

**Allegany Crossroads Utility Corporation**  
**MEETING**

November 14, 2019

Crossroads Conference Center, Belmont, New York

**OPENING REMARKS**

- Vice-Chairman Hopkins called the board meeting to order at 10:56 AM.
- Present: Judith Hopkins, Mike Johnsen, Randy Shayler, Doug Frank
- Others Present: Dr. Craig Clark, IDA Executive Director; Angela McKay, Assistant Director of Economic Development and Planning; Cathleen Whitfield, ACUC-CFO
- Excused: Rich Ewell, Skip Wilday

**BOARD MINUTES**

- A motion was made by R. Shayler, seconded by M. Johnsen and carried to approve the October 10, 2019 Board Meeting minutes with no comment or changes.

**NEW BUSINESS**

- Approval of Waterline Invoice – A motion was made by D. Frank, seconded by R. Shayler and carried to approve payment of the contractor’s certified payrolls and delivery tickets for \$206,581.04.
- County Road 20 Waterline / Change Order – After discussion, the IDA Board was in full agreement not to authorize the change order and acceptance of a credit for improper bedding for the pipe at this time.
- County Road 20 Waterline/Eminent Domain Resolution – A resolution was discussed authorizing commencement of an action pursuant to the eminent domain procedure law to acquire necessary easements for the Crossroads Waterline Project.
  - Whereas, the Allegany Crossroads Utility Corporation (“ACUC”), a New York transportation corporation created by the State of New York, is working with the Allegany County Industrial Development Agency on the Crossroads Waterline Project to construct a waterline from Friendship, New York to the Crossroads area (State Route 19 and County Route 20)(the “Project”); and
  - Whereas, in order to construct the Project certain easements are required from private property owners, and
  - Whereas, either due to unclear title or inability to contract with certain property owners, certain easements have not been obtained by negotiation; and
  - Whereas, the ACUC, as a transportation corporation, has been granted the power of condemnation by the State of New York; and
  - Whereas, obtaining the easements represents a de minimus taking under the Eminent Domain Procedure Law (EDPL); and
  - Whereas, there is a need for immediate access to the affected properties.

- **A motion was made by Doug Frank, seconded by Mike Johnsen and carried hereby authorizing the Executive Director and ACUC Counsel to commence an action under the EDPL to obtain any and all temporary or permanent easements necessary to construct and operate the Project, and to take any steps necessary to acquire the easements, including retaining any experts or counsel needed. This Resolution is effective immediately.**

<b>CALENDAR</b>
-----------------

- **Next Meeting:** December 12, 2019 following the regular board meeting scheduled at 9 am. Crossroads Commerce Center, Belmont, NY

<b>ADJOURNMENT</b>
--------------------

With no further business, a motion to adjourn at 11:02 a.m. was made by M. Johnsen, seconded by D. Frank and carried.

Respectfully submitted,

Cathleen Whitfield  
Recording Secretary