relocation and expansion of other tenants in the complex such as Cemecon. On Motion No. 2014-04 by Mrs. Draxler, seconded by Mr. Santulli and unanimously carried, a RESOLUTION TO SELL 8+/- ACRES OF LAND TO

SONWIL DEVELOPMENT TO CONSTRUCT A PARKING LOT AT IST CENTER FOR \$23,000 was approved. Mr. Santulli noted that the berm located near Maple Shade housing development will not be disturbed as was promised. There will be no building on that site, just a parking lot.

Mr. Miner reported that a low bidder was determined for the construction of sewer and water utilities at Airport Corporate Park South. Electric and gas will be bid separately. Mr. Miner requested two resolutions from the board. On Motion No. 2014-05 by Mrs. Draxler, seconded by Mr. Burin and unanimously carried a RESOLUTION TO BORROW \$1,334,336 FROM THE SOUTHERN TIER REGIONAL ECONOMIC DEVELOPMENT COUNCIL AT A RATE OF 1% FOR 20 YEARS TO INCLUDE A MORTGAGE ON REAL ESTATE AND RELATED LOAN DOCUMENTS AS AUTHORIZED BY CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY LEGAL COUNSEL was approved.

On Motion No. 2014-06 by Mrs. Draxler, seconded by Mr. Santulli and unanimously carried, a RESOLUTION APPROVING A CONSTRUCTION CONTRACT BETWEEN THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND G. DEVINCENTIS AND SON CONSTRUCTION FOR THE AMOUNT NOT TO EXCEED \$692,819 was approved.

Mr. Miner presented a land sale transaction whereby the Chemung County IDA would purchase a 25.789 acre parcel of land on Philo Road in the Town of Horseheads from Chemung County and then sell this parcel, the former waste water treatment plant for the A&P manufacturing facility to Rail Pro to construct an industrial related facility. On Motion No. 2014-07 by Mrs. Draxler, seconded by Mr. Santulli and unanimously carried, a RESOLUTION FOR THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PURCHASE A 25.789 ACRE PARCEL OF LAND ON PHILO ROAD IN THE TOWN OF HORSEHEADS FROM CHEMUNG COUNTY FOR \$300,000 AND THEN SELL THE PARCEL TO RAIL PRO WITH CONTINGENCIES AS DESCRIBED IN THE PURCHASE AND SALE AGREEMENT was approved. The developers, Marc Stemerman and John Meier have five years to develop this parcel. The Purchase and Sale Agreement has been reviewed by the County, County Attorney, and CCIDA Attorney.

Mr. Santulli asked whether the Chemung County IDA had liability insurance on the West Water Street properties of Rosenbaum's, Marvin's and Harold's. Mr. O'Mara and Mr. Miner both assured him that there was coverage on the buildings.

Mr. Winston reported that he, Mr. Quick, Mr. Miner and Mrs. Koski attended the New York State Economic Development Council meeting in Albany in January. It was a good conference and there was a good presence from Chemung County.

On Motion No. 2014-08 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, the meeting was adjourned at 12:27 PM.

Respectfully submitted,

Mary K. Rocchi
Recording Secretary
Chemung County IDA