

**SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

MEETING MINUTES

Regular Meeting
Thursday, May 7, 2009
12:00 Noon
Abigails Restaurant
Waterloo, New York

Attendance:

Board Members Present: Thomas Kime, Chairman; Robert Rosenkrans; Fred Gaffney; Kenneth Riemer; Kenneth Lee Patchen, Jr.; Thomas Macinski; Robert Kernan and David Kaiser

Board Members Absent: None

Staff Attending: Robert Aronson, Executive Director; Patricia Jones, Deputy Director; Monica Novack, Office Manager; Kelly Kline, Receptionist/Office Assistant; Marybeth Frantz, Harris Beach.

Others Attending: Jason McCormick, County Engineer; Pradeep Kwatra, Gharana; Harbalwant Singh, Gharana and Dave Shaw, Finger Lakes Times

Call to Order:

Chairman Kime called the meeting to order at 12:03 p.m. A quorum of the Agency's members were present.

Approval of EDA RLF Loan/Gharana Industries, LLC:

Mr. Singh and Mr. Kwatra of Gharana Industries gave a presentation to the Board on their plans to acquire the former Cadbury Schweppes plant in Waterloo. Mr. Singh advised the board that Gharana Industries, LLC will manufacture and process whole wheat bread flour, gram or chick-pea flour, homemade cheese and vegetarian cookies. Mr. Singh said their decision to locate the operation in Seneca County was because of the area's proximity to key markets, access to rail and thruway, and the abundance of raw materials such as the region's dairy farms that can supply milk for the production of cheese. After discussion, a motion was made by Mr. Patchen to approve EDA RLF Loan/Gharana Industries, LLC. Seconded by Mr. Rosenkrans. Messrs., Kaiser, Riemer, Rosenkrans, Gaffney, Patchen and Macinski voted "yea". Mr. Kime abstained and Mr. Kernan recused (Mr. Kernan had left the meeting for the discussion and vote). Motion carried.

Consideration of Executive Session:

Chairman Kime requested a motion to enter into Executive Session for the purpose of potential sale or lease of real estate where publicity could substantially affect the value thereof. A motion was made by Mr. Kaiser at 12:16 p.m. to enter into Executive Session. Seconded by Mr. Patchen. Motion carried. A motion was made by Mr. Rosenkrans at 12:24 p.m. to come out of Executive Session. Seconded by Mr. Macinski. Motion carried.

Approval of IDA Resolution No. 2009 – 13/Gharana Industries, LLC Project:

Chairman Kime advised the board that this resolution is an initial resolution for Gharana Industries, LLC Project, which accepts the application and describes the forms of financial assistance being considered by the Agency for this project. The resolution also authorizes a public hearing to be held with respect to the project. Chairman Kime then presented IDA Resolution No. 2009 – 13/Gharana Industries, LLC Project as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF GHARANA INDUSTRIES, LLC WITH RESPECT TO A CERTAIN PROJECT (DESCRIBED BELOW), (ii) AUTHORIZING A PUBLIC HEARING 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 Mr. Patchen to approve IDA Resolution No. 2009 – 13/Gharana Industries, LLC Project. Seconded by Mr. Rosenkrans. Messrs. Rosenkrans, Riemer, Gaffney, Patchen, Kaiser and Macinski voted "yea". Mr. Kime abstained and Mr. Kernan recused (Mr. Kernan had left the meeting for the discussion and vote). Motion carried.

Approval of IDA Minutes / Meeting of April 2, 2009:

The minutes of the Agency's annual meeting of April 2, 2009 had been sent to Board members prior to the meeting. A motion was made by Mr. Gaffney to approve the April 2, 2009 minutes. Seconded by Mr. Patchen. Motion carried.

Approval of March 2009 Financial Statements:

The March 2009 financial statements had been mailed to Board members prior to the meeting. A motion was made by Mr. Rosenkrans to approve the March 2009 financial statements. Seconded by Mr. Gaffney. Motion carried.

