

Chemung County Industrial Development Agency

May 10, 2017

AGENDA

1. Public Comment
2. Approval of Minutes – March 31, 2017
3. Audit Committee Report
4. Financial Report
5. Governance Committee Report
6. New Business – Discussion/Informational Items
 - A. Park Grove Realty West Water Street Redevelopment Project
7. New Business – Action Items
 - A. Town of Baldwin - Wind/Solar Energy System
 1. Commercial Solar Photovoltaic Policy
 - B. Name Changes
 1. 1580 Lake Street, LLC to SEPAC Inc.
 2. Maloney Enterprise LLC to Maloney Properties LLC
 - C. Lowe Road – Purchase of Parcel
 - D. Feasibility Study – 110-114 Baldwin Street
 - E. Feasibility Study – 110-116 North Main Street
 - F. Jim Capriotti Lease Agreement – 110-114 Baldwin Street
8. Old Business
9. Executive Session - First Arena
10. Other Business
11. Adjournment

Chemung County Industrial Development Agency
Minutes of the Meeting
May 10, 2017

A meeting of the Chemung County Industrial Development Agency was held Wednesday, May 10, 2017 at 8:40 AM at 203 Lake Street, 5th Floor Conference Room in Elmira, New York. The following members were present: Dawn Burlew, Donna Draxler, Michael Hosey, Donald Quick, Thomas Santulli and Alan Winston.

Also present were: Michael Krusen, Executive Director of the Agency; Susan Katzoff, Counsel to the Agency (via phone); Michael Collins, Elmira City Manager; Jennifer Miller, Department of Business and Housing, City of Elmira; George Winner, Keyser, Maloney & Winner; Andrew Bodewes, Park Grove Realty; Robert Thomas, First Arena; Samantha Potter, Chemung County Public Information; and local labor and media representatives.

Mr. Winston called the meeting to order at 8:40 AM. He noted there were two agendas to address. The Chemung County Capital Corporation meeting would be held immediately following the Chemung County Industrial Development Agency meeting. He also noted that Susan Katzoff from Barclay Damon was present via phone.

There was no public comment.

On Motion No. 2017-38 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, the minutes of the March 31, 2017 meeting were approved.

Mr. Quick stated there was no audit report.

Mr. Quick reviewed the financial report through April. The IDA is at about a \$215,000 deficit due to arena costs. The arena was given \$150,000 during the first part of the year to pay down debt. M. Krusen stated that there are a number of projects coming up that will create revenue for the IDA. Cash position and receivables are in good shape. On Motion No. 2017-39 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, the financial report was approved.

Mr. Hosey stated the Governance Committee had not met recently.

Mr. Winston noted that the new agenda separated informational items from action items.

Mr. Krusen introduced Mr. Bodewes from Park Grove Realty to discuss the project for the West Water Street site. There will be 16,500 square feet on the first floor for commercial and office space, which includes a restaurant and brew pub. The top three floors will be residential with 51 market rate one and two bedroom apartments. Because of demand, Park Grove has revised their plan to include more two bedroom apartments. There will be 27 one bedroom and 24 two bedroom apartments. The streetscape will be redone and perpendicular parking as well as public parking behind the building will be added. He hopes to include outside dining as well. Mr. Bodewes discussed his financial projections for the project. Money through the Downtown Revitalization Initiative and the Restore NY money will be used for a portion of this project. He has not talked to the banks but hopes to leverage a conventional loan. Edger Enterprises will construct the building and Elise Johnson-Schmidt will be the architect on the building.

Mr. Bodewes is projecting \$1,075 for one bedroom and \$1,295 for two bedroom apartments. Mr. Bodewes suggested a Payment in Lieu of Tax agreement which has the developer paying tax on the land during construction and the PILOT starting after the Certificate of Occupancy has been issued. There will be a gradual decrease in amount of the abatement. Mr. Winston noted that this an important and significant project for downtown Elmira. The IDA will work on a package over the next month to assist this project.

Mr. Krusen discussed the adoption of a Commercial Solar Photovoltaic Policy as we have several solar related projects coming in. The Chemung County IDA has been asked to reduce their 1% Administrative Fee to ½ percent, which is the percentage that Tompkins County IDA uses. On Motion No. 2017-40 by Mr. Quick, seconded by Mr. Hosey and unanimously carried the Commercial Solar Photovoltaic Policy with the 1% administrative fee reduced to ½ of a percent was approved.

