

**Chemung County Industrial Development Agency**  
**Minutes of the Meeting**  
**July 13, 2023**

A meeting of the Chemung County Industrial Development Agency convened on Thursday, July 13, 2023 at 9:00 AM at the Hazlett Building, 203 Lake Street, 5<sup>th</sup> floor conference room, Elmira, New York. The meeting was held in person and via Webex.

Members present were Michael Cantando, Martin Chalk, Michael Collins, Chad Keenan, Mark Margeson and Liane O'Brien.

Dawn Burlew was excused.

Also present were Joseph Roman, Executive Director to the Agency; Russell Gaenzle and Steven Maier, Legal Counsel; Jill Koski, Michelle VanDeBogart and Benjamin Fleischman, Staff to the Agency; Mary Rocchi, Recording Secretary; Betsy Gorman, a member of the community and Nicolas Dubina, WETM TV.

Mr. Margeson, Chairman, called the meeting to order at 9:00 AM.

**Public Comment:** There was a request for Public Comment. Ms. Betsy Gorman, a community member, commented on the travel plaza proposed for Big Flats, which has caused a great deal of concern. She cited a handbook published by the Department of Transportation discussing the importance of availability of truck parking. She noted a section that stated that adjacent residential, farmland and wetland areas were undesirable for truck parking development. She further noted that sites near residential land uses, schools and other community amenities where people might be exposed to air, noise and light pollution be avoided. Most of Airport Corporate Park South is zoned Airport Business Development which could be used for financial institutions, professional offices and research facilities. Disallowed uses are car washes, self-serve laundries and motor vehicle filling stations. At a Chemung County Legislature meeting, they discussed transferring land to the IDA for Airport Corporate Park South, concern was raised about Sperr Park being included in the transfer of land. The Legislator did not want Sperr Park to become a commercial zone. At a meeting of the County Budget Committee, the Legislator felt comfortable no changes were being considered for Sperr Park. The County leaders were asked to work out a long-range plan for the future of the park. The land Sperr Park is on was not needed for the infrastructure project and would make a nice entry way into the expanded Corporate Park. She then discussed the unfortunate passing of Trooper Sperr and other troopers who have memorials in the park and how the park is considered sacred to many people. She asked the IDA board to be very considerate and respectful of the Sperr Park area as we seek to develop the surrounding land.

**Minutes:** On Motion No. 7/2023-51 by Mr. Chalk, seconded by Mr. Collins and unanimously carried, the minutes of the June 8, 2023 meeting were approved.

**Financial Report:** Ms. VanDeBogart presented the financial report through June. On the Profit and Loss statement we received revenue of \$71,225.29. Expenses were higher than normal due to arena expenses. Under current assets we have \$3,373,220.12 and net income of \$124,768. There has been no activity in the arena account. On Motion No. 7/2023-52 by Mr. Keenan, seconded by Ms. O'Brien and unanimously carried, the financial report was approved.

**Executive Directors Report:** Staff is working with Small Business Administration on a potential lease in the STEG/CCIDA building. SBA would be good synergy for the building. Mr. Fleischman completed the NYSEDC Basic Economic Development course in June. The banking resolutions for check signers is complete at Chemung Canal Trust Company. Five Star is the only bank remaining to finalize check signers for the CCIDA. CFA projects are being reviewed by Empire State Development so see which ones will receive funding. We continue to keep an eye on the Binghamton University energy stage. The Strategic Plan will be presented by MRB Group at STEG's quarterly meeting in September or at its annual meeting in December. Empire State Development is soliciting building submissions for projects Sleeping Dragon and Stella. Southern Tier Logistics (460,000 sf) and Stamped Fittings (116,000 sf) building shells are up. Internal work will be done this winter. Arbor Housing's Reynold's Way apartments is moving along nicely. The buildings are located next to the STEG building. The apartments are slated to open in 2024. Additional housing is needed for the area.

