

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY
BOARD MEETING
Tuesday, March 8, 2011
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
Mr. Gregory Fitzpatrick
Mr. Brent Driscoll
Ms. Crystal Abers

Members Excused:

Mr. Salvatore Marranca

Staff:

Mr. Corey R. Wiktor - Executive Director

Guests:

Rick Miller - Olean Times Herald
Nick Pircio - The Villager.
Ms. Crystal Wiech - Scott Rotary Seals

CCIDA Chairman, Mr. Thomas Buffamante called the meeting to order at 11:15 a.m.

Mr. Buffamante conducted the roll call, Mr. Salvatore Marranca was excused from the meeting..

APPROVAL OF MINUTES

A Motion was made by Joseph Eade, with a second by Joseph Higgins to accept the minutes from the February 3, 2011 Board of Directors Meeting with corrections as noted. Motion Carried.

Mr. Buffamante next introduced Ms. Crystal Weich from DST Properties NY, LLC - Scott Rotary Seals. Mr. Wiktor reviewed the application received from DST Properties who are currently looking into build/construct a new manufacturing facility in Olean to replace the old manufacturing facility on Route 16 in Hinsdale. This project has been in the works for approximately two years. DST Properties is looking for sales tax abatements, mortgage recording tax abatement and a 15 year PILOT - real property tax. The abatements mentioned are vital to small businesses within Cattaraugus County.

Crystal Weich did a brief presentation in regards to the relationship between Scott Rotary Seals and DST Properties NY, LLC. Ms. Weich explained that Scott Rotary Seals is looking to construct a 10,200 ft. manufacturing facility in the City of Olean, at 301 Franklin Street for a total cost of \$1,500,000. This new facility will be able to accommodate much needed new equipment to increase employment figures which are currently at seven however, in the future the plans are to add additional employees as needed. The parent company DST Properties have invested a considerable amount of money to keep this manufacturing facility in Cattaraugus County.

RESOLUTION(s)

Motion was made by Crystal Abers seconded by Joseph Eade, **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 DST PROPERTIES NY, LLC.** A Roll Call vote was taken with Mr. Higgins, Mr. Eade, Mr. Fitzpatrick, Mr. Driscoll and Ms. Abers voting yes. Mr. Marranca was excused. Motion Carried.

Motion was made by Joseph Higgins seconded by Brent Driscoll, **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 DST**

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

Mr. Wiktor next discussed with the CCIDA Board the resolution in regards to MarkJon Properties, Inc. for refinancing documents and \$180,000 new money from the Olean Federal Credit Union.

Motion was made by Joseph Eade seconded by Joseph Higgins, **RESOLUTION AUTHORIZING THE EXECUTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY OF A CERTAIN MORTGAGE AND RELATED DOCUMENTS IN CONNECTION WITH THE MARKJON PROPERTIES, LLC PROJECT.** A Roll Call vote was taken with Mr. Higgins, Mr. Eade, Mr. Fitzpatrick, Mr. Driscoll, Mr. Buffamante, and Ms. Abers voting yes. Mr. Marranca was excused. Motion Carried.

Motion was made by Greg Fitzpatrick seconded by Brent Driscoll, **RESOLUTION AUTHORIZING EXECUTION OF CERTAIN DOCUMENTS BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (THE "ISSUER") IN CONNECTION WITH THE DEFEASANCE OF THE MULTI-MODE VARIABLE RATE CIVIC FACILITY REVENUE BONDS (YOUNG MEN'S CHRISTIAN ASSOCIATION OF OLEAN,NY PROJECT - LETTER OF CREDIT SECURED), SERIES 2003A ISSUED BY THE ISSUER ON OCTOBER 22, 2003 IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$3,700,000.** A Roll Call vote was taken with Mr. Higgins, Mr. Eade, Mr. Fitzpatrick, Mr. Driscoll, Mr. Buffamante, and Ms. Abers voting yes. Mr. Marranca was excused. Motion Carried.

FINANCIAL REPORT

Mr. Wiktor went over the February 2011 operating statement in regards to the professional services which is at \$5,926 out of \$7,000 and this is because we have already paid RA Mercer in full for the 2010 Audit.

APPROVAL OF FINANCIAL REPORTS

Joseph Higgins made a motion seconded by Joseph Eade to accept the February 2011 Financial Statement as prepared. All members approved. Motion Carried

Mr. Wiktor advised the CCIDA Board that a review of the 2010 draft audit will be completed by March 28, 2011, and the Audit Committee will meet to review and discuss the draft audit at a later date.

