

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**

December 20, 2017

FLEDC MEMBERS PRESENT: Gene Pierce  
Kim Williams  
Mary Zelazny  
Rita Gow  
Jerry Hiller  
Jim Willson

FLEDC MEMBERS ABSENT: Mark Morris

STAFF: Steve Griffin  
Doreen Jensen

GUESTS: Taylor Fitch  
John Christensen

Chair G. Pierce called the meeting to order at 8:02 A.M.

Roll call was taken; a quorum was present.

**MINUTES**

*A motion was made by Jerry Hiller and seconded by Rita Gow to approve the November 15, 2017 minutes as written. Motion passed.*

**AGENDA CHANGES**

Under New Business add: Sales Tax Exemption Extension Resolution for Gordon Randall Properties, LLC. Under New Business delete potential KBP Lease. Keuka Housing Council Loan Request should be under Old Business.

**FINANCE COMMITTEE**

D. Jensen reviewed the November financials and all bills to be paid. *A motion was made by Mary Zelazny and seconded by Jim Willson to approve the November financials, and to pay all bills submitted as presented. Motion passed.*

Receivables and the loan reports were reviewed. Discussion on various loans took place.

**MANAGEMENT REPORT**

Steve Griffin gave the following updates to his Management Report:

Bonadio & Co. will be here for audit on January 8<sup>th</sup>.

S. Griffin reviewed the Regional Council CFA's grants that came through. The projects funded are the Main Street Grant and the Seneca Lake Irrigation project. S. Griffin needs to talk to the engineer who worked on the Main Street Grant to see what we can do based on funding received. We asked for \$500,000 for the Main Street Grant and received \$300,000. S. Griffin reviewed the various projects for the Main Street grant. S. Griffin needs to check with building owners to see where they are at and who is ready to proceed. S. Griffin needs to check on why the Sampson Theatre did not get funded.

S. Griffin reported that the Restore NY Grant Application was submitted on time. S. Griffin is much less optimistic on receiving this grant. S. Griffin reported he was limited on what he could write based on their online limitations.

J. Hiller inquired about the solar farm in Middlesex and tax credits on solar? S. Griffin replied that Dr. Spencer who is the Co-chair of the Regional Council has requested a tour of Yates County. Solar installation is down everywhere. One of the credits for solar installation has been reduced. There are new initiatives coming forward.

S. Griffin reported that preliminary year end numbers are 25 projects with 14.5 million new investment and 41 jobs created. Workforce shortage issue is a problem everywhere.

#### **OLD BUSINESS**

S. Griffin reviewed the Keuka Housing Council's loan request. They are requesting an extension for interest only payments until August 1, 2018. They had additional construction costs that were not planned. Loan will mature August 1, 2018. The loan is required to be paid in full then. ***A motion was made by M. Zelazny and seconded by K. Williams to extend Keuka Housing Council's interest only request until August 1, 2018. Motion passed.***

#### **NEW BUSINESS**

S. Griffin reported that Gordon Randall Properties, LLC is trying to complete their building at Horizon Business Park. The project was not completed by 12/31/2018. They have requested a sales tax exemption until June 30, 2018.

***The following resolution was offered by Dr. Kim Williams, seconded by James Willson, to wit:***

#### ***RESOLUTION APPROVING THE DELIVERY OF A REVISED SALES TAX LETTER FOR THE GORDON-RANDALL PROPERTIES LLC PROJECT.***

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 commercial, manufacturing 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, pursuant to resolutions duly adopted by the members of the Agency on November 16, 2016 (the “Approving Resolution”), the Agency agreed to the following: to assist Gordon-Randall Properties LLC, a New York limited liability company (the “Company”) in undertaking a project (the “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, the Company has requested that the Agency deliver a revised sales tax letter which reflects an extended completion date for the Project (the “Company Request”),

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

Section 1. The Agency has reviewed the Company Request and, based upon the representations made by the Company to the Agency in the Company Request, based thereon, the Agency hereby makes the following findings and determinations with respect to the Project:

(A) The Project constitutes a “project” within the meaning of the Act; and

(B) The Project does not differ from the Project approved by the Agency pursuant to the Approval Resolution and as described in the Agency Documents (as defined in the Approving Resolution); and

(C) The granting of the Financial Assistance by the Agency with respect to the Project, will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Yates County, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act; and

(D) Upon compliance with the provisions of the Act, the Agency would then be authorized under the Act to undertake the Project in order to promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Yates County, New York and the State of New York and improve their standard of living.

Section 2. In consequence of the foregoing, the Agency hereby determines to execute and deliver a revised sales tax letter (the “Revised Sales Tax Letter”) to reflect the new completion date of the Project of **June 30, 2018**, subject to the following conditions: (A) the payment of the Agency’s administrative fee, if any, (B) evidence satisfactory to the Agency and its staff that the Company is in compliance with the Agency’s policies relating to the Project; (C) the payment of the fees and expenses of the Agency Special Counsel, (D) the execution and delivery of documents prepared by the Agency Special Counsel to provide for the extension of the sales tax letter and (E) the following additional conditions: \_\_\_\_\_.

Section 3. The Chairman (or Vice Chairman) of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Revised Sales Tax Letter, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Revised Sales Tax Letter and the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Revised Sales Tax Letter and the Agency Documents binding upon the Agency.

Section 5. 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 Zelazny	VOTING	Yes
Mark Morris	VOTING	Absent
James Willson	VOTING	Yes
Rita Gow	VOTING	Yes
Dr. Kim Williams	VOTING	Yes

The foregoing Resolution was thereupon declared duly adopted.



*A motion was made by J. Willson and seconded by K. Williams to suspend the Finger Lakes Economic Development Center's meeting at 8:38 A. M. Motion passed.*

*A motion was made by J. Willson and seconded by M. Zelazny to resume the Finger Lakes Economic Development Center's meeting at 8:40 A. M. Motion passed.*

*A motion was made by M. Zelazny and seconded by K. Williams to go into Executive Session at 8:40 A. M. to discuss personnel. Motion passed.*

*A motion was made by M. Zelazny and seconded by K. Williams to come out of Executive Session at 8:48 A. M. Motion passed.*

*A motion was made by M. Zelazny and seconded by K. Williams that the CEO salary that was recommended by the Personnel Committee and presented to the FLEDC Board for the year 2018 and that the 2018 Budget be adjusted accordingly. Motion passed.*

*A motion was made by J. Willson and seconded by M. Zelazny to adjourn the meeting at 8:59 A.M. Motion passed.*

Respectfully submitted,

Doreen J. Jensen