

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Date: January 25, 2013

Time: 11:00 a.m.

Place: Delaware County eCenter
5 ½ Main Street, Delhi NY

Present: James Thomson, Chairman
Glenn Nealis, Executive Director
William Willis, Economic Development Specialist
Bruce Dolph
Tabitha Byam
Carol Jean Finch
Andrew Matviak
George Bergleitner, Secretary

Absent: Scott White, Vice-Chairman
Mike O'Brien

The January 25, 2013 meeting of the Delaware County Industrial Development Agency was called to order by Chairman Jim Thomson.

A motion by Bruce Dolph, second by Andrew Matviak to authorize the Chairman, James Thomson, to cast one ballot to elect these officers for the year 2013: James Thomson, Chairman; Scott White, Vice-Chairman; Bruce Dolph, Treasurer; George Bergleitner, Secretary; motion passed.

A motion by Andrew Matviak, second by George Bergleitner to appoint Jim Thomson and Bruce Dolph to the Governance Committee: motion passed.

A motion by Bruce Dolph, second by Andrew Matviak, to appoint Scott White & George Bergleitner to the Audit Committee: motion passed.

A motion by Bruce Dolph, second by George Bergleitner, to appoint Andrew Matviak and Carol Finch to the Finance Committee: motion passed.

A motion by George Bergleitner, second by Andrew Matviak, to appoint Glenn Nealis as Executive Director, Chief Executive Office and Contracting Office; Lori Paulson as Chief Financial Officer; Bill Willis as Internal Controls Officer and Investment Officer; Tabitha Byam as Recording Secretary, and Procurement Officer; motion passed.

A motion by Bruce Dolph, second by Andrew Matviak, to schedule the regular Board meeting on the third Friday of the month at 11:00am; motion passed; Secretary will properly advertise the schedule.

Millennium Pipeline – PILOT Agreement – Hancock Compressor Station: Jim Thomson encouraged the Kenyon's to work with Millennium to come to an agreement. Jessica Kenyon commented that they have repeatedly addressed the town board regarding how this project

will affect their property. They have also called Millennium and have had no response. Jim Thomson commented that Millennium has said they would help find a comparable house and do a possible swap. Mike Armiak from Millennium commented that the planning board does not have any say over the project but as courtesy the company went to the planning board and asked for their input so they could build a facility that was in compliance with their procedures although legally they didn't have to. The FERC proceeding is still open so that is still an avenue for anyone who wants to participate. Jim Thomson again encouraged the Kenyon's to work with Mike Armiak and asked Mike Armiak to keep the board informed on how things are going. A motion by, Bruce Dolph second by George Bergleitner, to approve the PILOT; motion passed. Glenn Nealis informed the board on an issue that had come up. Millennium has provided us with documentation on what they believe the property will be assessed at and have asked that the PILOT documents put that the assessment will be \$11.5 Million. Glenn asked our attorney to pull that out and say that it will be the assessed value as established by the proper authority. Glenn wanted to make sure this was ok with the board. Board agreed.

A motion by, George Bergleitner second by Bruce Dolph, to approve the draft minutes of the December 14, 2012 meeting; motion passed.

A motion by, Bruce Dolph second by George Bergleitner, to approve the financial reports; motion passed

The following invoices were presented for approval:

Cross Roads Cafe	-174.00
Hodgson & Russ, Attorney's	-51,417.66
Cedarwood Engineering Services PLLC	-1,762.02
Paden Publishing, LLC	-68.92
Catskill Development Foundation	-35.00
Thomas F. Leo, LS.PC	-3,363.30
Del. Co. Elect. Coop.	-1,279.93
Hidden Inn	-100.00

A motion by Bruce Dolph, second by George Bergleitner, to approve the invoices; motion passed.

A motion by Andrew Matviak, second by Bruce Dolph, to approve the receipts and disbursements; motion passed.

Glenn Nealis reviewed the treasurer's report. A motion by George Bergleitner, second by Bruce Dolph, to approve the treasurer's report; motion passed.

Bill Willis reviewed the current loan report. The Cardio Club has requested another \$40,000 from the CWC. Their total project is now \$240,000. We received full payment for the Coffee Pot. The check included interest, late fees, and lawyer's fee. A-1 has still not been paid but his attorney is getting aggressive. Rob Conklin is doing great. We have several options with Leatherstocking. Glenn Nealis informed the board that nobody is making PILOT payments. These do not count as tax liens. We are hoping to use the PILOT agreement to protect our loan. Glenn asked the board if we wanted to default and put it on the tax rolls or wait it out. Board agreed to wait it out. We are seeking to preserve the community benefit and that's why we are not defaulting. West Branch Collision is doing well. Work in Progress is trying to sell

one of the lots we have the collateral on. If they sell the property we will get paid off. A motion by George Bergleitner, second by Bruce Dolph, to approve the loan report; motion passed.

Hidden Inn: Jim Thomson passed out a letter from Francis Jenkins. He would like to restructure his loan and buy his partner out. Francis has another partner that would like to come in. He would like to go interest only until 2015. He is willing to make our payments current and pay interest quarterly in advance. We are coequal with the CWC and he is asking the CWC for the same agreement. Bill commented that Barb with the CWC is going to present this to her board on February 7th. Board discussed.

