

Wayne County IDA
Minutes – August 22nd, 2008
Regular Meeting

The regular meeting of the Wayne County IDA was called to order at 9:30 a.m. on August 22nd, 2008, by Chairman David Spickerman. The meeting was held at 16 William Street, Lyons. Members present: David Spickerman, James Hoffman, Robert Havrilla, Willard Milliman and Marvin Decker. Also present: John Morell, Esq., P. Churchill, and M. Leisenring.

On motion of Mr. Decker, seconded by Mr. Milliman and carried the minutes of the previous meeting, held 8/5/2008, were approved.

Resolutions, August 22, 2008

Resolution A—Whereas, MaxPro, in April 1998 entered into an agreement with the WCIDA for a loan through the revolving loan fund, with payments based on a percentage of the Prime Rate over a 120 month period following the Amortization Commencement Date; and, on the first day of the 120th month from such, all unpaid balances and accrued interest shall be due in a Single Balloon Payment; and
Whereas, MaxPro has consistently and diligently made the required interest payments and has exceeded and sustained the required job creation; be it hereby Resolved that the Executive Director and Attorney for the WCIDA are hereby authorized to enter into a continuation of the agreement for an additional 120 month period with similar terms; and be it further Resolved that time required to finalize the documents be included in the second 120 month period as if there had been no lapse between the two time periods or agreements.

Moved: Mr. Decker Second: Mr. Milliman
Ayes: Messrs. Decker, Havrilla, Milliman, Hoffman and Spickerman
Nays: None

Resolution B: Whereas the IDA was the sub-recipient for Small Cities funding for Fresh Kut Produce, LLC, and to secure such funding a lien was placed on the site of that business on Smith Road, Marion; and
Whereas the facility is being sold to another growing business; and
Whereas WCIDA made a loan to Fresh Kut Produce, LLC through its Ag Microenterprise Loan fund, secured by the residential property and a personal guarantee; be it hereby Resolved that the Executive Director and the Attorney for the Agency are hereby authorized and directed to modify the agreements to allow the sale of the commercial/ag/manufacturing facility on Smith Road while meeting the requirement of Small Cities to the best of their and the Agency's ability; and be it further

WC IDA Minutes

8/22/08

Page Two

Resolved that, should there be no claw back from the Small Cities closing without meeting job goals, the balance of funds may be used to pay down the Ag microenterprise loan.

Moved: Mr. Decker

Second: Mr. Havrilla

Ayes: Messrs. Decker, Havrilla, Milliman, Hoffman and Spickerman

Nays: None

Resolution C- Whereas, the primary beneficiary of Federal Economic Development Agency funds secured by the WCIDA for sewer improvements at the Garlock Sealing Technologies facility, IE Garlock, has determined that, due to significantly increased construction costs since the original estimates and design for the facility, along with ongoing overhead costs for such a new system, they will not be building the new system, but rather upgrade and continue with an on-site, private system as in the past; be it hereby Resolved that the Wayne County Industrial Development Agency requests de-obligation of the funding (EDA Project No. 01-79-08396) for convenience, based on the lack of a primary beneficiary.

Moved: Mr. Decker

Second: Mr. Milliman

Ayes: Messrs. Decker, Havrilla, Milliman, Hoffman and Spickerman

Nays: None

Resolution D—Whereas Colony Realty LLC is financing the upgrade of a \$650,000 sprinkling system in their facility; be it hereby Resolved that an extension to October 31st, 2008 for sales tax exemption is authorized.

Moved: Mr. Milliman

Second: Mr. Decker

Ayes: Messrs. Decker, Havrilla, Milliman, Hoffman and Spickerman

Nays: None

Ms. Churchill next discussed the 2009 budget request submitted to the County's Budget Officer. As directed, the requested amount is the same as what was in the 2008 budget. Mr. Milliman reiterated that with the jobs created and capital investment made in the Empire Zone and also the successful implementation of items in the strategic plan, the IDA has many positive accomplishments of which to be proud.

Ms. Churchill invited the Board to the presentation by the Finger Lakes Telecommunications Development Corp. to be held at the Radisson Hotel in Rochester on 9/11/08 at the meeting of the Regional Planning Council. Mr. Hoffman is checking to see if the same presentation will be made at a future Board of Supervisors meeting which would be more convenient for the IDA to attend.

IDA Minutes

8/22/08

Page Three

On motion of Mr. Milliman, seconded by Mr. Hoffman and carried to authorize the Director to send requests for proposals for a cost estimate to do a fiber optic study to determine where fiber optics already exists in the County.

On motion of Mr. Hoffman, seconded by Mr. Milliman and carried to authorize that property no longer under PILOT (payment-in-lieu of taxes) agreements be deeded back to the respective property owners.

Mr. Hoffman informed the board that School Specialties, located in Lyons, will be closing in October. No further information is available.

There being no further business, the meeting was adjourned at 10:50 a.m.

Respectfully submitted,

Marvin Decker
Secretary