

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

**BOARD MEETING
Tuesday, April 19, 2011
CCIDA OFFICE
3 East Washington Street
Ellicottville, NY
11:15 a.m.**

Roll Call:

Members

Present:

Mr. Thomas Buffamante - Chairman
Mr. Joseph Higgins
Mr. Joseph Eade
Mr. Brent Driscoll
Ms. Crystal Abers

Members Excused:

Mr. Salvatore Marranta
Mr. Gregory Fitzpatrick

Staff:

Mr. Corey R. Wiktor - Executive Director
Mr. George Cregg, Jr. - Legal Counsel

Guests:

Mr. Nick Pircio - The Villager.
Ms. Denise Veloski - RA Mercer & Co.
Mr. Kevin Sheen - Everpower Wind

Mr. Craig Marlatt - Ross Wilson & Associates, Inc.
Mr. Bob Docherty - Ross Wilson & Associates, Inc.

CCIDA Chairman, Mr. Thomas Buffamante called the meeting to order at 11:15 a.m.

Mr. Buffamante conducted the roll call, Mr. Salvatore Marranca and Gregory Fitzpatrick were excused from the meeting..

APPROVAL OF MINUTES

A Motion was made by Joseph Eade, with a second by Brent Driscoll to accept the minutes from the March 8, 2011 Board of Directors Meeting as submitted. Motion Carried.

FINANCIAL REPORTS

Mr. Buffamante next introduced Denise Veloski from RA Mercer & Co. to review the audit report completed by RA Mercer. Mr. Buffamante stated that the audit committee met with Denise at the end of March 2011 to approve the Audit report. Denise Veloski was happy to report that the audit was a clean audit with no audit findings. Denise reviewed the Management Discussion and Analysis letter that gives Management the opportunity to highlight the current and ongoing projects and financial matters that are going on within the CCIDA.

Denise Veloski also that the activity of the Capital Resource Corporation has been determined that this activity must be blended/included with the activity of the Cattaraugus County Industrial Development Agency. Denise also stated was the \$417,065 received from FEMA money payable to New York & Lake Erie Railroad repair for flood damage this revenue and expense was not included in comparison to other years activity because it was just a pass through.

Denise Veloski reviewed the financial analysis of the agency as a whole, stating that at the end of 2010 the CCIDA had \$1,587,000 this is \$22,000 more in assets than in 2009. Denise also pointed out that the CCIDA has \$6,521 in liabilities and no long term debt because the long term debt of \$8,551 was paid off during the year 2010. The Agency's total net assets increased by \$29,912.

Mr. Wiktor advised the CCIDA Board that several Certificate of Deposits have been converted to Money Market accounts due to the low interest rates given on CD's, therefore the converted accounts are classified as cash instead of unrestricted investments. Denise Veloski also stated that the CD interest is being deposited into the CCIDA savings account each quarter therefore it is not necessary to make an accrual at year end.

Denise Veloski also went over the change in net assets which as of year end 12-31-10 were at \$29,912 compared to (121,700) at year end 2009. This is a significant increase over the last 5 years.

Mr. Wiktor advised the CCIDA Board that we will be enhancing the documentation in regards to sick time and vacation time for our employees to satisfy Audit requirements.

Denise Veloski stated that over the past several years the Schedule of Bonds and supplemental schedules have been looked at very closely mainly for the benefit of PARIS Reporting requirements for New York State.

Denise Veloski thanked the CCIDA Board and Audit Committee for working with RA Mercer & Sons with no problems noted.

A Motion was made by Crystal Abers to accept the 2010 Audit Report as prepared by RA Mercer & Co., seconded by Joseph Eade. All members were in favor. Motion Carried

Mr. Wiktor mentioned to the CCIDA Board that he has discussed with the Board and it has been approved to join the Buffalo Niagara Enterprise in the amount of \$5,000.00. This Professional Association line item will be adjusted when the budget is revised in July/August of 2011 to reflect this expenditure.

Joseph Higgins made a motion seconded by Brent Driscoll to accept the March 2011 Operating Statement/financial report as prepared. All members approved. Motion Carried

Mr. Wiktor advised the CCIDA Board of the two (2) Public Hearings held, one for Win Sum Ski Corp. And the other for DST Properties-Scott Rotary Seals. Both Public Hearings were not attended by anyone and nothing was received in writing at the Public Hearing or at our offices in regards to these projects.

