

**ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
MONTHLY MEETING**

June 8, 2017

Crossroads Conference Center, Belmont, New York

**OPENING REMARKS**

- Chairman Johnsen called the board meeting to order at 9:00 AM.
- Present: Mike Johnsen, Randy Shayler, Rich Ewell and Judith Hopkins
- Others Present: Craig Clark, IDA Executive Director, Kier Dirlam, Director of Planning; Cathleen Whitfield, IDA-CFO

**BOARD MINUTES / SECRETARY'S REPORT**

- A motion was made by J. Hopkins, seconded by R. Shayler and carried to approve the 5/11/17 Board Meeting minutes with no comment or changes.

**TREASURER'S REPORT**

- **Abstract** – A motion was made by R. Ewell, seconded by R. Shayler and carried to accept the Abstract Report for the June expenses as presented for payment.
- **Treasurer's Report** – A motion was made by R. Ewell, seconded by R. Shayler and carried to accept the Banking Summary Report for May. The Budget Report was not approved pending communication with J. Ormond regarding Page 2 bottom line to Page 3 regarding totals. R. Shayler to contact J. Ormond.
- **IDA Bond** – A motion was made by R. Ewell, seconded by R. Shayler and carried to approve the invoices presented for payment from the Bond account.

**MAINTENANCE REPORT**

- Isaac Heating and Cooling fixed the air-conditioning at the Office of the Aging/Veteran's building and system is now working. There was a leak in the free-on. Executive Director Clark spoke with Isaac and was successful in getting them to waive the second travel costs as the contractor was unable to repair on the first trip.

**OLD BUSINESS**

- **Alliance Energy** – Discussion regarding the non-payments on the PILOT. IDA Attorney Seth Pullen contacted Alliance's attorney who commented "they thought they were all done." The PILOT schedule was requested again and sent to Alliance.

**NEW BUSINESS**

- **ACIDA PILOT Form** – Executive Director Clark distributed a new IDA Application Form. IDA Attorney, Daniel Spitzer, updated the application comparable to the application used by Genesee County. The new application updates are in compliance

with NYS guidelines. R. Shayler inquired as to companies “recapturing taxes” and the response was positive. A motion was made by Chairman Johnsen, seconded by J. Hopkins and carried to accept the new ACIDA “Application for Financial Assistance” with minor changes, as noted and approved by Hodgson Russ, IDA Legal; pending Executive Director Clark adding the new Allegany County logo and changing the effective date to June, 2017.

- PILOT Annual Follow-up Form - Chairman Johnsen discussed follow-up on current IDA PILOT projects and employees working. The concern is companies getting significant tax incentives and not creating new jobs, or new hires, and then companies leave the area. The IDA will create a form to follow-up with PILOT projects annually.
- Recapture of Benefits Form - Executive Director Clark distributed a proposed changes to policy for review by the board. The proposed changes will be edited into the IDA Policies and Procedures. Chairman Johnsen asked if recapture is at the point of breach or back to the beginning of project. When companies receive benefits but don't hire employees or comply with terms, the ACIDA can recapture the benefits obtained. There will be an annual review and noncompliance will determine when recapture happens and for what period. This item is covered under #6 and puts the company on notice the importance of “employment goals not reached.” The board noted this section should be at the top of list as #1 per the Annual Report. It was also noted that under #6, Governance Committee should be changed to ACIDA Board. There is a need for flexibility with companies on when we penalize. Any new applicants will receive the Recapture Benefits Policy as part of the IDA Policies and Procedures.
- IDA Property, Friendship – Chairman Johnsen addressed the property in Friendship and costs to IDA. R. Ewell updated the Board on insurance coverage of property and there are annual special district taxes paid. Property is assessed for \$8,700 and is considered stabilized. The surrounding owner apparently may use access across the property and there was discussion regarding selling the piece. K. Dirlam suggested discussion with IDA legal first as there may be strings attached to the property as it is noted as an EPA site.
- Crossroads Suite 170 – JoAnne Gant, Owner/Operator of Faith Community Nursing Services is a new tenant. [www.faithcommunitynurse.org](http://www.faithcommunitynurse.org) The Crossroads Center is now at full occupancy.

## UPDATES

- Belvidere Crossroads & Truck Stop - Executive Director Clark gave an update on current projects noting that HR attorney Dan Spitzer has made good progress. The contracts for site purchase are awaiting signatures. When contracts are signed community startup will begin with site design and a public hearing will be held for public outreach. Legislative Chairman Curt Crandall will have input regarding public announcement. There was discussion regarding bond repayment and possible renegotiation of the bond. Dan Spitzer, Hodgson Russ, and Jeff Smith, Municipal Solutions, will be working on details for repayment of the bond. Friendship will be supplying the water to site and our lawyer is currently working on right-a-ways. The IDA Water Corporation will process

### **UPDATES, cont.**

billing for the water line and Chairman Johnsen noted that municipal water is typically billed as two parts:

1. How much water is used
2. A capital charge for installation and upkeep of the line

- GE / Lufkin – Lufkin is currently reviewing the contract and transfer of property is making progress. Phase I needs to be completed to protect IDA that property site is clean and Labella Engineering will be handling that. Site has village sewer but not village water. The contract with potential buyer is currently being reviewed. Executive Director Clark will set up a tour of the facility for IDA Board Members.
- Park-n-Ride – The engineering plans are at 100%. Hoping to start bid process so the County Board of Legislators can award the bid at the County Fair Board Meeting on 7/20/17.

### **GOOD OF THE ORDER**

- Nothing to report.

### **CALENDAR**

- **Next Meeting:** Thursday, July 13, 2017 @ 9AM  
Crossroads Commerce Center, Belmont, NY

### **ADJOURNMENT**

With there being no further business, a motion to adjourn at 10:03 a.m. was made by J. Hopkins, seconded by R. Ewell and carried.

Respectfully submitted,

Cathleen L. Whitfield  
Recording Secretary