

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

Thursday, February 2, 2012

**CCIDA OFFICE
3 East Washington Street
Ellicottville, NY
10:00 a.m.**

Roll Call:

Members

Present:

Mr. Thomas Buffamante - Chairman
Mr. Joseph Higgins
Mr. Joseph Eade
Ms. Crystal Abers
Mr. Salvatore Marranca
Mr. Gregory Fitzpatrick
Mr. Brent Driscoll

Members Excused: N/A

Staff:

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

Guests:

Mr. William Paladino - 4646 Genesee LLC

CCIDA Chairman, Mr. Thomas Buffamante called the meeting to order at 10:07 a.m.

APPROVAL OF MINUTES:

A Motion was made by Joseph Eade, with a second by Joseph Higgins to accept the minutes as submitted from the December 13, 2011 Board of Directors Meeting. Motion Carried.

FINANCIAL REPORTS:

Mr. Wiktor mentioned that included in the Boards packets were the December 2011 and January 2012 Operating Statements. Mr. Wiktor advised the CCIDA Board that the income will be increased by \$11,250.00 which is the invoice amount that will be transferred from the CRC account into the CCIDA account. This transfer amount is a result of the Admin. Service Agreement that was approved last February 2011 between the CRC and the IDA.

Mr. Wiktor also mentioned that on January 17, 2012 an audit committee meeting was held at the CCIDA offices to review the engagement letter to conduct the annual audit at the cost of \$5,800.00 which is the same price as last year. These meeting minutes were included in your CCIDA Board packets for review.

A Motion was made by Salvatore Marranta seconded by Joseph Higgins to have RA Mercer conduct the Annual Audit of the CCIDA/CRC.

Mr. Buffamante also asked Corey to look into the amortization in regards to our current office building whether we expensed the improvements or if they were depreciated over the years. Mr. Wiktor advised Mr. Buffamante that he would check into this and advise the CCIDA board at the March meeting.

A Motion was made by Joseph Eade seconded by Salvatore Marranta to accept the Financial Reports for December 2011 and January 2012 as submitted. Motion Carried

RESOLUTION(s)

This Final SEQR Resolution and Approving Resolution is for Win Sum Ski Corp. 2011-2012 New Lodge. Win Sum Ski Corp. Had previously presented to the CCIDA an application for the reconstruction of the Main Lodge at the Resort at the CCIDA December 2011 Board Meeting. The proposed project is the replacement of the existing Main Ski Lodge with a new facility. A Public Hearing was held at the CCIDA offices on January 23, 2012 there was no one in attendance at this public hearing and we did not receive any comments either written or oral. The minutes from this public hearing were included in the Board Packets.

A motion was made by Gregory Fitzpatrick seconded by Salvatore Marranca, **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. Eade, Mr. Buffamante, Mr. Fitzpatrick, Mr. Marranca and Mr. Higgins voting yes. Mr. Driscoll and Ms. Abers were 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 Gregory Fitzpatrick seconded by Joseph Eade, **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 Mr. Eade, Mr. Higgins, Mr. Buffamante, Mr. Fitzpatrick and Mr. Marranca voting yes. Mr. Driscoll and Ms. Abers were 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.

RESOLUTION(s)

Mr. Wiktor next discussed the Proposed Policy Adoption -Section 2824(1) of Title Two of Article 9 of the Public Authorities Accountability Act requires that the members of the Agency establish written policies and procedures applicable to the acquisition and disposition of real property. Two proposed policies were included in the Board Packets.

Mr. Wiktor also advised the board that with the CCIDA offices moving in the near future it was a good time to bring this Property Acquisition Policy and Property Disposition policy up for adoption.

Mr. George Cregg, Jr. advised the CCIDA Board that no property can be acquired or disposed of without a Resolution being brought before the CCIDA Board.

Mr. George Cregg, Jr. reviewed with the CCIDA Board the necessity of having this resolution passed to comply with the Public Authority Accountability Act when reporting under the PARIS Reporting program.

RESOLUTION(s)

A motion was made by Salvatore Marranca, seconded by Joseph Higgins. **RESOLUTION ADOPTING A REAL PROPERTY ACQUISITION POLICY AND A PROPERTY DISPOSITION POLICY FOR THE AGENCY.** A Roll Call vote was taken with Mr. Eade, Mr. Higgins, Mr. Buffamante, Mr. Fitzpatrick and Mr. Marranca voting yes. Mr. Driscoll and Ms. Abers were excused. Motion Carried.

Mr. Wiktor next introduced Mr. William Paladino from 4646 Genesee LLC project that have asked the County of Cattaraugus IDA to consider their application for the reconstruction of the former auto repair garage and former furniture factory located at 5 East Washington Street in the Village of Ellicottville, New York.

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

The former auto repair garage will be redeveloped into a 8,568 sq. ft. Of retail space, which will include a 4,000 sq. ft. Kwik Fill gas station and a Red Apple Convenience store and roughly 4,658 sq. ft. of retail space. The existing concrete building and fuel tanks in front of the former repair garage will be demolished and a 4,000 sq. ft. 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 sq. ft. of retail space. It is anticipated that many of the proposed tenants for this space may be mixed use, specialty retailers.

