



INDUSTRIAL DEVELOPMENT AGENCY

Monday, August 26, 2019

5:00 p.m.

City of Canandaigua Hurley Building
205 Saltonstall Street, Canandaigua, NY

AGENDA ITEM	POTENTIAL OUTCOME	PERSON RESPONSIBLE
Call to Order	Quorum Present?	Kelly Mittiga
New Business:		
IOTL	Resolution to authorize a PILOT	Jim Coniglio
Old Business:		
Airport Update	Inform Board of status	Bob Mincer
KIUA lease assignment	Resolution to allow assignment	Bob Mincer/Jim Coniglio
Administration:		
7/23/19 meeting minutes	Motion to accept the minutes	Kelly Mittiga
Invoices for payment	Motion to approve payments	Michael Wojcik/Bob Mincer
Board member status	Inform Board of status	Mike Manikowski
Adjournment	Motion to adjourn	Kelly Mittiga

Next Regular Meeting is Monday, September 23, 2019

<u>Quorum (confirmation required):</u>	<u>Members Excused:</u>
Kelly Mittiga, Vice-Chair	Mike Davis, Chair
Supervisor Jeff Gallahan	
Laura Pedersen, Secretary	
Lew Zulick, Treasurer (via conference call)	<u>Guests:</u>
Don Culeton	Brian Young, Deputy County Administrator
<u>Non-Members Present:</u>	
Mike Manikowski, Executive Director	
Suzanne Vary, Staff	
Michael Wojcik, CFO	<u>Contract Staff:</u>
Jessica Kazmark, Staff	James Coniglio, Underberg & Kessler
Brigitte Larson, Staff	Barry Carrigan, Nixon Peabody
Bob Mincer, Staff	

A SUPPLEMENTAL RESOLUTION OF THE ONTARIO COUNTY INDUSTRIAL AGENCY AUTHORIZING THE ENTRY INTO A PAYMENT IN LIEU OF TAXES AGREEMENT WITH L, R, R & M, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR AN ENTITY TO BE FORMED ON BEHALF OF THE FOREGOING, IN CONNECTION WITH THE ACQUISITION, RENOVATION, CONSTRUCTION AND EQUIPPING OF A CERTAIN INDUSTRIAL DEVELOPMENT PROJECT MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT AND APPROVING THE FORM, SUBSTANCE AND EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 533 of the Laws of 1971 of the State of New York, as may be amended from time to time (collectively, the “**Act**”), the Ontario County Industrial Development Agency (the “**Agency**”), was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, pursuant to a resolution adopted by the Agency on December 17, 2018, (the “**Authorizing Resolution**”) L, R, R & M, LLC, a Delaware limited liability company, on behalf of itself and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), entered into a transaction in which the Agency assisted in the acquisition of a leasehold interest in an approximately 9.1441 acre parcel of land located at 770 South Main Street, in the City of Canandaigua, Ontario County, New York 14424 (more particularly described as Tax Parcel No. 84.17-1-51 (the “**Land**”), and the demolition of existing structures located on the Land and the construction, furnishing and equipping of three (3) buildings with an aggregate size of approximately 100,000 square feet to be located on the Land (the “**Improvements**”), (the Land and the Improvements hereinafter described as the “**Project**”); an

WHEREAS, pursuant to the Authorizing Resolution the Agency acquired a leasehold interest in the Project from the Company pursuant to a certain Company Lease Agreement, dated as of December 1, 2018 (the “**Company Lease**”), by and between the Company and the Agency; and

WHEREAS, pursuant to the Authorizing Resolution the Agency subleased the Project to the Company pursuant to a certain Lease and Project Agreement, dated as of December 1, 2018 (the “**Agency Lease Agreement**”), by and between the Agency and the Company to be used by the Company as a Conference Center, Event Center and Hotel; and

WHEREAS, the Company has indicated that it has encountered an unforeseen and substantial increase in the costs of construction for the Project which has rendered the completion and operation of the Project unfeasible without additional financial benefits from the Agency; and

WHEREAS, the Company has applied to the Agency for an amendment to the Agency Lease Agreement to include additional financial benefits in the nature of an abatement of Real Property Taxes pursuant to provisions in the Agency Lease Agreement whereby the Company Agrees to make payments pursuant to a payment in lieu of taxes (“PILOT”) schedule (the “**Amendment**”); and

WHEREAS, a public hearing (the “**Hearing**”) was held on July 23, 2019, so that all persons with views in favor of or opposed to the financial assistance contemplated by the Agency, could be heard; and

WHEREAS, notice of the Hearing hereinabove described was given in the Canandaigua Daily Messenger on June 30, 2018 and in the Finger Lakes Times on June 30, 2019, and such notice (together with proof of publication), was substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the report of the Hearing along with a stenographic transcript thereof is annexed hereto as Exhibit B; and

WHEREAS, as part of its request for the Amendment, the Company submitted a Revised Feasibility Economic Impact Study dated June 18, 2019 (the “**Revised Study**”); and

WHEREAS, the Revised Study provided detailed descriptions of the increase in costs of building the Project as well as the economic impact of such cost increases on the feasibility of completing and operating the Project and concluded that without the Amendment the completion and operation of the Project was financially unfeasible; and

WHEREAS, the Agency contemplates that if it approves the Amendment it will provide financial assistance to the Company in the form abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit C hereof), consistent with the policies of the Agency; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Project and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Agency has given due consideration to the request for the Amendment of the Company and to representations by the Company that the proposed Project is either an inducement to the Company to maintain and expand the Project in Ontario County or is necessary to maintain the competitive position of the Company in its respective industry; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the “**SEQR Act**” or “**SEQR**”), the Agency constitutes a “State Agency”; and

WHEREAS, to aid the Agency in determining whether the Project may have a significant effect upon the environment, the Company prepared and submitted to the Agency an

Environmental Assessment Form (“EAF”) and related documents (the “Questionnaire”) with respect to the Project, a copy of which is on file at the office of the Agency; and

WHEREAS, the Agency constitutes an “Involved Agency” (as defined in SEQR); and

WHEREAS, the Company received a site plan approval from the City of Canandaigua Planning Commission (the “City”) in conjunction that approval the City adopted a SEQR Negative Declaration dated June 26, 2018; and

NOW, THEREFORE, BE IT RESOLVED by the Ontario County Industrial Development Agency (a majority of the members thereof affirmatively concurring) as follows:

Based upon the Environmental Assessment Form completed by the Company and reviewed by the Agency and other representations and information furnished by the Company regarding the Project, the Agency previously determined by its resolution adopted December 17, 2018, that the action relating to the acquisition, renovation, equipping, and operation of the Project was an “unlisted” action, as that term is defined in the SEQR Act. The Agency also determined that the action will not have a “significant effect” on the environment, and, therefore, an environmental impact was not prepared.

1. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Project constitutes a “project”, as such term is defined in the Act; and

(c) Based upon the Agency’s initial review of the of the Project, by a resolution adopted December 17, 2018 (the “**Original Authorizing Resolution**”) the Agency found and determined that portions of the Project may include facilities or property that are primarily used in making retail sales, as defined within Section 862(2) of the Act, to customers who personally visit the Project. Notwithstanding the foregoing, and based on representations made by the Company to the Agency within the Application, the Revised Study and otherwise, the Agency hereby finds that the Project is likely to attract a significant number of visitors from outside the Economic Development Region and therefore will constitute a “Tourism Attraction” as defined in Section 862(2)(a) of the Act.

(d) The acquisition, renovation and equipping of the Project and the leasing of the Project to the Company will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Ontario County, and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(e) The acquisition, renovation and equipping of the Project is reasonably necessary to induce the Company to maintain and expand its business operations in the State of New York; and

(f) It is desirable and in the public interest for the Agency to enter into the Amendment with the Company; and

(g) The Amendment will be an effective instrument whereby, the Agency the Agency and the Company set forth the terms and conditions of the PILOT Agreement.

2. The Agency has assessed all material information included in connection with the Company's request for the Amendment, including but not limited to, the cost-benefit analysis prepared by the Agency, the Revised Study and such information has provided the Agency a reasonable basis for its decision to provide the financial assistance in the form of the Amendment to the Company.

3. In consequence of the foregoing, the Agency hereby determines to execute, deliver and perform the Amendment and grant an abatement from real property taxes pursuant to the schedule set forth hereinafter at Exhibit C, and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such Amendment are hereby approved, ratified and confirmed.

4. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the acquisition, renovation and equipping of the Project in the form of the abatement of real property taxes as set forth on Exhibit C.

5. This Supplemental Resolution is conditioned upon the Company agreeing to comply with Section 875 of the Act as well as the Company further agreeing that the abatement of real property taxes provided pursuant to the Act and this Supplemental Resolution is subject to termination and recapture of benefits pursuant to Section 875 of the Act and the recapture provisions of the Agency Lease Agreement, as amended by the Amendment.