RESOLUTION(s)

Motion was made by Joseph Higgins seconded by Joseph Eade, **RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A PROJECT FOR THE BENEFIT OF DST PROPERTIES NY, LLC WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.** A Roll Call vote was taken with Mr. Higgins, Mr. Eade,, Mr. Driscoll, Mr. Buffamante, and Ms. Abers voting yes. Mr. Marranca and Mr. Fitzprick were excused. Motion Carried.

Motion was made by Joseph Higgins seconded by Crystal Abers, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR DST PROPERTIES NY, LLC (THE "COMPANY")** A Roll Call vote was taken with Mr. Higgins, Mr. Eade,, Mr. Driscoll, Mr. Buffamante, and Ms. Abers voting yes. Mr. Marranca and Mr. Fitzpatrick were excused. Motion Carried.

Motion was made by Joseph Eade seconded by Joseph Higgins, **RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A PROJECT FOR THE BENEFIT OF WIN-SUM SKI CORP. WILL NOT HAVE A SIGNIFICANT EFFECT ON THE**

ENVIRONMENT. A Roll Call vote was taken with Mr. Higgins, Mr. Eade,, Mr. Driscoll, and Ms. Abers voting yes. Mr. Marranca and Mr. Fitzpatrick were excused. Mr. Buffamante abstained.

Motion was made by Crystal Abers seconded by Brent Driscoll, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR WIN-SUM SKI CORP. (THE “COMPANY”).** A Roll Call vote was taken with Mr. Higgins, Mr. Eade, Mr. Driscoll, and Ms. Abers voting yes. Mr. Marranca and Mr. Fitzpatrick were excused. Mr. Buffamante abstained. Motion Carried.

Motion was made by Joseph Eade seconded by Brent Driscoll, **RESOLUTION AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (THE “ISSUER”) IN CONNECTION WITH THE DEFEASANCE OF THE MULTI-MODE VARIABLE RATE INDUSTRIAL DEVELOPMENT REVENUE BONDS (GOWANDA ELECTRONICS CORP. PROJECT), SERIES 2000A ISSUED BY THE ISSUER ON JUNE 21, 2000 IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$3,000,000.** A Roll Call vote was taken with Mr. Higgins, Mr. Eade, Mr. Driscoll, and Ms. Abers voting yes. Mr. Marranca and Mr. Fitzpatrick were excused. Mr. Buffamante abstained. Motion Carried.

Mr. Wiktor next introduced Mr. Kevin Sheen, Senior Director of Development for Everpower. Mr. Sheen stated that his Company- Everpower basically started looking at this area back in 2006 for the possibility of a Wind Farm to be located in the Allegany, NY. This Project had been slowed at first due to the Economic down turn. Everpower is currently going through the SEQR Process and licensing process. There will be Public Hearings and special use permits in May in Allegany. There is a possibility that this project will come to a vote in June 2011. The Planning Board is expected to put this project to a vote first with the Allegany Town Board to follow. This project is for the installation of 29 Turbines in the Town of Allegany with 72 mega watts of power which has the potential of being a \$160 million dollar project.

Mr. Sheen stated that the laws in Allegany are some of the toughest in the business of Wind Projects. The setback requirement in Allegany is 2,500 ft. however the Turbines will be approximately 2,800 ft. from a dwelling. This project will employ locals, purchase gravel locally, concrete work, and also stimulate local economy. Mr. Sheen stated that in the peak of the project there will be approximately 200 people working. The number of full time jobs after the project is completed will be about 6 people. The best estimate for work to begin on this Project is April 2012.

Mr. Sheen said that Everpower - Allegany Wind LLC will be seeking a PILOT agreement which will benefit the local Community. Mr. Sheen advised the CCIDA Board that this Project will have an enormous economic effect in Allegany NY and especially for Cattaraugus County.

Mr. Sheen stated that the main opposition to the project is in the Chipmonk area and Mr. Sheen stated that most of the individual homes will be approximately one (1) mile from the Turbines.

Mr. Sheen stated that he feels that the Allegany Wind Project is going to be a very quiet project because of the setbacks and other contributing factors. Currently the standard in the Town of Allegany is going to be 40dba per residence.

