

**COUNTY OF CATTARAUGUS  
INDUSTRIAL DEVELOPMENT AGENCY**

**BOARD MEETING MINUTES**

**Tuesday, March 19, 2013**

**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  
Mrs. Crystal Abers  
Mr. Gregory Fitzpatrick  
Mr. Brent Driscoll

**Member(s) Excused:**

Mr. Salvatore Marranta

**IDA Staff & IDA Counsel:**

Mr. Corey R. Wiktor - Executive Director  
Mr. George Cregg, Jr.- *Hodgson Russ-CCIDA Counsel*

**Guests:**

Mr. Sam Wilson - *Salamanca Press*  
Mr. John Thomas - *The Villager Newspaper*  
Ms. Sheila Ransbottom - *Nussbaumer & Clarke, Inc.*  
Mr. Kody Sprague - *Sprague Dev. Corp.*  
Mr. David Trathen, *V.P. Finance, Win-Sum Ski. Corp.*  
Ms. Jann Wiswall - *Ellicottville Times*  
Mrs. Denise Veloski - *RA Mercer & Co.*

CCIDA Chairman Thomas Buffamante called the meeting to order at 11:18 a.m. A roll call of the Board of Directors of the CCIDA was conducted - Mr. Salvatore Marranca was excused from the Board meeting (for prior business engagement)

**APPROVAL OF MINUTES:**

A Motion was made by Joseph Eade, with a second by Brent Driscoll to accept the minutes from the February 7, 2013 Board of Directors Meeting with two (2) minor changes made. Motion Carried.

**APPLICATION:**

Mr. Kody Sprague with **Sprague Development Corp.** presented to the CCIDA Board a Sale Leaseback Application to have the IDA Board consider this proposed project for CCIDA Inducement. This project will consist of the renovation and reconstruction of the “1887 School Building” in the Village of Ellicottville, New York. This proposed project will reconstruct the current mostly empty facility into a 24 room boutique hotel. This project will create full time and part time employment and will also house a Community Center which will be available for public use and will possibly offer a movie theater within the complex. The total project cost is \$2,442,000.

Mr. Sprague noted for this project to happen, aggressive renovations are necessary to be completed. The interior of the building will go through extensive renovation which will include all new HVAC, a complete computer system, laundry area, construction and complete turn key 24 hotel rooms. The site will require only minimal exterior work as the footprint of the project site will be unchanged. This site consists of roughly 19,200 sq. ft. One main obstacle that Mr. Sprague is facing is a potential parking issue (number of dedicated parking spaces). Mr. Sprague is currently working on resolving this potential issue.

A possible start date of the project would be 2014 if all pieces come together. The Board commented on how this is a very exciting project for the Village.

**RESOLUTION(S):**

A Motion was made by Brent Driscoll seconded by Joseph Eade, **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 SPRAGUE DEVELOPMENT CORP.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Ms. Abers, Mr. Eade, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried.

A Motion was made by Greg Fitzpatrick a seconded by Joseph Higgins, **RESOLUTION DIRECTING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO TAKE CERTAIN ACTION UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF SPRAGUE DEVELOPMENT CORP.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Ms. Abers, Mr. Eade and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

**APPLICATION:**

Next Mr. David Trathen, V.P. of Finance with **Win Sum Ski Corp.** Presented the IDA Board with a Sale Leaseback Application relating to various improvement projects that Win-Sum is consider undertaking this year (2013). Holiday Valley is seeking CCIDA sales tax abatement on various improvements and renovations at the Resort. This new equipment to the resort will enhance future development and growth at the resort. The proposed project includes both summer and winter related amenities as well as upgrades to the Inn at Holiday Valley. The total project amount is \$2,805,000. Win Sum Ski Corp. Will be renovating the pool/cabana area, purchasing a new snow groomer, purchasing 70 - SV10 snow guns, plow truck, rangers, various snow making equipment, renovations to rooms a the Holiday Valley Inn, and adding a new climbing tower at the Ski High Park.

This proposed project will use many local contractors and suppliers, and will also increase the number of seasonal employment positions as well.

**RESOLUTION(S):**

A Motion was made by Joseph Eade 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.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

Mr. Buffamante disclosed that his firm does limited work for Win Sum Ski Corp., however, Mr. Buffamante's firm is not directly connected to this particular project.

