

Wayne County Industrial Development Agency
Minutes - Regular Meeting
8/23/2013

The regular meeting of the Wayne County Industrial Development Agency was called to order by Chairman David Spickerman at 9:30 a.m. on Friday, August 23rd, 2013 at 16 William Street, Lyons. Members Present: Pamela Heald, David Spickerman, Willard Milliman, James Hoffman and Robert Havrilla. Also Present: John Morell, Esq., Bob McNary, Director of Wayne County Planning and Economic Development; M. Churchill and M. Leisenring.

The minutes of the meeting of 8/7/2013 were unanimously approved on motion of Mr. Milliman, seconded by Ms. Heald and carried.

On motion of Mr. Milliman, seconded by Ms. Heald and carried the attached attorney's resolution regarding OptiPro Systems, LLC was unanimously approved.

The resolution regarding 'Your Sports' was removed from the agenda.

Mr. Milliman updated the board on upcoming workshops sponsored by the Wayne County Business Builders group. These workshops will be held at the Wayne County Campus of FLCC in Newark. The Business Builders now have a face book page. Mr. Milliman informed the board of an upcoming workshop for senior citizens to be held on 9/17/2013 at the Finger Lakes Race Track in Farmington. Virginia Smith, the Regional Director of the SBA, will host the event.

Ms. Churchill also updated the board on upcoming events. The fall tour is tentatively scheduled for the third week in October. Details will be provided as they become available. A suggestion was made to have Wayne County information available at the next 'Eyes on the Future' event – and at similar functions.

Ms. Churchill informed the board that CRC has moved into the former Garlock facility in Sodus. Ms. Churchill has written support letters for CFA applications.

After much discussion, the following resolution regarding lake levels was considered.

Resolution Regarding Proposed PLAN2014 of the International Joint Commission

Whereas, the International Joint Commission was established in 1909 to “prevent and resolve disputes over shared water” and with the approval of international hydro power in 1950, the management of such production was undertaken by the

IJC using restrictions and agreed upon standards to narrow the natural variability of lake levels; and

Whereas, those levels and standards have been in place for over fifty years and the built environment along the lakeshores have been designed according to the standards and levels; and

Whereas, PLAN2014 proposes to change the parameters, causing damage to south shore communities, including those in Wayne County; and

Whereas, Wayne County has approximately 36.5 miles of Lake shoreline with additional 35.6 miles of shoreline within five embayments and two harbors; 750 waterfront properties, 800 docks, 35 charter fishing boats and 4 major boat launches; with 40% of the County's assessed value is contained along the shoreline; and

Whereas, recreational boating in Wayne County alone accounts for 276 jobs, \$18.5 million annual spending, \$740,000 in sales tax to the County and \$740,000 in sales tax to NY State; and

Whereas, the PLAN2014 proposal is deficient in realistically estimating the economic damage that will be done by underestimating the value of these properties and the impact their loss will have on the Wayne County tax base for both real property tax and for the income the business properties generate; and

Whereas, the PLAN2014 proposal does not include damage estimates for public parks and infrastructure, erosion or shoreline structure and maintenance within the embayments, does not count flooding to basements, only ground floors and does not recognize that both high water and extreme low water will result in damages; and

Whereas, the PLAN2014 fails to follow the Guiding Principles laid out in the past, particularly that "actions approved or taken will be beneficial...and not result in undue hardship to any particular group" and that "decision –making with respect to the management of the Great Lakes-St. Lawrence River System will be open, respecting the full range of interests affected by any decisions and facilitating their participation in the policy process", since it appears the Commission is giving much more weight to growth of the muskrat population than the welfare of the humans on the south shore of Lake Ontario and Wayne County and the counties to the west will have a much more significant level of damage, according to reports of engineers and scientists schooled in these matters, than other communities; and

Whereas, PLAN2014 contains no methodology for funding of protective barriers, repairs to homes, businesses and existing barriers, public infrastructure or planning for mitigation; and there is no process in place or funds in place for regional plans to develop practices that may be able to protect properties that exist, place new facilities in different areas, and encourage the re-growth of the "natural habitat" that is claimed to have been lost; be it hereby

Resolved, that the Wayne County Industrial Development Agency respectfully requests that the PLAN2014 proposal be abandoned immediately, and that a new process be undertaken that respects the current lake levels, focuses on how to make both the environment and economy sustainable long term, pays attention to the guiding principles and reports from the committees who made more reasonable suggestions over the last ten years and provides true transparency by allowing all stakeholders to participate as much as possible, and be it further

Resolved, that this resolution be shared with our State and Federal representatives.

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

Next after much discussion the following resolution was considered under other business:

Deborah A. Brown d/b/a The Quilting Bee –Payment Modification

Whereas, Deborah A. Brown d/b/a The Quilting Bee ("Brown") borrowed \$25,000 from the WCIDA Small Cities Main Street Revolving Loan Fund on April 23, 2012 that has a current balance of \$22,424.47; and

Whereas, Brown's loan is in payment default, the regular payment of \$471.78 being past due for the 1/1/13 payment. The last payment made was in the amount of \$500.00 on April 9, 2013 for the 12/1/12 payment; and

Whereas, Brown is desirous of resuming regular monthly payments however business is improving but not to a level that allows resumption of regular monthly principal and interest payments; be it therefore

Resolved, that WCIDA agree to defer payments that are currently past due and require the following schedule with the contingencies that Ms. Brown meet with a

WHEREAS, the Project will facilitate industrial and commercial development of the lands owned by the Wayne County Industrial Development Agency ("IDA"), as well as property to the east within Commerce Center; and

WHEREAS, the Town's engineers, MRB Group, P.C., have prepared plans and specifications ("Plans") for the IDA for the Project; and

WHEREAS, the Project is estimated to cost \$480,880; and

WHEREAS, the IDA has committed to contribute up to \$180,000 for the Project; and

WHEREAS, other property owners and businesses have committed to contribute about \$50,000 for the Project; and

WHEREAS, by Board of Supervisors Resolution No. 259-13, adopted on April 16, 2013, Wayne County ("County") has committed to contribute \$100,000 in Industrial Site Development funds for the Project, provided the Town provides a minimum of \$150,880 of in-kind services or cash, and landowners and businesses provide \$50,000 in cash towards the Project and the IDA contributes up to \$180,000 in cash toward the Project; and

WHEREAS, the Town Highway Superintendent will be provided with a copy of the Plans for the Road Extension, which will be subject to his reasonable approval, and he will have the right to periodically inspect the construction process to ensure compliance with the Plans; and

WHEREAS, the Town of Ontario Highway Superintendent has agreed that the Road Extension is not subject to Highway Law §189, and he has further agreed that provided the highway is properly constructed in accordance with the Plans, and is approved by the Water Utilities Department and the Code Enforcement Officer, that he will make an order laying out the extension of Timothy Lane as a Town highway, as well as any portion of Timothy Lane not previously laid out as a Town highway, pursuant to Highway Law §171; and

WHEREAS, the Town Water Utilities Department has agreed to construct the Improvements; and

WHEREAS, the Town Highway Department has agreed to assist in the Project by hauling 280 loads of bedding stone and asphalt, at the cost of \$51.50 per load, for a total of \$14,420; and