6. The form and substance of the Agency Lease Agreement, as amended by the Amendment, (in substantially the form presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) is hereby approved.

7. (a) The Chairman, the Director, the Deputy Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agency Lease Agreement as amended by the Amendment, all in substantially the form presented to this meeting with such changes, variations, omissions and insertions as the Chairman, the Director, the Deputy Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this Supplemental Resolution (hereinafter jointly called the "**Agency Documents**"). The execution thereof by the Chairman, the Director, the Deputy Director or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, the Director, the Deputy Director or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Agency Lease Agreement).

8. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

9. Except as amended or modified by this Supplemental Resolution all terms and conditions set forth in the Authorizing Resolution remain in full force and effect and are incorporated herein as if fully set forth herein.

10. Any expenses incurred by the Agency with respect to the Project shall be paid by the Company. By acceptance hereof, the Company agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Project.

11. This Supplemental Resolution shall take effect immediately.

EXHIBIT A
NOTICE OF PUBLIC HEARING
AND
PROOF OF PUBLICATION

EXHIBIT B

**REPORT OF PUBLIC HEARING
AND STENOGRAPHIC TRANSCRIPT**

EXHIBIT C

PILOT Schedule

Formula for In-Lieu-of-Taxes Payment: Ontario County City of Canandaigua, the Canandaigua City School District and Appropriate Special Districts

Definitions

X = \$4,150,000 the current assessment of the Project site as of August 26, 2019

Y = increase in assessment above X resulting from the acquisition, construction and equipping of the Facility.

Normal Tax Due = Those payments for taxes and assessments, other than special ad valorem levies, special assessments and service charges against real property located in the City of Canandaigua which are or may be imposed for special improvements or special district improvements, that the Company would pay without exemption.

Payment

Formula

Tax Year (following first taxable status date after the election by the Company, more specifically set forth in Agency Lease Agreement)

1	100% normal tax due on X and 0% normal tax due on Y
2	100% normal tax due on X and 0% normal tax due on Y
3	100% normal tax due on X and 0% normal tax due on Y
4	100% normal tax due on X and 0% normal tax due on Y
5	100% normal tax due on X and 0% normal tax due on Y
6	100% normal tax due on X and 20% normal tax due on Y
7	100% normal tax due on X and 40% normal tax due on Y
8	100% normal tax due on X and 60% normal tax due on Y
9	100% normal tax due on X and 80% normal tax due on Y
10 and thereafter	100% normal tax due on X and 100% normal tax due on Y



INDUSTRIAL DEVELOPMENT AGENCY

Meeting Minutes
Tuesday, July 23, 2019 Meeting
 The Hurley Building
 205 Saltonstall Street
 Canandaigua, NY 14424

Members Present	Members Excused
Mike Davis, Chairman	Kelly Mittiga
Laura Pedersen, Secretary	Brad Braddon
Lewis Zulick, Treasurer	
Supervisor Jeff Gallahan	Guests Present
Don Culeton	Brian Young, Deputy County Administrator
Staff Present	
Mike Manikowski, Exec. Dir.	
Suzanne Vary, Staff	
Michael Wojcik, CFO	
Jessica Kazmark, Staff	
Brigitte Larson, Staff	Contract Staff
Bob Mincer, Staff	Jim Coniglio, Underberg & Kessler

CALL TO ORDER: Chair Mike Davis called the meeting to order at 5:00 p.m. A quorum was present.

The Pledge of Allegiance was led by Mike Davis.

NEW BUSINESS:

Inn on the Lake Public Hearing:

Mike Davis asked all guests to sign in and place a check mark next to their name if they wished to speak. Speakers were informed they will have a four minute limit and that this is only for the public to express their thoughts, as the Board would not be answering any questions. At 5:01, Mike Manikowski read the notice of public hearing and opened the floor for written and oral comments on the Inn on the Lake application.

Lew Zulick arrived at 6:23 p.m.

A written transcript of comments is attached to these minutes. The public hearing was closed at 6:29 p.m.

The Board took a brief break and reconvened at 6:37 p.m.

Inn on the Lake:

Mike Davis asked for thoughts from the Board. It was discussed that the Board would like to see the transcript of the Public Hearing and have a chance to take everything into consideration before making a final decision regarding the Inn on the Lake request. Jim Coniglio stated that the transcript could take up to three weeks to get back from the stenographer, and at that point, a special meeting could be scheduled or the vote can take place at the August meeting.

Laura Pedersen made a motion to table the request until a later date. Supervisor Jeff Gallahan seconded the motion. Unanimously approved. Motion carried.

It was discussed that the meeting should be held at the Hurley Building in order to accommodate the public.

The majority of the guests exited the meeting at 6:41 p.m.

OLD BUSINESS:

Airport Update:

Bob Mincer informed the Board that he met with the architect to discuss the floor plan for the terminal design. A schedule should be received in the next week or so. Bob explained that it all has to coordinate with hangar and utility developments and also work in with the SRE building. Bob explained that the SRE building is being constructed and the foundation is completed. Construction of the building should begin within the next few days. Zach Staff will be visiting the airport in August to speak about grant applications for next year to help with new projects and possible expansion.

Bob presented activity data stating that there have been 10 jet utility helicopter operations, 8 business jet operations, 26 flight training operations, 6 fuel stops and 2 arrivals for concert attendees, all within the timeframe of 9 a.m. and 3 p.m. today. Bob also stated that Senator Pam Helming visited the airport for a tour on July 17th.

Bob informed the Board that the Jet-A and AvGas fuel meters were checked by the Ontario County Department of Weights and Measures. It was discovered that there was a calibration issue with the Jet-A fuel meter but has since been corrected. Bob stated that the parking lot has been resealed and that striping will be completed within the next week.

Supervisor Jeff Gallahan commented on how prior to Bob's management of the airport, he received multiple complaints about the condition of the property and lack of maintenance. Bob and his team work diligently to maintain the airport and have made necessary improvements. Jeff and the rest of the Board applauded Bob for his great work.

ADMINISTRATION:

June 24, 2019 Minutes:

Mike Davis presented the June 24, 2019 Meeting Minutes for approval.

Supervisor Jeff Gallahan made a motion to approve the June 24, 2019 minutes as presented. Laura Pedersen seconded the motion. Motion unanimously carried.

Karen White and Julio Chavez exited the meeting at 6:53 p.m.

June Financial Statements:

Michael Wojcik presented the June Financial Statements.

Lew Zulick made a motion to approve the June Financials as presented. Laura Pedersen seconded the motion. Unanimously approved. Motion carried.

Invoices for payment:

Michael Wojcik presented for approval, airport invoices for payment totaling \$24,428.03; Agency invoices totaling \$21,195.65 and total invoices in the amount of \$45,623.68. Bob Mincer clarified the airport related invoices.

Lew Zulick made a motion to approve the above referenced invoices for payment. Laura Pedersen seconded the motion. Unanimously approved. Motion carried.

ADJOURNMENT:

Supervisor Jeff Gallahan made a motion to adjourn the IDA meeting at 6:59 p.m. Lew Zulick seconded the motion. Motion unanimously approved.

Respectfully submitted,

Brigitte Larson

IN RE: INN ON THE LAKE

PUBLIC HEARING

July 23, 2019



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2 -----
3 **IN THE MATTER OF**
4 Public Hearing Pursuant to
5 Title 1 of Article 18-A
6 RE: Inn on the Lake
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9 Public Hearing in the Above-Titled Matter:
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11 Location: The Hurley Building
 205 Saltonstall Street
 Canandaigua, New York 14424
12
13
14 Date: July 23, 2019
15
16 Time: 5:00 p.m.
17
18
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20 Reported By: **TAMMY B. FIGLER**
 Alliance Court Reporting, Inc.
 120 East Avenue, Suite 200
 Rochester, New York 14604
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2 **A P P E A R A N C E S**
3 **Appearing on Behalf of the Ontario County Industrial**
4 **Development Agency:**
5 **Michael Davis, Chairman of the Economic Development**
6 **Board**
7 **Michael J. Manikowski, Economic Developer**
8 **Suzanne W. Vary, Economic Developer Specialist**
9 **Michael Wojcik, EDFP**
10 **James Coniglio, Esq., Agency Counsel**
11 **Brian Young, Deputy County Administrator**
12 **Donald Culeton, Agency Member**
13 **Laura Pederson, Agency Member**
14 **Jeff Gallahan, Agency Member**
15 **Lewis Zulick, Agency Member**
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1 **IN RE: INN ON THE LAKE PUBLIC HEARING**
2 **TUESDAY, JULY 23, 2019;**
3 (Proceedings in the above-titled matter
4 commencing at 5:00 p.m.)
5 * * *
6 **MR. DAVIS:** I'd like to call the Public
7 Hearing of the Ontario County IDA to order.
8 **MR. MANIKOWSKI:** Notice of Public Hearing.
9 Notice is hereby given that public hearing, pursuant
10 to Title 1 of Article 18-A of the New York State
11 General Municipal Law will be held by the Ontario
12 County Industrial Development Agency on July 23rd, at
13 5 p.m. at the City of Canandaigua Hurley Building
14 located at 205 Saltonstall Street, Canandaigua, New
15 York, in connection with the following matter: L,
16 L, R & M, LLC, a Delaware limited liability company,
17 on behalf of itself or on behalf of an entity formed
18 or to be formed on behalf of the foregoing, the
19 company, previously applied to the agency to enter
20 into a transaction which the agency would assist in
21 the acquisition of a leasehold interest in
22 approximately 9.1441-acre parcel of land located at
23 770 South Main Street in the City of Canandaigua,
24 Ontario County, New York 14424, more particularly
25 described as Tax Map Parcel 84.17-1-51, the land, in

