

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**

January 23, 2017

FLEDC MEMBERS PRESENT: Mary Zelazny  
Jim Willson  
Jerry Hiller  
Rita Gow  
Mark Morris

FLEDC MEMBERS ABSENT: Gene Pierce

STAFF: Steve Griffin  
Kari DeWick  
Doreen Jensen

GUESTS: John Christensen  
Tim Dennis  
Taylor Fitch

Vice-Chair J. Hiller called the meeting to order at 7:34 A.M.

*A motion was made by M. Morris and seconded by J. Willson to go in to Executive Session to discuss a particular company's financials. Motion passed.*

*A motion was made by M. Zelazny and seconded by R. Gow to come out of Executive Session at 8:08 A.M. Motion passed.*

There was no action taken in Executive Session.

**MINUTES**

*A motion was made by M. Zelazny and seconded by J. Willson to approve the December 21, 2016 minutes as written. Motion passed.*

**AGENDA CHANGES**

Under New Business add Synchronicity1, LLC lease renewal, ESD Grant Approval Resolution and delete Hillside Agency Lease.

**FINANCE COMMITTEE**

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

There was discussion on the capital improvement budget excess that wasn't spent in 2016. *A motion was made by M. Morris and seconded by M. Zelazny to put the remainder of the capital improvement budget in a capital reserve account. Motion passed.*

There was discussion on the cd rates. It was recommended to go back to the banks to see if we could get a higher money market account rate as a nonprofit.

Receivables and the loan reports were reviewed.

## **MANAGEMENT REPORT**

The following updates were given to the Management Report:

S. Griffin mentioned how well D. Jensen does with audit. She is usually prepared with whatever Bonadio requests.

S. Griffin reported that the NYS Economic Development Board just hired a new Executive Director - Allison Landing. Allison has extensive experience in practicing and consulting in economic development with a particular focus on workforce development. She will work along Brian McMahon for six months to learn and shadow him before his retirement.

S. Griffin reported that based on recent conferences attended and presentations viewed, labor availability is now the number 1 search criteria by site selectors and companies looking to move. Labor supply is a challenge in nearly all parts of the US.

S. Griffin reported on a presentation given at the NYS-EDC Conference on Minority and Woman Business Enterprises. Currently, NYS requires that any project awarded State grant funding, must have 30% of the money go to MWBE certified businesses. The challenge is that there is not a single part of NYS that can meet the 30% requirement at least as it relates to contractors. The Executive Director of the NYS Association of General Contractors stated 70% of the calls they receive are from their members with problems meeting this goal. The Executive Director of NYS Minority Business Association stated they cannot currently meet the 30% goal. Both organizations wished the money would go into training minorities and woman in the trades as most larger contracting firms are started by individuals working in the industry.

S. Griffin noted that for the first time in a while nearly all economic development organizations he spoke to at the conference state they are busy but struggle with meeting labor needs.

K. DeWick gave an update on the Yates Young Professional's January meeting. There were 24 members present. They discussed putting together a Service and Community Fair so members could learn about the mission of each organization and if they would like to be a part of that organization.

K. DeWick gave an update on the FLEDC website redesign. Target date for launch is still January 2017.

K. DeWick reported that the Discover Yates toured Penn Yan Aero for their January visit. Twelve students attended and they enjoyed the visit.

The slate of officers was nominated as the following:

Chair – Gene Pierce

Vice Chair – Jerry Hiller

Treasurer – Jim Willson

Secretary – Mary Zelazny

Asst. Sec/Treas. – Mark Morris

*A motion was made by M. Morris and seconded by J. Willson to cast one ballot for the nominees. Motion passed.*

S. Griffin reported there was no requirement for online training for board members after the initial training required for board members by the ABO.

J. Hiller suggested establishing a best practice for our board.

S. Griffin reported a local business would like to purchase 2.5 acres at Horizon Business Park. *A motion was made by M. Zelazny and seconded by J. Willson to authorize the CEO to negotiate the sale of land to the business. Motion passed.*

The following leases were renewed:

S. Griffin reported that Angelo Beverage would like to renew their lease for 180 square foot office space. This is a three-year renewal with \$10, \$10.33, and \$10.66 a square foot respectively with utility staying the same at \$40/month as he is never here. *A motion was made by M. Zelazny and seconded by R. Gow to authorize the Vice Chair to sign the lease with Angelo Beverage as presented. Motion passed.*

S. Griffin reported that Torngat Construction would like to renew their lease for 600 square feet of shop space. This is a one year renewal with a rate of \$4.60 square foot with a \$90/month utility. The space has had water issues so we haven't raised rates that much. Hard to lease space. *A motion was made by M. Zelazny and seconded by M. Morris to authorize the Vice Chair to sign the lease with Torngat Construction as presented. Motion passed.*