A Motion was made by Ms. Abers seconded by Mr. Fitzpatrick , **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. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

Mr. Buffamante disclosed that his firm does limited work for Win Sum Ski Corp., however, Mr. Buffamante's firm is not directly connected to this particular project.

### **FINANCIAL REPORTS:**

Mr. Wiktor next turned the floor over to Ms. Denise Veloski from RA Mercer & Co. to give a presentation in regards to the 2012 CCIDA Audit report.

Denise Veloski stated that the Agency had a net position of \$1,565,401. The Agency's total net position increased \$3,093 from the previous year. The Agency's assets exceed its liabilities by \$1,565,401 for the fiscal year reported. This compares to the previous year when assets exceeded liabilities by \$1,462,308.

Denise Veloski made mention that in 2012 the Agency induced six direct projects for a net investment of nearly \$20,000,000 in total private sector project costs. The Agency was also very instrumental in the assistance and point of contact that led to the expansion of an area manufacturer into a new facility that had been vacant for over two years. In addition, in 2012, the Agency reported its highest income in over six years.

Mr. Wiktor advised the CCIDA Board that a software program has been instituted in regards to cash/check invoices for services provided. This was mainly adopted for better in-house backup documentation.

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 (35 pages) is on the Agency's website at [www.cattcoida.com](http://www.cattcoida.com)

A Motion was made by Crystal Abers, seconded by Joseph Eade to accept the 2012 Annual Audit Report as submitted/recommended by the Audit Committee. Motion Carried

Mr. Wiktor also reviewed the February 2013 Operating Statement with the Board. We currently have income of \$77,691 through February 2013 and are anticipating additional income from HoliMont Inc. approximately \$31,000 to be added in March 2013. Mr. Wiktor did note that expenses will be closely monitored as we will continue to be fiscally conservative this year.

A Motion was made by Greg Fitzpatrick, seconded by Joseph Eade to accept the Financial statements for the February 2013 as submitted. Motion Carried

**RESOLUTION(S):**

(#1) On March 4, 2013 a public hearing was conducted for the **Community Bank** proposed project at the Olean Municipal Building. The minutes from this public hearing were included within the Board packets for review. Mr. Wiktor mentioned that there were six people in attendance and we also received a letter of support from Mary George, with the Office of Community Development, City of Olean.

This will be a \$3 to \$5 million project with significant job growth for the region. This project will also be coming back onto the tax rolls as well.

A Motion was made by Mr. Higgins, seconded by Mr. Driscoll, **RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A PROJECT FOR THE BENEFIT OF COMMUNITY BANK, N.A. IS A “TYPE II ACTION” AND NO FURTHER ACTION IS REQUIRED UNDER SEQRA WITH RESPECT THERETO.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

A Motion was made by Mr. Eade, seconded by Ms. Abers, **RESOLUTION AUTHORIZING A DEVIATION FROM THE AGENCY’S UNIFORM TAX EXEMPTION POLICY IN CONNECTION WITH THE PROPOSED PAYMENT IN LIEU OF TAX AGREEMENT TO BE ENTERED INTO BY THE AGENCY IN CONNECTION WITH THE PROPOSED COMMUNITY BANK, N.A. PROJECT.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

A Motion was made by Mr. Higgins, seconded by Mr. Driscoll, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR COMMUNITY BANK, N.A. (THE “COMPANY”).** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

(#2) A Public Hearing for the **42 Jamestown, LLC**, proposed project was conducted on March 5, 2013 at the Gowanda Free Library. The minutes from this public hearing were included within the Board packets as for Board review. This project will be an approximately 9,500 sq. ft. new construction commercial facility in the Village of Gowanda. This project will be adding new jobs into the region. There were three people in attendance for this public hearing.

A Motion was made by Mr. Fitzpatrick, seconded by Mr. Driscoll, **RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A PROJECT FOR THE BENEFIT OF 42 JAMESTOWN, LLC WILL NOT HAVE A SIGNIFICANT EFFECT ON THE**

**ENVIRONMENT.**

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

A Motion was made by Mr. Driscoll, seconded by Mr. Eade, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR 42 JAMESTOWN, LLC (“COMPANY”)** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

**(#3) HoliMont Inc.** - A Resolution authorizing the execution by the County of Cattaraugus Industrial Development Agency of a modification agreement in connection with HoliMont Inc. Project. This is with respect to a project that was approved in March of 2012 for the installation of the quad chair lift and other various improvements at the Resort.

