

**Chemung County Industrial Development Agency**

**Minutes of the Meeting**

**February 19, 2016**

A meeting of the Chemung County Industrial Development Agency was held on Friday, February 19, 2016 at 2:00 PM at 203 Lake Street, Room 510 in Elmira, New York. The following members were present: Dawn Burlew, Donna Draxler, Michael Hosey, Kimberlee Middaugh, Donald Quick, Thomas Santulli and Alan Winston.

Also present were: Michael Krusen, Executive Director to the Agency; Thomas O'Mara, Counsel to the Agency; Susan Katzoff, Barclay & Damon; S. J. Adams, Envision Elmira LLC; Jill Koski, Southern Tier Economic Growth, Mary Rocchi, Recording Secretary and local labor representatives.

Mr. Winston called the meeting to order and welcomed Susan Katzoff.

There was no public comment.

On Motion No. 2016-14 by Mrs. Draxler, seconded by Mrs. Burlew and unanimously carried, the minutes from the January 28, 2016 meeting were approved.

Mr. Quick presented an Audit Committee report. The field audit has been completed. The auditors will be back in March to discuss audit. Mr. Quick is not aware of any changes.

Mr. Quick presented the Financial Report. Most of January's income was rent and interest. Liability insurance was paid for the year. Cash position is good due to the sale of the Sikorsky building to Emhart. Payments are timely. On Motion No. 2016-15 by Mr. Santulli, seconded by Mrs. Middaugh and unanimously carried, the financial report was approved.

Mr. Hosey gave a Governance Report. The Governance Committee has not met recently. There are a few issues from the audit that need to be worked on. A meeting will be scheduled soon.

Mr. Krusen discussed a Property Transfer for CDS Monarch. CDS Monarch bought 8 acres of McNaught Field on Maple Ave to build senior transitional housing and as part of the agreement 4 acres will be transferred to either the City or the CCIDA.

Mrs. Koski introduced S J Adams from Envision Elmira LLC and presented his project for the redevelopment of the former Werdenberg building. It will be a mixed-use and historic preservation effort with 4 second floor apartments and 2 first floor storefronts. Funding from URI was received. On Motion No. 2016-16 by Mr. Hosey, seconded by Mrs. Draxler and unanimously carried, a RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO (A) CONDUCT A PUBLIC HEARING AND (B) 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 IN CONNECTION WITH THE ENVISION ELMIRA LLC PROJECT, was approved.

Mr. Krusen presented the Sonwil project which was withdrawn from the agenda at the last meeting. Sonwil has requested a 5 year sales tax extension. Since the amount of the PILOT is less than \$100,000 no public hearing will have to be held. This is a Type 2 action and there is no need for SEQR review. On Motion No. 2016-17 by Mr. Quick, seconded by Mrs. Burlew and unanimously carried, a RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR THE SONWIL DEVELOPMENT GROUP LLC, was approved.

Mr. Krusen presented a request from Finger Lake LLC for a sales tax extension on their project, the former Howard Johnson's motel, in Horseheads. The project was approved in 2013. The company requested a longer sales tax extension, but was offered one through June 30, 2016. A request has been made to Finger Lake LLC as to the amount of sales tax benefit they are receiving. On Motion No. 2016-18 by Mr. Santulli, seconded by Mr. Hosey and unanimously carried, a RESOLUTION AUTHORIZING EXTENSION OF SALES TAX EXEMPTION IN CONNECTION WITH THE LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR FINGER LAKE LLC, was approved.

Mr. Krusen presented a request from DeMet's Candy Company for a retroactive sales tax extension from September 4, 2015 through December 31, 2016. On Motion No. 2016-19 by Mrs. Draxler, seconded by Mr. Quick and unanimously carried, a RESOLUTION AUTHORIZING EXTENSION OF SALES TAX EXEMPTION IN CONNECTION WITH THE LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR DEMET'S CANDY COMPANY, INC. was approved.

Mr. Krusen will go through incomplete projects list with T. O'Mara. There are a few projects that have closed that will be needed by next week for the audit.

On Motion No. 2016-20 by Mr. Santulli, seconded by Mr. Hosey and unanimously carried, Executive Session was convened to discuss a property acquisition.

Ms. Katzoff disclosed a potential conflict of interest resulting from her representation of the IDA with respect to the potential acquisition of the arena. , One of her partners acts as the County attorney and is representing the County with respect to its role in the potential acquisition. In addition her firm represents Chemung Canal Trust Company in other unrelated matters, although is not representing Chemung Canal Trust Company in this matter.

As such, Ms. Katzoff has requested the Chemung County Industrial Development Agency waive this potential conflict. She advised that the County and Chemung Canal Trust Company have waived the conflict.

On Motion No. 2016-21 by Mr. Santulli, seconded by Mr. Hosey and unanimously carried, a request for the Chemung County Industrial Development Agency to waive this potential conflict, was approved.

On Motion No. 2016-22 by Mr. Quick, seconded by Mrs. Draxler and unanimously carried, Executive Session was dismissed.

On Motion No. 2016-23 by Mrs. Draxler, seconded by Mr. Santulli and unanimously carried, the meeting was adjourned at 3:15 PM.

Respectfully submitted,

Mary K. Rocchi  
Recording Secretary