1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 the demolition of existing structures located on the
3 land and the construction, furnishing and equipping of
4 three buildings with an aggregate size of
5 approximately 100,000 square feet to be located on the
6 land, the improvements of the land and the
7 improvements hereinafter described as the facility,
8 all to be leased by the Agency to the company for use
9 by the company as a conference center, event center
10 and hotel, the project.
11 The Agency has acquired a leasehold
12 interest in the facility pursuant to the terms of the
13 company lease, and has leased the facility back to the
14 company pursuant to the terms of the Agency lease and
15 project agreement. The company will operate and
16 manage the facility during the term of the agency
17 lease. At the end of the term of the agency lease,
18 the Agency will transfer its leasehold interest in the
19 facility to the company. The agency previously
20 granted financial assistance to the company in the
21 form of exemptions from estimated sales and use taxes
22 in connection with the construction and equipping of
23 the facility. The Agency will now contemplate
24 providing financial assistance to the company in the
25 nature of abatement of real property taxes on the

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 increased assessment resulting from the improvements
 3 consistent with the policies of the Agency.
 4 **A representative of the agency will, at**
 5 **the above-stated time and place, provide a reasonable**
 6 **opportunity to all interested persons to present their**
 7 **views, either orally or in writing, on the location**
 8 **and nature of the facility and the proposed tax**
 9 **benefits to be afforded the company in connection with**
 10 **the facility.**
 11 **The public hearing will be conducted in**
 12 **accordance with Subdivision 2 Section 859(a) of the**
 13 **General Municipal Law.**
 14 **Mike, I'll turn it back over to you.**
 15 **We'll note that Lou was excused for the**
 16 **time being and we can get started. I want to make**
 17 **sure. Dr. Zulick is a Board member. He'll be joining**
 18 **us shortly. He's in the emergency room doing what**
 19 **doctors do.**
 20 **With that, we're going to go ahead and get**
 21 **started. Here are a few guidelines for everyone.**
 22 **This is a public hearing. The Board is**
 23 **here to collect information from everyone. You're not**
 24 **to ask questions of the Board, just to tell the Board**
 25 **what you are here for and what you want them to know**

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 language, we position the tourism industry to prosper
 3 and grow and be competitive, literally on a worldwide
 4 scale. We're the experts in tourism for Ontario
 5 County. We've had great success over the years
 6 fostering revenue growth and more opportunity for
 7 business growth. Things have changed over time and
 8 our president, Valerie Knoblauch, asked me to share
 9 how much it has changed and how much competition has
 10 escalated.
 11 If we were to do business the old way,
 12 then we would expect diminishing results over time.
 13 In pursuing that mission, if we're going to succeed,
 14 our product needs to be updated. We want to be big
 15 business with big benefits. That brings us to today
 16 and the past few years, and the industry need for
 17 support.
 18 I'd like to encourage everyone to imagine
 19 Ontario without these hotels and all the new
 20 properties that we have. Why should people come and
 21 stay here when they're getting incentives from other
 22 places across the state, from Lake Placid to
 23 Ellicottville, to Buffalo, to other areas of the
 24 Finger Lakes.
 25 Economic development for tourism requires

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1 **IN RE: INN ON THE LAKE PUBLIC HEARING**
 2 **about the project. I'm going to give everyone three**
 3 **minutes. I'll let you know when you get to 30**
 4 **seconds.**
 5 **I'd ask that everyone be respectful of**
 6 **each other. There are many different views and**
 7 **opinions on this project, and I think it's never been**
 8 **a problem in Ontario County before, and I don't expect**
 9 **it to be today.**
 10 **With that we can get started. And when**
 11 **you get up here, we have a stenographer, please state**
 12 **your name and where you reside and that would be good**
 13 **for her. We'll get started.**
 14 **Christen Smith, please come to the podium.**
 15 MS. SMITH: Hello. My name is Christen
 16 Smith. I represent Finger Lakes Visitors Connection,
 17 Ontario County's official tourism promotion agency
 18 located at 25 Gorham Street, Canandaigua. I'm a
 19 resident of the City of Canandaigua.
 20 For 35 years we've been working with the
 21 travel and tourism industry on behalf of Ontario
 22 County to achieve our mission of creating visitorship
 23 and economic vitality for Ontario County by marketing
 24 its tourism assets and positioning it as a premier
 25 leisure and meeting destination. In layman's

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 innovative financing and committed partnerships to
 3 move things forward. The application before you
 4 speaks of parody. We look at data, constantly
 5 reviewing it for opportunity and for market position.
 6 We look at it from a factual parody, not emotional
 7 parody.
 8 We recently completed a study that
 9 addressed our capacity for meeting space and rooms
 10 connected to them. This study factually stated that
 11 while we do not have the capacity for a large
 12 conference center, we do have opportunity to fill more
 13 of our meeting space and rooms associated with it.
 14 Those speculated in public that parody is
 15 not needed because the market is not there, are
 16 invited to look at the data which cites our potential
 17 for more business and addresses both those in market
 18 now and in the pipeline.
 19 Canandaigua can support two world class
 20 properties on our lake, and more if they are marketed
 21 and sold correctly. We've spoken before about the
 22 reputation of the Sand's family and getting things
 23 done in our area. We reiterate that tonight. Their
 24 vision for what can be in Canandaigua will carry our
 25 market forward and help us be more competitive in the

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 market. This success accrues not only to them, but to
 3 our community, our private sector partners and the
 4 residents.
 5 Tourism is recognized as an industry that
 6 contributes to the economic prosperity of Ontario
 7 County by infusing new dollars into your communities,
 8 enhancing the quality of life for our residents, and
 9 promoting the natural beauty of our county.
 10 It's almost 2020 and the areas which are
 11 pinning their success on completing new hotels or
 12 destination projects are assisting the private sector
 13 in building these destination projects. More
 14 specifically, the need to want to build industry are
 15 making an initial investment to make this business
 16 work.
 17 Members of the IDA and Economic
 18 Development, tourism appreciates your endeavors to
 19 help our segment of economic development.
 20 To the folks representing the Sand's
 21 family and the applicants, we respect the quality
 22 product you have brought to our area over the years
 23 and encourage your path on making the Inn on the Lake
 24 the best small conference hotel on the Finger Lakes.
 25 If you're really responsible to the

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 Inn on the Lake. I'm Rich Russell, 121 Holiday
 3 Harbour.
 4 The IRS identified Wards 2 and 3 of the
 5 City of Canandaigua as federal opportunity zones
 6 because the federal and state governments consider
 7 them to be an "economically distressed community,
 8 where new investments under certain conditions may be
 9 eligible for preferential tax treatment. Locality
 10 qualify for opportunities zones if they have been
 11 nominated for that designation by the state, and that
 12 nomination has been certified by the secretary of the
 13 United States Treasury by his delegation of authority
 14 to the Internal Revenue Service." And that's a direct
 15 quote from an IRS web page.
 16 As New York State and federal governments
 17 have designated these two sections of the city as
 18 worthy of preferential tax treatment, I believe that
 19 the Industrial Development Agency staff have rightly
 20 identified an opportunity for local preferential tax
 21 treatment. I also believe that the city, county and
 22 school district can help drive that tax advantage
 23 economic investment here in Wards 2 and 3 through the
 24 issuance of this IDA-staff-recommended pilot.
 25 If the recommended pilot is enacted, the

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 taxpayers, don't look at this as a handout or a
 3 giveaway. Look at this as an investment to taxpayers
 4 and the community. This is the way business is being
 5 done across the state in other major markets.
 6 Ontario County tourism believes in this
 7 project because we are the experts in growing tourism,
 8 and we've made the investment in studying the project.
 9 We know it's feasible. Some naysayers say that two
 10 resorts can't survive. We have commissioned a study
 11 with Destinations International to answer this
 12 question because we want to deal with facts, not just
 13 emotions.
 14 If you want to learn the facts go to
 15 visitfingerlakes.com/data to read the actual study.
 16 Don't base this on emotions. Base this on facts and
 17 data.
 18 And thank you to the members of the Board
 19 and for the continued support of tourism and economic
 20 development.
 21 MR. DAVIS: I call to the podium Rich
 22 Russell.
 23 MR. RUSSELL: Good afternoon, Board
 24 Members. I appreciate the opportunity to present my
 25 reasons to support the IDA-recommended pilot for the