Interest Rates: Bill Willis informed the board that our interest rates need to be more competitive. We would be able to make more loans if our rates were better. A motion by Bruce Dolph, second by George Bergleitner to make our interest rate a fixed rate based on Wall Street prime plus $\frac{3}{4}$ and look at it at our annual meeting; motion passed.

Amphenol: Glenn Nealis updated the board. There are two issues with Amphenol. On the regulatory side the issue is with the Army Core of Engineers. In the permit on the mitigation there are certain requirements placed. The big issue is with the escrow agreement covering the cost of the wetland mitigation projects. They don't want to pay the fee on the bond. They don't want to be on the hook for a bond for the next 20 years. We are looking at trying to reduce the amount. The other issue is the EDA funding. EDA can't get passed the fact that we condemned the Kmart parcel. We have cut off the Kmart parcel from the portion of the project that will receive federal funding. That will be shifted fully to Amphenol. Our attorney would like to hold the public hearing at our next IDA meeting and hold it at the Village of Sidney. Board agreed.

Delaware County Energy Symposium: Glenn Nealis informed the board that Dean's office and our office have been working on an energy plan for the county. The plan is to try to encourage the development of alternative energy business in Delaware County. They want to hold a symposium at Delhi College to educate the public on which technologies are cost effective and are available in this region. Deposit Wood Pellets are going to be a presenter and also a sponsor. They would like the IDA to be a primary sponsor for lunch. The lunch will cost between \$1400 and \$2000. A motion by Bruce Dolph, second by Andrew Matviak, to approve sponsoring the lunch; motion passed.

The floor was opened for the discussion of any Old and New business; Glenn would like to do something comprehensive for Walton with CFA Funding for Main Street flooding. Soil and Water is already working on how to minimize and mitigate and prevent flooding in Walton. Glenn wanted to know if he could invite Graydon to our March or April meeting for a 15 minute demonstration on what they are doing so we can start to find money to do something. Board agreed to invite Graydon to one of our meetings. Glenn Nealis informed the board that DEP wants to get rid of a piece of property in Deposit. They wanted to explore the possibility of transferring the property to the IDA for \$1 and then IDA could split it up and sell it to Larry Schafer. Everyone involved would absorb some of the cost. The IDA would not pay for anything. Board discussed. Jim Thomson updated the board on a business counsel reception he had gone to.

Meeting was adjourned in form.

DELAWARE COUNTY LOCAL DEVELOPMENT CORPORATION

Date: January 25, 2013

Time: 11:00 a.m.

Place: Delaware County eCenter
5 ½ Main Street, Delhi, NY

Present: James Thomson, Chairman
William Willis, Economic Development Specialist
Glenn Nealis, Executive Director
Bruce Dolph
Tabitha Byam
Carol Jean Finch
Andrew Matviak
George Bergleitner, Secretary

Absent: Scott White, Vice-Chairman
Mike O'Brien

The January 25, 2013, meeting of the Delaware County Local Development Corporation was called to order by Chairman James Thomson.

A motion by Andrew Matviak, second by Carol Jean Finch to authorize the Chairman, James Thomson, to cast one ballot to elect these officers for the year 2013: James Thomson, Chairman; Scott White, Vice-Chairman; Bruce Dolph, Treasurer; George Bergleitner, Secretary; motion passed.

A motion by, George Bergleitner second by Bruce Dolph, to approve the draft minutes of the December 14, 2012 meeting; motion passed.

Glenn Nealis reviewed the treasurer's report. A motion by George Bergleitner, second by Bruce Dolph, to approve the treasurer's report; motion passed.

The current loan report was reviewed. Catskill Country Flooring is struggling. They have 3 apartments rented and still have 3 more to rent. Their cash flow will be better once all of the apartments are rented. Hobart Market is sending in two payments in early February. NBDC balance is \$27,000. He stays kind of current. We have been taken off the ownership rolls for Village Seafood. A motion by Bruce Dolph, second by George Bergleitner, to approve the loan report; motion passed.

The following invoices were presented for approval:

Operating Account

Green Giraffe	-1,000.00
The Meadows Golf Center	-8,750.00
Delaware County Economic Development	-22,725.00

Ross Hamilton	-5,000.00
Gerald Conklin	-15,000.00
Delaware County Clerk	-42.00
NYS Urban Development Corporation	-800.00

A motion by Scott White, second by George Bergleitner, to approve the invoices; motion passed.

JAMS Foreclosure: Bill Willis informed the board that we had received a motion from the judge allowing us into the building to secure and winterize it. The building was in good shape. Tom Miner would like to get into the building to paint and do repairs. He would like to take over where Jason Schilling left off but would like a six month deferment. A motion by Bruce Dolph, second by Andrew Matviak, to approve; motion passed.

Internal Buy Out of Hobart market Loan: Glenn Nealis asked for the board's approval for an internal transfer to buyout the Hobart Market loan so it does not have to go through the treasurer's office. A motion by Bruce Dolph, second by George Bergleitner, to approve; motion passed.

The floor was opened for the discussion of any Old and New business; No old or new business was presented.

Meeting was adjourned in form.