

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Date: June 15, 2012

Time: 11:00 a.m.

Place: Delaware County E-Center
5 ½ Main Street, Delhi, NY

Present: James Thomson, Chairman
Glenn Nealis, Executive Director
William Willis, Economic Development Specialist
George Bergleitner, Secretary
Scott White, Vice-Chairman
Andrew Matviak
Bruce Dolph
Tabitha Byam

Absent: William Gross
Caroljean Finch

The June 15, 2012 meeting of the Delaware County Industrial Development Agency was called to order by Chairman Jim Thomson.

A motion by, Bruce Dolph second by George Bergleitner, to approve the draft minutes of the April 20, 2012 meeting; motion passed.

Financial:

Glenn Nealis reviewed the current treasurer's report. Glenn Nealis informed the board that we received money from Amphenol for consultants on the project. A motion by, Bruce Dolph second by George Bergleitner, to approve the treasurer's report; motion passed.

Bill reviewed the loan report. Jams was served with a 30 day default letter. We never received a letter from Jacobs for the Coffee Pot. The Market Place sold the equipment that they wanted to sell. We have a judgment against Village Seafood to put them back on the tax rolls. Eric Jervis said if he didn't sign and return in ten days he has the authority to have the sheriff sign on their behalf to make it happen but today we got a response from his lawyer contesting it. Glenn commented that he had already signed the transfer documents on Wednesday or Thursday. A-1 Home Construction is debating on whether or not he should sell the bucket truck and chipper. Bill talked to him about the board receiving all the proceeds if he sold it but he wanted to know what kind of reserve to put on it. A motion by Scott White second by Bruce Dolph, to approve selling the equipment; motion passed. Scott White asked about getting Jenlid onto an amortization schedule. Jim Thomson informed the board that they opened last weekend. Leatherstocking called last month for an emergency \$100,000. Bill explained that their direct deposit wasn't working so now they have gone to just writing paychecks. The bank is still working with them and they are still in business. Lucky Dog doesn't know if she can make payments anymore and canceled her insurance on the farm store. Jim Thomson asked if we can call the loan. Scott White recommended that we get insurance first and let her know that we will have to get insurance for the property and we will add it on to her balance. Bill informed Hollley White that her grant will turn into a loan if she closes her business. Jim Thomson updated the board on Hogan's. Jim Thomson commented that this loan should come off the loan report since we settled with the Delaware National Bank. Jim Thomson informed the board that Andy Wos is running the

store now and is doing well. A motion by, Bruce Dolph second by George Bergleitner, to approve the financial reports; motion passed.

The following invoices were presented for approval:

Delaware County IDA	-120.35
Thomas Rieder	-200.00
Verizon Wireless	-53.56
NYSEG	-251.86
Mang Insurance Agency	-2,000.00
Catskill Development Foundation	-35.00
Del. Co. Elect. Coop.	-1,271.38
Del. Co. Clerk	0.00
Petty Cash	-50.00
Unlimited Conferencing	-53.83
Cedarwood Engineering Services PLLC	-1,307.63
Verizon Wireless	-55.26
Del. Co. Elect. Coop.	-1,368.11
Thomas F. Leo, LS.PC	-3,300.00
Hinman, Howard & Kattell, LLP	-84,000.00
Civil Design Partners, Inc	-35,000.00
Department of State	-40.00
Department of State	-40.00
Cedarwood Engineering Services PLLC	-1,433.28
Del. Co. Elect. Coop.	-1,143.03
Verizon Wireless	-53.26
Village of Margaretville	-38.50
Catskill Development Foundation	-23,000.00
Del. Co. Chamber	-500.00
Bank of Cooperstown	-300,000.00

A motion by Bruce Dolph, second by Andrew Matviak, to approve the invoices; motion passed.

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

Jim Thomson introduced Dana Laquoix. Dana wanted to speak to the board regarding the project in Harpersfield and the PILOT agreement. Dana asked for the data and the documentation that the agency used to approve the PILOT agreement and she wanted to know what days the track would be open. Glenn Nealis commented that the board used the application, business plan, and continuing conversations with Bill Willis and the applicant and told her there was nothing in writing for the days that they would be open. Dana asked the board if they had done an Economic Impact Study. Glenn Nealis commented no. Dana commented that the planning board had only approved that they would be allowed to have only 25 people there per week and she is concerned that the IDA has approved a project with \$2 million in tax breaks that is going to result in her land values going down substantially because of the increase in traffic and noise. Glenn Nealis commented that there is not \$2 million in tax break s. It was calculated that there would be a potential for \$78,000 in sales tax exemptions, and \$176,000 in property tax exemptions over a ten year period based on an assumption that the assessment is going to increase from \$72,000 to a fair market value of \$2 million plus the \$76,000. George Bergleitner asked who told her that her property value would decrease. Dana commented a