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 new iteration for the Inn on the Lake will spur far
 3 more economic activity than its predecessor. The
 4 physical connection to the New York Kitchen and its
 5 enlarged conference event center will transform the
 6 area into a true campus setting that will attract more
 7 year-round visitors to our city. I believe this new
 8 iteration of the Inn will complement the resort
 9 currently under construction on the eastern side of
 10 the lakefront. The Visitors Connection will have the
 11 ability to attract larger multi-venue meetings to our
 12 city.
 13 I do believe that construction will
 14 continue regardless of the outcome of the Board's
 15 decision, but the real question for me is, will a
 16 negative decision on the recommended pilot reduce the
 17 scope of the project so that it does not leverage the
 18 full value of this site.
 19 The final reason I believe this project is
 20 worthy to receive the recommended pilot involves
 21 taking a longer view of the development projects in
 22 Canandaigua. As most Canandaigua residents know,
 23 there have been a number of projects over the years
 24 that developers have started, stopped, paused, and
 25 even abandoned in our community. So I think it's

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 important to take a quick look at the track record of
3 other community development projects the Inn's
4 development team has participated in.
5 Aside from their corporate enterprise,
6 this group of people have helped build a premier
7 health care facility in Ontario County. They support
8 the vibrant performing arts community here through
9 their investment in CMAC and new Canandaigua theater
10 restoration. Their investment in the community
11 pillars such as the YMCA and FLCC help to make our
12 community one of the few counties in New York State
13 that has experienced population growth.
14 I believe their commitment to Ontario
15 County and the Canandaigua community is worthy of
16 consideration as you deliberate the merits of this
17 recommended pilot. Thank you.
18 MR. DAVIS: Just a matter of record, so
19 everybody knows, I slipped up on the first one. I
20 went four minutes so everybody is getting four minutes
21 now. I forgot to give the 30 second thing.
22 Douglas Burgasser.
23 MR. BURGASSER: Doug Burgasser, 10 Island
24 Lane, Canandaigua, part of the Town Harbour Community.
25 I'm glad that she got four minutes because

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 The Inn on the Lake has provided our
3 family with a lot of good memories, weddings, parties,
4 holidays, special events. I, too, like Doug, would
5 like to see the Inn on the Lake project continue to
6 move forward and at the scope that it's been planned.
7 I would really be disappointed to see if any part of
8 it were to be scaled back and not being as grand as
9 the family has planned for us.
10 I am in full support of the pilot
11 agreement that they've asked for, and I would hope
12 that the Board would consider it in an effort to be
13 fair competition with the Finger Lakes Resort project
14 that, I believe, was offered a similar-type program.
15 And I thank you very much to the Board for
16 hearing what I have to say.
17 MR. DAVIS: Thank you. Ginny Clark.
18 MS. CLARK: Hi, everyone. I'm Ginny
19 Clark. I'm currently the executive director of the
20 Sand Family Foundation, and while I have worked with
21 the company for over 21 years, I recently moved over
22 to the family office. I really am here just to speak
23 a bit about the family and their commitment to this
24 community.
25 In particular, some have already

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 I'm not going to use my three, and I'm glad to give
3 one of mine to her. I couldn't say it any better than
4 she did. I'm sorry. I forgot your name.
5 Just speaking as an individual, I live
6 right across Sucker Brook from the Inn on the Lake. I
7 love the fact that this project is taking place. It's
8 going to be a big improvement for our community. I
9 really think it's going to be wonderful.
10 When I have friends and relatives come
11 into town here, especially if they've never been here
12 before, they rave about the community. But one of the
13 questions is, "Can we boat up to a restaurant? Can we
14 boat up to a hotel?" And that's the one downside that
15 I see to this wonderful lake. So I love to see
16 developments like this happening. I think it's a huge
17 benefit for our community, and speaking just for
18 myself as an individual here, I think this is a great
19 program and I'm fully in support of it. Thank you.
20 MR. DAVIS: All right. Michael Feldmeyer.
21 MR. FELDMEYER: Mike Feldmeyer, 18 Island
22 Lane, also a resident in Town Harbor Island, located
23 across from the Inn on the Lake project. I've been a
24 resident here in Canandaigua a little over -- since
25 1982. A long time.

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2 mentioned, whether it's Thompson Hospital, whether
3 it's the New York Kitchen, whether it's the new
4 performing arts center that's coming, whether it's the
5 YMCA, the family is tremendously committed to this
6 community.
7 I mentioned to some folks earlier when
8 CMAC came to the county to look for a partnership in
9 rebuilding CMAC that had been around for many, many
10 years that had been in disrepair, and the partnership
11 that we've created with the county has proven to show
12 that CMAC is one of the most premier venues across the
13 country. It's actually been written up in several
14 different venues, 13 years into that.
15 When we first started that project, we
16 didn't know that that was going to be what happened.
17 Many of us have committed our own personal time to
18 that. We've also seen a huge rise in the artists that
19 come here to this community and what they come and see
20 and spend and do here in the community. When we first
21 took that over, our average per cap was \$0.50 per
22 person, 13 years ago, and because of the hospitality
23 and the venue that we built, I'm really pleased to say
24 that earlier this year we hit \$30 per cap per person.
25 That investment doesn't go into our pockets. As you

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 2 all recall, that is a not-for-profit. That goes back
 3 into the community. That goes back to developing
 4 better venue partnerships, and also bringing in a
 5 higher level of talent.
 6 Ontario County recently did a survey, an
 7 analysis. Over a two-year period CMAC brought over
 8 200,000 patrons to the venue. It also showed a
 9 \$26 million economic impact back to this area.
 10 So as you consider this, I would ask you
 11 to consider not only the pilot for the Inn on the
 12 Lake, which is under consideration, but also to
 13 recognize that also votes rise when economic
 14 development rises, and when partnerships actually come
 15 together on the private side and public side, we all
 16 benefit as a community. Thank you very much.
 17 MR. DAVIS: Thank you. Doug Bennett.
 18 MR. BENNETT: Thank you all for the
 19 opportunity to speak. Doug Bennett. I represent the
 20 developers of this project.
 21 Thank you all for the opportunity to speak
 22 on behalf of the Inn on the Lake redevelopment and my
 23 family, the developers of this project. In doing so I
 24 hope to present not just what this hotel means to me
 25 personally, but our vision to uplift all of

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 2 possible today as there are currently no large event
 3 facilities in the area.
 4 That's why I'm here in front of you today,
 5 in front of Ontario IDA, to present a case for tax
 6 parity with a neighboring hotel. In asking for parity
 7 with the Lake Shore Drive Hotel, our aim is to allow
 8 both properties to be successful by leveling the
 9 playing field. When our hotel and the neighboring
 10 Tapestry by Hilton opens next year, together we can
 11 attract bigger events and conferences, drawing greater
 12 opportunity.
 13 To support the significant economic event
 14 that our hotel will bring to the community, we are
 15 seeking a pilot to help offset some of the development
 16 costs which will minimize the risk and stabilize the
 17 project. The County has already provided a similar
 18 pilot tax abatement subsidy to the Tapestry.
 19 According to independent research, a tax
 20 liability was reduced for the Tapestry and not for the
 21 Inn on the Lake. The competitive landscape was
 22 skewed, significantly affecting the Inn on the Lake's
 23 ability to compete. The study also outlined potential
 24 economic growth at stake. Our hotel will support the
 25 Finger Lakes Visitor Connection, greatly enhancing

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 2 Canandaigua.
 3 When we were children decades ago, Bill
 4 Calydo (phonetic), my partner on this project, vividly
 5 remembers watching our grandfather, Martin Sands,
 6 declare that the Inn on the Lake had fallen into
 7 disrepair and that someone ought to take over for the
 8 good of the town. Our family has been very blessed
 9 and very dedicated and has always stepped up to be
 10 that someone.
 11 Billy and I spent years walking the
 12 property envisioning yet another future for the hotel.
 13 And today we are in the midst of building something
 14 that will do our community proud.
 15 While the Inn on the Lake's new official
 16 name will be revealed later this year, this
 17 independent resort will become the premier destination
 18 for weddings, events and dining experiences, making a
 19 significant draw for the City of Canandaigua and a
 20 victory for local businesses. The events campus will
 21 enable Ontario County to host everything from small
 22 municipal meetings for 50 guests to international
 23 conferences to 500 attendees. These spaces will
 24 create significant and sustainable economic
 25 development and job opportunities, which are not