Ms. Koski is working with Southern Tier Logistics on Foreign Trade Zone designation. Ohio Logistics has a Foreign Trade Zone at their Findlay Tall Timbers Facility in Ohio. Mr. Roman and Ms. Koski are meeting with the state to discuss FAST NY funding which could assist STL with their infrastructure development. She is exploring the Recomplete Pilot Program through the Economic Development Administration. We could apply for funding for planning and implementation for workforce development. The entire county is eligible as we have a challenging workforce. We continue to work with the owner of the Star Gazette building and will apply for state funding for stabilization of the building. The owner has experience with brownfield development and will look into what abatement needs to be done. She is working on revising the IDA's application. She would like projects to have online access and be user friendly. Ms. O'Brien suggested looking at the applications on the Community Foundation site. Mr. Roman commented that we need to have certain criteria in our application to comply with ABO requirements. Staff will look at Community Foundation applications for reference.

Mr. Margeson met with Congressman Nick Langworthy recently. Mr. Langworthy stated that there is a tremendous amount of funding from the federal government and Chemung County is not on their radar for funding. Mr. Margeson feels it is worth a call to Mr. Langworthy's office to have this discussion with him. A call to Senator O'Mara's office to see what funding is available would be worth a call too. Mr. Margeson commented that we need to look at existing businesses that buy product outside of the area. Mr. Chalk commented that Senator O'Mara attends Legislative meetings to discuss programs available. He suggested inviting Mr. Langworthy to attend a Legislature meeting.

### **New Business**

**CP Breesport Four:** On Motion No. 7/2023-53 by Mr. Chalk, seconded by Mr. Collins and unanimously carried, a RESOLUTION OF THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JUNE 1, 2023, WITH RESPECT TO THE CP BRESFORT FOUR LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, AND EQUIPPING OF THE FACILITY, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH THE TAX AGREEMENT (DEFINED HEREIN) AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK, AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF

A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT was approved.

**Old Business:** There was no old business.

**Other Business:** There was no other business.

**Executive Session:** On Motion No. 7/2023- 54 by Mr. Collins, seconded by Mr. Chalk and unanimously carried, Executive Session convened at 9:22 AM to discuss a financial matter of a particular entity.

On Motion No. 7/2023-55 by Mr. Collins, seconded by Mr. Cantando and unanimously carried, Executive Session dismissed at 10:38 AM.

**Riedman Properties Elmira LLC:** On Motion No. 7/2023-56 by Mr. Chalk, seconded by Mr. Collins, with Ms. O'Brien voting against, a RESOLUTION OF THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) APPROVING THE MODIFICATION OF CERTAIN DOCUMENTS; AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO SAME was approved.

**Mark Twain Building LLC:** On Motion No. 7/2023-57 by Mr. Collins, seconded by Mr. Chalk and unanimously carried a RESOLUTION OF THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) APPROVING THE MODIFICATION OF CERTAIN DOCUMENTS; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PILOT AMENDMENT (iii) AUTHORIZING AN INCREASE IN NEW YORK STATE AND LOCAL SALES AND USE TAX EXEMPTION BENEFITS; (iv) AUTHORIZING THE EXTENSION OF THE COMPANY'S AUTHORITY TO ACT AS AGENT ON BEHALF OF THE AGENCY; AND (v) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO SAME was approved.

**First Arena:** On Motion No. 7/2023-58 by Ms. O'Brien, seconded by Mr. Keenan and unanimously carried, a RESOLUTION OF THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY CONFIRMING PAYMENT TO THE FEDERAL PROSPECTS HOCKEY LEAGUE OR AN ENTITY FORMED OR TO BE FORMED BY IT OR ON ITS BEHALF TO PROVIDE CERTAIN SERVICES TO OPERATE A PROFESSIONAL HOCKEY LEAGUE AT THE FACILITY was approved.

**First Arena:** On Motion No. 7/2023-59 by Mr. Collins, seconded by Mr. Keenan and unanimously carried, a RESOLUTION OF THE CHEMUNG COUNTY INDUSTRIAL DEVELOPMENT AGENCY CONFIRMING PAYMENT TO THE CHEMUNG COUNTY CAPITAL RESOURCE CORPORATION TO PROVIDE CERTAIN SERVICES TO OPERATE THE FACILITY was approved.

**Adjournment:** On Motion No. 7/2023-60 by Mr. Collins, seconded by Mr. Chalk and unanimously carried, the meeting adjourned at 10:42 AM.

Respectfully submitted,

Mary Rocchi  
Recording Secretary