Mr. Wiktor next discussed three (3) policies which are being brought to the Board for their discussion/approval. The three policies are as follows:

1. Penalty for failure to meet employment levels
2. Cost/Benefit analysis IDA
3. Discussion regarding the CCIDA proposed Adaptive Reuse Policy - Draft (necessary to setup a public hearing)

Mr. Wiktor next reviewed/discussed with the CCIDA Board the claw-back policy being proposed. This policy would allow the IDA to rescind the benefits for employment levels if the levels are not maintained. This policy is mainly to give us coverage if the employer does not meet requirements on employment levels or job creation levels. This policy would be used as a penalty for not maintaining employment levels, however it will only be used when the CCIDA has done a deviation to the current Uniform Tax Exempt Policy.

Mr. Eade made a motion to pass the Penalty for Failure to Meet Employment Levels Policy being presented to the Board with examples to be presented at a later date, seconded by Mr. Driscoll. All voted yes. Motion Carried

The cost/benefit analysis we are currently using is very antiquated, this new cost/benefit analysis that is being proposed is a universal standardized policy that will be used State wide by all IDA's. This is a more extensive form however, all the developers costs, what they will be doing and the benefits requested are clearly stated upfront. This form is longer than in the past however, it will safeguard the IDA/CRC and also the applicant if they are audited by New York State.

Mr. Driscoll made a motion to accept the Cost/Benefits Analysis Policy as prepared, seconded by Mr. Fitzpatrick. All voted yes. Motion Carried.

The last item that Mr. Wiktor discussed is the Adaptive Reuse Draft Policy which he is asking the board to grant the permission to hold a public hearing on this policy so that it can be instituted into our current Uniform Tax Exempt Policy. This policy will be new to the IDA therefor any projects that maybe able to use this new policy will be reviewed on an individual basis. This policy is being used by various IDA's throughout New York State.

Ms. Abers made a motion to authorize to hold a public hearing on the Adaptive Reuse Policy as presented in draft form, seconded by Joseph Eade. All voted yes. Motion Carried.

Mr. Wiktor also discussed with the Board that if a business has qualified through the BDC - Business Development Corp. - (this is a County Small Business revolving loan fund), which serves all of Cattaraugus County and this would enable the IDA to offer tax exempt benefits to this particular business strictly on equipment purchases. This would give the IDA one more item to be able to help the small businesses in Cattaraugus County and would tie the IDA in as a partner with the BDC.

A Motion was made by Brent Driscoll, seconded by Joseph Eade to go authorize to go forward and develop a program/policy draft in regards to small business equipment purchases for the issuance of sales tax abatement through the CCIDA in conjunction with Business Development Corp. (BDC).

Board Members, Crystal Abers next discussed the newly created Cattaraugus County Business assistance website that anyone can go on line and access various information on the benefits available in Cattaraugus County from all the different organizations, whom to contact for the various benefits that are available. The website is www.cattarauguscountybusinesshelp.org.

Crystal explained to the CCIDA Board that a team has been formed that consists of the Economic Development Partners here in Cattaraugus County which is getting all the resources and information on line and accessible to everyone within and also outside Cattaraugus County. Mr. Wiktor stated that he is very happy with the great job done with the footprint of this new web site and he also that he is extremely excited that the CCIDA was asked to be a part of this new development tool.

Mr. Wiktor discussed with the CCIDA Board the 2011 emerging trends conference he recently attended in regards to the commercial real estate market.

Mr. Wiktor also advised the CCIDA Board that he was asked to join the Cattaraugus Business Development Corp. Board (BDC), which he was very honored to be asked and excited to be in partnership with this Board.

Mr. Wiktor reviewed with the CCIDA Board the benefits of being a member of the Buffalo Niagara Enterprises. Mr. Buffamante asked Corey Wiktor to put together a benefits statement of being a financial contributing member to the BNE and present it to the CCIDA Board at the April 19, 2011 meeting. Mr. Wiktor advised the CCIDA Board that the BNE would be a very beneficial tool to the IDA.

EXECUTIVE DIRECTOR'S REPORT

Mr. Wiktor reviewed with the CCIDA Board a packet that was given to each member at this meeting. The packet consisted of information pertaining to highlights of the IDA over the past five (5) years. This was done to let everyone know who the CCIDA is and what we can do for you, this was presented to the Development & Agriculture Committee in February.

A Motion was made by Joseph Higgins seconded by Brent Driscoll to go into a Capital Resource Corporation meeting.

The next IDA Board meeting will be held on **April 19, 2011** at the **CCIDA offices** at **11:15 a.m.**

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ADJOURNMENT

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