

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

Tuesday, March 18, 2014

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. Salvatore Marranca
Mrs. Crystal Abers
Mr. Brent Driscoll
Mr. Gregory Fitzpatrick
Mr. James Boser

IDA Staff & IDA Counsel:

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

Guests:

Mr. Rick Miller - *Olean Times Herald*
Ms. Jann Wiswall - *Ellicottville Times*
Mr. Chris Chapman - *Buffalo News*
Mr. Robert Strell - *Representing Community Bank*
Mr. Gregory Sehr - *Upstate Consultants*
Mr. Dennis Esbaugh - *Win Sum Ski Corp.*
Mr. David Trathen - *Win Sum Ski Corp.*
Mr. Michael Wimer - *President Catt. County Bank (Guest)*

Thomas Buffamante called the meeting to order at 11:20 a.m. A roll call of the Board of Directors of the CCIDA was conducted. All Board were in attendance.

APPROVAL OF MINUTES:

A Motion was made by Salvatore Marranca, with a second by Joseph Higgins to accept the minutes from the February 13, 2014 Board of Directors Meeting. Motion Carried.

APPLICATION:

Community Bank, N.A. has asked the CCIDA to consider their application for inducement on a significant investment into the County/Region to be constructed in the Town of Allegany. The Bank is looking to construct a 25,000 sq. Ft. Back office loan processing center that will house Community Bank's Mortgage Processing Dept.. Additionally, part of this project/application incorporates general rehab renovation and software upgrades at their Bank facilities located at 201 North Union Street in the City of Olean, New York: **The total project investment for this project is \$6,000,000. This project will consist of two (2) sites, vacant land located on Route 417 as well as their location at 201 North Union Street.**

Mr. Wiktor introduced Mr. Robert Strell representing Community Bank, whom is here to make a presentation in regards to the Community Bank Project. A press release by St. Bonaventure University and Community Bank released on February 24, 2014 have announced that Community Bank will be purchasing a 10 acre parcel from the University in the Town of Allegany. This parcel was formerly the site of the Castle Restaurant and will be utilized by the bank to construct a new loan operations center. Mr. Strell stated that Chief Banking Officer, Mr. Brian Donahue stated that the bank has simply outgrown their current operational locations. This new building will allow the bank to consolidate their loan operations department on South Street and the Mortgage processing department on North Union Street into a single location.

Mr. Strell stated that Brenda McGee, Senior Vice President for Finance and Administration at the University is excited about the potential that this new operations center creates for internships, and maybe even careers, for the University's School of Business.

The new 25,000 sq. ft. Building will house approximately 100 current Community Bank loan operations and mortgage processing employees. While there will be no new employees added at this time, the new building will allow for future growth and additionally house space for document storage and training. The bank plans to submit preliminary plans to the Town of Allegany in March and hopes to complete the project by the end of the year.

RESOLUTIONS

A Motion was made by Salvatore Marranca, seconded by Joseph Higgins **RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF COMMUNITY BANK, N.A.** A Roll Call vote was taken with Mr. Buffamante, Mr. Marranca, Mr. Higgins, Mr. Driscoll, Ms. Abers, Mr. Boser, and Mr. Fitzpatrick voting yes. **Motion Carried**

A Motion was made by Crystal Abers, seconded by Gregory Fitzpatrick **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 COMMUNITY BANK, N.A.** A Roll Call vote was taken with Mr. Buffamante, Mr. Marranca, Mr. Higgins, Mr. Driscoll, Ms. Abers, Mr. Boser, and Mr. Fitzpatrick voting yes. **Motion Carried**

APPLICATION:

Next Mr. Wiktor introduced, Mr. Dennis Eshbaugh and Mr. David Trathen from Win-Sum Ski Corp. Win-Sum Ski Corp. has submitted an Sales/Leaseback application to the Board for consideration in regards to purchase/construction of various improvement projects at the Resort. **The total project amount is \$3,400,000.**

Mr. Eshbaugh stated that this project will consist of 54 automated snow guns (for snow making), extension of snowmaking pipeline, 3rd floor expansion tot he Mountain sports Center, various improvement to the Inn, lobby upgrade, guest room renovations, pool, and deck. Other components of this project are the alignment of Holiday Valley Road to improve access and added parking., upgrades to the IT technology, general work and maintenance at the Tubing Park and Ski High Adventure Park, slope improvements on various runs, bike trail, installing family golf, clock tower, and bridge and various improvements to their golf course.

