

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
January 28, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:05 p.m. by Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	Mike Nisbet	Member
	George Connors	Secretary
	Phil Roche	Member
Absent	Christine Sharkey	Member
Also Present:	Kathy Warren	Treasurer/Admin. Asst.
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Jim Griffin	Consultant
	Jack Benjamin	Consultant
	Dennis Bender	NYSEG
	John Hood	Nixon Peabody
	Mark Alger	County Administrator
	David English	Deputy Co. Attorney
	Joe Roman	Empire State Development
	Susan Payne	Consultant
	Mary Perham	The Leader

- II. **Secretary's Report.** A motion to approve the December 7, 2009 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Mike Nisbet, seconded by Pat Donnelly. All in favor. Approved.

- III. **Treasurer's Report.** The December 2009 financial statements were presented by Treasurer, Kathy Warren. A motion was made by Phil Roche to approve the Treasurer's Report for December 2009, seconded by John Sirianni. All in favor. Approved.

IV. **New Business**

- A. **New York State Electric & Gas Application – Corning Valley Transmission Project.** SCIDA has received an application for financial assistance from New York State Electric and Gas Corp. They are requesting sales tax

exemption, mortgage tax exemption and Payment In Lieu of Tax Agreement. Jack Benjamin indicated that this project has been in the works for several years. There is a need in the Corning area for additional power. Corning Inc. is currently doing a \$300 million expansion at Sullivan Park. This project will impact significant growth opportunities for Steuben County in the next ten years from an economic development standpoint. The Corning area is very supportive of the project. Dennis Bender of NYSEG gave a presentation of the project to the SCIDA Board. He indicated that the Corning Valley is running out of electric capacity for any future growth. The project will bring 200 MW into the system. Russ Gaenzle indicated that the SEQR has been completed by the Town. Phil Roche made a motion to induce the project, seconded by George Connors. All in favor. Approved.

- B. LIVONIA, AVON & LAKEVILLE RAILROAD.** Jack Benjamin indicated that we have received the bill for removal of the Route 54 crossing. It is one-half of the total cost in an amount of \$3,458. Phil Roche made a motion authorizing the payment of said bill, seconded by Pat Donnelly. All in favor. Approved.
- C. REDEC.** Jim Griffin indicated that REDEC has invoiced the Hornell IDA for services provided them on projects in their area. REDEC will invoice the Steuben County IDA listing the projects that they assisted with in the County. The invoice will be a fee for services. Mike Nisbet made a motion to approve, seconded by Phil Roche. All in favor. Approved.
- D. VILLAGE OF BATH WATER LINE EASEMENT.** John Leyden indicated that the Village of Bath is doing a major upgrade to their water system. Previously the IDA granted the Village three easements to cross the SCIDA rail. One was missed at that time and they are requesting an additional easement. The documents have been reviewed and approved by Tom McTighe, Engineer at the LAL Railroad. George Connors made a motion to approved, seconded by John Sirianni. All in favor. Approved.

**V. OLD BUSINESS**

**NONE**

**VI. OTHER BUSINESS**

**A. EMPIRE STATE DEVELOPMENT.** Jack Benjamin indicated that he and others have recently met with Dennis Mullen, President of Empire State Development. Discussions were had regarding the potential going forward with regard to economic assistance coming from the state. Mr. Mullen's message was that assistance from the state will be very limited. There are some new programs that are being put forth but are nothing similar what the Empire Zone benefit were and our ability to be competitive with other states. He spoke about what is happening with the state university system and legislative initiatives that are coming out of the state with regard to looking at these campuses as economic drivers for the future. Research and development monies are going to be put into these campuses build technology centers and incubation centers to foster business development right at the campus.

With regard to IDA Legislation, Dennis was confident that the legislation being considered for the last several years that would limit the IDA's participation of economic development is probably not going any where.

Jack indicated that he thought it was a perfect time for the IDA to develop an economic development plan for Steuben County.

Jim Griffin indicated that the economic incentives will be local. IDA's will need to be more involved and more pro active than they ever have been. High taxes is the major item that detracts businesses from coming to NY. The one power that the IDA has is to give stability to property taxes for companies through PILOT agreements. The regional directors of Empire State Development have been empowered which is beneficial to the area.

The Empire Zone is in effect until June 1<sup>st</sup>. The benefits that have been promised will run their course.

**B. URBANA WATER DISTRICT.** A meeting was held with all the participants. Hunt Engineers is preparing a Preliminary Feasibility Study for the project. The study is complete and has been presented to the Town of Urbana for their review. The agreement with the Town was that the IDA would pay for fifty (50%) percent of that study. The amount is \$5,000. The reason the IDA is interested in this project is that the water system would provide support for two large wineries on Keuka Lake and would help them to grow their businesses going forward. We will have feedback from the Town by the end of the month. A meeting with the US Dept. of Agriculture will be held to see what financing might be available for the project.

