

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

Tuesday, March 6, 2012

**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
Ms. Crystal Abers
Mr. Gregory Fitzpatrick

Members Excused:

Mr. Salvatore Marranca
Mr. Brent Driscoll

Staff:

Mr. Corey R. Wiktor - Executive Director

Guests:

Mr. Nick Pircio - *The Villager Newspaper*
Mr. Rick Miller - *Olean Times Herald*

CCIDA Chairman, Mr. 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 - Mr. Marranca and Mr. Driscoll were excused.

APPROVAL OF MINUTES:

A Motion was made by Joseph Eade, with a second by Joseph Higgins to accept the minutes as submitted from the February 2, 2012 Board of Directors Meeting. Motion Carried.

FINANCIAL REPORTS:

Mr. Wiktor advised the CCIDA Board of Directors that the 2011 Annual Audit field work has been completed. RA Mercer had staff in our office on February 28th, 29 and March 1st. To answer the question raised by Board Member Joseph Higgins in regards to the amortization of the current office building, those items were expensed rather than being depreciated over a period of years. Mr. Buffamante stated that no improvements are on the CCIDA books in regards to this particular property which is leased.

RA Mercer will present to the Audit Committee the draft of the Audit within two (2) weeks and the final audit will be ready by March 31, 2012 to comply with the Authority Budget Office. Mrs. Denise Veloski from RA Mercer will present the 2011 Annual Audit to the CCIDA Board of Directors at the April 24th 2012 Board Meeting.

Mr. Wiktor mention that we recently had a project closing which resulted in fee based income of \$129,073. The IDA has another project closing in the next few weeks which should result in roughly \$34,000 of fee based income. These funds will be represented in the March and April 2012 operating statements under application fees. We also have a few additional projects that will possibly be closing in May or June of 2012.

A Motion was made by Joseph Eade seconded by Gregory Fitzpatrick to accept the Financial Reports for February 2012 as submitted. Motion Carried

RESOLUTION(s)

This Final SEQR Resolution and Approving Resolution is for 4646 Genesee LLC 2012 Project. for the reconstruction of the former auto repair garage and former furniture factory located at 5 East Washington Street in Village of Ellicottville, New York.

The applicant is looking to reconstruct approximately 16,000 square feet facility along with building roughly 4,000 square feet of new space to house retail and mixed use office/retail space. Both of the current buildings that will be reused have been vacant.

The former auto repair garage will be redeveloped into a 8,568 square feet of retail space, which will include a 4,000 square foot Kwik Fill gas station and a Red Apple Convenience store and roughly 4,658 square feet of retail space. The existing concrete building and fuel tanks in front of the former repair garage will be demolished and a 4,000 square foot addition will be constructed for the Kwik Fill gas station and for the Red Apple convenience store. The former furniture factory building located at 5 E. Washington Street (Brick Building behind current IDA House) will be renovated into a 11, 568 square feet of retail space. It is anticipated that many of the proposed tenants for this space may be mixed use, specialty retailers. The total amount of the project/investment is roughly \$5,300,000.

A Public Hearing was held on February 23 2012 there was no one in attendance at the public hearing and we did not receive any correspondence in regards to this particular project.

A motion was made by Joseph Higgins seconded by Crystal Abers, **RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A PROJECT FOR THE BENEFIT OF 4646 GENESEE, LLC. WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT** A Roll Call vote was taken with Mr. Eade, Mr. Buffamante, Mr. Fitzpatrick, Ms. Abers and Mr. Higgins voting yes. Mr. Marranca, Mr. Driscoll and were excused. Motion Carried

Mr. Fitzpatrick disclosed that his Company Fitzpatrick/Weller previously sold this property to Ellicott Development in March of 2011, however they do not have any financial interest in this proposed project.

A motion was made by Joseph Eade seconded by Joseph Higgins, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR 4646 GENESEE, LLC. (THE "COMPANY")**. A Roll Call vote was taken with Mr. Eade, Mr. Higgins, Mr. Buffamante, Mr. Fitzpatrick and Ms. Abers voting yes. Mr. Driscoll and Mr. Marranca were excused. Motion Carried.

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RESOLUTION(s)

A proposed Brownfield Redevelopment PILOT - an addition to the Uniform Tax Exemption Policy: As initially discussed at the February 2nd Board Meeting; in conjunction with the e-mail that was sent to the CCIDA Board Members on February 3rd outlining the proposed "Brownfield Redevelopment PILOT", as included, in the Board Members packets is a copy of the draft PILOT

(policy) and a detailed outline for the purpose and thoughts on moving forward with this proposed policy.

Currently there are 25 Brownfield-Remediation Sites in Cattaraugus County. In order to encourage “reuse” and upgrading of existing environmentally damaged properties commonly referred to as Brownfields’s, etc. Mr. Wiktor is proposing that the CCIDA may provide an enhanced real property tax benefit and additional CCIDA abatements for projects involving vacant NYSDEC Approved Brownfield sites.

The benefits would include freezing the assessment base of the pre-improved facility and granting of abatements for a 14 year period with a scaled schedule. The Real Property Tax break is a benefit given to the value added, not a removal of any tax base currently in place. New York State Sales Tax Abatement and Mortgage Recording Tax Abatement would also be available as well to further offset development costs/investment.