RESOLUTIONS

A Motion was made by Salvatore Marranca, seconded by Joseph Higgins **RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF WIN SUM SKI CORP.** Roll Call vote was taken with Mr. Buffamante, Mr. Marranca, Mr.

Higgins, Mr. Driscoll, Ms. Abers, Mr. Boser, and Mr. Fitzpatrick voting yes. **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 Joseph Higgins **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 WIN SUM SKI CORP.** A Roll Call vote was taken with Mr. Buffamante, Mr. Marranca, Mr. Higgins, Mr. Driscoll, Ms. Abers, Mr. Boser, and Mr. Fitzpatrick voting yes. **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.)

Mr. Wiktor next introduced Ms. Denise Veloski from RA Mercer whom is here to give a presentation of the 2013 Audit Report which has been recommended by the CCIDA Audit Committee.

Ms. Denise Veloski stated that the Agency's assets exceeded its liabilities by \$1,483,281 for the fiscal year reported. This compares to the previous year when assets exceeded liabilities by \$1,565,401.

The net investment in capital assets of \$246,388 includes property and equipment, net of accumulated depreciation. Unrestricted net position of \$1,236,893 represents the portion available to maintain the Agency's continuing obligation to citizens and creditors.

Agency revenue for the year ended December 31, 2013 totaled \$175,959 of which \$162,754 was from charges for services provided by the Agency, \$75,00 was from the service agreement between the Agency and the Cattaraugus County Capital Resource Corporation. In 2013 the Agency induced eight direct projects for a net investment of nearly \$20,000,000 in total private sector project costs.

It is to be noted that the Auditor did issue a "clean" audit report with no problems or integrity issues. A copy of the complete Audit is on the Agency's website at www.cattcoida.com

A motion was made by Joseph Higgins, seconded by Salvatore Marranca to accept the 2013 Annual Audit report as submitted/recommended by the Audit Committee. Motion carried

Mr. Wiktor next introduced Mr. Gregory Sehr, owner and CEO of Upstate Consultants, LLC. Mr. Sehr is proposing to work, via contract, with the CCIDA and help and assist with Economic Development projects and recruitment of businesses to Cattaraugus County. This thrust will not only focus on dealing with existing companies by helping and assisting in their "supply chain management needs", but will also add a very important need of recruitment of businesses to

Cattaraugus County. This will be a “County” wide Team approach, working with the Cattaraugus County Economic Development Team as a whole.

Mr. Sehr has a wealth of information in regards to policy information, brownfield programs along with economic development initiatives.

Mr. Sehr stated that Upstate Consultants LLC will work with the Cattaraugus County IDA and other local economic development officials to promote business development from outside the region. They will work to increase the visibility of the County’s assets for business growth and development, and will also assist potential companies looking to transition to the County.

Mr. Wiktor is asking the CCIDA Board to consider a retainer agreement between Upstate Consultants LLC and the CCIDA. The cost for providing these services would be \$1,000.00/month plus expenses which will be capped at \$250.00/month. This agreement runs through December 2014, and will be reviewed accordingly. Also, all expenses must receive prior approval from the Executive Director and IDA Board Chairman. A motion was made by Salvatore Marranca seconded by Gregory Fitzpatrick to enter into a Retainer Agreement with Upstate Consultants LLC. Motion Carried

Mr. Wiktor next stated that a Public Hearing was conducted at the Olean Municipal Building, Conference Room #119, on March 5, 2014 at 9:30 a.m. Relating to the Four Mile Brewing, LLC project. For the record two of the principal partners were available at this Public Hearing to answer any questions in regards to this project, along with Mayor Aiello whom was in support of this project. Mr. Wiktor also advised the Board members that a copy of the Public Hearing minutes were included in their packets for their review prior to making a determination on the proposed project.

RESOLUTIONS

A Motion was made by Salvatore Marranca, seconded by Joseph Higgins **RESOLUTION (A) ACCEPTING THAT THE CITY OF OLEAN PLANNING BOARD ACT AS LEAD AGENCY (THE “LEAD AGENCY”) FOR THE ENVIRONMENTAL REVIEW OF THE FOUR MILE BREWING, LLC AND HELLBENDER DEVELOPMENTS, LLC PROJECT (THE “PROJECT”) AND (B) ACKNOWLEDGING RECEIPT OF THE NEGATIVE DECLARATION ISSUED BY THE LEAD AGENCY WITH RESPECT TO THE PROJECT.** Roll Call vote was taken with Mr. Buffamante, Mr. Marranca, Mr. Higgins, Ms. Abers, Mr. Boser, and Mr. Fitzpatrick voting yes. Mr. Driscoll was excused. **Motion Carried**

RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR FOUR MILE

BREWING, LLC AND HELLBENDER DEVELOPMENT, LLC (THE “COMPANY”)
Roll Call vote was taken with Mr. Buffamante, Mr. Marranca, Mr. Higgins, Ms. Abers, Mr. Boser, and Mr. Fitzpatrick voting yes. Mr. Driscoll was excused. **Motion Carried**

FINANCIAL REPORTS:

Mr. Wiktor stated that we had one project close (16 Martha Street, LLC) in the month of February which resulted in \$24,000 of income to the Agency.

