

**COUNTY OF CATTARAUGUS  
INDUSTRIAL DEVELOPMENT AGENCY**

**BOARD MEETING MINUTES**

**Tuesday, December 11, 2012**

**CCIDA OFFICE  
9 East Washington Street  
Ellicottville, New York  
11:15 a.m.**

**Roll Call:**

**Members**

**Present:**

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

**Members Excused:**

Mr. Salvatore Marranta

**Staff:**

Mr. Corey R. Wiktor - Executive Director

Mr. George Cregg, Jr. - *Hodgson Russ-CCIDA Counsel*

**Guests:**

Mr. Nick Pircio - *The Villager Newspaper*

CCIDA Chairman Thomas Buffamante called the meeting to order at 11:21 a.m. A roll call of the Board of Directors of the CCIDA was conducted - Mr. Marranca was excused from the meeting.

**APPROVAL OF MINUTES:**

A Motion was made by Joseph Eade, with a second by Crystal Abers to accept the minutes from the October 23, 2012 Board of Directors Meeting. Motion Carried.

**Article 10**

Next Mr. Wiktor introduced Mr. George Cregg, Jr. from Hodgson Russ (CCIDA Counsel). Mr. Cregg gave a presentation to the CCIDA Board of Directors with respect to NYSRPTL Article (10) X Law. Mr. Cregg stated that on August 4, 2011, Governor Andrew M. Cuomo signed into law Chapter 388 of the Laws of 2011 that enacted Article X of the Public Service Law. Article X provides for the siting review of new and repowered or modified major electric generating facilities in New York State by the Board on Electric Generation Siting and the Environment (Siting Board) in a unified proceeding instead of requiring a developer or owner of such a facility to apply for numerous state and local permits.

Except as expressly authorized under Article X or by the siting board, no State agency or municipality which has received notice of an application under Article X may require any approval, consent, permit, certificate or other condition for the construction or operation of a Major Electric Generating Facility (including the interconnection of the facility to utilities in public rights of way) with respect to which an application for a Certificate under Article X has been filed; provided, however, that DEC shall be their permitting agency for permits issued under the Federal Clean Water Act, the Federal Clean Air Act and the Federal Resource Conservation and Recovery Act. See PSL Section 171.

Although Article X requires the siting Board to determine compliance with state and local laws and regulations (such as zoning) (each, a “local regulation”), the siting board may supersede local regulation if it finds that such local regulation, as applied to the proposed facility, is unreasonably burdensome in view of the existing technology or the needs or costs to rate payers. See PSL section 168(3)(E).

**FINANCIAL REPORTS:**

A Motion was made by Joseph Eade with a second by Greg Fitzpatrick to accept the Operating Statements for October and November 2012 as submitted. Motion Carried

Mr. Wiktor discussed the November Operating Statement in regards to a few line items that have gone over budget. For example the office phone line item is over by \$1,600, this is mainly due to the moving of our phone system with a cost of \$1,000.00. Mr. Wiktor mentioned that even with the moving expenses we are still below our forecasted budget and in the black by \$16,000 (as date of the meeting). Mr. Wiktor also mentioned a few other line items i.e: postage, public hearings, real estate taxes etc. all of which have gone over budget do to an increase in projects and the move to our new location. Mr. Wiktor also stated that he has a few thoughts in regards to reducing the costs of postage in the upcoming year.

Mr. Wiktor also mentioned that we have two projects in the closing process which should close in late December or early January of 2013.

Mr. Wiktor then reviewed the Certificate of Deposit/Money Market account update (balances) as of October 31, 2012. All third party asset summary agreements have been confirmed for all account balances over the FDIC limit for each CCIDA/CCCRC accounts.

Mr. Wiktor reviewed with the CCIDA Board the CCIDA-CCCRC Annual invoice for services which was approved by the Board in February 1, 2011, this shared administrative services agreement is in the amount of \$7,500.00 and was paid in December 2012.

#### **EXECUTIVE DIRECTOR'S REPORT:**

Mr. Wiktor advised that he is working on setting up a meeting/conference call with the Audit committee for December 19, 2012 to discuss the upcoming 2012 Annual Audit with RA Mercer.

Mr. Wiktor discussed that he will be attending the 2013 *NYSEDC* Conference on January 23 and 24, 2013 in Albany, NY. This annual conference is very informative and beneficial to our IDA.

Mr. Wiktor discussed a recent Holiday Valley Lodge Article - Grand opening of the new Main Lodge on December 15, 2012 that he plans on attending. This new Lodge was a \$12.2 million dollar project with over 250 local trades people used to complete this project in nine months.

Mr. Wiktor next introduced the “*Made in Cattaraugus County*” program that Crystal Abers Economic Development, Planning, & Tourism department of Cattaraugus County is introducing. A special website has been set-up for Made in Cattaraugus County products where businesses can be listed for free. If anyone on the Board knows of any products made in Cattaraugus County please send them to our offices at 938-2311 and we will get their products listed for free.

Mr. Wiktor next reviewed an Adaptive Reuse Article that appeared in the *Buffalo News* highlighting the success and need for this type of program throughout Western New York.

Mr. Wiktor brought to the CCIDA Boards attention the special report done by Buffalo Business First which did an article on WNY IDA 2011 Rankings.

Mr. Wiktor mentioned that he had taken part in the Dal-Tile “Reuse” Meeting with Dal-Tile (Real Estate Manager) regarding the physical plant that now will become vacant. Empire State Development, BNE, have been engaged to find a new company/tenant for this facility.

Mr. Wiktor also mentioned that he attended a meeting in Olean Brownfield Area, in regards to the expansion of the brownfield area in the City of Olean, NY. Mr. Wiktor stated that this was an excellent meeting, with a great cross section of enthusiastic businesses whom are looking to redevelop several vacant acres in the Olean area. Mr. Wiktor stated that he is very grateful that our CCIDA Board adopted the new Brownfield Pilot Policy which seems to be well accepted in our area. Mr. Wiktor advised the Board that there will be nine meetings held between now and 2014 and he will keep the CCIDA Board apprised of any new developments.

Mr. Wiktor went over an article in regards to Capitol Confidential Tax Foundation that states New York State is still last in business.

Mr. Wiktor reviewed the 2011-2012 Buffalo Niagara Enterprise Annual Report along with other reports prepared by BNE- - *Austra Management* to assist with Canadian Economic Development lead generation and Demographic detailed Summary Report-2012 for Cattaraugus County, both of these reports have a wealth of information on how it pertains to our County.

#### **ADJOURNMENT:**

Mr. Higgins made a motion to go into executive session seconded by Ms. Abers.

Mr. Driscoll made a motion to return from executive session seconded by Mr. Higgins.

Mr. Higgins made a motion to raise Mr. Wiktors salary to \$85,000, this motion was seconded my Mr. Fitzpatrick. Motion Carried.

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

The CCIDA Board of Directors meeting was adjourned at 1:30 p.m.

**The next CCIDA Board of Directors Meeting: Thursday, February 7, 2013 at 10:00 a.m.**