S. Griffin reported that Robert Knapp, Independent at Home would like to renew their lease for 375 square feet of second floor office space. This is a one year renewal with a rate of \$9.28 a square foot with at \$75/month utility rate. *A motion was made by M. Zelazny and seconded by R. Gow to authorize the Vice Chair sign the lease with Robert Knapp, Independent at Home as presented. Motion passed.*

S. Griffin reported that James Bobreski/Synchronicity1, LLC would like to renew their lease for 200 square feet of office space. This is a one year renewal with a rate of \$5.10 a square foot with a \$40/month utility rate. *A motion was made by M. Zelazny and seconded by J. Willson to authorize the Vice Chair to sign the lease with James Bobreski/Synchronicity1, LLC as presented. Motion passed.*

S. Griffin reported we needed to approve a resolution to approve the grant from ESD for the purchase of 109 Horizon Business Park.

*The following resolution was offered by Mary Zelazny, seconded by Jim Willson, to wit:*

***RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A GRANT AGREEMENT WITH THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT CORPORATION IN CONNECTION WITH THE UNDERTAKING OF A PROJECT DESCRIBED AS HORIZON BUSINESS PARK – REGIONAL COUNCIL CAPITAL FUND – RC5.***

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 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 enter into contracts for the purpose of undertaking one or more “projects” (as defined in the Act); and

WHEREAS, the Agency has applied for grant funds under a program offered by the New York State Urban Development Corporation d/b/a/ Empire State Development Corporation (“ESDC”); and

WHEREAS, ESDC has awarded the Agency a grant in the amount of \$150,000 for the Horizon Business Park – Regional Council Capital Fund – RC5 Project (the “Grant Project”); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), the Agency must satisfy the requirements contained in SEQRA and the Regulations prior to making a final determination whether to undertake the Grant Project; and

WHEREAS, pursuant to the Regulations, the Agency has examined the Grant Project in order to make an initial determination as to the potential environmental significance of the Grant Project; and

WHEREAS, the Grant Project appears to constitute a “Type II Action” (as said quoted term is defined in the Regulations), and therefore no environmental impact statement or any other determination or procedure under the Regulations is necessary; and

WHEREAS, in order to undertake the Grant Project, the Agency proposes to enter into a grant agreement (the “Grant Agreement”) by and between the Agency and ESDC; and

WHEREAS, the terms of the funding to be provided by ESDC to the Agency will be as described in this Resolution and the Grant Agreement;

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

Section 1. Based upon an examination of the Grant Project and as described in the Grant Agreement, the Agency hereby determines that the Grant Project constitutes a “Type II action” pursuant to 6 NYCRR 617.5(a), and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the Agency has no further responsibilities under SEQRA with respect to the Grant Project.

Section 2. Based upon an examination of the Grant Project, the Agency hereby determines that no “financial assistance” (as defined in the Act) is being requested from the Agency in connection with the Grant Project, and accordingly that the Agency is not required by Section 859-a of the Act to hold a public hearing with respect to the Grant Project.

Section 3. The Agency hereby further finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) The Grant Project constitutes a “project,” as such term is defined in the Act; and

(C) The undertaking of the Grant Project and the entering into by the Agency of the Grant Agreement will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of the Yates County, New York and the State of New York and improve their standard of living; and

(D) It is desirable and in the public interest for the Agency to enter into the Grant Agreement.

Section 4. In consequence of the foregoing, the Agency hereby determines to undertake the Grant Project and to execute and deliver the Grant Agreement.

Section 5. The Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the provisions of the Grant Agreement, and all acts heretofore taken by the Agency with respect to such Grant Agreement are hereby ratified, confirmed and approved.

Section 6. The form and substance of the Grant Agreement are hereby approved.

Section 7. The Chairman (or Vice Chairman) and the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Grant Agreement, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions thereto as the Chairman (or Vice Chairman) or the Chief Executive Officer shall approve, the execution thereof by the Chairman (or Vice Chairman) or the Chief Executive Officer to constitute conclusive evidence of such approval.

Section 8. 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 Grant Agreement, 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 Grant Agreement binding upon the Agency.

Section 9. 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	Absent
Jerry Hiller	VOTING	Yes
Mary Ann Zelazny	VOTING	Yes
Rita Gow	VOTING	Yes
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 (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 January 23, 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 \_\_\_\_ day of January, 2017.

\_\_\_\_\_  
(Assistant) Secretary

(SEAL)

*A motion was made by M. Zelazny and seconded by M. Morris to adjourn the meeting at 8:45 A.M. Motion passed.*

Respectfully submitted,

Doreen J. Jensen