

LIVINGSTON COUNTY DEVELOPMENT

ECONOMIC • INDUSTRIAL • COMMUNITY

Approved by 

MINUTES
LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Friday, February 17, 2017

Livingston County Government Center, Room 205
Geneseo, NY 14454

Members Attending: G. Moore; R. Smith; S. Boscoe; E. Gott; L.Lane

Staff Attending: W. Bacon; M. Wheeler; L.Wadsworth; T.Taylor

Guests Attending: E. Russell Esq.; J. Campbell Esq.; Supervisor D. LeFeber; M. Howlett, Howlett Farms;
B. Beagle, Livingston County News

Vice Chairman Moore welcomed members and guests and called the meeting to order at 9:00 AM

APPROVAL OF MEETING MINUTES

A motion was made by Mr. Gott to approve the January 6, 2017 Meeting Minutes, seconded by Mr. Boscoe. All in favor. Carried.

TREASURER'S REPORT

Financial Statements

Mr. Bacon reviewed the financial statements for period ending January 31, 2017.

A motion was made by Mr. Smith to approve the treasurer's report for the period ending January 31. Seconded by Mr. Boscoe. All in favor. Carried.

COMMUNICATIONS & CORRESPONDENCE

Livingston County Ethics & Disclosure Law

Mr. Bacon advised Board members that they have been provided with a reminder as well as instructions on how to fill out their annual statement of Financial Disclosure for Livingston County.

Request to Sponsor Livingston County Job Fair

The job fair Committee has requested that the IDA sponsor the 2017 Job Fair.

A motion was made by Mr. Gott, to provide a \$500 sponsorship for the 2017 Livingston County Job Fair, seconded by Mr. Smith. All in favor. Carried.



NEW BUSINESS

A motion was made by Mr. Boscoe to enter into executive session under Public Officers Law; article 7 Open Meeting Law to discuss the proposed acquisition, sale or lease or lease of real property at 9:07 AM, seconded by Mr. Smith. All in favor. Carried. Members, staff and counsel remained.

REPORT OF EXECUTIVE SESSION

The Livingston County Industrial Development Agency having met in executive session hereby reports as follows: the board took no action.

Mr. Campbell and Mr. LeFeber departed at 9:35 am.

A motion was made by Mr. Smith to refuse the purchase offer of lot # 18 in Crossroads Commerce Park. Seconded by Mr. Boscoe. All in favor. Carried.

OLD BUSINESS

UTEP Policy

Mr. Bacon reported that the Economic Development Council recommends making updates to the UTEP Policy every five years. Some suggested changes were discussed, an updated policy is not ready for approval at this time. Staff will continue to work on potential policy changes and report back to the board.

Fee Policy

Mr. Bacon explained that the distributed Fee Policy contains the proposed changes as discussed on the January meeting. Board members were asked to review these changes to be ready for approval at the annual March meeting.

Section 1. Application Fee

At the time of application for approval by the Agency of any transaction there shall be a non- refundable application fee of five hundred dollars (\$500.00).

Section 2. Administrative Fee

An administration fee of two hundred dollars (\$200.00) will be charged each year that benefits are provided.

Section 3. Agency Fee

The Agency fees outlined below will be calculated on the basis of the "benefited total project cost." The benefited total project cost is defined as the difference between the Total Project Cost and those project costs that accrue no benefits to the applicant by virtue of Agency's interest in the project. Costs that do not benefit from the Agency's interest are generally "soft costs" such as professional fees, permits, and assessments.

If the project is eligible for an exemption from the mortgage recording tax, the Agency's fee will be calculated on the higher of either the total value of mortgages recorded or the benefited cost.

INCENTIVE	FEES
Sale/Leaseback or Straight Lease Transaction including any/all of the following: <ul style="list-style-type: none"> PILOT Sales Tax Exemption Mortgage Tax Exemption 	1.25% on transactions up to \$10MM plus 0.5% of any amount over \$10MM
Refinance or New Mortgage Recording Tax Exemption Only	0.3% on transactions up to \$10MM 0.2% on transactions from \$10MM - \$25MM



	0.1% on transactions over \$25MM
Tax Exempt Industrial Revenue Bond	1.25%
Bond Refunding	0.5%

If the Project Application is withdrawn or does not close, the Applicant is responsible for any costs, including Agency Counsel Fees, incurred by the Agency on behalf of the Project.

The Executive Director on a case-by-case basis shall recommend other agency actions such as conduit financing, program administration and audit fees. The Agency will make the final determination on these recommendations.

Section 4. Exceptions

The Agency may modify these fees on a case-by-case basis for incentive attraction projects or other reasons that impose a serious impediment to the viability of the project itself or very unique or unusual circumstances. With the exception of incentive attraction projects, any individual modification of fees shall be only undertaken through Agency Board action showing cause for the record.

OTHER BUSINESS

Directors Comments

- **Small Grain Study**

Mr. Bacon introduced Mike Howlett from Howlett Farms in Avon, who will be participating in the small grain study. Mr. Bacon explained that this study was started last year to study a facility that would house small/ancient grains to be passed on to a malter or a feed mill to then make available for craft breweries. This study was driven by the need for New York State Farm Brewery Licenses, which currently require the use of locally grown ingredients. Mr. Howlett explained that the small grain hub is needed to manage the supply chain and help producers generate more revenue. Mr. Bacon explained that this study is currently in the business plan phase which is funded by a USDA Grant.

- **EDA Application**

Mr. Bacon advised that the agency is currently working with the Ferguson Group to submit an EDA application for funding for Gateway Park.

- **NYSEDC Conference**

Mr. Bacon reported that he attended the annual NYSEDC Conference held in Albany, which he thought was very informative

- **Intergro**

The Greenhouse which was slated for Webster has pulled their application and opted to pursue another location. They are looking in Wayne County but Mr. Bacon advised that he did contact the company and let them know that Livingston County can accommodate them and has several sites to show them should they choose.

- **Conserve**

The call center currently has 600 employees and is expanding to a total of roughly 1,000 so they need more space. Mr. Bacon did contact the company and let them know that Livingston County has sites to show them should they be interested.

ADJOURNMENT

With no further business to discuss, a motion was made by Mr. Boscoe, to adjourn the meeting at 10:11 AM, seconded by Mr. Gott. Carried.



Respectfully submitted,

Tessa Taylor

Tessa Taylor
Senior Account Clerk/Typist



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