

**COUNTY OF CATTARAUGUS  
INDUSTRIAL DEVELOPMENT AGENCY**

**BOARD MEETING MINUTES**

**February 4, 2016**

**CCIDA OFFICE**

**10:00 a.m.**

**9 East Washington Street  
Ellicottville, New York 14731**

**Roll Call:** -Taken-

**Members**

**Present:**

Mr. Thomas Buffamante -Chairman  
Mr. Gregory Fitzpatrick  
Mrs. Crystal Abers  
Mr. Brent Driscoll (10:45 am)  
Mr. Michael Wimer  
Mr. James Snyder

**Excused:** Mr. Joseph Higgins

**CCIDA Staff:**

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

Mr. Gregory Sehr, Upstate Consultants, LLC. (IDA Consultant)

**Presenters/Guests:**

Mr. John Thomas - *The Villager*

Mr. Jeff Belt - *Sunny Olean, LLC*

Mr. Timothy Greenan - *Savarino Development - (49 S. Water Street, LLC project)*

Chairman Thomas Buffamante called the meeting to order at 10:01 a.m.

Mr. Buffamante introduced our newest Board Member, Mr. James J. Snyder, Jr. who replaced Mr. James Boser. Since Mr. Boser is no longer a County Legislature, the Cattaraugus County Legislature replaced Mr. Boser with current County Legislator, Mr. Snyder. Mr. Snyder works at Fitzpatrick & Weller in Ellicottville. The IDA Board thanks and owes a debt of gratitude to Mr. Boser for his years of service to the IDA Board and County. He will be missed! The Board welcomes Mr. Snyder, and feels he will be an excellent addition to the IDA Board for the years to come.

A roll call vote of the Board of Directors of the CCIDA was taken, Mr. Joseph Higgins was excused.

### **APPROVAL OF MINUTES:**

A Motion was made by Gregory Fitzpatrick, with a second by Michael Wimer to accept the December 8, 2015 CCIDA Board Meeting Minutes as presented to the CCIDA Board. **Motion Carried**

### **\*NEW APPLICATIONS/PROJECTS\***

**\*(1) \*Sunny Olean, LLC:**– Sunny Olean, LLC has asked the County of Cattaraugus Industrial Development Agency (CCIDA) to consider their application for the complete renovation of the buildings located at 110-116 W. State Street in the City of Olean, New York. Sunny Olean LLC, is looking to start the reconstruction of these buildings in April/May of 2016.

The initial project calls for stabilization of the buildings, the construction of a ground floor café and additional retail space located on the lower levels. On floors 2 & 3, the developer is proposing to construct modern style apartments, which may or may not be furnished. This is desperately needed to create density in the City, to not only attract new residents, but to compliment the retail market that occupy's N. Union Street.

**Total project cost/investment of roughly \$1,500,000.**

Mr. Jeff Belt, Manager/developer for Sunny Olean LLC Project, conducted a presentation and passed out of very informative overview of his project in Olean, New York. Mr. Belt also answered any questions that the CCIDA Board members had. Mr. Belt's business plan is to renovate the 2-story 116 and 3-story 110/112 W. State Properties. The project is financially feasible and this project will look to become a catalyst for renewal of two (2) of the Olean Urban Renewal Agency (OURA) block of properties. Mr. Belt also mentioned that State and Union Street is the busiest corner in the County. After renovation, the Sunny Olean properties will anchor a multi-building residential community. It is to be noted that these projects will go back on the tax rolls, to add to the current real property tax base of the City. The IDA Board is very pleased to see this project go forward and wishes the best for Mr. Belt on his project.

**RESOLUTIONS:**

A **Motion** was made by Crystal Abers, seconded by Michael Wimer, **RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF SUNNY OLEAN LLC.** A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder and Mr. Buffamante voting yes. **Motion- Carried.** Mr. Higgins and Mr. Driscoll were excused.

A **Motion** was made by Gregory Fitzpatrick, seconded by James Snyder, **RESOLUTION DIRECTING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF SUNNY OLEAN LLC.** A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder and Mr. Buffamante voting yes. Mr. Driscoll and Mr. Higgins were excused. **Motion- Carried.**

**\*(2.) 49 S. Water Street, LLC.** – *Sale Leaseback Application*, 49 S. Water Street, LLC have asked the County of Cattaraugus Industrial Development Agency (CCIDA) to consider their application for the construction of a new medical office that will be constructed in Gowanda, New York. The applicant is looking to construct a brand new one story 9,500 square foot facility to serve needs and patients in the Cattaraugus/Tri-County Region.