- C. GAS DRILLING COMPANIES.** Jack indicated that we have some interest from gas drilling companies and companies that want to put transmission lines in to access the gas from the Marcellus Shale. Even though the State of New York is not in a position to begin approving drilling in the Marcellus Shale we need to get ready for it and there are companies looking to come in with the expectation that sometime within the next two years there will be drilling activity. Companies are beginning to come in a look for sites and get their buildings built. He has received two calls from companies out of state. The companies indicated to Jack that they will be in the area between ten and fifteen years. We have to wait to see what the environmental study reveals. Jim Griffin indicated that a waste water treatment plant will have to be built to take care of the brine. The water will have to be treated and returned to the Susquehanna River basin.
- D. CROWLEY FOODS.** Jim Griffin indicated that he received an application for financial assistance from Crowley Foods in Arkport yesterday. He has been trying to get the company to get him their application for quite some time and just received it yesterday. They are a large employer in the area. They currently employ approximately 120 people. They are looking to do a \$3.5 million expansion for processing. They produce over 650 different label cheese dips etc. from the Arkport plant. They need two new cooling towers. There will be 25 construction jobs, no new jobs but will retain the existing jobs. They are requesting sales tax exemption on the materials that go into the expansion. The total sales tax exemption would be approximately \$50,000. The company received approval from their parent company HP Hood LLC in December and need to start construction in February. The background to this is that the City of Hornell IDA has title to the plant because they did the original project; they issued bonds and have a PILOT with them. The cleanest way is to have the County IDA approve the sales tax exemption on this expansion. Down the road we need to figure out how to convert the whole project to a county IDA project from the City IDA project.

The standard fee for this project would be 1% or \$35,000. He would suggest that we waive this fee at this time.

The Crowley Plant provides a market for approximately 200 farms in the area. It is a very valuable asset to the area and has been for a number of years.

Russ Gaenzle indicated that the IDA Board could do one of three things today: Do nothing today, consider today or accept the application and hold a special meeting once the Board has had an opportunity to review. A negative declaration on the SEQRA process has not been made at this time.

George Connors suggested that the Board hold a special meeting after they have had time to review their application.

- VII. Executive Session. Executive Session.** A motion was made by Phil Roche to enter into executive session under the Public Officers Law - Article 7 Section 105 - paragraph f (personnel) and paragraph h (acquisitions) at 12:40 p.m., seconded by Pat Donnelly. All in favor. Approved.

The Board took no action in executive session. Phil Roche made a motion to reconvene the Agency meeting at 1:30 p.m., seconded by Pat Donnelly. All in favor. Approved.

**VIII. ADDITIONAL BUSINESS.**

- A. PERSONNEL COMMITTEE.** The personnel committee recommended to the SCIDA Board a 5% bonus and 3% pay increase to Jim Sherron and Kathy Warren for the year 2010. Phil Roche made a motion to accept the personnel committee's recommendation, seconded by Pat Donnelly. All in favor. Approved.  
Phil Roche made a motion to give Kathy Warren a \$4,000 bonus at this time for her administrative services overseeing the office during Jim's medical leave, seconded by Pat Donnelly. All in favor. Approved.
- B. CONSULTANT CONTRACT.** Phil Roche made a motion to accept the contract presented to the Board by Susan Payne for her consulting services in preparing a Strategic Plan for Steuben County and authorizing Mike Doyle to execute said contract, seconded by Pat Donnelly. All in favor. Approved.

- IX. ADJOURNMENT.** With no further business to discuss, a motion was made by George Connors to adjourn the meeting at 1:15 p.m., seconded by John Sirianni. All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,

George Connors, Secretary

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Special Meeting  
February 11, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:05 p.m. by Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	Christine Sharkey	Member
	George Connors	Secretary
	Phil Roche	Member
Absent	Mike Nisbet	Member
Also Present:	Kathy Warren	Treasurer/Admin. Asst.
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Jim Griffin	Consultant
	Jack Benjamin	Consultant
	Mark Alger	County Administrator
	David English	Deputy Co. Attorney
	Fred Ahrens	County Attorney
	Freeman Covert	Crowley Foods

- II. **Secretary's Report.** A motion to approve the January 28, 2010 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Pat Donnelly, seconded by Chris Sharkey. All in favor. Approved.

- III. **Treasurer's Report.** The January 2010 financial statements were presented by Treasurer, Kathy Warren. A motion was made by John Sirianni to approve the Treasurer's Report for January 2010, seconded by George Connors. All in favor. Approved.

IV. **New Business**

- A. **HP HOOD LLC/CROWLEY FOODS.** Jim Griffin indicated that SCIDA has received an application for financial assistance from Crowley Foods. Freeman Covert, Plant Manager was present. Jim Griffin gave an overview of the association with Crowley Foods. Crowley Foods was an IDA project. There was a \$6.2 million bond issuance twenty-two years ago with a 30 year PILOT. The company has invested significant monies in the plant and anticipate a future

expansion. The current employment is 133. The expansion is approximately \$3.5 million. The company is seeking sales tax exemption only on this project in an amount less than \$50,000. In the future the company will be looking for the County IDA to assist them in consolidating all their real property and assisting them with a Payment in Lieu of Taxes. The company utilizes product from approximately 150 farms in the area. George Connors made a motion to Induce this project, seconded by Chris Sharkey. All in favor. Approved.

- B. **STEBEN RURAL ELECTRIC.** Jack Benjamin indicated that there is an additional meeting with the county and their legal counsel. Russ indicated that he has had conversations with counsel for Steuben Rural Electric, Bond Schoeneck. In order to secure the PILOT going forward would be to close by March 1<sup>st</sup> on a full tax PILOT. It doesn't put any of the taxing jurisdictions in any adverse position. If the business arrangement is worked out with the county and the company then amend the PILOT to what is ultimately approved. There was discussion regarding this matter.
- C. **STRATEGIC PLANNING.** This process is moving forward. Susan is putting together the stakeholders.