Update of Lowe's Water Project:

Mr. McCormick advised the board that the first phase of the Lowe's Water Project is complete. He stated that the water line was completed on time and has been tested for quality and pressure and was a very successful project. He then advised the board that the second phase of the project

is an 8 inch line which is to be installed in the Boody's Hill Road area and a 12 inch line on Route 96A, south from River Road and back to Woodworth Road. Mr. McCormick advised the board that all the pipe has been purchased and all that is left is to buy is the equipment and there is sufficient monies to finish the project. Mr. McCormick stated that the project should be completed by the spring of 2010.

Approval of Dermody, Burke and Brown Contract:

Robert Aronson advised the board that during this year's audit review, the Audit Committee recommended that the Seneca County IDA ask Dermody, Burke & Brown to provide an estimate for adjusting the accounting system to align the IDA's monthly financial statements to the annual audit. Mr. Aronson then advised the board that Dermody, Burke & Brown proposed a charge of \$2,000 for set-up and training, as well as an additional \$900 annually. After discussion, a motion was made by Mr. Rosenkrans to approve the contract. Seconded by Mr. Macinski. Messrs. Rosenkrans, Kime, Riemer, Gaffney, Patchen, Kaiser and Macinski voted "yea". Mr. Kernan recused (Mr. Kernan had left the meeting for the discussion and vote). Motion carried.

Approval for D.C. Rausher, Inc. to Connect into Route 414 Sewer Line:

Mr. Aronson advised the board that Dave Rausher of D.C. Rausher, Inc., has requested permission to connect to the sewer line on the east side of his property that adjoins to State Route 414. Mr. Aronson stated that when the sewer line to PETRO was completed, procedures were established to allow businesses to connect into the sewer line with the approval of the IDA. Mr. Aronson then advised the board there is no cost to the IDA and that each business that elects to connect to the sewer line does so at their expense. After discussion, a motion was by Mr. Rosenkrans to give approval for D.C. Rausher, Inc., to connect into Route 414 Sewer Line. Seconded by Mr. Gaffney. Messrs., Kime, Kernan, Reimer, Rosenkrans, Gaffney, Patchen, Kaiser and Macinski voted "yea". Motion Carried.

Approval of IDA Policy / Disposition of Property:

Mr. Kime advised that Board that the Seneca County IDA Disposition of Property policy has been updated by Legal Counsel and was approved by the Governance Committee. After discussion a motion was made by Mr. Macinski to approve the Disposition of Property Policy. Seconded by Mr. Rosenkrans. Messrs., Kime, Kernan, Kaiser, Riemer, Rosenkrans, Gaffney, Patchen and Macinski voted "yea". Motion carried.

Revolving Loan Fund Status Report:

Ms. Novack advised the board that the Revolving Loan Fund program has \$579,000 in outstanding loans to date and all borrowers from the fund are current on all payments.

Other Business:

Mr. Aronson provided an update on the status of the Hoyt/Thompson bills. It is not known whether the legislation will be acted upon during the current legislative session that ends in June. Reports from the team working with the NYSEDC on possible compromise measures report that unions are not willing to bend on prevailing and median wage provisions of the legislation.

Efforts are being focused on informing upstate Senators that might vote against party affiliation, which include Senators Stachowski, Valesky and Aubertine.

Consideration of Executive Session:

Chairman Kime requested a motion to enter into Executive Session for the purpose of potential sale or lease of real estate where publicity could substantially affect the value thereof. A motion was made by Mr. Rosenkrans at 1:00 p.m. to enter into Executive Session. Seconded by Mr. Patchen. Motion carried. A motion was made by Mr. Rosenkrans at 1:15 p.m. to come out of Executive Session. Seconded by Mr. Kaiser. Motion carried.

Adjournment:

A motion to adjourn the meeting was made by Mr. Patchen. Seconded by Mr. Macinski. Motion carried. The meeting adjourned at 1:16p.m.

The next regular scheduled meeting will be held on **July 9, 2009 at 12:00 Noon** at Abigails Restaurant, Waterloo, NY

Respectfully submitted,



Kenneth Lee Patchen, Jr.
Secretary

pc: Suzanne Sinclair, Seneca County Manager
Margaret Li, Clerk, Board of Supervisors
Russell Gaenzle, Esq, Harris Beach
Roberta Jordans, Harris Beach
Shawn Griffin, Esq., Harris Beach
Kevin Overton, Esq., Harris Beach