Mr. Wiktor also proposed a modification to the CCIDA’s Investment Policy in regards to transfer of funds from the Agency’s bank accounts (transfer from savings to checking). This is being proposed by the recommendation of the Agency’s auditors. A copy of this proposal and its language were sent to the Board in their packets for their review and recommendation.

A Motion was made by Salvatore Marranca seconded by Gregory Fitzpatrick to modify the Investment Policy of the Agency as proposed. **Motion Carried**

Also updated within the financial report was the Certificate of Deposit/Savings accounts of the Agency. Accounts were reviewed along with 3rd Party Agreements with accounts over the FDIC limit to ensure that 100% of the Agency’s monies were fully insured and collateralized.

A Motion was made by Salvatore Marranca seconded by Joseph Higgins to accept the February 2014 Operating Statements for the County of Cattaraugus Industrial Development Agency as presented. **Motion Carried**

EXECUTIVE DIRECTOR’S REPORT:

Mr. Wiktor stated that he has been Named to CanAm Executive Council part of Buffalo Niagara Partnership. Mr. Wiktor advised the CCIDA Board that Mr. Bryan Roth will be doing a presentation to the IDA Board at the April 22, 2014 meeting.

Olean Times Herald article outlining **Cattaraugus County Business Help**. Crystal Abers discussed the two outreach meetings conducted in February and March in Olean and Little Valley, NY to discuss the help that is available to Cattaraugus County Business’s. Additional meetings will also be forthcoming in the month of April.

The **2nd Annual Business Development Summit for the WNY Regional Economic Development Council** was held at JCC in Olean on February 28, 2014. The CCIDA sponsored the luncheon for the event that was attended by 65 people.

A recent *Olean Times Herald* Article was published in regards to the **JCC StartUpNY Draft Development Plan** by John Sayegh. On this same line, Mr. Wiktor was named to Dr.

Duckworth's PACED Group for JCC and its outreach for StartUpNY.

An update from the *Western Region Loan Corp.* - (A Regional loan fund which Mr. Wiktor is Vice President). This loan fund should be up and ready for "action" by June. This will be used as a redevelopment loan fund, many meetings and discussions with perspective developers and projects have already been conducted.

Buffalo News article in regards to **Buffalo Niagara Advanced Manufacturing** interest for downtown Buffalo. A newly formed group named *FuzeHub* is in place to help and facilitate area manufacturers. The main goal for this new group is to connect manufacturing to business experts which was hi-lighted in a recent Empire State Development Article, which gave a general overview for information on services.

Recent *Olean Times Herald* article by Mr. Rick Miller, on the retirement of Salvatore Marranca s President & CEO of the Cattaraugus County Bank effective 2014. Mr. Marranca hopes to remain with CCB in some capacity. Mr. Wiktor also introduced Mr. Michael Wimer whom has taken over as President of CCB.

A recent article in the *Olean Times Herald* in regards to the **3rd Farmer/Neighbor Dinner** will be held at the West Valley Fire Hall on April 9, 2014. The IDA will participate in this event by helping to sponsor the event which has grown in attendance and has been very well received.

An *Olean Times Herald* article in regards to the unveiling of the electric vehicle charging station at the Holiday Valley Resort.

Governor Cuomo recently proposed to a new tourism initiative. A recent article titled, "Bus rides to ski resorts across New York State", Holiday Valley is on the list! More to come on this.

Mr. Wiktor discussed an article in regards to Industrial Site Selections & Economic Development in a Global Marketplace which included an interview with German American Chambers - Jim Blair.

Recent article on *Rebuilding New York's Economy: Is the State better off than a year ago.*

ADJOURNMENT:

A **Motion** to adjourn the CCIDA Board Meeting was made by Crystal Abers, seconded by Salvatore Marranca. **Motion Carried.**

The CCIDA Board of Directors meeting was adjourned at 12:50 p.m.

The next CCIDA Board of Directors Meeting: Tuesday, April 22, 2014 at 11:15 a.m.