#### V. **OTHER BUSINESS**

- A. **BABCOCK COMPANY.** Jack Benjamin indicated that SCIDA has received a letter from the Babcock Company requesting a six (6) month extension on their lease. The current lease is due to expire on February 28, 2010. Phil Roche made a motion to approve this extension, seconded by Pat Donnelly. All in favor. Approved.

- VI. **Executive Session.** A motion was made by Phil Roche to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph h (acquisitions) at 12:40 p.m., seconded by Pat Donnelly. All in favor. Approved.

The Board took no action in executive session. Phil Roche made a motion to reconvene the Agency meeting at 1:00 p.m., seconded by Pat Donnelly. All in favor. Approved.

- VII. **ADJOURNMENT.** With no further business to discuss, a motion was made by George Connors to adjourn the meeting at 1:00 p.m., seconded by John Sirianni. All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,  
George Connors, Secretary

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
March 25, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:05 p.m. by Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	George Connors	Secretary
	Phil Roche	Member
	Mike Nisbet	Member
	Christine Sharkey	Member
Also Present:	Kathy Warren	Treasurer/Admin. Asst.
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Jack Benjamin	Consultant
	Susan Payne	Consultant
	Mary Perham	The Leader

- II. **Secretary's Report.** Mike Nisbet requested change in the language of the Howard Wind section V. (A) to indicate that the Board of Education has a financial interest in the project not him as President of the Board of Education. A motion to approve the March 11, 2010 Steuben County Industrial Development Agency's Special Meeting minutes with the recommended change was made by Pat Donnelly, seconded by Chris Sharkey. All in favor. Approved.

III. **New Business**

**A. Executive Session.** A motion was made by Mike Nisbet to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph h (acquisitions) at 12:10 p.m., seconded by Phil Roche. All in favor. Approved.

The Board took no action in executive session. Pat Donnelly made a motion to reconvene the Agency meeting at 12:30 p.m., seconded by John Sirianni. All in favor. Approved.

**B.Mission Statement.** SCIDA mission and vision statement was distributed to the Board. Pat Donnelly made a motion to accept both statements, seconded by George Connors. All in Favor. Approved

**IV. Old Business**

**A. Strategic Planning Update.** Susan Payne gave a presentation with a handout to the board regarding the strategic planning process and will give a month progress report. Jack indicated that several board members will be meeting with the Ontario County IDA on April 30<sup>th</sup> to discuss governance, policies and procedures used by them. This will help us see what other IDA's are doing and see what might be of help to us.

**V. Other Business**

**A. NYS ADMINISTRATIVE SERVICES ASSESSMENT.** SCIDA finally received it's bill from the state for Administrative Services Assessment in the amount of \$30,969. NYS Economic Development Council is putting together a protest to this tax of which Steuben County is part of.

**B. NYSEG – Corning Valley project.** Jack informed the Board that two public hearings were held on the project, one in the Town of Erwin and one in the Town of Campbell. There were no negative comments received. The expectation is that materials will be ordered in May and start of the project will be this summer. It will be completed in 2011. We have received a letter from the Town of Erwin supporting the project and expect to receive one from the Town of Campbell.

**C. Howard Wind.** The Town of Howard has passed a Resolution accepting the PILOT distribution. The County passed a Resolution on Monday, March 22<sup>nd</sup> and the school districts are expected to pass their resolutions within the next month. The town signed the license agreement. A New York State contractor in charge of the project on site. The town is the lead agency on this project. Mike Nisbet indicated that there are many locals working on this project.

**D. APRIL AND MAY MEETING DATES.** The April SCIDA meeting will be held on April 29<sup>th</sup> at noon. The May meeting will be held on May 20<sup>th</sup> at noon.

**E. NYSEG Corning Valley project.** George Connors made a motion to grant the sales tax exemption for the NYSEG Corning Valley project in accordance with the application, seconded by Pat Donnelly. All in favor. Approved.

**VI. ADJOURNMENT.** With no further business to discuss, a motion was made by Phil Roche to adjourn the meeting at 1:00 p.m., seconded by George Connors. All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,  
George Connors, Secretary

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
April 29, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:00 p.m. by Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	George Connors	Secretary
	Christine Sharkey	Member
	Mike Nisbet	Member
Absent	Phil Roche	Member
Also Present:	Kathy Warren	Treasurer/Admin. Asst.
	Jim Sherron	Exec. Director (conference call)
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Jim Griffin	Consultant
	Don Evia	Supervisor, T/Howard
	Dennis Bender	NYSEG
	John Hood	Counsel to NYSEG
	Phil Palmasano	County Legislator
	Mary Perham	The Leader

- II. **Secretary's Report.** A motion to approve the March 25, 2010 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Pat Donnelly, seconded by Mike Nisbet. All in favor. Approved.

- III. **Treasurer's Report.** The March 2010 financial statements were presented by Treasurer, Kathy Warren. A motion was made by John Sirianni to approve the Treasurer's Report for March 2010, seconded by George Connors. All in favor. Approved.

Kelly Fitzpatrick, Auditor, presented the 2009 SCIDA Audit. George Connors made a motion to accept the 2009 SCIDA Audit, seconded by Pat Donnelly. All in favor. Approved.

- IV. **New Business**

**A. B & H Rail Corp.** Jack Benjamin indicated that we have received a request from B & H Rail Corp. to construct a 20' x 28' addition to the Cohocton engine house. They are also seeking permission to remove a metal clad building that is left from the former Polly-O facility. B & H is proposing removing the metal clad building the foundation 2' below ground level and filling the 20' x 20' concrete pit. Jim Sherron indicated that B & H Rail is coming to the IDA for approval because the IDA owns the property. Mike Nisbet made a motion to approve subject to the approval of SCIDA counsel, seconded by George Connors. All in favor. Approved.