A Motion was made by Mr. Eade, seconded by Mr. Driscoll, **RESOLUTION AUTHORIZING THE EXECUTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY OF A CERTAIN MODIFICATION AGREEMENT IN CONNECTION WITH THE HOLIMONT INC.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

**(#4) RESOLUTION:**

Mr. Wiktor next discussed the Route 219 Extension Support Resolution for the completion of the Route 219 from Springville to Salamanca.

A Motion was made by Mr. Driscoll, seconded by Mr. Eade, **RESOLUTION AUTHORIZING URGING NEW YORK STATE TO UNDERTAKE CERTAIN ACTIVITIES RELATED TO THE COMPLETION OF THE SOUTHERN EXPRESSWAY (US ROUTE 219) AND AUTHORIZING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO SEND CORRESPONDENCE SUPPORTING SAME.** A Roll Call vote was taken with Mr. Buffamante, Mr. Fitzpatrick, Mr. Higgins, Mr. Eade, Ms. Abers, and Mr. Driscoll voting yes. Mr. Marranca was excused. Motion Carried

**EXECUTIVE DIRECTOR’S REPORT:**

Mr. Wiktor mentioned the **ConnectNY Broadband Program** which consists of a \$1.5 million dollar grant awarded to the Region/County. Board Member Crystal Abers gave a brief overview on this exciting new program which will certainly help economic development in Cattaraugus County.

Mr. Wiktor next discussed the **NYSEDC Project spotlight - Scott Rotary Seals** - Noting how the CCIDA helped and assist Scott Rotary Seals with its expansion project in Olean, New York. This project helped in the retention and growth of this manufacturing business in Cattaraugus County.

Mr. Wiktor reviewed a few pieces of the proposed IDA reform legislation. Noting an IDA's ability to abate the New York State portion of sales tax on IDA induced projects. The CCIDA Board was provided articles and letters that were sent to various media sources, as well as notice of Cattaraugus County passing a Resolution in support of the opposition to this proposal.

Also discussed, was an article regarding Meritool, Inc. that was recently highlighted in the Olean Times Herald. Meritool Inc. purchased the former Luminite facility and will be expanding their operations and workforce with this project in Salamanca, NY.

Mr. Wiktor mentioned an article included in the packets in regards to "American Manufacturers-Competing in Years Ahead" article - in addition another article on the struggles of WNY manufactures that have recently announced closing their doors in WNY.

Mr. Wiktor then discussed the **Bonaventure Square** project with some updates and recent articles that appeared in The Buffalo News & the Olean Times Herald.

The HoliMont Inc. Land auction on WestMont Ridge was a success and we look forward to assisting HoliMont with this impressive project.

Mr. Wiktor mentioned that he e-mailed to the Board on February 11, 2013 the Cornell University Report "**Cattaraugus County Profile 2013**", and also e-mailed the board on February 18, 2013 the NYS EDC testimony at the legislative budget hearing on Economic Development.

Mr. Wiktor introduced the 2013 Cattaraugus County Travel Guide prepared by the Economic Development//Tourism department of Cattaraugus County - lead by department head Crystal Abers. Kudos to everyone involved on an exceptional job.

Mr. Wikor briefly gave an update on the **Good Times of Olean** project.

A registered letter has been sent to Laidlaw Energy Group Inc. in regards to the delinquent taxes and water/sewer bills that are still outstanding in the name of the CCIDA.

E-mailed the CCIDA Board on Feb. 13, 2013 the **LaunchNY** report for the Board to review.

A Motion to go into Executive Session to discuss property acquisition/disposition was made by Joseph Higgins, seconded by Brent Driscoll. Motion Carried

A Motion to return to regular session was made by Joseph Eade, seconded by Joseph Higgins.

Motion Carried

**ADJOURNMENT:**

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

The CCIDA Board of Directors meeting was adjourned at 1:34 p.m.

**The next CCIDA Board of Directors Meeting: Tuesday, April 23, 2013 at 11:15 a.m.**