Mr. Krusen presented two solar projects from Delaware River Solar: NY Baldwin I LLC and NY Baldwin II LLC. The Town of Baldwin is requesting the Chemung County IDA to lower their 1% Administrative Fee to ½ of a percent. Tompkins County IDA also charges the ½ percent administrative fee. The Town of Baldwin has also asked if the IDA could deviate from the standard PILOT agreement. Instead of the School District receiving 61%, the County 26% and the Town 13%, the town would like to receive 50% abatement and re-proportion the School District and County amounts. A modified PILOT would have to be approved by each of the taxing jurisdictions. A public hearing will be held and a letter to taxing jurisdictions sent out. On Motion No. 2017-41 by Mr. Quick, seconded by Ms. Burlew and unanimously carried, the request for a PILOT deviation of 50% tax abatement for the Town of Baldwin, with the other 50% reallocated between the Elmira City School District and Chemung County, and approval to hold a public hearing for each entity was approved. A copy of the memorandum to the Chemung County IDA board regarding this request, along with the resolution will be forwarded to the School District and Chemung County as part of the public hearing notice.

Ms. Kadar discussed the name on the Maloney Enterprise LLC application was incorrect. The transactional documents and resolutions approved previously state the name as Maloney Properties LLC.

Mr. Krusen discussed the purchase of a small piece of land off Interstate 86 on Lowe Road owned by NYS Department of Transportation. There has been interest in the adjacent property but without this piece of land, developers lose interest. NYS DOT is interested in selling the land for \$7,000 for the .485 acre parcel. DOT is unable to provide the CCIDA with an appraisal. Mr. Krusen would like to have a short form appraisal done on the land. On Motion No. 2017-42 by Mr. Hosey, seconded by Mrs. Draxler and unanimously carried, the purchase of a .485 acre of land for \$7,000 subject to appraisal was approved.

Mr. Krusen discussed a purchase option between the IDA and Jim Capriotti for properties located at 110 Baldwin Street and 112-114 Baldwin Street. Mr. Capriotti will renovate the buildings into first floor commercial space and upper level apartments. The IDA owns 110 Baldwin and Chemung County owns 112-114 Baldwin and will donate the building for this project. The purchase option will be for \$120,000. Mr. Capriotti will start working in anticipation of the CCIDA applying for a state grant, which will assist with covering the costs of the building renovation. Leasing of this property will provide for rent and carrying costs being covered. On Motion No. 2017-43 by Mr. Quick, seconded by Mr. Santulli and unanimously carried, a purchase option with Jim Capriotti for \$120,000 for the renovation of the buildings located at 110 and 112-114 Baldwin Street was approved.

Mr. Krusen discussed entering into an agreement with Elise Johnson-Schmidt to do a feasibility study on properties located at 110-114 Baldwin Street and 110-116 North Main Street. Jim Capriotti is the developer on both properties. The Baldwin Street properties will be mixed use on the first floor with 2-bedroom apartments on the upper stories. The buildings at 110-116 North Main Street will be mixed use with commercial businesses on the first floor with one bedroom and studio apartments on the upper floors. In exchange for the IDA's assistance, Jim Capriotti will hire a project manager, which will be embedded into his costs. On Motion No. 2017-44 by Mrs. Draxler, seconded by Mr. Hosey and unanimously carried the contract with Elise Johnson-Schmidt to conduct a feasibility study on the buildings at 110-114 Baldwin Street and 110-116 North Main Street was approved.

On Motion No. 2017-45 by Mrs. Draxler, seconded by Mr. Hosey and unanimously carried, Executive Session convened at 9:50 AM to discuss First Arena and a personnel matter.

On Motion No. 2017-46 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, Executive Session was dismissed at 10:03 AM.

On Motion No. 2017-47 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, the appointment of Susan Katzoff from Barclay Damon as Agency Counsel, replacing Thomas O'Mara, was approved.

On Motion No. 2017-48 by Mr. Hosey, seconded by Mr. Santulli and unanimously carried, the meeting adjourned at 10:04 AM.

Respectfully submitted,

Mary K. Rocchi
Recording Secretary