## **V. Old Business**

**A. HOWARD WIND PROJECT.** Don Evia, Town Supervisor for the Town of Howard was present to give the Board an update on the project. He indicated that the project has been put on hold. Everpower is still moving forward with the project. The issue with the project is the renewable energy credits with NYSERDA. It is anticipated that NYSERDA will do one or two more solicitations this year. Everpower is in contact with NYSERDA to find out what the deficiencies were in the project initially. He indicated that Everpower is very committed to move forward with the project. The town has granted a license to Everpower and everything is in place. Everpower has hired lobbyist in Albany. Everpower will be initiating a letter writing campaign that Don will have more information on after his conference call with them on May 10<sup>th</sup>. Don indicated that he has spoken with many locals that would be working on the project and many of the silent majority that were in favor of the project. The town is very committed to the project. The town has done the project internally and has served the best interest of the residents.

Jack Benjamin indicated that Don Evia was the lead in putting the PILOT agreement together with all the taxing jurisdictions. He commended him for the job the Town has done with this project.

The project would probably be put on hold until next spring. Russ indicated that the IDA agreements would be held in escrow pending closing. They would be delayed for one year.

**B. NYSEG CORNING VALLEY TRANSMISSION PROJECT.** Russ Gaenzle indicated that the project was induced earlier this year. NYSEG is contemplating constructing a 230kv substation in the Town of Campbell and Erwin. Terms of the PILOT have been agreed upon. The public hearings have been held. SEQRA was undertaken by the local municipalities and Frank Pavia, Harris

Beach reviewed for SCIDA and have been completed correctly. Jack Benjamin indicated that there was a discussion item at the public hearing with two property owners regarding the alignment of the poles. Jack indicated at the two public hearings he felt that there was some agreement at that time to moving forward.

John Hood from Nixon Peabody addressed the board regarding a letter to SCIDA from Sayles and Evans attorneys for landowner, Ralph Scudder raising concerns of the location of the transmission line. Russ Gaenzle forwarded the letter to Nixon Peabody and they have responded to Sayles and Evans. Mr. Scudder has an existing transmission line on his easement approximately 2,000 – 3,000 feet. NYSEG needs an additional easement from Mr. Scudder that will be approximately 1,600 ft. long. Bordering the Scudder property is the Dalrymple property that is used for gravel mining operations. Mr. Scudder currently farms his property but there may be potential for future gravel mining on his property as well. The letter to SCIDA raises concerns that NYSEG was not willing to move the location of the line. The letter ignores the other accommodations that NYSEG made to its proposal and changed the design to accommodate both Mr. Scudder and Mr. Dalrymple to make it easier to continue mining operations under the new lines. Mr. Hood indicated that he felt that it was inappropriate for SCIDA to be put in the middle of the situation and to try to leverage the IDA to make NYSEG exceed to all of Mr. Scudder's requests. Mr. Hood indicated that there were other forums that the issues could have been raised, i.e. Town Zoning level and at the environmental review process and it was not done. There will be a new easement on this property. NYSEG has made many design changes at a significant expense to the project.

Dennis Bender of NYSEG indicated that they have been working with the Dalrymples and Scudders from the inception of the project. They have been met with Dalrymples at least 10 – 12 times and met personally with Mr. Scudder receiving input from the parties. Mr. Bender explained to the board the process that has taken place. The cost to NYSEG for the change in the design to accommodate the two parties is approximately \$400,000 to \$500,000.

Jack Benjamin indicated that the purpose of this discussion is that the parties ask that the IDA seriously consider not granting the PILOT Agreement to NYSEG. Jim Griffin indicated that at the inducement of the project the discussion was that it was in the public interest to induce the project. The reason for IDA involvement is the benefits to the existing and future companies to

the area. The project is very important to the future growth of Corning Incorporated. Jim Griffin indicated that there are disagreements with projects but need to evaluate the overall good to the community and the overall good with this project is overwhelming. If the parties have issues with NYSEG they have appropriate actions they can take and it shouldn't involve the IDA at all. IDA is responsible for the overall good the project will do for the area.

Russ Gaenzle indicated that the land owners did not raise these issues in the SEQRA process and did not participate in the planning process which would have been the more appropriate forum to express their concerns. The parties expressed that the issues had been resolved to their satisfaction at the public hearings that were held for the project. It appears that NYSEG is spending some significant monies accommodating their requests. Russ indicated that he did not feel that there were any legal ramifications to the IDA for moving forward with the project.

George Connors made a motion to approve the Final Resolution, seconded by Mike Nisbet. All in favor. Approved.

**C. STRATEGIC PLANNING UPDATE.** Jack Benjamin distributed a written update of the strategic plan and task force meeting.

**VI. Other Business**

**NONE**

**VII. Executive Session.** A motion was made by George Connors to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph h (acquisitions) at 1:35 p.m., seconded by John Sirianni. All in favor. Approved.

The Board took no action in executive session. Pat Donnelly made a motion to reconvene the Agency meeting at 1:35 p.m., seconded by Chris Sharkey. All in favor. Approved.

