

**Allegany County Industrial Development Agency**  
**MONTHLY MEETING**  
November 10, 2016  
Crossroads Conference Center, Belmont, New York

**OPENING REMARKS**

- Chairman Johnsen called the board meeting to order at 9:04 AM.
- Present: Mike Johnsen, Judith Hopkins, Jack Ormond, Rich Ewell, Randy Shayler (9:10am – R. Shayler)
- Others Present: Dr. Craig Clark, IDA Executive Director; Cathleen Whitfield, IDA-CFO; Kier Dirlam, Director of Planning

**BOARD MINUTES / SECRETARY'S REPORT**

- A motion was made by J. Ormond, seconded by J. Hopkins and carried to approve the 10/13/16 Board Meeting minutes.

**TREASURER'S REPORT**

- **Abstract** – A motion was made by J. Ormond, seconded by R. Ewell and carried to accept the Abstract Report for the November expenses as presented for payment.
- **Treasurer's Report** – Motion by J. Hopkins, seconded by R. Ewell and carried to accept the Banking Summary and Budget Report as presented.

**MAINTENANCE REPORT**

- Upon review of the Treasurer's Report, Executive Director Craig Clark stated that replacing the water tank in the Crossroads Building would be the first priority and cleaning carpets would be second.

**OLD BUSINESS / UPDATES**

- No Report.

**NEW BUSINESS**

- **Regulus Application** – Dr. Clark received word that an application was being overnighed, but as of meeting time, no official application had been received. There was discussion regarding possible assistance the IDA can provide the project as in a PILOT Agreement, sales tax and mortgage tax exemptions. Chairman Johnsen addressed a few of his concerns with the pending project based on information he received from Regulus.

Regulus toured the county for site locations and the S-Curves on County Route 20 is a current desired location. K. Dirlam, Planning Director, noted they would need an additional 30 acres for operation and the former Wagner Woods site can offer this. The S-Curves site is 20 acres and was always considered for small manufacturing and/or

something clean and high end. No shovel ready work has been done at the site. Executive Director Clark suggested visiting other trash sorting companies to determine possible odor issues.

## UPDATES

- I-86 Development – Chairman Johnsen noted he was expecting more current information from Tom Dolan than the 2014 report received. Executive Director Clark stated that he has spoken with Mr. Dolan and other developers and based on the numbers received from the three colleges, it is indicative that 1.5 hotels would be successful. Both developers remain interested and want commitment from ACIDA before proceeding.
- Lufkin/GE – Chairman Johnsen has spoken with IDA Legal, Seth Pullen, regarding the obligation of GE to pay back the unpaid taxes per the PILOT Agreement. Executive Director Clark noted the necessity to be sure the actual agreement was with Lufkin and not GE. It may have never transferred over to GE and he has been in discussion with Dan Spitzer. Exec. Director Clark reported on the Lufkin negotiation with Senator Shumer and the IDA’s acquisition opportunity. There have been outside companies with expressed interest in the building. GE guaranteed the building will be ready for a manufacturing company as a turn-key operation. There was discussion regarding the building being an asset for the IDA and ownership would probably not be effective until March 2017. Executive Director Clark is working out details with Senator Shumer’s office and has been in contact with Pyramid Realty for assistance upon possession.
- Crossroads Properties - Chairman Johnsen and Exec. Director Clark met with County Legislative Chairman Curt Crandall yesterday to discuss the Crossroads and Office of the Aging/Veteran’s Services buildings and possibility of County taking possession of the buildings. J. Ormond, Chairman Johnsen and Exec. Director Clark will meet to discuss building debt and revisit with Chairman Crandall with possible plan options.
- I-86 Waterline – Exec. Director Clark has a meeting scheduled with the Town of Friendship for Tuesday, November 15<sup>th</sup>. He updated members on the tank leakage concerns.

## RESOLUTION – HOUGHTON COLLEGE

- In regards to the June, 1998 Installment Sales Agreement between the Allegany County Industrial Development Agency (ACIDA) and Houghton College under which title to certain properties were deeded in the name of the ACIDA in a College Deed. A Resolution was requested by the IDA Board of Directors authorizing the IDA Executive Director and Agency Counsel to take all steps necessary to terminate the Agreement and return all properties covered by the College Deed to the College with any recording and legal costs to be borne by the College. **This Resolution shall be effective immediately.**
- Chairman Johnsen asked for a roll call vote with a motion by J. Ormond; seconded by R. Shayler, resulting as follows:

Mike Johnsen	<u>Aye</u>
John (Jack) Ormond	<u>Aye</u>
Judith Hopkins	<u>Aye</u>

Randy Shayler	<u>Aye</u>
Richard Ewell	<u>Abstain</u>

The foregoing Resolution was thereupon declared duly adopted 4-0 with 1/abstained.

**RESOLUTION – LUFKIN INDUSTRIES, INC.**

- In regards to the October 1, 2012 Payment In Lieu of Tax Agreement and Lease Agreement between the Allegany County Industrial Development Agency (ACIDA) and Lufkin Industries, Inc. and whereas, the Company (Lufkin Industries) defaulted on the Agreement by closing the facility and terminating the employees. A Resolution was requested by the ACIDA Board of Directors authorizing the IDA Executive Director and Agency Counsel, at a time deemed appropriate in the best interests of ACIDA, to take all steps necessary under Section 4.02 to remedy the default, including terminating the Lease Agreement and conveying the Project Facility to the Company, thus subjecting the Project Facility to immediate full taxation pursuant to Section 520 of the Real Property Tax Law of the State. **This Resolution shall be effective immediately.**
- Chairman Johnsen asked for a roll call vote with a motion by J. Ormond; seconded by R. Ewell, resulting as follows:

Mike Johnsen	<u>Aye</u>
John (Jack) Ormond	<u>Aye</u>
Judith Hopkins	<u>Aye</u>
Randy Shayler	<u>Aye</u>
Richard Ewell	<u>Aye</u>

The foregoing Resolution was thereupon declared duly adopted 5-0.

**GOOD OF THE ORDER**

- None.

**CALENDAR**

- **Next Meeting:** Thursday, December 8, 2016 @ 9:00 AM  
Crossroads Commerce Center, Belmont, NY

**ADJOURNMENT**

With there being no further business, a motion to adjourn at 10:02 a.m. was made by J. Ormond, seconded by R. Ewell and carried.

Respectfully submitted,

Cathleen L. Whitfield  
Recording Secretary