

**SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

MEETING MINUTES

Regular Meeting
Thursday, November 1, 2007
11:00 a.m.
Deerhead Inn,
Seneca Falls, New York

Attendance:

Board Members Present: Robert Rosenkrans, Chairman; Kenneth Lee Patchen, Jr.; Robert Kernan; Thomas Kime (late); and David M. Kaiser

Board Members Absent: Bruce Bonafiglia

Staff Attending: Patricia Jones, Interim Executive Director; Monica Novack, IDA Administrative Assistant; Greg Keefe, IDA Treasurer; and Shawn Griffin, Legal Counsel, Harris Beach;

Others Attending: Craig Fox and Dave Shaw, Finger Lakes Times; James Mooney, Supervisor, Town of Waterloo; Joan Teichner, Supervisor, Town of Varick; Kevin Swartley, Empire Green Biofuels; Tom Battaglia and Verne Sessler, Sessler Wrecking; Ashley Nightingale, Poulomi Tambwekar, Mike Farrar, and Sarah Purcell, New York State Authority Budget Office; Bobby Clifford, John Cleary, John Patti and Stephen Dennis

Call to Order:

Chairman Rosenkrans called the meeting to order at 11:10 A.M. A quorum of the Agency's members was present.

Introduction of Guests:

Pat Jones introduced each of the guests attending the meeting.

Approval of IDA Minutes / Regular Meeting of September 20, 2007:

The minutes of the Agency's regular meeting of September 20, 2007 had been sent to Board members prior to the meeting. A motion was made by Lee Patchen to accept the minutes of September 20, 2007. Seconded by David Kaiser. Motion carried.

Approval of August/September 2007 Financial Statements:

The August / September 2007 financial statements had been mailed to Board members prior to the meeting. Greg Keefe summarized the financial statements. After discussion, a motion was made David Kaiser to approve the August / September 2007 financial statements. Seconded by Robert Kernan. Motion carried.

Appointment of Nominating Committee:

Chairman Rosenkrans appointed Lee Patchen and Bruce Bonafiglia to the Nominating Committee for IDA officers for 2008.

Update of Sampson Veteran's Cemetery:

Pat Jones advised the Board that the property at Sampson, which will eventually be the Veteran's Cemetery, will be deeded to Seneca County in lieu of the Seneca County IDA. Pat also advised that she had met with Jason McCormick, the Seneca County Engineer and Nancy Mangano, IDA Project Manager to view the plot. David Kaiser then informed that Board that the hiring of a surveyor had been approved. Pat stated that she would keep the Board updated on this matter.

Approval to begin EDA Loan Application Process for Bedford Falls, LLC for a loan not to exceed \$200,000:

Pat Jones advised the Board that Bedford Falls LLC will be requesting a loan from the IDA EDA Revolving Loan fund in an amount not to exceed \$200,000. Pat then advised that she is requesting approval to begin the loan application process. She then informed the Board that the approval of the loan will come back to the IDA Board after approval by the loan committee. After discussion, a motion was made by Robert Kernan to approve beginning the EDA loan application process for Bedford Falls, LLC for a loan not to exceed \$200,000. Seconded by Lee Patchen. Motion carried.

Approval of IDA Final Resolution No. 2007-21 for Bedford Falls Enterprises, LLC:

Pat Jones advised the Board that Resolution No. 2007-21, which was emailed to Board members prior to the meeting, authorizes the execution and delivery of the lease agreement, leaseback agreement and PILOT agreement associated with this project. Pat also advised that a public hearing was held on October 24, 2007 and only positive comments were received. Shawn Griffin requested the Board table this resolution until

the next meeting so that he could sit down with Stephen Dennis, the new Executive Director, to help Stephen get a better understanding of the project. David Kaiser made a motion to table Resolution No. 2007-21. Seconded by Lee Patchen. Motion carried.

