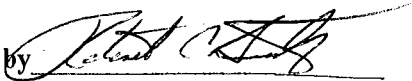


LIVINGSTON COUNTY DEVELOPMENT

ECONOMIC • INDUSTRIAL • COMMUNITY

Approved by 

MINUTES LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY Friday, January 8, 2016

Livingston County Government Center, Room 205
Geneseo, NY

Members Attending: W. Bacon, S. Boscoe, P. Brooks, E. Gott, G. Moore, R. Smith and P. Yendell

Staff Attending: E. Russell, Esq, L. Swedrock, J. Marshall, M. Wheeler, L. Wadsworth, and T. Connell

Guests Attending: Bill Davis, MRB Group, Conrad Baker, Genesee Sun

Chairman Brooks welcomed members and guests and called the meeting to order at 9 AM.

APPROVAL OF MINUTES

A motion was made by Mr. Boscoe to approve the December 4, 2015 Meeting Minutes, seconded by Mr. Bacon. All in favor. Carried.

TREASURER'S REPORT

Ms. Marshall reviewed the Treasurer's Report.

A motion was made by Mr. Bacon, seconded by Mr. Gott, to accept the Treasurer's Report for the period ending December 31, 2015. All in favor. Carried.

COMMUNICATIONS & CORRESPONDENCE

Ms. Marshall reported that the Agency received multiple thank you letters for its contributions and services.

Ms. Marshall reported that the Agency received a request for a contribution towards Encompass Dansville. No action was taken.

A notification of public hearing held in Mt. Morris was received for subdivision in the Mt. Morris Industrial Park. Ms. Marshall advised that she did not attend because the Agency will not be property owners in the Park.

The Agency was notified of a Mechanic's Lien on Barilla for an outstanding balance. Ms. Marshall reported that she has contacted the company regarding this matter.



The Authorities Budget Office (ABO) reviewed the IDA web site for compliance. The website must include background information on Board Members and Agency Staff, authority performance measures report, managements assessment of the authorities internal control structure and procedures, meeting agendas, and Board meeting notices. Ms. Marshall advised that the missing information will be added. Additionally, staff will review and update the Development Corporation web site.

The annual notification of Private Activity Bond Allocation was received. The 2016 allocation is \$2,152,651. Ms. Marshall advised that this Agency typically does not use the allocation. Mr. Russell advised that if the Agency does use the Allocation, even though there is a cap, the Agency can apply for an increase if needed.

OLD BUSINESS

Crossroads Commerce Park

Ms. Marshall reported that Mr. Swedrock has drafted 3 different scenarios and cost estimates to remedy the issue of the pond requiring enlargement. Once a scenario is decided on, it will then go to MRB for review and approval. From there BME will obtain an estimate from Woodstone Construction. Mr. Swedrock suggested disturbance of Lot # 33 because it's the most economical due to the fact that additional topsoil would not have to be stripped. After further discussion by the board, Option 1 was agreed upon, with the total cost equaling \$12,300. Mr. Gott advised Mr. Davis that within the week, the Agency needs a letter of assurance that the pond modification has been approved. Once the letter is received, the Agency will move forward with Option 1.

Ms. Marshall advised that a few weeks ago she met on site with MRB, BME, and the Town of Avon to look at the progress of the road construction and to discuss costs of inspection services by MRB. It was agreed upon by MRB, BME, and the Town of Avon that they would all take a share of the inspection services. Mr. Swedrock advised the construction of the road is moving forward. Ms. Marshall reported that the documents for the dedication of the pond, the road, and the infrastructure need to be reviewed by the EDA. Underberg & Kessler is in the process of drafting the documents for review, and it will be executed once the top coat of the road has been finished. Mr. Davis assured the Agency that the \$9,000 will cover all remaining costs from MRB, as stated in the contract.

Mr. Davis departed at 9:45 AM.

Ms. Marshall reported that the Ag Lease extension for the Dansville Industrial Park has been extended through 2022. The Agency will be closing on sale of lands in the Mt. Morris Industrial Park this week, leaving nothing in the Mt. Morris Industrial Park in the Agency's name after closing documents are signed.

Ms. Marshall reported that Clark Patterson Lee provided a final draft of the strategic plan for the Gateway Park in Livonia and it is currently being reviewed.

NEW BUSINESS

Public Hearing Minutes – WNY Enterprise, LLC

Ms. Marshall reported the purpose of the hearing was to contemplate the financial incentives that the IDA would be providing to the project. WNY Enterprise is currently in the process of getting site plan and seeker review approved. Once completed, the Agency will be able to execute an authorizing resolution to closing. *A motion was made by Mr. Yendell to approve the Public Hearing Minutes for WNY Enterprise, LLC. seconded by Mr. Gott. All in favor. Approved.*



Authorization to Enter into Agreement with Clark Patterson Lee

A motion was made by Mr. Gott to enter into an agreement with Clark Patterson Lee for Engineering services, seconded by Mr. Yendell. All in favor. Carried.

Authorization to Enter into Agreement to undertake Grain Study

A motion was made by Mr. Gott to fund up to 50% of the cost to undertake a feasibility study for a regional Grain Center for the Gateway Park in the Town of Livonia, seconded by Mr. Smith. All in favor. Carried.

Mr. Swedrock departed at 10:05 AM

Start up NY Affiliation Agreement

Ms. Marshall reported that this affiliation would encompass the Dansville Industrial Park as well as Crossroads Commerce Park in Avon as property eligible to receive Start Up NY benefits, should a company locate there. The lands must be leased in this affiliation. Mr. Russell advised that the lease can be structured tight enough to protect the IDA from certain situations.

A motion was made by Mr. Smith to enter into an Affiliation agreement with Genesee Community College. Seconded by Mr. Boscoe. All in favor. Carried.

Adoption of Adaptive Reuse Policy

Ms. Marshall advises that the primary use of this policy is to provide IDA benefits to developers undertaking projects in existing buildings that have been vacant for a significant period of time. Often times they are retail projects which are not normally allowed under IDA policies. Ms. Marshall advises that she has worded the policy so that it not only covers buildings but also properties that have been vacant. Mr. Russell informs the Board that there is flexibility in this policy that can be left up the discretion of the Board. This policy applies to the entire county including Downtown Districts.

A motion was made by Mr. Yendell to adopt an Adaptive Reuse Policy, seconded by Mr. Smith. All in favor. Adopted.

IDA Legislation

Ms. Marshall reports that new legislation regarding IDA compliance has been issued by the State Comptroller. One is the common minimum standards for IDA applications. Information on this and other requirements will be presented at the upcoming NYS Economic Development Council Conference.

A motion was made by Mr. Gott to enter into executive session under Public Officers Law; article 7 Open Meeting Law to discuss a the employment of a particular individual at 11:30 AM, seconded by Mr. Yendell. All in favor. Carried.

Members remained.

A motion was made by Mr. Moore to reconvene the meeting at 12:15 PM, seconded by Mr. Smith. All in favor. Carried.

REPORT OF EXECUTIVE SESSION

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

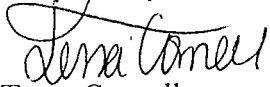


A motion was made by Mr. Gott to create the position of VP of Business Development, seconded by Mr. Moore. All in favor. Carried.

ADJOURNMENT

With no further business to discuss, a motion was made by Mr. Smith, to adjourn the meeting at 12:15 PM, seconded by Mr. Gott. Carried.

Respectfully submitted,



Tessa Connell

Senior Account Clerk/Typist