**VIII. ADJOURNMENT.** With no further business to discuss, a motion was made by George Connors to adjourn the meeting at 1:35 p.m., seconded by Mike Nisbet. All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,

George Connors, Secretary

**May Meeting Cancelled**

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
June 24, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:05 p.m. by Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	George Connors	Secretary
	Christine Sharkey	Member
	Phil Roche	Member
Absent	Mike Nisbet	Member
Also Present:	Kathy Warren	Treasurer/Admin. Asst.
	Jim Sherron	Exec. Director
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Jim Griffin	Consultant
	Jack Benjamin	Consultant(phone)
	Susan Payne	Consultant
	Mary Perham	The Leader

- II. **Secretary's Report.** A motion to approve the April 22, 2010 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Pat Donnelly, seconded by Chris Sharkey. All in favor. Approved.

- III. **Treasurer's Report.** The May 2010 financial statements were presented by Treasurer, Kathy Warren. A motion was made by George Connors to approve the Treasurer's Report for May 2010, seconded by Chris Sharkey. All in favor. Approved.

IV. **New Business**

- A. **Gunlocke Property.** John Leyden indicated that Pat McAllister is building a car wash in Wayland. The lands he is acquiring to build the car wash are owned by Gunlocke. This property is encumbered by an extended lease and PILOT Agreement between Gunlocke and SCIDA. Pat McAllister is requesting a release from SCIDA to remove the property from its lease with Gunlocke and to put the property on the tax roll. The property is approximately 1.3

acres. The PILOT would not be affected by this release. George Connors made a motion to approve the release of this land, seconded by Phil Roche. All in favor. Approved.

- B. Urbana Water District.** Jim Sherron indicated that SCIDA has been attempting to form a water district for Bully Hill and Heron Hill wineries. A committee was formed to explore the options. Hunt Engineers was hired to perform some preliminary studies. The IDA and the Town of Urbana agreed to split the bill for their services. Jim is requesting authorization to pay one-half the Hunt Engineering bill in the amount of \$2,385.44. Phil Roche made a motion to pay this bill, seconded by John Sirianni. All in favor. Approved.
- C. B & H Rail.** Jim Sherron indicated that the Village of Bath has passed a Resolution to close a portion of a road on Lackawanna Avenue near the railroad. The Village is asking the IDA to pass a Resolution concurring with them and to close the railroad crossing at this location. Jim Sherron has received a letter from the railroad indicating that it will not interfere with the operation of the railroad. The Village of Bath is upgrading their water system and this is in conjunction with this upgrade. Pat Donnelly made a motion to close the crossing, seconded by Chris Sharkey. All in favor. Approved.
- D. Automated Cells & Equipment.** Jim Sherron indicated that SCIDA is working with NYSEG on the Corning Valley project. The project will be going by Automated Cells & Equipment and an easement is required. Jim would recommend authorization of this easement with approval from Jim Morris, President of ACE and John Leyden's approval. George Connors made the motion, seconded by John Sirianni. All in favor. Approved.

## **V. OLD BUSINESS**

- A. Strategic Planning Update.** Susan Payne gave an update of the strategic planning process. The proposed Business Retention and Expansion Plan was reviewed by Susan. The IT issues will be addressed in a separate document. George Connors made a motion to approve the process to move forward, seconded by Pat Donnelly. All in favor. Approved. Susan distributed a report from the Public Policy Institute as to how New York compares with the other states in the Union on key indicators of the economic performance.

## **VI. OTHER BUSINESS**

**A. SCIDA ANNUAL MEETING.** The Annual Meeting will be held Thursday, July 22<sup>nd</sup> at The Lakeside Restaurant on Keuka Lake. The meeting will be held at 4:30 at the IDA offices.

**VII. Executive Session.** A motion was made by John Sirianni to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph h (acquisitions) and Paragraph f (personnel) at 12:40 p.m., seconded by George Connors. All in favor. Approved.

The Board took no action in executive session. George Connors made a motion to reconvene the Agency meeting at 1:00 p.m., seconded by Pat Donnelly. All in favor. Approved.

**PERSONNEL COMMITTEE.**

Upon recommendation from the Personnel Committee, John Sirianni made a motion to give Kathy Warren a \$4,000 bonus at this time for her administrative services overseeing the office during Jim's medical leave from December 1, 2010 to June 1, 2010, seconded by Chris Sharkey. All in favor. Approved.

**VIII. ADJOURNMENT.** With no further business to discuss, a motion was made by George Connors to adjourn the meeting at 1:05 p.m., seconded by Pat Donnelly. All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,

George Connors, Secretary

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
July 22, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 4:30 p.m. by Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	George Connors	Secretary
	Christine Sharkey	Member
	Phil Roche	Member
	Mike Nisbet	Member
Also Present:	Kathy Warren	Treasurer/Admin. Asst.
	Jim Sherron	Exec. Director
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Munesh Patel	Counsel
	Jim Griffin	Consultant
	Jack Benjamin	Consultant
	Susan Payne	Consultant
	Tom Tranter	Corning Inc.
	Tom Stout	Corning Inc.
	Charles Klugo	Klugo/Erwin LLC

- II. **Secretary's Report.** A motion to approve the June 24, 2010 Steuben County Industrial Development Agency's Regular Meeting minutes was made by John Sirianni, seconded by Chris Sharkey. All in favor. Approved.
- III. **Treasurer's Report.** The May 2010 financial statements were presented by Treasurer, Kathy Warren. A motion was made by George Connors to approve the Treasurer's Report for May 2010, seconded by Mike Nisbet. All in favor. Approved.
- IV. **Governance Committee.** George Connors reported that a Cost Benefit Analysis is being developed for use with prospective projects. The forms will be presented to the Board in the near future for their review and approval.
- V. **New Business**

