

**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. STEUBEN 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