**Total project cost/investment of: \$2,100,000.**

Mr. Wiktor next introduced Mr. Timothy Greenan to present to the CCIDA Board their proposed project to be constructed in Gowanda, NY. This project first came to the Board in 2013, under the name of **42 Jamestown Street LLC**. Savarino Development Corp. has submitted a new application to the CCIDA Board for their consideration. The Zoar Valley Clinic is located in southern Erie County, and provides mental health services to individuals 18 years and older who have a primary psychiatric diagnosis. The main use of the site will be primarily to provide mental health services to adults needing socialization, vocational and recreational activities. No one is refused service due to inability to pay. Payments may be made through private pay, Medicare, Medicaid, or Recovery Plus.

The IDA Board is encouraged to see this project at this stage, and how it will bring roughly 18 new jobs to Cattaraugus County. This will certainly help the Village of Gowanda as well.

A **Motion** was made by Crystal Abers, seconded by James Snyder, **RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF 49 S. WATER STREET, LLC.**

A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder and Mr. Buffamante voting yes. **Motion- Carried.** Mr. Higgins and Mr. Driscoll were excused.

A **Motion** was made by Michael Wimer, seconded by James Snyder, **RESOLUTION DIRECTING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF 49 S. WATER STREET LLC.** A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Driscoll, Mr. Snyder and Mr. Buffamante voting yes. Mr. Higgins was excused.

**\* Resolutions from prior Applications/Projects that are in process \***

**(1.) WIN-SUM SKI CORP:**

A Public Hearing for this proposed project (December 8, 2015 Application) was held at 9:00 a.m. on January 12, 2016 at the CCIDA Offices. Minutes of the public hearing were included with your packets for the board's review. For the record, no outside comments have been received regarding this proposed project (former Burger King into a Rental Office) **The Total project investment amount is \$1,100,000.**

A **Motion** was made by Gregory Fitzpatrick, seconded by Michael Wimer, **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 Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder, Mr. Driscoll and Mr. Buffamante voting yes. Mr. Higgins was excused. **Motion-Carried.** *(Mr. Buffamante did note that his firm has done work for Win-Sum Ski Corp. but has no financial interest or direct involvement in this proposed project.)*

A **Motion** was made by Brent Driscoll, seconded by Gregory Fitzpatrick, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR WIN-SUM SKI CORP. (THE "COMPANY")** A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder, Mr. Driscoll and Mr. Buffamante voting yes. Mr. Higgins was excused. **Motion-Carried.** *(Mr. Buffamante did note that his firm has done work for Win-Sum Ski Corp. but has no financial interest or direct involvement in this proposed project.)*

**(2.) 16 MARTHA STREET LLC:**

This project is looking for an extension to the existing documents (sales tax letter extension). The developer is requesting an extension in regards to the renovation and reconstruction of the former *American Locker Building in Ellicottville, New York.* This project has been delayed because the developer, Mr. Bacon is seeking the brownfield designation from New York State. We are happy to announce this has taken place! Mr. Bacon's project will be underway this spring/summer with the construction/renovation of the buildings into rental housing (16 units).

**A Motion** was made by Brent Driscoll, seconded by Crystal Abers, **RESOLUTION AUTHORIZING THE EXECUTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY OF A CERTAIN MODIFICATION AGREEMENT IN CONNECTION WITH THE 16 MARTHA STREET, LLC PROJECT.** A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder, Mr. Driscoll and Mr. Buffamante voting yes. Mr. Higgins was excused. **Motion- Carried.** *(Mr. Wimer did note that his firm- Cattaraugus County Bank has done some financing for this particular project however, he personally has no financial interest or direct involvement in this proposed project.)*

