

Chemung County Industrial Development Agency

July 14, 2017

AGENDA

1. Public Comment
2. Approval of Minutes – June 27, 2017
3. Audit Committee Report
4. Financial Report
5. Governance Committee Report
6. New Business – Discussion/Informational Items
7. New Business – Action Items
  - a. Vecino Group
    - i. Public Hearing Resolution
8. Old Business
9. Executive Session
  - a. First Arena property disposition
  - b. Litigation
10. Other Business
11. Adjournment

**Chemung County Industrial Development Agency**  
**Minutes of the Meeting**  
**July 14, 2017**

A meeting of the Chemung County Industrial Development Agency was held on Friday, July 14, 2017 at 8:40 AM at 203 Lake Street, 5<sup>th</sup> 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; Gabriel Nugent, Barclay & Damon LLP (via phone); Zsuzsi Kadar, Southern Tier Economic Growth; Mary Rocchi, Recording Secretary to the Agency; Steven Agan, Sayles & Evans, Michael Collins, Elmira City Manager; Robbie Nichols, Elmira Sports; Allan Charlap, Elmira Sports; Robert Thomas, First Arena, Samantha Potter, Chemung County, local labor and media representatives.

Mr. Winston called the meeting to order at 8:40. He noted the agenda and agenda items were sent out prior to the meeting for the board to review.

Public Comment: Mr. Robbie Nichols from Elmira Sports reported that he is in negotiations with the Chemung County IDA to bring hockey back to Elmira. He holds the rights to a Federal team and was previously been employed by First Arena. He would like to see the arena being used as it was meant to be. Mr. Santulli asked how capital problems would be handled if an agreement was reached. Mr. Charlap stated there needs to be a fall back plan as the ice plant is only running on two compressors, not three. The third compressor needs to be repaired before something happens to the other two. Mr. Charlap stated that he and Mr. Nichols would hopefully manage to get through the season with only two compressors. Mr. Nichols is a member of a Capital Players group who would help him financially take the arena from a lease to purchase of the building. There are issues that need to be addressed and he is looking to purchase the arena and invest back into the building. Mr. Charlap stated that he was on the original board that brought the arena to town. The compressors need a complete overhaul as there is a lot of strain on the two working compressors. Mr. Nichols had a deadline of last week to tell the league what his plans are, but it was extended through today. There are seven teams currently in the Federal league and Elmira would be the eighth. There is a guarantee of 32 home games between October and March. He is also a partner in ice racing teams and is working on getting a Christmas concert event at the arena. He is an employee of the Binghamton Devils but does not have any partnership with the Binghamton Senators. Mr. Nichols has coaches and players lined up to come here, but has to let them know of our decision. Mr. Winston asked Mr. Nichols what costs will have to be reimbursed if he were to lease the arena. Mr. Nichols replied that if he invested \$100,000 into the compressor and someone else bought the arena out from under him, he would want to be reimbursed. Mr. Nichols asked the IDA board to consider a two year lease with a one year option. He has a liquor license through the Pioneers and doesn't see a problem in getting one for the arena. Mr. Santulli stated that the ECHL is struggling and asked where the Federal league stood. Mr. Nichols replied that the federal league is less expensive to run than an ECHL team and is doing well. Most players will stay a few years with a team. There were 180 players called up to the NHL last year. Housing must be provided for the players.

On Motion No. 2017-60 by Mr. Santulli, seconded by Mr. Hosey and unanimously carried, the minutes of the June 27, 2017 meeting were approved.

Mr. Quick did not have an audit report.

Mr. Quick reviewed the June financial report. We continue to show a deficit of \$100,000 in June. Interest and rental income continue to be received. Money was expended in project cost area mostly for the arena. Cash position is good. Receivables are in good shape. Everything is coming in on time. On Motion No. 2017-61 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, the financial report was approved.

Mr. Hosey reported that the Governance committee has not met recently but voted on updated policies and procedures at the June 27, 2017 meeting.

There was no new business for discussion or informational items.

Mr. Krusen discussed the Vecino Groups project. They are requesting a 32 year PILOT which includes two years of construction. The value of the PILOT is \$1,491,683. Full tax payment without a PILOT would be \$4,784,064. Vecino's net exemption will be \$3,292,381. The PILOT is based on a net income approach. Mr. Krusen asked that the IDA proceed with the Public Hearing. On Motion No. 2017-62 by Mr. Quick, seconded by Mr. Hosey and unanimously carried, the RESOLUTION DETERMINING THAT THE ACQUISITION, CONSTRUCTION, EQUIPPING AND COMPLETION OF A MIXED-USE COMMERCIAL FACILITY AT THE REQUEST OF THE COMPANY CONSTITUTES A PROJECT; DESCRIBING THE FINANCIAL ASSISTANCE IN CONNECTION THEREWITH; AND AUTHORIZING A PUBLIC HEARING was approved. Mr. Krusen added that interest in nearby vacant commercial buildings has increased since the announcement of this project.

There was no old business.

On Motion No. 2017-63 by Mr. Santulli, seconded by Mrs. Draxler and unanimously carried, Executive Session convened at 9:02 AM.

On Motion No. 2017-64 by Mr. Santulli, seconded by Mr. Hosey and unanimously carried, Executive Session dismissed at 10:48 AM.

On Motion No. 2017-65 by Mr. Santulli, seconded by Mr. Hosey and unanimously carried, the meeting adjourned at 10:50 AM.

Respectfully submitted,

Mary K. Rocchi  
Recording Secretary