Mr. Sheen also discussed that the project from start to completion will be approximately 6-9 months.

Mr. Sheen discussed with the CCIDA Board the various pro and cons of the Allegany Wind Project in length and took various questions from the Board. Mr. Sheen attend this meeting to give an update and overview of the proposed Allegany Wind Project. The CCIDA currently does not have an application for this Project.

Mr. Wiktor advised Mr. Sheen that the Wind Pilot Policy was passed in February 4, 2010 and is included in our Uniform Tax Exempt Policy. Mr. Sheen stated that Everpower has been working on a Host Community Agreement with the Town of Allegany and would like to set-up a meeting with the CCIDA and Hodgson/Russ within the next couple of months.

Next Mr. Wiktor introduced Mr. Craig Marlatt and Bob Docherty from Ross Wilson & Associates to give a brief presentation and update of the Bonaventure Square Project. The architects of this project is Lauer-Manguso Architects whom have done a tremendous job with the architecture for this project.

Mr. Wiktor explained to the CCIDA Board the benefits that the developer and his team are seeking from our Agency. The main focus is do we treat this project as one component or do we treat it as several different components. Mr. Wiktor advised the CCIDA Board that the Town of Allegany is treating this project as one component.

The first phase will be the 165 apartments and the university book store. The Sportsplex will be included in the second phase of the project. The University has requested that the architecture be consistent with the current St. Bonaventure Architecture.

According to Craig Marlatt the time frame is to have the apartments and the bookstore open for operation/occupancy by August 2012. Ground breaking is scheduled for August 2011.

Mr. Wiktor stated that in his mind this project should be considered as a complete campus for a tourism destination facility to enhance Cattaraugus County and the entire region as a whole. This project is an economic engine to bring new people and new money to this region which is what Economic Development is all about.

Mr. Buffamante stated that this project is not depleting or replacing anything it is merely enhancing the Community in Allegany and the surrounding area of Cattaraugus County.

Mr. Marlatt stated that his Company - Ross Wilson and Associates is ready to submit an application within the next few months. This application process will be much easier than what Ross Wilson has already been through with the SEQR Process and Planning Board Process.

This total project cost would be around \$100 million project with the complete build out with all components included. The first phase should be approximately \$20 - \$25 million, all of the first phase components have made commitments to this particular project and are ready to move forward.

Mr. Buffamante stated that the CCIDA has some very exciting potential projects on the horizon which is very refreshing within the current economic times.

EXECUTIVE DIRECTOR'S REPORT

Mr. Wiktor next handed out the County of Cattaraugus Industrial Development Agency - Straight Lease Policy for the CCIDA Board review.

Mr. George Cregg, Jr. discussed in length with the CCIDA Board the benefits that would be covered by this Straight Lease Policy and fielded any questions by the CCIDA Board.

A Motion was made by Brent Driscoll seconded by Joseph Eade to accept the Straight Lease Policy as presented. All members voted in favor. Motion Passed

Mr. Wiktor also mentioned that there will be a Public Hearing on June 1, 2011 relating to the proposed Adaptive Reuse Policy, the Public Hearing will be held at the City of Olean Municipal Building. Mr. Wiktor stated that he has received positive feedback for the Adaptive Reuse Policy currently being proposed. Mr. Wiktor advised the CCIDA Board that he will report back to them at the June 7, 2011 meeting. The City of Olean has been very receptive to this new proposed policy specifically adapting it to the Manny-Hanny building and other vacant buildings within the City of Olean, NY.

Mr. Wiktor mentioned the Buffalo Niagara Enterprise (BNE) web site and suggested that the CCIDA Board Members go onto their web site and look at the wealth of information contained within this site. Mr. Wiktor also advised the CCIDA Board that we currently have four (4) packets out for consideration of relocating their business to Cattaraugus County.

Mr. Wiktor expressed his appreciation that these two programs will have a great benefit to economic development within Cattaraugus County. This program has not been here in previous years for use and will be a great benefit to the IDA package of benefits offered.

The next IDA Board meeting will be held on **June 7, 2011** at the **CCIDA offices** at **11:15 a.m.** .

ADJOURNMENT

A Motion to adjourn the CCIDA Board Meeting was made by Brent Driscoll, seconded by Joseph Eade. Motion Carried.