- A. Corning Property Management Corporation (Sullivan Park, PRC, North Addition) Inducement Resolution.** May it be noted that Christine Sharkey left the room during this presentation and discussion. Tom Tranter and Tom Stout from Corning Inc. were present and gave a presentation to the Board. The project is a 34,746 sq.ft. addition to be used for Glass Research & Development. The project is a \$9.2 million project that will create 50-100 construction jobs and 20 full time jobs created with a salary of \$60,000+. The company is requesting sales tax abatement and a PILOT agreement. Phil Roche made a motion to approve the Inducement of this project, seconded by Pat Donnelly. All in favor. Approved.
- B. Klugo/Erwin LLC Inducement Resolution.** Chip Klugo was present and gave a presentation to the Board. The project is a \$1 million project in the Town of Erwin that will house the Town of Erwin offices in Phase I. There is a proposed 2 story expansion of 7,700 sq.ft. The project will create 30 construction jobs. The company is requesting sales tax abatement only. Phil Roche made a motion to induce the project, seconded by George Connors. All in favor. Approved.

## **VI. OLD BUSINESS**

- A. Proposed Urbana Water District.** Jim Sherron indicated that a study was done with regard to a proposed new water district for the Town of Urbana that would service Bully Hill and Heron Hill Wineries. Hunt Engineers has been doing the preliminary engineering studies. The Town of Urbana and the IDA have agreed to split the cost. There is a bill in the amount of \$5,339.12 of which the IDA owes one-half. Phil Roche made a motion to approve the payment, seconded by Mike Nisbet. All in favor. Approved.

## **VII. OTHER BUSINESS**

- A. Babcock Ladder Cleanup.** Jim Sherron stated that the IDA had granted easements on the railroad property to the Village of Bath for their new water upgrade. In the process of digging near the Babcock Ladder property they have discovered contaminated soil. Jim has met with the DEC and samples are being tested. He will keep the board advised of the progress.

**VIII. Executive Session.** A motion was made by George Connors to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph h (acquisitions) and Paragraph f (personnel) at 5:15 p.m., seconded by John Sirianni. All in favor. Approved.

The Board took no action in executive session. George Connors made a motion to reconvene the Agency meeting at 5:40 p.m., seconded by Phil Roche. All in favor. Approved.

**VIII. ADJOURNMENT.** With no further business to discuss, a motion was made by Phil Roche to adjourn the meeting at 5:40 p.m., seconded by George Connors . All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,

George Connors, Secretary

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
August 26, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:05 p.m. by Vice-Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	George Connors	Secretary
	Christine Sharkey	Member
	Phil Roche	Member
	Mike Nisbet	Member
Also Present:	Jim Sherron	Exec. Director
	Kathy Warren	Treasurer/Admin. Asst.
	John Leyden	Counsel
	Russ Gaenzle	Counsel
	Jim Griffin	Consultant
	Jack Benjamin	Consultant
	Susan Payne	Consultant
	Tom Tranter	Corning Inc.
	Todd Stance	Corning, Inc.
	John Hood	Nixon, Peabody
	Mary Perham	The Leader

- II. **Secretary's Report.** A motion to approve the July 22, 2010 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Mike Nisbet, seconded by Chris Sharkey. All in favor. Approved.

- III. **Treasurer's Report.** The July 2010 financial statements were presented by Treasurer, Kathy Warren. A motion was made by George Connors to approve the Treasurer's Report for July 2010, seconded by John Sirianni. All in favor. Approved.

IV. **New Business.**

- A. **Governance Committee.** George Connors reported that the Cost Benefit Analysis was reviewed for the new application from Corning Property Management Corporation for the Integrated Die Manufacturing project. A sheet with significant assumptions that are used for the Cost Benefit Analysis was distributed to the Board for their

review. The Preliminary Evaluation Criteria Checklist was also distributed to the board. Jim Sherron indicated that the net direct benefits will be added to this form. The summary spreadsheet for the Corning – IDM project was distributed to the board. The Governance Committee feels that this spreadsheet gives a good analysis of the costs and indirect benefits that should be considered when a new application is received. Something else that should be considered are the quality of the new jobs. George indicated that the cost benefit analysis is a working document and not for approval.

Jim Griffin indicated that New York State Economic Development Council has appointed a committee with people from across the state to develop a uniform policy. They are working with the comptrollers office in the development of this report.

**A. Corning Property Management Corporation – Integrated Die Manufacturing Project – INDUCEMENT RESOLUTION.** May it be noted that Christine Sharkey left the room during this discussion. Tom Tranter from Corning Enterprises indicated that CPMCo is requesting financial assistance from SCIDA for a 38,000 sq.ft. expansion to their Integrated Die Manufacturing Facility located in the Town of Erwin. The project is a \$11.5 million project that will create 30 additional jobs. The jobs created will be engineers and machinists. The company is requesting sales tax abatement and a Payment-in-Lieu-of-Tax Agreement. There currently is no PILOT on this building. Todd Stance, Project Manager gave a presentation to the board.

George Connors indicated that the Governance Committee reviewed the Cost Benefit Analysis for this project and recommends to the Board approval of the project. The 60% abatement for the first year is due to the high quality of jobs this project will create.

