

FINGER LAKES ECONOMIC DEVELOPMENT CENTER  
1 Keuka Business Park, Suite 104  
Penn Yan, NY 14527  
Telephone: 315-536-7328

**MINUTES OF THE REGULAR BOARD MEETING OF THE FINGER LAKES ECONOMIC DEVELOPMENT CENTER**

April 20, 2016

FLEDC MEMBERS PRESENT: Gene Pierce  
Jim Willson  
Jerry Hiller  
Mark Morris

FLEDC MEMBERS ABSENT: Rita Gow  
Taylor Fitch  
Mary Zelazny

STAFF: Steve Griffin  
Kari DeWick  
Doreen Jensen

GUESTS: John Christensen  
Tim Dennis  
Craig Densmore  
Jan Morganti  
David Volt  
Michael Davis

Chair G. Pierce called the meeting to order at 7:36 A.M.

Roll call was taken; a quorum was present. Introduction of guests were made.

***A motion was made by J. Willson and seconded by M. Morris to go into Executive Session at 7:37 AM to discuss a particular company's financial history. Motion passed.***

***A motion was made by J. Willson and seconded by J. Hiller to come out of Executive Session at 8:03 AM. Motion passed.***

There was no action taken in Executive Session.

**MINUTES**

***A motion was made by M. Morris and seconded by J. Willson to approve the March 16, 2016 minutes as written. Motion passed.***

**AGENDA CHANGES**

The following agenda changes were made:  
Under New Business – delete Crooked Lake Management Lease Renewal  
Add Intek Fabrication, LLC Horizon Business Park Land Sale.  
4M-Moravec’s and Hullings Hulls are not pending loans but loan requests.

**FINANCE COMMITTEE**

D. Jensen reviewed the March financials and all bills to be paid. *A motion was made by M. Morris seconded by J. Willson to approve the March financials, and to pay all bills submitted as presented. Motion passed.*

Receivables and the loan reports were reviewed.

**MANAGEMENT REPORT**

The following updates were given to the Management Report:

S. Griffin reported he still needed to have the discussion with NYS Canal Corporation on getting the Outlet added into their eligible funding areas. ESD and the Regional Councils are still working on the details in regards to the Downtown Revitalization Initiative. Small communities are encouraged to apply. S. Griffin will hopefully have more information at our May meeting.

S. Griffin reported that the Penn Yan Middle School Career Day is scheduled for May 6<sup>th</sup>. There are 5-6 different industries represented with 2-3 speakers for each industry presenting. Rob Kinyoun is a pilot for JetBlue and will be doing a presentation for the 7<sup>th</sup> grade speakers for our Professional Speakers program for the same day.

S. Griffin reported later today he will speak at the job readiness program for Workforce Development.

K. DeWick updated the Board on the Young Professional meeting that was held on April 12. Attendance was low but there were still constructive conversations.

K. DeWick reported Mr. Kriese took the Exploring Club to Castner’s Performance. The students made bolts. This week they will be going to Dailey’s Electric where they will learn about geothermal and use a mini excavator. Mr. Kriese is working with the Community Center for the You’re Welcome program to be held at the school so students can receive certification and be ready to work.

G. Pierce asked K. DeWick to look into structuring the Young Professionals around the Leadership programs offered in other Counties. Leadership Schuyler and Chemung are currently doing this. K. DeWick will contact Schuyler County for information on the Leadership program.

**NEW BUSINESS**

S. Griffin reviewed the Intek Fabrication, LLC straight leaseback application. The project consists of acquisition of two acres of land and the construction of a new 10,000 square foot building for his fabrication business. The amount of total savings through the lease/leaseback is very close to \$100,000 so we need to hold a public hearing.