real estate agent. Dana showed the board what she had received from the planning board regarding the sound levels of the motorcycles at 500ft with barriers. Dana asked about the SEQR report. Glenn commented that those are the pages that the planning board sent him and informed Dana that the IDA is not a regulatory agency. Additionally the IDA was presented with a project that had full regulatory approval and the board approved the project based on that regulatory approval. Dana commented that in their application the noise levels will be 51 dBs which is a little louder than quiet urban daytime, so her property will no longer be considered rural and will now see the property values fall because of the noise levels. George Bergleitner commented that he believes her assumption that her land value is going to fall is incorrect. George commented that if she wanted someone to justify her opinion she should see someone like Lonnie Ridgeway an MIA appraiser in Oneonta to go and take a copy of what the planning board has approved and then get his assessment. George Bergleitner gave her Lonnie Ridgeway's contact information. Dana asked the board why we did not do that study ourselves. The board commented that there is no legal requirement that we do one. Jim Thomson commented that the board felt that this would be beneficial for the county in general because we rely a great extent on tourism and we need to make ourselves a destination for tourists. Dana asked if the board was aware of the limitations that the planning board has put on this facility. The board commented that it's not a lot of people but we have to start somewhere. Dana asked the board about their assessment of the business plan because she doesn't see how a business like this could succeed when she looks at how many people they can serve and how much money they are spending. Glenn commented that Bill Willis analyzed the business plan and with speaking with the applicant he was satisfied that is a valid enterprise and he made the recommendation to the board. Bill has the experience that the board relies on and upon our review we thought it would work. Dana asked if that was a document that could be made available to her. Glenn Nealis commented no because a lot of it was based on conversation and opinions. Bill commented that he had gone to Klingers in Walton and he thought it would be excellent for his business. Klingers felt that a lot of women would like to get into motorcycles but have no experience riding a motorcycle. Klingers would like to be a sponsor where he could give a coupon to go to the track so they could learn how to drive a motorcycle safely. He felt that having a safety track could save lives. Dana would like to have all the documents that the board used to approve. Glenn Nealis commented that he had a presentation to the board that he could get to her and the meeting minutes that were related to this project. Dana asked if there was anything they could do to contest the decision or have any recourse. Jim Thomson commented that we did hold a public hearing which was their chance to contest. Dana commented that the land owners were only notified by a small legal notice in the paper. Scott White asked Dana if she understood the mechanics of a PILOT agreement and how it works. Dana commented no. Scott White commented that she should look into how a PILOT agreement works and understand that she is not given away current tax dollars. Glenn commented that they don't get any of those sales tax exemptions unless they make those investments and the same on the property taxes. Dana asked again about the number of days, hours and seasons that they are going to be open or any of their operating information. Glenn Nealis commented that there is no documentation it was verbal.

Jim Thomson introduced Joe Scott. Glenn Nealis updated the board on Amphenol. There was a stop work order in early April and things started picking back up in late May. To try to pick up the pieces Amphenol has hired a company to be the construction representative on the project. Their first task has gone on for the last two weeks has been a review of all of the past invoices that the IDA has incurred. Amphenol provided the IDA with a check for the invoices that the IDA was responsible for. Amphenol is going to retain Highland and Associates. The IDA is going to undertake the process of developing the shovel ready site. We have submitted a grant application to EDA for the site development cost. Glenn updated the board on property acquisition. Glenn informed the board that

we got the commitment letter for the line of credit from the Bank of Cooperstown so we can acquire the property. The line of credit will be paid off through the grant and is for two years. Joe Scott spoke to the board about the financing for the real estate line of credit with the Bank of Cooperstown. Joe Scott prepared a resolution for the board that he reviewed with them. A motion by Bruce Dolph, second by George Bergleitner, to approve the resolution; motion passed.

Jim Thomson asked Joe Scott about the EB5 program. Jim informed the board that he had asked Joe to do some research on the EB5 program and how with an EB5 program in place the IDA could interact with the EB5 financing and be a part of projects that we are using the EB5 for.