### **(3.) ST BONAVENTURE UNIVERSITY:**

**A Motion** was made by Crystal Abers, seconded by Brent Driscoll, **A RESOLUTION AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (THE “ISSUER”) IN CONNECTION WITH THE DEFEASANCE OF THE CIVIC FACILITY REVENUE BONDS (ST. BONAVENTURE UNIVERSITY PROJECT), SERIES 2006a ISSUED BY THE ISSUER ON MAY 4, 2006 IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$8,000,000.** A Roll Call vote was taken with Ms. Abers, Mr. Fitzpatrick, Mr. Wimer, Mr. Snyder, Mr. Driscoll and Mr. Buffamante voting yes. Mr. Higgins was excused. **Motion- Carried.**

*In addition, Mr. Wiktor stated that the St. Bonaventure University Bond refinance (\$6.1M) will be closing around the 12<sup>th</sup> of February (2016).*

### **FINANCIAL REPORTS:**

A Motion was made by Michael Wimer, seconded by Gregory Fitzpatrick to approve the December 2015 and January 2016 Operating Statement as prepared. **Motion – Carried**

Mr. Buffamante stated that an Audit Committee Meeting was conducted on January 12, 2016 to discuss the 2015 Audit process with our auditors, RA Mercer Co. Copies of the minutes have been provided to all Board Members in their packet for their review.

**A Motion** was made by Brent Driscoll, seconded by Gregory Fitzpatrick to accept the Audit Committee Minutes as prepared and presented to the Board. Mr. Fitzpatrick was directed to go ahead and execute the proposed Engagement Letter from RA Mercer to begin the audit process.

Mr. Wiktor stated that the CCIDA had \$12,287 in income resulting from Sales Tax letters prepared for Win-Sum Ski Corp. in the month of January 2016.

Project closing updates: Currently, We currently have five (5) projects in the closing phase and anticipate several of these projects to close within the first/second quarter of 2016.

## **EXECUTIVE DIRECTORS REPORT:**

Mr. Wiktor stated that Governor Cuomo signed additional IDA Legislation in regards to accountability of all NYS IDA's. Mr. George Cregg, Jr. is here to discuss some of the upcoming changes that will take place and must be adhered by all IDA's by June of 2016. Most of the new requirements have already been addressed by the CCIDA and some in fact, are already in place and active. The legislation would require IDA's to develop policies for the suspension or discontinuance of financial assistance, and annually assess the progress each project approved after January 1, 2016 is making toward achieving its goals. Brian McMahon is keeping us up to date on all of these new requirements. George Cregg, Jr. of Hodgson/Russ also should be given credit for his keeping us in compliance as well.

**WNY \$83.9 million awarded to 125 Projects:** Board member, Crystal Abers attended this event in Albany and gave an update to the CCIDA Board in regards to the opportunities that are available to projects in Cattaraugus County. A portion of the \$83.9 million that was awarded did make its way to Cattaraugus County in regards to some awarded projects of the CFA's. In addition, Crystal's department is working with all municipalities in Cattaraugus County to assist/help them submit applications so they are ready and prepared for additional CFA Funding in 2016. Workshops will also be setup throughout the County in the Spring/Summer of 2016.

**The Buffalo News:** City & Region "*State contest for S. Tier green companies has \$1 M top prize*": Gov. Andrew M. Cuomo announced that the \$20 million business contest, named **76 West**, is accepting application now, with a deadline of March 15<sup>th</sup>. This business competition has been established to bring new businesses to the Southern Tier Region of NYS.

**NY & LE Railroad:** Letter dated January 8, 2016 from Robert Dingman asking for assistance in obtaining Grant funds to renovate the Gowanda Depot facility. The IDA will most likely be submitting a CFA this year to help out the Railroad in hopes of obtaining additional grant monies to assist the railroad. We look to be active on this "project" during 2016.

**Announcement of President, Sister Margaret Carney:** News came to us in late January of the announcement of Sister's decision to retire in June 2016. She will be greatly missed by all! The IDA Board and Staff wishes Sister Margaret all the very best in her future endeavors!

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*(Mr. Wiktor's Director's report was truncated due to time constraints. His full report was outlined on the Agenda, and all backup notes and information was provided to each Board Member for their review).*

## **ADJOURNMENT:**

A **Motion** to adjourn the CCIDA Board Meeting was made by Brent Driscoll, seconded by Crystal Abers at 12:06 p.m. **Motion Carried.**

**\*Next CCIDA Board of Directors Meeting: Tuesday March 15, 2016 at 11:15 a.m. at CCIDA Office in Ellicottville, New York\***