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 Canandaigua's offer with 125 guest rooms, an event
 3 barn, a pool and year-around hot tub, a spa, a
 4 wellness center, completely new seawall and boardwalk,
 5 and accessible kayak launch, several meeting rooms and
 6 open-concept restaurant with expanded lake view and
 7 outdoor seating, and the re-imagined Sand Bar, a hot
 8 spot that has and always will be a hub for all
 9 Canandaiguans.
 10 The project will also create dozens of new
 11 jobs, both on the property and in the area, as a
 12 result of the increased interest in the City. During
 13 the first ten years the economic impact generated from
 14 the Inn on the Lake is estimated at approximately \$650
 15 million, including both construction costs and
 16 spending from future guests.
 17 The Inn on the Lake pilot proposal, which
 18 was crafted only to achieve parity with the abatement
 19 grant for the Tapestry project, would freeze the
 20 current assessment on the property for the first ten
 21 years --
 22 MR. DAVIS: 30 seconds.
 23 MR. BENNETT: -- following completion of
 24 the Inn on the Lake.
 25 As we have before, our family is driven to

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 further raise the bar for our region. Like CMAC, the
 3 Inn on the Lake will create a new home for family
 4 gatherings and experiences. This project will also
 5 become a new benchmark for sustainable building.
 6 Together with the IDA we hope to realize a vision for
 7 a world-class experience Canandaigua and create
 8 long-term, economic growth for the City. Thanks.
 9 MR. DAVIS: Thank you.
 10 Gretchen Hoekelman.
 11 MS. HOEKELMAN: My name is Gretchen
 12 Hoekelman. I live at 96 Hubbell Street in
 13 Canandaigua.
 14 I respect the Sands family very much. My
 15 parents were friends with Marvin and Mickie. I went
 16 to -- I was a member of the swim team with Richard in
 17 middle school, or eighth grade, so I do know the
 18 family. I've lived here a long time.
 19 I guess I'd like to say, first of all,
 20 it's all relative. What I mean by that is what you
 21 are asking for, you're asking for tax abatement, is
 22 something that most people in Canandaigua would like
 23 as well.
 24 I would wonder if anyone in the IDA knows
 25 what the average income in Canandaigua is at this

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 2 MS. HOEKELMAN: Sorry. I guess I'm
 3 wondering why should the people of Canandaigua, or the
 4 people of Ontario County, take the burden of this
 5 corporation which has, you know, lots of opportunities
 6 to make money, to not pay taxes, and to also give to
 7 people, when people who are making \$50,000 or less in
 8 Canandaigua do not.
 9 When I look at the IDA reports of who has
 10 been given money, what companies, I really feel that
 11 the majority of them are given to companies and people
 12 that already have a lot of money. And I understand
 13 that as a citizen of Canandaigua, I don't have any
 14 rights regarding whether or not you decide this. But
 15 I wanted to just say it's all relative.
 16 MR. DAVIS: All right. Armando
 17 Marianetti.
 18 MR. MARIANETTI: I'm going to stay back
 19 here. I don't have anything positive to add, so I'm
 20 going to withhold any comments at this time.
 21 MR. DAVIS: Karen White.
 22 MS. WHITE: Thank you. My name is Karen
 23 White. I live at 51 Cold Road, and I represent Ward 3
 24 on city council, but my comments today are not
 25 official. I'm speaking as an individual taxpayer.

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 2 point in time. It might be something to check. I
 3 know it's less than \$50,000 a year.
 4 I wonder why you compare your resort, or
 5 the resort that is proposed with the Finger Lakes
 6 resort, which there's no comparison. First of all,
 7 the owner of the Finger Lakes resort, or the owners,
 8 or whoever, we don't even know, have a very, very poor
 9 track record. The people that are in charge of this
 10 project have an excellent track record. They've given
 11 tons to our community, and I really appreciate that.
 12 However, I wondered what, you know, back
 13 when they first asked for, going ahead with the plan,
 14 they said they were not going to need any tax
 15 abatements. Now they do. And I read the report and
 16 it said there was some construction issues that came
 17 up, some land problems, soil problems.
 18 My question is: What is the current value
 19 of the company and all of its holdings? Does anyone
 20 have an answer for that? What kind of money are we
 21 speaking of that this family and/or corporation is
 22 responsible for? Didn't you do a -- you did do a
 23 financial; right?
 24 MR. DAVIS: I was clear in the beginning,
 25 the Board is not answering questions.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 I'm in favor of the redevelopment of the
 3 Inn on the Lake, but I'm also in favor of the owner's
 4 paying taxes on full assessment as they initially said
 5 they would, just like the people who are other
 6 residents of the City and are speaking to you today
 7 do.
 8 Our neighbors do not have a hardship
 9 option for tax relief when things get tough or when
 10 they want to improve their homes. Everyone has water,
 11 sewer, fire, police protection every day, and these
 12 services aren't free. The residents that are speaking
 13 here today, and will speak, are speaking from their
 14 heart, and they simply feel that the pilot will be
 15 unfair. They pay their taxes and support local
 16 businesses. Everyone paying their fair share is the
 17 only way for everyone to survive.
 18 So I'm absolutely opposed to the pilot. I
 19 implore the IDA to review the comments that they hear
 20 tonight, and to take time to make your final decision.
 21 I don't think we should be held hostage by wealthy
 22 developers. I care about Canandaigua and our schools
 23 and our city. And a wise man, Martin Luther King, has
 24 been quoted as saying, "A country that stands for
 25 socialism for the rich and individualism for the poor,

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 will not survive."
 3 MR. DAVIS: Thank you. Renee Sutton.
 4 MS. SUTTON: I'm Renee Sutton. I sit at
 5 57 Academy Place. I represent Ward 4 on city council,
 6 and I consider my remarks here in keeping with what my
 7 constituents have asked of me in terms of representing
 8 them.
 9 Like everyone else that's spoken, I have
 10 no beef with the Sands family. I could live in this
 11 community for 100 years and I could never make as
 12 positive of an impact to Canandaigua that they have
 13 through their philanthropy and their engagement.
 14 But having said that, I'm speaking to
 15 convince the IDA to turn down this pilot request,
 16 whether it's for 10 years or 20 years. This pilot is
 17 the net effect of using public dollars to increase a
 18 profitability of a privately held, for-profit
 19 business. You're contemplating an incentive to a
 20 project that's already underway. It's going to be
 21 built regardless of the success of this application.
 22 The property was demo'ed. The decision made to add
 23 the conference center was made after the pilot was
 24 made to the Finger Lakes Resort. So the benefits of
 25 your analysis project aren't benefits at all because

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 zone benefits allowing them to reduce their capital
 3 gains tax liabilities; 100 percent bonus depreciation
 4 that allows them to write off anything that is
 5 depreciating fewer than 20 years, like carpeting and
 6 swimming pools; alternative energy tax credits;
 7 20 percent deduction on income, that needs absent that
 8 the picture. Absent that, the picture that's being
 9 painted is incomplete at best, misleading at worse.
 10 I encourage you to turn this down because
 11 it's fundamentally unfair that a business not pay its
 12 fair share of taxes. It's the taxes that pay for the
 13 clean water that these inns' guests will drink. It's
 14 taxes that pay for law enforcement that ensures their
 15 guests are safe and feel comfortable in our community.
 16 It's taxes that pay for educating the skilled workers
 17 they're going to need. It's taxes that pay for the
 18 fire department that respond to their alarms, but they
 19 want us, the taxpayers, to pay their share so they
 20 increase their profits.
 21 There's only one row of numbers in all
 22 this that's real, and that's the row labeled "total
 23 estimated cost" that our city, county and school
 24 district will not be receiving if this is approved.
 25 That amount for a 20-year pilot amounts to

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 2 we're getting that revenue regardless. So if the
 3 project is going to be completed anyway, and the
 4 benefits will be realized anyway, all this pilot
 5 accomplishes is the depletion of our revenue because
 6 the benefits were ours all along.
 7 Speaking of the benefits of the analysis
 8 projects, numbers don't add up. The City of
 9 Canandaigua books about 50,000 per year in occupancy
 10 tax revenue, \$45,000 of which is attributable to the
 11 Inn on the Lake. When the Inn reopens with fewer
 12 rooms, by the way, according to your analysis the City
 13 of Canandaigua will start pulling down over \$110,000 a
 14 year in occupancy tax. On what basis is there a
 15 forecast that the City's occupancy tax revenues from
 16 the Inn is going to increase 122 percent?
 17 And while I'm on the topic of the dubious
 18 forecasting, I'd like to comment on the columns and
 19 rows of numbers, and internal rate of return analyses
 20 that the consultants have amassed in order to convince
 21 you that this project is a "no-hoper" absent a pilot.
 22 There's quite a bit missing from this gloomy forecast,
 23 and what's missing is the full complement of tax
 24 credits and shelters that these developers are
 25 certainly availing themselves of, such as opportunity