Jim Sherron reviewed the Preliminary Evaluation Criteria Checklist with the Board. He indicated that the Net Present value of the project is \$7,611,713.

Pat Donnelly made a motion to Induce the project, seconded by Mike Nisbet. All in favor. Abstained by Christine Sharkey. Approved.

**B. Corning Property Management Corporation – Glass Process Research Center – FINAL RESOLUTION.** Jim Sherron indicated the SEQRA process is complete and he held the public hearing. One written comment was received in favor of the project. George Connors made a motion to approved the Final Resolution,

seconded by Pat Donnelly. All in favor. May it be noted that Christine Sharkey abstained from voting. All in favor. Approved.

**C. Strategic Planning Update.** Susan Payne indicated that the Board should have received a report of the activities undertaken on the Strategic Plan during the first six months, February – July 2010. Susan gave an update to the board of the updated communication plan.

**D. Sorge Property Development LLC –** Jim Sherron indicated that this is an IDA project on Market Street, Corning. There is some additional work that needs to be completed on the second floor have asked for an extension of the sales tax exemption letter through September 2010. The letter has been sent and we are asking the board to ratify this action. George Connors made the motion, seconded by Chris Sharkey. All in favor. Approved.

**E. Canandaigua Power Partners and Canandaigua Power Partners II – Refinance.** Jim Sherron indicated this project is the Cohocton Wind Farm that the IDA assisted. The company is looking to refinance the project. The original mortgage on the property was \$262,500,000. The anticipated amount to be assigned and modified is \$226,500,000. The public hearing was held on Monday, August 23<sup>rd</sup> with one comment being received from the Town Supervisor for the Town of Cohocton indicating that they would support anything the IDA would do to assist the company. They are asking for assistance on the mortgage tax for the new money amount (\$29,500,000). Jim would recommend to the board to go forward with their request. The purpose for the refinance is to obtain better interest rates and take some of the equity out of the project. Russ Gaenzle indicated that the company will amend the existing mortgages so they are not discharged, assign them to the new lenders and record the new document that is not subject to the mortgage tax except for the new money that is estimated to be \$29,500,000. Pat Donnelly made the motion to assist the project, seconded by George Connors. All in favor. Approved.

## **V. OLD BUSINESS**

**F. BABCOCK COMPANY CLEANUP.** Jim Sherron indicated that the Babcock Company cleanup is complete. The costs are as follows: Analytical testing - \$1,966.72; Steuben County DPW - \$8,129.60; Excavating - \$13,791.43 for a total \$23,887.75. The Dept. of Health has given clearance to the Village of Bath to place the water line through the property. There are two wells installed to monitor

over the next few months. The DEC from Avon advised the IDA on the project. The County and State advised as to what tests need to be done on the samples.

- VI. Other Business.** Next Meeting dates – October 21<sup>st</sup>, November 18<sup>th</sup> and December meeting at Tony R's in Corning. We will make reservations, hopefully, the second Thursday (Dec. 9<sup>th</sup>). We will confirm with the Board.
- VII. Executive Session.** A motion was made by Christine Sharkey to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph f (personnel) at 12:45 p.m., seconded by Pat Donnelly. All in favor. Approved.

The Board took no action in executive session. Pat Donnelly made a motion to reconvene the Agency meeting at 1:10 p.m., seconded by John Sirianni. All in favor. Approved.

- VIII. ADJOURNMENT.** With no further business to discuss, a motion was made by Pat Donnelly to adjourn the meeting at 1:10 p.m., seconded by John Sirianni . All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,

George Connors, Secretary

**SEPTEMBER MEETING CANCELLED**

**Steuben County Industrial Development Agency  
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

**Minutes of the Regular Meeting  
October 21, 2010**

- I. **Call to Order:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:00 p.m. by Vice-Chairman, their offices at 7234 Route 54, Bath, NY.

Present:	Mike Doyle	Chairman
	Patrick Donnelly	Vice Chairman
	John Sirianni	Member
	George Connors	Secretary
	Christine Sharkey	Member
	Phil Roche	Member
	Mike Nisbet	Member
Also Present:	Jim Sherron	Exec. Director
	Kathy Warren	Treasurer/Admin. Asst.
	Russ Gaenzle	Counsel
	Frank Pavia	Counsel
	Jim Griffin	Consultant
	Jack Benjamin	Consultant
	Susan Payne	Consultant
	Tom Tranter	Corning Inc.
	Kevin Sheen	Howard Wind
	Ben Brazell	EDR(Howard Wind)
	Rick VenVertloh	LaBella Associates

- II. **Secretary's Report.** A motion to approve the August 26, 2010 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Pat Donnelly, seconded by Mike Nisbet. All in favor. Approved.
- III. **Treasurer's Report.** The September 2010 financial statements were presented by Treasurer, Kathy Warren. A motion was made by Phil Roche to approve the Treasurer's Report for September 2010, seconded by George Connors. All in favor. Approved.

Mike Nisbet, Chairman of the Audit Committee presented the 2011 proposed budget with the SCIDA Board. George Connors made a motion to approved the 2011 proposed SCIDA & SAEDC budgets, seconded by John Sirianni. All in favor. Approved.

