

ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Board Minutes

August 14, 2008 – 3:00 P.M.

Present: C. Jessup, T. Hopkins, D. Crowley and K. LaForge

Absent: B. Allen

Resource Persons: J. Foels and R. Iszard, ESD

The meeting scheduled for July 17, 2008 was canceled.

Chairman Jessup opened the meeting at 3:05 pm. Chairman Jessup entertained a motion to approve the board minutes for 6/12/08 with no discussion or revisions. Motioned by T. Hopkins; seconded by D. Crowley. Motion carried 4-0; 1-absent. Chairman Jessup entertained a motion to approve the public hearing minutes for 6/27/08 with no discussion or revisions. Motioned by D. Crowley; seconded by T. Hopkins. Motion carried 4-0; 1-absent.

Chairman Jessup entertained a motion to approve the Treasurer Reports with expenditures for 6/13/08-7/17/08 and 7/18/08 – 8/14/08. Motioned by K. LaForge; seconded by T. Hopkins. Motion carried 4-0; 1-absent.

New Business

- Sugar Hill Development Corporation – Chairman Jessup recused himself from discussion and turned the meeting over to Vice-Chairman K. LaForge. The application for Sugar Hill was presented regarding 80 acres and a partially constructed building. The corporation is a 501 and tax exempt. Current assessor is now claiming the property is taxable at an annual rate of \$2,162. Application requests the IDA process a sale/leaseback on the vacant property and shell building. The IDA will hold title until the parcels and building are sold, which will not require the IDA to maintain insurance coverage. IDA legal advisor, Daniel Spitzer, has advised this is the appropriate course as they are a legitimate 501 Corporation. The occupied building at Sugar Hill is not part of the parcels in question. **Vice-Chairman LaForge entertained a motion to accept the application. Motioned by D. Crowley; seconded by T. Hopkins. Motion passed 3-0 with 1-abstained (C. Jessup) and 1-absent (B. Allen). Upon approval, the board agreed that J. Foels is charged with requesting Hodgson Russ to prepare the appropriate documents to be signed by the Vice-Chairman.**

Vice-Chairman LaForge returned the floor to Chairman Jessup.

- Covered Wagon – During the past six months the IDA has been in contact with potential prospects to purchase the property on County Road 20, currently owned by Mary Ann Parmley. Selling price is \$40,000 for five acres. She suggested a Memorandum of Understanding between the IDA and herself for an open-ended right for first refusal by the IDA to purchase the parcels. J. Foels requested a resolution for a Memorandum of Understanding to be drawn (with no cost to the IDA) between ACIDA and Covered Wagon, whereas, the Allegany County IDA has first refusal to purchase five (5) acres at \$40,000; at such time the property has a potential purchase offer. **Chairman Jessup entertained a motion for the MOU to be drawn, with no discussion. Motioned by T. Hopkins; seconded by D. Crowley. Motion passed 4-0 with 1-absent (B. Allen).**

- Crossroads Building/Closing – J. Foels and C. Jessup met with Community Bank today for the property closing on the Crossroads building. \$450,000 was borrowed with \$50,000 deposited into a savings account for future renovations and/or repairs to the building. Closing costs were approximately \$7,000 and the IDA received a check for \$400,000 also payable to Houghton Foundation. Check was transferred over to Houghton Foundation with all parties in agreement to the previous sidebar options requested by the IDA. The building will be transferred to the Development Corporation at a later date. Rich Ewell of Richardson Stout Insurance provided an insurance policy that was reviewed by the Board. There was discussion as to whether or not the insurance covered the boilers for a commercial building. Costs were presented for a one-year premium versus a three-year premium. There are currently insurance certificates on file for the tenants in the building. **Chairman Jessup entertained a motion to accept the insurance policy premium for one year at a total cost of \$3,097; and also authorize the Chairman to sign the insurance policy. Motioned by T. Hopkins; seconded by K. LaForge. Motion passed 4-0 with 1-absent (B. Allen).**
- NYSDEC – Received an assessment noting the Howard Street site is within acceptable levels for the contaminants on site. It was noted that the old foundry site is not property of the IDA. Board accepted notification and assessment was filed.
- Hodgson Russ Attorneys - Upon discussion with Attorney Daniel Spitzer, J. Foels requested providing full disclosure to the IDA Board that he will be retaining Hodgson Russ as legal counsel for a personal matter. Attorney Spitzer will not be the lawyer handling the case.

Old Business

- Greater Allegany County Chamber of Commerce (GACCC) - J. Foels reported that the Chamber is moving forward and doing well despite financial struggle. Initial seed money was donated from Noble Environmental Power. Suggestion was made by J. Foels that the IDA Board make a corporate contribution of \$1,000 to help with their operating expenses. These expenses cover a limited intern one day per week for a year. GACCC is planning a membership drive in February 2009. After discussion, it was agreed to table the request until the September meeting upon review of the IDA's expenditures.

**NEXT MEETING: September 18, 2008
Tour of Wind Park Projects by Noble Environmental Power - 9:30 am
Luncheon meeting to follow**

Motion to adjourn the meeting at 4:05pm by D. Crowley; seconded by T. Hopkins. Motion carried.

Respectfully submitted,

Cathleen L. Whitfield
Recording Secretary