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 2 \$10.4 million. That's what these developers want this
 3 community to invest in their project. They want to
 4 reduce their risk and have it born by this community.
 5 I don't want the taxpayers to invest in
 6 the Inn on the Lake. I want my tax dollars invested
 7 in infrastructure and education, because that benefits
 8 us all, and that's what public dollars are supposed to
 9 do. This is not fair. This is not right and I'm
 10 asking you to not let this happen. Thank you.
 11 MR. DAVIS: Austin Wright.
 12 MR. WRIGHT: This will probably be very
 13 brief because I have to claim a certain amount of
 14 ignorance. I did not realize that this was going to
 15 be this type of forum. I thought I was just coming to
 16 an open forum to hear you speak about what was taking
 17 place. I didn't realize that there was going to be an
 18 opportunity for community input.
 19 And also --
 20 MR. DAVIS: Could you state your name real
 21 quick?
 22 MR. WRIGHT: I'm sorry. Austin Wright,
 23 5226 Park Meadow Lane, Canandaigua.
 24 Like a number of the previous speakers
 25 have said, there can't be enough good said about the

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 2 Sands family. They are very, very generous with their
 3 wealth, and they have done wonderful things for this
 4 community: Hospitals, concert venues, various in
 5 sundry other things that I probably don't even know
 6 about.
 7 And I'm in a quandary because I really
 8 don't -- I don't know whether this is a good idea or
 9 not. All I know is that the regular folk who are not
 10 well positioned do not have the wherewithal or the
 11 opportunity to even ask for such a thing. I do not
 12 begrudge any family or any person their hard-earned
 13 wealth, because I'm sure that somewhere along the line
 14 there was a Sands that didn't have two nickels to rub
 15 together and they built this thing.
 16 That being said, it always seems as though
 17 people that are positioned like that are able to
 18 acquire opportunities like this, and although it may
 19 be right, and it may be the right thing to do, I don't
 20 know. I'm not a smart enough businessman to know.
 21 There are regular folks -- I'm a retired New York
 22 State employee. There's just something that doesn't
 23 pass the sniff test. And that's all I have to say and
 24 I want to say it without any insult to the project or
 25 the Sands family that I hold in high regard.

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 2 today about the burden of people that are less
 3 fortunate. Well, who do you think they're giving to?
 4 They're not giving to the rich. They're giving to the
 5 less fortunate.
 6 Marvin Sands arrived in 1946, and this was
 7 a beginning of a wonderful community relationship, and
 8 a determination of Marvin to create not just a
 9 successful company, but a community as well, to build
 10 the city and Town of Canandaigua. Marvin Sands said
 11 it is the right thing to do for our community and it
 12 starts in our own backyard.
 13 I'm going to repeat some of the things
 14 everybody else has shared: Thompson Hospital.
 15 Largest employer in Canandaigua, City of Canandaigua,
 16 1,800 employers. The Sands family have created the
 17 Sands Cancer Center. Dr. Laurie Sands and
 18 Constellation Brands Breast Imaging Center. They have
 19 given the Sands lobby. They have just given an
 20 intensive care unit. They have given millions and
 21 millions and millions of dollars.
 22 One woman just stated that you're going to
 23 lose 20 million in taxes in 20 years. I'll be damned
 24 if they did not give over 20 million to your hospital
 25 right here in your own backyard.

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 2 MR. DAVIS: Thank you.
 3 Bethany DiSanto.
 4 MS. DISANTO: Hi. My name is Bethany
 5 DiSanto. I'm the general manager at New York Kitchen,
 6 and also the director of Community Affairs For
 7 Constellation Brands.
 8 When I first heard about this public
 9 hearing I definitely wanted to speak in support of the
 10 Inn on the Lake. I read an article on July 12th in
 11 the "Daily Messenger" that made me say, "I have to
 12 speak."
 13 There was a statement in there made by
 14 Robert O'Brien, a councilman, and it says, "I want to
 15 know why they need this from us?" And I want to say,
 16 why don't they need this from us? Why doesn't the Inn
 17 on the Lake deserve this?
 18 As noted in the tax abatement, if you all
 19 read it, in the Justification Report, basically it
 20 stated economics that are not sufficient to draw any
 21 developer. The economics to rebuild the Inn on the
 22 Lake is not supportive to bring any other developer
 23 here. But you have a family, you have a family, the
 24 Sands family, that have been giving and giving to
 25 Canandaigua for over 70 years. And I've heard a lot

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 The YMCA. You talk about people that are
 3 less fortunate. Right now today I'm working with them
 4 to help the less fortunate in their food securities
 5 and healthy eating.
 6 The Sands family since the 1980s have
 7 given 2.5 million of their own personal dollars to the
 8 YMCA, and they have given their fabulous to the CEOs
 9 to support and grow. They have grown to 6,000 people,
 10 almost six times the size it was back in the '80s, and
 11 this is going back to the burdened.
 12 Canandaigua School District. They give
 13 significant amounts of scholarships to your kids, to
 14 all of those students in Canandaigua, and just
 15 recently -- hidden, nobody knows -- they just paid for
 16 that Brave's field.
 17 For the performing arts, another
 18 opportunity for economic impact report. Over
 19 1 million just in one year to help improve tourist
 20 destinations in supporting our community. I'm not
 21 getting into CMAC and New York Kitchens, because I'm
 22 sure people will say, well, that is giving back to the
 23 fortunate. But they're not reading behind the lines,
 24 and I'll share that any day of the week. No one has
 25 ever complained about the investments the Sands have

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 2 done.
 3 And now today Rob Sands has extended their
 4 giving-back philosophy. They want to share what
 5 they've learned in their business with community
 6 organizations. They want to help a brighter future
 7 for all which is leading right to the Wild Star, the
 8 third generation of the Sands family and the Inn on
 9 the Lake.
 10 I mentioned economics not appealing.
 11 Again, the Sands family, the third generation, is here
 12 to support our community, their community, the Sands'
 13 investment of the Inn on the Lake drives an incredible
 14 economic impact of \$84,000 in just six months alone in
 15 2020. Doug mentioned \$650 million in ten years.
 16 Two points: Tax abatements does not
 17 decrease the amount of taxes the city has been
 18 receiving. They're just not increasing the amount of
 19 taxes they have been receiving.
 20 And further sales taxes are greater than
 21 the abated tax revenue request that they are asking
 22 of.
 23 MR. DAVIS: Time. All right.
 24 MS. DISANTO: I leave you with this: In
 25 1946 when Marvin Sands arrived, what do you think

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 2 encourage economic development and create job growth.
 3 The New York State Industrial Development
 4 Agency Act, Article 18a of the General Municipal Law
 5 was enacted in 1969 to grant decision-making rights on
 6 tax incentives and economic development projects. For
 7 many years the IDA did not review or consider projects
 8 related to tourism like the Inn on the Lake or the
 9 Finger Lakes Resort. And I know Mike probably
 10 remembers us urging them to do that, and we did. We
 11 worked together and urged them to include them,
 12 because tourism is an industry in our area.
 13 Projects like these bring jobs and
 14 businesses to the city and the entire Ontario County
 15 area.
 16 In New York State, IDAs are carefully
 17 monitored by the office of the state controller.
 18 There are clear and precise regulations regarding
 19 reporting IDA activities and analysis of projects.
 20 When this project was first brought forth, the
 21 developer indicated there was not a need for an IDA
 22 involvement. As the project got underway
 23 circumstances changed and they asked for IDA
 24 assistance.
 25 In reviewing the IDA analysis it appears

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 2 Canandaigua would look like if he had said, "I want to
 3 know why they, Canandaigua, needs this from me?"
 4 MR. DAVIS: Time.
 5 Ellen Polimeni.
 6 MS. POLIMENI: So I'm really going to go a
 7 little off-script here in comparison to what's being
 8 said.
 9 MR. DAVIS: State your name.
 10 MS. POLIMENI: Ellen Polimeni, 190 Spencer
 11 Lane here in Canandaigua.
 12 MR. DAVIS: Thank you.
 13 MS. POLIMENI: I am a member of the city
 14 council, and I am here speaking on behalf of myself
 15 today, not in the role as a council member.
 16 First of all, I want to start by thanking
 17 the members of the IDA Board for sitting on this -- I
 18 call it a prestigious board, because it really has
 19 done a great deal over the years for Ontario County,
 20 and I know that it's not easy and I know you take a
 21 lot of flak. So I say thank you to each of you for
 22 being a part of that.
 23 I want to go back to the beginning. In
 24 the 1960s a number of state-enacted statutes that
 25 created was quasi-governmental entities empowered to