Approval of IDA Inducement Resolution No. 2007-22 for Sessler Depot Development:

Pat Jones advised the Board that the Seneca County EDC met on October 19, 2007 and approved the Sessler Depot Development project which was presented to the IDA Board at the September meeting. Pat then presented IDA Inducement Resolution 2007-22 as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF L.M. SESSLER EXCAVATING AND WRECKING INC. (OR AND ENTITY FORMED ON ITS BEHALF) WITH RESPECT TO A CERTAIN PROJECT (AS DESCRIBED BELOW) TO BE LOCATED IN A PORTION OF THE FORMER SENECA ARMY DEPOT; (ii) AUTHORIZING A PUBLIC HEARING AND COMPLIANCE WITH THE NEW YORK PUBLIC AUTHORITIES ACCOUNTABILITY ACT WITH RESPECT TO THE PROJECT; AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT

After discussion a motion was made by Lee Patchen accepting the application for assistance; declaring the IDA as lead agency under SEQR and conducting a coordinating review; and authorizing a public hearing and compliance with the New York Public Authorities Accountability Act. Seconded by Robert Kernan. Messrs. Rosenkrans, Kernan, Patchen, and Kaiser voted "yea". Motion carried.

Approval to Request Quotes from Raymond F. Wager, CPA, PC For 2006 Audits for Seneca County IDA, Seneca County EDC & Seneca Knit:

Pat Jones advised the Board that it is time to begin planning for the 2006 audits, that this will be the third year in a five year cycle with Raymond F. Wager, CPA, and recommended that we use this firm for our 2006 audits. Mr. Kernan requested a meeting be set up for the Audit Committee to meet with the auditors prior to the audit. A motion was made by Robert Kernan to approve requesting quotes from Raymond F. Wager, CPA, PC for 2006 audits for the Seneca County IDA, Seneca County EDC and the Seneca Knit Corporation. Seconded by Lee Patchen. Motion carried.

Approval to Contract with NYSEG for Electric Study:

Pat Jones advised the Board that she had had numerous meetings with NYSEG concerning electric capacity at the Depot, including a meeting last week with the President of NYSEG. Pat then advised that NYSEG has agreed to **fully fund**, via a grant,

a study for the potential design and construction of a 115 KV line to the depot. A motion was made by Lee Patchen authorizing the Interim Executive Director to sign a grant agreement with NYSEG for the electric study at no cost to the IDA. Seconded by David Kaiser. Motion carried.

IDA Compliance Review by NYS Authority Budget Office:

Pat Jones advised the Board that she emailed Board members last week with notification of the New York State Authority Budget Office Compliance Review of the IDA, beginning Thursday, November 1st. She then informed the Board that she had emailed the letter she received from the NYS Authority Budget Office which included their policy guidance on the Compliance Review Process. Pat then advised the Board that the Compliance Review Team was in attendance at this IDA meeting, as they are required to attend a meeting during their review, and would be conducting their entrance conference for this review at 3:00 PM on November 1st in the County Office Building, Conference Room, 2nd floor. Pat recommended as many Board members as possible attend this entrance conference. Pat lastly informed the Board that she had received the policy guidance on the Compliance Review Process along with a listing of documents which staff must have available at the start of the review on November 13th.

Other Business: None at this time.

Consideration of Executive Session:

Chairman Rosenkrans requested a motion to enter into Executive Session for the purpose of (1) the proposed acquisition, sale or lease of real property and (2) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion demotion, discipline, suspension, dismissal or removal of a particular person or corporation. A motion was made by Lee Patchen at 11:30 a.m. to enter into Executive Session. Seconded by Robert Kernan. Motion carried. A motion was made by Lee Patchen at 12:20 p.m. to come out of Executive Session. Seconded by Robert Kernan. Motion carried.

Other Business: A motion was made by Lee Patchen recommending Kenneth Riemer, Fred Gaffney and G. Thomas Macinski for appointment to the IDA Board and directing staff to send recommendations to the Seneca County Board of Supervisors for appointment. Seconded by David Kaiser. Motion carried.

Adjournment:

A motion to adjourn the meeting was made by David Kaiser and seconded by Lee Patchen. Motion carried. The meeting adjourned at 12:21 p.m.

The next scheduled meeting will be held on **December 6, 2007 at 12:00 Noon** at Abigail's Restaurant, Route 5 & 20, Waterloo.

Respectfully submitted,

Kenneth Lee Patchen Jr / KLP

Kenneth Lee Patchen, Jr.
Secretary

pc: Sharon Secor, Seneca County Manager
Margaret Li, Clerk, Board of Supervisors
Shawn Griffin, Esq, Harris Beach
Russell Gaenzle, Esq, Harris Beach
Justin Miller, Esq, Harris Beach