*The following resolution was offered by Mark Morris, seconded by James Willson, to wit:*

***RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF YATES COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF INTEK FABRICATION, INC.***

WHEREAS, Yates County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 113 of the 1975 Laws of New York, as amended, constituting Section 893-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Intek Fabrication, Inc., a New York business corporation (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a portion of a parcel of land located at State Route 14A (Tax Map # 61.36-1-3.11) in the Town of Milo, Village of Penn Yan, Yates County, New York (the “Land”), (2) the construction of a new facility to contain approximately 9,600 square feet of space (the “Facility”), and (3) the acquisition and installation therein and thereon of certain machinery and equipment (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company and to constitute a metal manufacturing facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF YATES COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Chief Executive Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the “Public Hearing”); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the “Report”) to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. The Chairman, Vice Chairman and/or Chief Executive Officer of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. All action taken by the Chief Executive Officer of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Gene Pierce	VOTING	Yes
Jerry Hiller	VOTING	Yes
Mary Ann Zelazny	VOTING	Absent
Taylor Fitch	VOTING	Absent
Rita Gow	VOTING	Absent
Mark Morris	VOTING	Yes
James Willson	VOTING	Yes

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK            )  
  ) SS.:  
COUNTY OF YATES            )

I, the undersigned Secretary of Yates County Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on April 20, 2017 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 20th day of April, 2016.

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Secretary

(SEAL)

D. Jensen reported the carpet bids for the second floor were sent in the board packet. Two bids from the local vendors of from Church Creative Flooring and Cole's Floor Fashions were received. The quotes were for carpet and vinyl, with floor repair, prep and vinyl base. ***A motion was made by J. Hiller and seconded by M. Morris to accept the low bid of Cole's Floor Fashions. Motion passed.***

K. DeWick reviewed the loan request from Marchionda Excavating, Inc., for \$35,000 from the revolving loan fund for a 1982 wrecker. The Loan Review Committee recommended approval for this loan. Doug's original wrecker was lost in the 2014 flood. The loan would be for 5 years at 2.8%. Collateral would be a first on the purchased equipment including titles and a purchase money security agreement, a UCC Filing on Marchionda's Excavating, Inc. and signed personal guarantees from Doug and Penne Marchionda. ***A motion was made by J. Hiller and seconded by J. Willson to approve the loan as presented to Marchionda Excavating, Inc. for \$35,000 for five years at 2.8%. Collateral would be the a first on purchased equipment including titles and a purchase money security agreement, a UCC Filing on Marchionda's Excavating, Inc. and signed personal guarantees from Doug and Penne Marchionda. Motion passed.***

K. DeWick reviewed the loan request from 4M Rebuilt, LLC. The Loan Review Committee recommended approval for this loan. They are requesting \$100,000 from the revolving loan fund for acquiring land and construction of a facility for their well drilling and geo thermal businesses. The loan would be for five years at 2.8% with a second on the land and personal guarantees from Richard, David, Kevin and Chad Moravec. ***A motion was made by J. Willson and seconded by M. Morris to authorize the loan to 4M Rebuilt, LLC for \$100,000 for five years at 2.8% with a second on the land and building, and personal guarantees from the Richard, David, Kevin and Chad Moravec. Motion passed.***

K. DeWick reviewed the loan request from Hullings Hulls. They are requesting \$6,500 from the revolving loan fund to complete building renovations on their shop. These include heat, hot water and sliding doors. The Loan Review Committee recommended approval for this loan. The loan is at 2.8% for five years. Collateral would be a 1<sup>st</sup> position on the purchased equipment, a UCC filing on Hullings Hulls and personal guarantees from Adam & Johanna Hullings and Ralph Hullings. ***A motion was made by J. Hiller and seconded by M. Morris to approve the loan to Hullings Hulls for \$6,500 at 2.8% for five years. Collateral is a 1<sup>st</sup> position on the purchased equipment, a UCC filing on Hullings Hull and personal guarantees from the principals. Motion passed.***

S. Griffin reported that Brian Gordon of Intek Fabrications, LLC would like to purchase 2 acres of vacant land at Horizon Business Park so there won't be a need for any special use variance requests from the Village of PY. The price is \$35,000 per acre. His business is already an allowed use at Horizon Business Park. ***A motion was made by J. Willson and seconded by M. Morris to approve the sale of 2 acres of land at Horizon Business Park for \$35,000 an acre to Intek Fabrications, LLC, contingent upon approvals. Motion passed.***

The Board requested a map of what land is for sale at Horizon Business Park.

***A motion was made by J. Willson and seconded by M. Morris to adjourn the meeting at 8:35 A.M. Motion passed.***

Respectfully submitted,

Doreen J. Jensen