Again as stated, the Developer is proposing to relocate the CCIDA from its existing building to the house located at 9 E. Washington (3 houses down, same side of road), and then to demolish the houses at 3 and 5 E. Washington for additional parking for the project. Estimating approximately 17 new jobs with additional employment depending on the tenants acquired in the space provided.

The total amount of the project/investment is roughly \$5,300,000.

Mr. Buffamante complimented Mr. Paladino and his Company for undertaking this \$5+ million dollar investment on this corner property to dress it up and add additional space and venues to the Village that are needed. This is a real testament to the Ellicott Development Company for this undertaking. Mr. Buffamante explained that what he finds intriguing is the reuse of the current structures on the property which adds additional use of space from these buildings.

Discussions were conducted in regards to the current tax base on this property. Per the Agency's Adaptive Reuse Policy, the only tax to be abated would be on the "value added" for a period of ten (10) years, in accordance with the Agency's Uniform Tax Exemption Policy. Furthermore, it was also discussed, that the Agency will carry over the current tax base/rate for the Red Apple Store, as to mitigate any loss in tax revenue for the impacted taxing jurisdictions.

It is also to be noted that the Agency had also worked with the Ellicottville Chamber of Commerce who concluded via a study conducted by University of Buffalo Graduate Students during the Summer of 2012; which identified the developer's proposed site as one of three in the Village that is important for redevelopment located within the Village. This parcel was identified in a "Special Needs Assessment Study" for the Village of Ellicottville.

RESOLUTION(s)

A motion was made by Joseph Eade seconded by Brent Driscoll, **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 4646 GENESEE, LLC.** A Roll Call vote was taken with Mr. Eade, Mr. Buffamante, Mr. Fitzpatrick, Mr. Marranca, Mr. Higgins, Mr. Driscoll, and Ms. Abers voting yes. 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 development.

A motion was made by Crystal Abers 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 4646 GENESEE, LLC.** A Roll Call vote was taken with Mr. Eade, Mr. Higgins, Mr. Buffamante, Mr. Fitzpatrick, Mr. Marranca, Mr. Driscoll and Ms. Abers voting yes. 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 development.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Wiktor next discussed with the CCIDA Board the search that is taking place for leased office space for the CCIDA. We currently have been doing a search for rental property in the Ellicottville area and we have also put together with the help of Hodgson/Russ a RFP - request for proposal to be published in the Olean Times Herald and The Villager within the next few weeks.

A Motion was made by Brent Driscoll seconded by Crystal Abers to publish the RFP in the locals papers as soon as possible. All voted yes. Motion carried.

Mr. Wiktor also mentioned that he felt it was a nice gesture of the developer to look out for the CCIDA rather than to say see you later. Ellicott Development has offered a 5 year lease which was included in the CCIDA Board Packets. The monthly rental number is negotiable and Paladino is willing to put new hard wood flooring down, remove walls to make a more open floor plan, painting, landscaping, and removal of the CCIDA sign and reinstall with lighting.

Mr. Wiktor also advised the CCIDA Board that there are two proposed (2) closings that are being set for March which will help our balance sheet out very early for 2012.

Route 9 is our first Adaptive Reuse project and is in the closing stages at this point, the closing documents have been executed and sent back to Hodgson/Russ for a mail closing.

Mr. Wiktor also mentioned that the 4646 Genesee Project will be the second induced project to take advantage of the Adaptive Reuse Policy since its adoption in June 2011. Mr. Wiktor advised the CCIDA Board that he has the Brownfield Redevelopment Pilot in the development stages and will e-mail the CCIDA Board within the next few days. This is regarding a PILOT program for the redevelopment of Brownfields within Cattaraugus County. There are currently 25 designated Brownfields within the County. This policy would only be specific to the 25 designated Brownfields in Cattaraugus County. This policy is provided to induce and encourage development on these specific sights, to qualify for this Brownfield Redevelopment Pilot a) be on a designated (DEC List) Brownfield site, b) project must adhere to our Eligible Projects Policy. I would like to include this proposed Policy on the March meeting agenda so a public hearing can be set up and the final adoption would take place in June/July.

Mr. Wiktor lastly wanted to congratulate and compliment Crystal Abers and her department for putting together the new 2012 Visitor's Guide for Cattaraugus County. This is a newly created format and Kudos to all at Cattaraugus County for putting this guide together this is a great representation to get the word out about Cattaraugus County.

Mr. Wiktor also mentioned the "Walkable Olean" presentation courtesy of Mr. Jeff Belt, CEO of SolEpoxy, Inc. who has been working with Mayor Witte and also Cutco in regards to a vision for Union Street in the City of Olean. I had included a copy of this presentation with the CCIDA Board Packets. The City of Olean has been awarded a million dollars thru the Regional Council for reconstruction of Main Street.

ADJOURNMENT:

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

The meeting was adjourned at 11:35 a.m.

The next CCIDA Board of Directors Meeting: Tuesday March 6, 2012 at 11:15 a.m.