- IV. **New Business.**

- A. Corning Property Management Corp. – Integrated Die Manufacturing FINAL RESOLUTION.** Jim Sherron indicated that the SCIDA Board Induced this project on August 26, 2010. A public hearing was held and the Town has issued a Negative Declaration on the SEQRA. Tom Tranter was present to answer any questions the Board might have. Phil Roche made a motion, seconded by George Connors. All in favor. Approved. May it be noted that Chris Sharkey abstained from voting.
- B. Howard Wind.** Jim Sherron indicated that the Howard Wind project is very much alive. Kevin Sheen from Howard Wind indicated that the project is moving forward. There are some minor modifications to the project. The company is getting ready to put down a large deposit for the turbines. There will now be 25 - 2.05 MW turbines. Construction is anticipated to start in the spring of 2011. Delaney, a New York contractor, will be the contractor for the project. Kevin indicated that Delaney will also be the contractor for the Phase II of their Pennsylvania project. The turbine manufacturer is REpower. The turbines were changed due to the availability and pricing. The total project is now 51.25 MW versus the original 62.5 MW.
- C. Howard Wind Changes.** Jim Sherron indicated that there was a meeting last week regarding the changes to the project. Frank Pavia, environmental attorney from Harris Beach was present to review with the Board. Frank indicated that SCIDA completed the SEQRA review of this project when it was originally proposed. Now that the applicant has made some modifications to the project there is a determination that SCIDA needs to make. That being that there is no need for any further SEQRA review for the project. Frank has met with the applicant and their technical people and gone through the modifications. The standard here is are the changes or modifications significant in scope or significant in what was originally proposed in the SEQRA Finding Statement that the SCIDA board adopted. The modifications further mitigate those potential impacts that were reviewed in the Finding Statement. The new turbines are going to be sixteen (16') feet shorter than the original turbines proposed. The original project had 2.7 miles of overhead connections, that has been reduced to .6 miles. A substation is being moved to avoid cut and fill impacts. They have changed some locations of turbines partly to address some feedback from residents. There are two turbine locations that are below the SCIDA setback criteria of a non-participating residence but above the Town criteria. The Town of Howard went through its own process of adopting a wind law. The SCIDA Finding Statement defers to the municipality in these issues. The company is meeting with the Town, the code enforcement officer, planning board to

make sure the town is satisfied with the modifications. It is the opinion of Harris Beach that the modifications to the project are minor and insignificant and do not warrant further review under SEQRA and there is nothing further for SCIDA to do.

Rick VenVertloh from LaBella Associates indicated that when the SEQRA was completed several years ago there was a provision in the Finding Statement called for environmental monitoring that would keep a pulse as to what was happening in the field when the project is being built. The Town of Howard has also done that. The environmental monitor for the Town will be LaBella Associates and will report to the Board from time to time. LaBella Associates will be looking out for the interests of the Town and the IDA with regarding to the conditions that are stated in the Environmental Impact Statement. The Town basically adopted the IDA Finding Statement with a couple small revisions. That is a mechanism that is in place that could provide monthly, bi-monthly updates that the Board would want.

All of the turbine locations are in compliance with the setback criteria in the town law. They are also in compliance with the noise component of the town law.

Phil Roche made the motion that no supplemental SEQRA review is required by SCIDA on the Howard Wind project, seconded by Chris Sharkey. All in favor. Approved.

Russ Gaenzle indicated that the IDA participation in the project was approved in March of 2010 and that has not changed. There is no further approval needed for the PILOT or other mechanisms.

**D. County-wide Economic Development Plan Update.**

Susan Payne was present and presented a monthly. She acknowledged the role that Pat Donnelly and Mike Nisbet played in the development of the plan. Their dedication and commitment sent a major signal to the task force members and to the county leadership that the IDA was serious about the plan.

The task force was diligent and worked very well together. The Task Force had a final meeting on September 30<sup>th</sup> and finalized the plan. The final plan will be presented publicly at the October 25<sup>th</sup> meeting of the Steuben County Legislature. The Legislators will all receive a full report of the Economic Development Plan. The media will receive a media packet that includes an Executive Summary.

Jim and Susan are working with each of the initiatives to develop a detailed action plan and implementation plan. The implementation plan will be presented at the December SCIDA Board meeting. It is anticipated that implementation of the plan will be in the first quarter of 2011. Implementation will shift to lead agencies and the IDA will be the overall facilitator and continue to monitor the progress.

**E. I-Pad Recommendation.** Mike Doyle made a recommendation to the Board to consider purchasing IPADs for board use. Mike would recommend the middle one that has 32 mb with service access thru wifi with an upfront cost of approximately \$129. The cost for this unit is approximately \$600. Pat Donnelly will check with Jim Gleason, Purchasing Dept. at the County to see if it is on the state bid list.

**V. Old Business** **None**

**VI. Other Business.**

**A. Annual meeting/Christmas Appreciation Dinner – Thursday, December 9<sup>th</sup> at Tony R's in Corning. Meeting at 5:00 p.m. Cocktails at 6:00, dinner at 7:00 pm.**

**VII. Executive Session.** A motion was made by John Sirianni to enter into executive session under the Public Officers Law - Article 7 Section 105 paragraph f (personnel) and Paragraph h (proposed acquisition, sale or lease of real property) at 1:00 p.m., seconded by Phil Roche. All in favor. Approved.

The Board took no action in executive session. Phil Roche made a motion to reconvene the Agency meeting at 1:15 p.m., seconded by George Connors. All in favor. Approved.

**VIII. ADJOURNMENT.** With no further business to discuss, a motion was made by Phil Roche to adjourn the meeting at 1:15 p.m., seconded by George Connors. All in favor. Approved.

Meeting was adjourned.

Respectfully submitted,

George Connors, Secretary