In order for a project to qualify for this proposed Brownfield Policy the IDA would incorporate two (2) filters to determine proposed project eligibility as well as approved sites. First the Brownfield must be listed on the NYSDEC website as an Approved Regulated Site and second would be that the project must qualify under the IDA’s Eligible Projects Policy.

Mr. Wiktor is asking the CCIDA Board for approval to conduct public hearings to send notices to all impacted taxing jurisdictions in regards to this Proposed Brownfield Policy.

A Motion was made by Crystal Abers seconded by Gregory Fitzpatrick, **RESOLUTION AUTHORIZING A PUBLIC HEARING REGARDING THE PROPOSED REVISION TO COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY’S UNIFORM TAX EXEMPTION POLICY.** A Roll Call vote was taken with Mr. Eade, Mr. Higgins, Mr. Buffamante, Mr. Fitzpatrick and Ms. Abers voting yes. Mr. Driscoll and Mr. Marranca were excused. Motion Carried.

EXECUTIVE DIRECTOR’S REPORT:

Mr. Wiktor next discussed with the CCIDA Board the search for leased office space to take the place of our current office space. Mr. Wiktor asked the CCIDA Board to finalize/approve the search for new CCIDA Office space. After advertising the RFP (Request for Proposals) in the Olean Times Herald along with The Villager Newspaper, we did not receive any formal proposals with regards to the newspaper RFP listing. The only proposal we received was from our current landlord -Ellicott Development Co. with a reduced monthly rent from what was originally proposed in January of 2012. The CCIDA did tour the Cornell Cooperative Extension building with Supervisor John Burrell in Ellicottville. It is to be noted, that we did not receive a formal proposal from Mr. Burrell in regards to rent, move in date or any other details in regards to this property. The IDA did appreciate the time that Supervisor Burrell shared with us regarding showing us the Cornell Cooperative Extension Building. Mr. Wiktor discussed with the CCIDA Board the call sheet that was included in the Board Packets in regards to (10) ten places contacted to see if any space was available for rent. Mr. Wiktor recommended entertaining the submitted proposal from Ellicott Development Co. To move the CCIDA office from 3 E.

Washington Street to 9 E. Washington Street - three houses down the Street. Mr. Wiktor also stated that when Ellicott Development Co. Came back to the CCIDA with a reduced monthly rent it also guaranteed additional work to be done on the 9 E. Washington Street property at no additional cost. Mr. Wiktor in giving careful consideration and weighing the options presented, he was greatly concerned with regards to the Cornell Cooperative Extension building do to the fact that additional work would have had to been done and no one was willing to make a commitment to do the work that needed to be completed. Mr. Wiktor also stated that the major selling point of 9 E. Washington Street was location - on the main street which makes for much more visibility and site of the offices. The questions were raised in regards to adequate parking and Mr. Wiktor advised the Board that the barn behind the proposed location would be removed and a paved lighted parking area would be provided along with landscaping, snow-plowing, and lawn mowing. Mr. Wiktor also stated that Mr. Paladino has no objections to the CCIDA sub-leasing space in the future if the opportunity presents itself. A Thank You letter will be drafted and sent to Supervisor Burrell.

A Motion was made by Joseph Eade seconded by Joseph Higgins to lease the location at 9 E. Washington Street for a period of 5 years from Ellicott Development Co. with a 180 day termination notice, or longer than a 30 day notice, with renewal terms at the option of the CCIDA. All voted yes. Motion carried.

Mr. Wiktor advised the CCIDA Board that he recently sent a welcome/introductory letter which included the following: A 2011 Year End Recap and an updated/revised CCIDA Power Point presentation to every member of Cattaraugus County Legislature. This was done to keep the Legislature updated and appraised of what was currently going on at the CCIDA and keep the lines of communications open.

Mr. Wiktor also stated that the CCIDA/CCBDC Cattaraugus County Business Development Corp. has received it's first Small Business Tax Abatement Program/Project application. We included this application in your Board Packets, this program was approved by the CCIDA Board last June 2011. This policy gives the IDA the ability to offer Sales Tax Abatement to an approved BDC small business at no cost to the business to help them save on Sales Tax.

Mr. Wiktor also discussed with the CCIDA Board an article in regards to the 2% tax cap that IDA's can be part of the answer within taxing jurisdictions. Mr. Wiktor stated that there is still a lot of miscommunication in regards to PILOTS and the 2% tax cap.

Mr. Wiktor also discussed the two articles in regards to tourism that were to be in tandem with Mr. McFadden's presentation however, Mr. McFadden had to postpone his presentation to the next IDA meeting to be held on April 24, 2012.

Mr. Wiktor also advised the CCIDA Board that he was recently appointed the Route 219 Corridor Development Committee for a four-year term to expire on December 31, 2015.

Mr. Wiktor also stated that we currently have seven or eight projects in progress. We are currently anticipating one to two applications in April and one application in June. Mr. Wiktor

stated that it has been great to see the amount of activity regarding a variety of projects that the IDA can assist the private sector investment within Cattaraugus County.

ADJOURNMENT:

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

The meeting was adjourned at 12:20 p.m.

The next CCIDA Board of Directors Meeting: Tuesday April 24, 2012 at 11:15 a.m.