

FINGER LAKES ECONOMIC DEVELOPMENT CENTER
1 Keuka Business Park, Suite 104
Penn Yan, NY 14527
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MINUTES OF THE REGULAR BOARD MEETING OF THE FINGER LAKES ECONOMIC DEVELOPMENT CENTER

October 26, 2016

FLEDC MEMBERS PRESENT: Gene Pierce
 Jerry Hiller
 Mary Zelazny
 Jim Willson
 Taylor Fitch
 Mark Morris

FLEDC MEMBERS ABSENT: Rita Gow

STAFF: Steve Griffin
 Kari DeWick
 Doreen Jensen

GUESTS: John Christensen
 Tim Dennis

Chair G. Pierce called the meeting to order at 7:37 A.M.

Roll call was taken; a quorum was present.

The Board recognized that Mary Zelazny was nominated for the 2017 Athena Award and just found out was named a finalist for the award.

The ATHENA Award finalists are recognized for their outstanding professional achievements, contributions to the community, and actively assisting other women in the attainment of professional excellence, as well as the fulfillment of their own personal, leadership journey.

It's quite an accomplishment to even be named a finalist and is very deserving of the award! Congratulations Mary on being named a finalist!!!

A motion was made by M. Morris and seconded by T. Fitch to go into Executive Session at 7:38 A.M. to discuss a company's financials. Motion passed.

A motion was made by M. Zelazny and seconded by M. Morris to come out of Executive Session at 7:44 A.M. Motion passed.

There was no action taken in Executive Session.

MINUTES

A motion was made by J. Hiller and seconded by M. Morris to approve the September 21, 2016 minutes as written. Motion passed.

AGENDA CHANGES

The following changes were made to the Agenda:

Under Old Business delete Approving Resolution – Uniform Criteria & other Requirements of 2015 IDA Reform Legislation

Under New Business add the following:

#4 109 Horizon Business Park Mortgage Payoff

#5 Approve CEO Check Signing Authorization

#6 Personnel Committee Recommendations

#7 Workforce Development

FINANCE COMMITTEE

D. Jensen reviewed the September financials and all bills to be paid. *A motion was made by T. Fitch and seconded by M. Morris to approve the Financial Report and to pay all bills submitted for payment. Motion passed.*

MANAGEMENT REPORT

The following updates were given to the Management Report:

S. Griffin reported on a meeting with human resource and plant managers of the largest manufacturers in the County. Those in attendance found the meeting useful. Topics such as workforce recruitment, training, and existing local and State programs were discussed. Another meeting to be scheduled.

S. Griffin reported he is meeting with Kerry Brennan tomorrow to see if the County can help us with certain personnel issues and the updating of the handbook.

K. DeWick reported that Young Professionals met on Monday night. There were more new faces attending. K. DeWick reviewed the Young Professionals event being planned for Starshine.

K. DeWick reported the website redevelopment work has begun.

K. DeWick reported on meeting with teachers at Finger Lakes Technical & Career center. K. DeWick had a tour of the facility and explained the Discover Yates program. The teachers were pretty excited about the program.

OLD BUSINESS

There is nothing new on Audit bids. This will be on the November agenda.

NEW BUSINESS

M. Zelazny reviewed the Personnel Committee meeting for the Board. The minutes of the meeting were mailed in the Board Packets. Highlights discussed were updating the Employee Handbook, health insurance, and the new Fair Standard Labor Law that goes in affect December 1, 2016. The Personnel Committee recommended a 2% raise for staff. *A motion was made by M. Zelazny and seconded by J. Hiller to approve a 2% raise for staff. Motion passed.*

S. Griffin reviewed the Home Leasing application. Their project has been presented to the Village Planning Board. Home Leasing hosted a community meeting at the bowling alley to review the project. They are proposing a 42 unit apartment complex. They have secured a contract with the ARC of Yates for 11 units. The total project cost is \$9.5 million. Jobs proposed are 2.5 with 150 construction jobs. They are aiming for a 9/17/2017 construction date They are applying for a NYS middle income housing grant. They do income/criminal checks on all potential tenants. They will meet all green standards. They are requesting a 30 year PILOT. All we need to do today is to approve holding a public hearing for the project as benefits would be over \$100,000. Discussions were had on the vital need for additional housing units in the County. Home Leasing's independent market analysis shows that this development will meet just 5% of existing demand in the area. The Board discussed the length of the PILOT seemed long and is something we should discuss further with the applicant.

J. Hiller left the meeting at 8:25 A.M.

The following resolution was offered by M. Morris, seconded by M. Zelazny, 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 KEUKA GARDENS, LLC.

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, Keuka Gardens, LLC, a New York limited liability company to be formed (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 2.5 acre parcel of land located at 199 Brown Street Extension (Tax Map # 61.35-1-17) 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 42 unit mixed income apartments (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 residential 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	<u>Yes</u>
Jerry Hiller	VOTING	<u>Absent</u>
Mary Ann Zelazny	VOTING	<u>Yes</u>
Rita Gow	VOTING	<u>Absent</u>
Mark Morris	VOTING	<u>Yes</u>
Taylor Fitch	VOTING	<u>Yes</u>
James Willson	VOTING	<u>Yes</u>

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned (Assistant) 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 October 26, 2016 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 26th day of October, 2016.

(Assistant) Secretary

(SEAL)

S. Griffin reviewed the 2017 budget. Various items on the budget were reviewed. Budget is very conservative considering loss of our largest tenant at Keuka Business Park, selling two rental income parcels and the new Fair Standard Labor Law. ***A motion was made by T. Fitch and seconded by M. Morris to approve the 2017 budget as approved. Motion passed.***

D. Jensen reviewed the bids for the carbon monoxide detectors. Carbon monoxide detectors are now required in all commercial buildings. ***A motion was made by T. Fitch and seconded by M. Morris to find the best deal on carbon monoxide detectors and move forward. Motion passed.***

S. Griffin reported we would soon have an influx of cash and one of the Finance Committee recommendations was to pay the full mortgage on 109 Horizon Business Park. We owe \$635,000. The interest rate is 4.5%. ***A motion was made by T. Fitch and seconded by M. Zelazny to pay off the mortgage on 109 Horizon Business Park. Motion passed.***

The Finance Committee also recommended that the CEO be authorized to sign checks that are less than \$1,500. These checks would require one signature and all checks would be included on the monthly check report that goes to the Board. ***A motion was made by M. Zelazny and seconded by T. Fitch to authorize the CEO to sign checks that are less than \$1,500, the checks would require only one signature and all checks would be included in the monthly check report that the Board receives. Motion passed.***

M. Morris reported on workforce development western inter county meeting. M. Morris reported that Genesee County has a great workforce strategic plan in place. S. Griffin added some additional background on this. M. Morris suggested we contact Genesee County EDC and Genesee Community College to see how we may be able to collaborate with them.

A motion was made by M. Zelazny and seconded by M. Morris to adjourn the meeting at 9:05 A.M. Motion passed.

At 9:10 A.M. the FLEDC meeting was called back into session after the Yates County CRC meeting adjournment by a motion by M. Zelazny and seconded by M. Morris. Motion passed.

S. Griffin reported on natural gas prices. We are looking for approval to sign contract with Blue Rock for 26 months at a fixed price of \$3.30 cents/dth. ***A motion was made by M. Zelazny and seconded by J. Willson to authorize the CEO to sign the contract with Blue Rock. Motion passed.***

A motion was made by M. Zelazny and seconded by J. Willson to adjourn the meeting at 9:15 A.M. Motion passed.

Respectfully submitted,

Doreen J. Jensen