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 the project now meets the criteria for approval. I
 3 find some aspects of a request concerning, especially
 4 the request for a 20-year term. However, the cost
 5 benefits analysis tool that they used to assess the
 6 economic impact for the project is a valid tool and
 7 has provided some sound reasoning for approval. I am
 8 pleased that the IDA staff is recommending reducing
 9 the requested 20-year pilot to a 10-year pilot.
 10 The tourism industry is the total of all
 11 businesses that directly provides goods and services
 12 to facilitate business, pleasure and leisure
 13 activities away from the home environment. Tourism
 14 meets the criteria of tertiary industry in our city
 15 and we must not forget that. The City of Canandaigua
 16 needs viable businesses that increase our tax base,
 17 provide jobs and increase business activities. I feel
 18 that both the Finger Lakes Resort and the Inn on the
 19 Lake project will do just that for the city. They
 20 will increase our tax base, and they will provide jobs
 21 and increase business activities, and I thank you for
 22 listening.
 23 MR. DAVIS: Thank you. Mandy Hagadorn.
 24 MS. HAGADORN: My name is Mandy Hagadorn.
 25 I live at 81 Adelaide Avenue right here in

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 Canandaigua.
 3 I'm the marketing and development manager
 4 at New York Kitchen, a local non-profit organization.
 5 On behalf of the New York Kitchen we fully support the
 6 pilot program for the Inn on the Lake project. The
 7 new Inn on the Lake project positions the City of
 8 Canandaigua and all local businesses as a premier
 9 tourist destination for the entire State of New York.
 10 The potential to create a one-tourism campus between
 11 New York Kitchen and Inn on the Lake is vital to the
 12 Canandaigua revitalization efforts to connect the
 13 downtown and growing lakeshore district, thus
 14 increasing tourism and dollars spent in our city and
 15 the entire Finger Lakes region.
 16 In the short time that the Inn on the Lake
 17 has been down, New York Kitchen has experienced
 18 revenue decreases in private events and tasting and
 19 sales of over 30 percent. This is due to the
 20 temporary decline in visitors to the Inn on the Lake
 21 and overnight stays, as many of their visitors and
 22 hotel guests were visiting New York Kitchens, thus
 23 proving the importance of this rebuild and the overall
 24 project.
 25 The one tourism campus would be rebuilt of

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 organizations, so I'm not here to share anyone
 3 sentiments, but I'm here to act as an ambassador of
 4 folks that weren't in the supply or demand market of
 5 tourism and visitor services.
 6 **A significant portion of our efforts focus**
 7 **on capacity building, storytelling and ongoing**
 8 **development of all the businesses and all the workers**
 9 **that exist that make Ontario County what it is today.**
 10 **And to that end we advocate for full and equitable**
 11 **consideration of any and all qualifying applicants to**
 12 **capacity building programs, like pilots, tax abatement**
 13 **programs, or even low-cost loan programs, all of which**
 14 **are customary in today's business climate, and all of**
 15 **these programs exist in our county.**
 16 **Specific to the project at hand, roughly**
 17 **half of our member businesses are directly engaged in**
 18 **hospitality or retail, which this program reflects, I**
 19 **think, both. The chamber maintains a tourist**
 20 **information center downtown. We publish annual pieces**
 21 **welcoming folks to our community and enculturating**
 22 **visitors to what is Canandaigua in comparison to other**
 23 **places. You could say that we live and work the**
 24 **tourism economy.**
 25 **With that said, the chamber has regular**

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 the Inn on the Lake also significantly impacts New
 3 York Kitchens with the opportunity for shared services
 4 between the staff and the potential for new job
 5 creation which supports economic growth and
 6 development.
 7 There's no doubt that the dollars spent at
 8 the Inn on the Lake upon reopening summer of 2020 will
 9 directly increase dollars spent at all Canandaigua
 10 businesses years and decades to come.
 11 Again, New York Kitchen fully supports the
 12 IDA pilot program for the Inn on the Lake project.
 13 Thank you.
 14 MR. DAVIS: All right. Thank you.
 15 Ethan Fogg.
 16 MR. FOGG: I'm Ethan Fogg. I'm actually a
 17 resident of the Town of Waterloo. I don't talk about
 18 that much.
 19 I'm the director of the Chamber of
 20 Commerce for the Town of Canandaigua, and for the
 21 context of this conversation we're a 525-member
 22 business that hail from across five counties. There's
 23 a lot of voices there, a lot of solo shops, a lot of
 24 small business, and a fair share of incredible,
 25 successful, multimillion dollar, some multinational

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1 **IN RE: INN ON THE LAKE PUBLIC HEARING**
 2 **conversations with individuals, families, professional**
 3 **event planners looking to host multi-day events in the**
 4 **community, whether they be weddings, conferences,**
 5 **trainings. Many have a demand for a level of quality**
 6 **or a volume of space that, of late, we've been unable**
 7 **to satisfy. That is just a fact. While we like to be**
 8 **helpful, we find our joy in referring out of the area.**
 9 **Tonight we're expressing our support of**
 10 **the construction of a first-class hotel and conference**
 11 **facility. Period. We are also advocating that**
 12 **members of our business community, members of the**
 13 **chamber, members of the community as a whole, we're**
 14 **asking for full and equitable consideration of this**
 15 **and any application of this type.**
 16 **We're not here to judge the relative merit**
 17 **of programs like pilots. If they exist and they have**
 18 **guidelines, we ask with passion that programs be held**
 19 **to the highest standards, because we want that to be**
 20 **part of what we're known for as a county and as a**
 21 **city, is that whatever we do is top shelf, and while**
 22 **it may cost something, that its yields outperform its**
 23 **costs. Thank you.**
 24 MR. DAVIS: Thank you.
 25 Natalia Hennings.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 MS. HENNINGS: Well, I didn't expect when
 3 I signed up, I thought you just --
 4 MR. DAVIS: Could you just state your
 5 name?
 6 MS. HENNINGS: Yeah. My name is Natalia
 7 Hennings. I'm a teacher. I live on Chapin Street, in
 8 Canandaigua District, and I heard about Sands family.
 9 I don't know them, but I heard a lot of good things
 10 they have done and very wonderful. And also
 11 Sonnenberg Garden. So I know about the work of Ms.
 12 Clark and her husband.
 13 And so my thought is, first of all, the
 14 younger generation are so fortunate to build a
 15 billion-dollar company, should be more adventurous and
 16 more responsible when you take a new project. If you
 17 want to succeed in this world, you take a risk. So go
 18 in right away for tax abatement from, kind of poor
 19 City of Canandaigua. It's not a rich city. And it's
 20 kind of disappointing.
 21 I think we should take an example from
 22 your grandfather and other prominent businessmen of
 23 this area, like Ms. Clark, and in the Rochester
 24 businessmen who are so fortunate and so smart and
 25 lucky to have a lot of support from people and give

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 place.
 3 So interesting that our chamber of
 4 commerce and our tourism goes against our city. How
 5 is that possible? I think it's very troubling
 6 situation.
 7 I personally think that you young
 8 generation should be more progressive, should be more
 9 aware. You need to look with new eyes on the
 10 situation. You need to be more generous, you know?
 11 You need to set the example, not just asking and get
 12 in the line behind the developers, your competitor,
 13 give me, give me money, money, money.
 14 And I personally came from Russia, from
 15 the Soviet Union. I grew up in socialist country. I
 16 know what socialism is. In my country it was for
 17 every single person. Here, for some reason, we have
 18 capitalism for the rich people. It's very --
 19 MR. DAVIS: 30 seconds.
 20 MS. HENNINGS: Thank you.
 21 MR. DAVIS: Well, you've got 30 seconds.
 22 All right. Thank you.
 23 Randy Farnsworth.
 24 MR. FARNSWORTH: Good evening. I'm Randy
 25 Farnsworth. I'm the president of the Randall

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 back. You should think of giving back entirely, be a
 3 complete picture. So go all the way as any successful
 4 businessman should do first thing.
 5 Second, now we see a conflict between the
 6 city council, which most of city council is opposed to
 7 that because it's going to cost increased taxes in our
 8 city, which is our City of Canandaigua has highest
 9 city tax in the area. Our city is very small. It
 10 reminds me of a little step. If we tax the City of
 11 Canandaigua and the Town of Canandaigua united and
 12 have a lot of tax revenue, maybe it would be easier on
 13 that. But right now our city is 60 percent rental,
 14 40 percent children are on welfare getting free food.
 15 It's official data. Almost 35 to 40 percent children
 16 have free lunches at school. That means it's poverty.
 17 So I see our city as poor city. So it's
 18 going to affect our city the most because we have
 19 to -- you know, you guys, billion-dollar company,
 20 millions you save, but we have to pay for you, because
 21 we have to create taxes, and who going to do that?
 22 They going to go after us. They're going to raise our
 23 assessment, increase, maybe, probably increase our
 24 assessment to pitch in for that millions of dollars
 25 you're taking that you already don't need in the first