Walton Industrial Park: Bill updated the board. Rolling V has about 300 busses and mini vans and would like to open an operation in Walton. They are interested in the industrial park in Walton. Bill subdivided 3 acres. They are putting up a 3800 sq ft building. He wants to start as soon as possible and have it ready for September. A motion by George Bergleitner, second by Bruce Dolph, to sell the 3 acres; motion passed.

Romo Machine – partial lien release - Bill informed the board that he has an opportunity to sell an acre of his property and is asking us release the lien. A motion by Bruce Dolph, second by Andrew Matviak, Jim Thomson abstained, to release the lien; motion passed.

IDA Mission Statement: Glenn and Tabitha will work on and email out or bring to the next meeting for the board to approve.

The floor was opened for the discussion of any Old and New business; Jim Thomson informed the board that there will be a guest at our next board meeting who is going to talk about her project the new constitution pipeline. Scott White asked about the compressor stations. Glenn Nealis commented that they have not submitted an application to us for a PILOT agreement yet. Glenn wanted to know how many wanted to go see a compressor station. The board commented that they would like to go see what a compressor station looks like.

Meeting was adjourned in form.

DELAWARE COUNTY LOCAL DEVELOPMENT CORPORATION

Date: June 15, 2012

Time: 11:00 a.m.

Place: Delaware County E-Center
5 ½ Main Street, Delhi, NY

Present: James Thomson, Chairman
William Willis, Economic Development Specialist
Glenn Nealis, Executive Director
George Bergleitner, Secretary
Scott White, Vice-Chairman
Andrew Matviak
Bruce Dolph
Tabitha Byam

Absent: William Gross
Caroljean Finch

The June 15, 2012, meeting of the Delaware County Local Development Corporation was called to order by Chairman James Thomson.

A motion by, Bruce Dolph second by George Bergleitner, to approve the draft minutes of the April 20, 2012 meeting; motion passed.

Glenn Nealis reviewed the current 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. 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

Deborah Sanchez	-1,136.30
Decker Advertising	-1,335.00
Catskill Mountain News	-101.25
Delaware County Clerk	-273.00
Delaware County Clerk	-48.00
Delaware County LDC	-41.10
Harlem & Jervis	-750.76
Inez Valk-Kempthorne & Justus Kempthorne	-24,160.14
Mang Insurance Agency Delhi	-1,728.00
NYS Urban Development Corporation	-832.00

Delaware County Clerk	-126.00
Lenore Remy	
Lenore Remy & Peter Hegener	-3,186.98
Lenore Remy & Patch	-3,333.32
Lenore Remy & Panline USA, Inc	-219.00
Lenore Remy & Aroma Home	-413.00
Lenore Remy & CEACO	-361.10
Lenore Remy & Toysmith	-234.33
Lenore Remy & Wild Republic	-409.00
Lenore Remy & D&D Distrubuting	-217.50
Lenore Remy & Boxer Martin Inc.	-259.90
Lenore Remy & Douglas Company, Inc.	-247.00
Lenore remy & Schylling Associates, Inc	-410.30
Lenore remy & AM PM Kids!	-425.32
Lenore Remy & Crivelli Mack LLC	-245.36
Lenore Remy & Educational Devlpmnt Corp	-298.75
Lenore remy & Harper Collins Publishers	-412.89
Lenore Remy & Melissa & Doug LLC	-191.33
Lenore Remy & Hot Focus, Inc	-1,219.29
Lenore Remy & Fashion Angels	-236.85
Lenore Remy & Washington Shoe Co.	-370.11
Lenore Remy & Stephen Joseph, Inc.	-447.73
Lenore Remy & Orb Factory	-1,414.10
Lenore Remy & Ravensburger	-286.84
Del - Sports, Inc.	-160.00
Schenectady Pipe Band, LTD	-20,000.00
Delaware County Clerk	-225.00
Dave Budin	-84.00
Juergen H. Mahler	-10,000.00
Catskill Development Foundation	-30,000.00
Eric Wedemeyer	-15,000.00
NYS Dept. of Law	-25,000.00
Delhi Fire Department	-125.00
NYS Urban Development Corporation	-200.00

A motion by Bruce Dolph, second by Andrew Matviak, to approve the invoices; motion passed.

Anges & Ale Steakhouse: Bill Willis presented. A motion by Bruce Dolph, second by George Bergleitner, to approve with the contingency that the Village of Sidney gets their commitment for \$37,500; 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.