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 Farnsworth Group in Canandaigua. I reside in Victor,
 3 New York, and I'm here to speak in support of this
 4 pilot.
 5 So I think it's important that not only I
 6 understand the difference between being a local
 7 business, a good community partner, and philanthropy.
 8 Because everyone agrees that the Sands family has been
 9 more philanthropic than any other family in the entire
 10 time that they've lived and worked in Canandaigua and
 11 grown a business, all right, since 1946. My family
 12 has also grown a business starting in Shortsville, New
 13 York, okay, 102 years ago.
 14 You have to understand the risk of being
 15 in business, versus being wealthy as a result of being
 16 very good at business. I understand the problems
 17 today for all Americans, all right, in the direction
 18 that our country is taking.
 19 On the other hand, being successful in
 20 business and then being philanthropic and giving back
 21 to a community that has meant so much to their
 22 success, all right, doesn't have to happen. We've
 23 created a system where we are very fortunate that the
 24 Sands family moved here in 1946; that the Wegmans
 25 family, all right, had a place on the lake, and we

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 have the opportunity to capitalize on their
 3 investments in this community.
 4 I have served with Richard Sands as
 5 co-chair on the YMCA project. I've served with Robert
 6 Sands on American Heart Association fundraiser. I
 7 have served and worked as co-chair of the ICU
 8 Pulmonary Clinic, all right, a \$12 million expansion
 9 of our hospital. Because of the Sands family --
 10 because of the Sands family, the cancer center exists
 11 in Thompson. Because of the Sands family's donation
 12 and the Laurie Sands breast cancer clinic right here
 13 in Canandaigua, they have provided the quality of life
 14 for the residents of Canandaigua through their
 15 philanthropy.
 16 This project, to me, what everybody needs
 17 to think about is they didn't have to do this, and
 18 yes, there was a huge cost overrun, all right, that
 19 wasn't caught. But now to be competitive and to make
 20 this project work, I would say it's almost, if you
 21 believe, and some of you won't believe, okay, the
 22 numbers, but every businessperson has to make a
 23 decision. When I made a \$5 million investment in new
 24 facilities and renovated my own facilities, I had to
 25 make sure I thought those numbers would work. I did

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 family that is willing to put their money on the line.
 3 Thank you very much.
 4 MR. DAVIS: Time. I didn't give you 30
 5 second because I didn't know how long your final
 6 thought would be.
 7 Armando Marianetti, have you changed your
 8 mind?
 9 MR. MARIANETTI: I'm going to stay back
 10 here though.
 11 MR. DAVIS: Make sure you speak loudly and
 12 state your name.
 13 MR. MARIANETTI: I'm going to make it real
 14 simple. Armando Marianetti. I live in Canandaigua.
 15 I've been a business owner in the community for
 16 decades.
 17 If one person doesn't pay, we all pay.
 18 It's that simple. So if you want to be fair, which is
 19 a big word these days, we all pay, and I'm going to
 20 leave it at that, because I think those thoughts are
 21 going through most of our minds.
 22 MR. DAVIS: Thank you. Steve Hubing.
 23 MR. HUBING: My name is Steve Hubing. I
 24 live at 236 Roseland Lane. I'm a member of city
 25 council, but these thoughts are my own.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 not know the impact of retail in the United States
 3 when I made that decision six years ago. We all know
 4 that malls are starting to experience a slow death,
 5 all right, and they are having difficulty getting
 6 people to rent.
 7 Amazon changed the marketplace. In the
 8 period of time tourism in Canandaigua could change,
 9 taxes could change. All right? They're taking a
 10 business risk that if any other person, any other
 11 company, was taking that business risk, this pilot
 12 would be granted. That's why I support it, and we all
 13 know how difficult it is to get a project of this
 14 magnitude from start to finish in the current business
 15 climate.
 16 Finally I'm going to leave you with this
 17 thought. Recently a competitive dealer was bought
 18 right across the street from me by a private
 19 individual who owns 47 dealerships. He flew in in his
 20 plane, he closed on the deal and he flew out. His
 21 ability to be philanthropic, or be a good community
 22 partner, when it's United Way, the YMCA, the community
 23 theater, all right, will never happen. I will
 24 guarantee you that.
 25 We are blessed to have a philanthropic

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 So I get that this is a tough narrative.
 3 This is difficult. I mean, this is a -- I mean,
 4 anybody who's lived here for any period of time has
 5 utmost respect for the Sands family what they've
 6 contributed.
 7 But at the same time, Renee says, and this
 8 is right, this is giving public money to a private
 9 interest. And if that is what it was, if it was
 10 charity, I think we would all have to speak against
 11 it, because there's no real basis for charity here,
 12 but it's not. Sands have always been on the other
 13 side of charity, by the way.
 14 I wish we could just all think about
 15 Saratoga Springs. I've been to a couple conferences
 16 in Saratoga Springs. And during the time of
 17 conference season, you can't get a hotel there. And
 18 do you know who built their conference center? They
 19 did. It doesn't generate any real estate taxes at
 20 all. You can't get a hotel room in Saratoga Springs,
 21 and you're lucky if you can get a dinner reservation
 22 because the occupancy taxes for that conference center
 23 are flowing into city hall all year long. So I
 24 wouldn't give a dime towards this project if it wasn't
 25 for the fact that the people of the IDA say, you know

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 what? This is an investment that's going to yield a
 3 great return.
 4 So some of you know I was really fortunate
 5 to be successful for 18 years, and one of my jobs was
 6 to as the chief executive officer of the taxing
 7 authority to review the various pilot things that came
 8 through town, and I would call Mike up. I have to
 9 tell you, I hold this office beyond reproach. Their
 10 analysis is always spot on. Sometimes we disagree,
 11 but I never question, nor ever would I, their intent.
 12 Their intent is to do what they believe is in the best
 13 economic interests of the citizens of Ontario County.
 14 One of the things that I like about this
 15 process is that the economic decision is held separate
 16 from the political decision. So emotionally this is a
 17 tough sell, you know? The narrative is difficult.
 18 But in terms of the economic benefits, what I say is
 19 if it's clear that the economic benefits to this
 20 project, if there's a way to claw back losses if we do
 21 realize losses, if we're basing this on the track
 22 record and professionalism of this office, then I
 23 would support the staff's recommendations.
 24 MR. DAVIS: Thank you. Well, the last
 25 name on my list. Joe Nacca.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 300,000-square-foot brewery and taproom in Chicago,
 3 Illinois. He must have got the best tax break there.
 4 Right? No.
 5 Here's what he said: And I'm censoring it
 6 because Tony is a little salty. "I don't feel the
 7 government should be looted by businesses. They don't
 8 need the money, so why ask for it?" Now he said, "I'd
 9 rather they have more midnight basketball and fill
 10 potholes. Don't give the money to me." Tony McGee
 11 went on to say, "I'm not willing to squeeze the other
 12 business owners, the small business owners, and the
 13 other property owners who would have to reach into
 14 their pockets to subsidize my tax break."
 15 So how did this guy do without that money?
 16 He must have gone broke. You can't survive without
 17 these tax breaks. Well, he built his brewery. He
 18 hired 125 people. He gave Chicago a jolt in the
 19 economy, and he sold his brewery to Heineken for over
 20 \$100 billion. Isn't that amazing?
 21 I don't know if Tony is a philanthropist
 22 or not. He seems like a pretty good guy. He's a
 23 businessman. He could have taken the money like
 24 MillerCoors did in Chicago for \$24 million in tax
 25 breaks, but he didn't take it.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 MR. NACCA: Early in my career of coming
 3 to these hearings -- Joe Nacca, Canandaigua -- and I
 4 got cut off and it's stuck in my craw ever since
 5 because there's a multimillion-dollar decision here
 6 and somebody said, "Joe, cut it short." Like I
 7 couldn't take five minutes? That was Pinnacle North,
 8 another great decision. So I'm pleading, if I talk a
 9 little slow and you don't like what I'm saying.
 10 So I'm going to start with a little prop
 11 just to change the pace. This is Lagunitas, Little
 12 Sumpin' ale. It's not bad. This is an empty bottle,
 13 of course. You might wonder why I brought it.
 14 On the bottom here, among other things, it
 15 says, "The Lagunitas Brewing Company, Petaluma
 16 California, and Chicago, Illinois."
 17 Well, Tony McGee founded the Lagunitas
 18 Petaluma, California, in 1993. It became one of the
 19 biggest craft breweries in America.
 20 So in 2013, Mr. McGee decided to expand to
 21 the Midwest. Well, naturally all the economic
 22 development agencies came flocking to Mr. McGee with
 23 offers of tax breaks, community development block
 24 grants, public money. They all wanted Lagunitas
 25 Brewery. Well, Tony decided on Chicago. He built a

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 So what's the moral of the story? The
 3 economic development agencies and their business
 4 partners, they like to pedal the narrative that
 5 without these tax breaks the local economic engine
 6 will come to a standstill.
 7 MR. DAVIS: 30 seconds.
 8 MR. NACCA: These are the new normal.
 9 Everybody gets them. Well, not Tony McGee. He didn't
 10 get them. And he exposed that narrative, the
 11 narrative we've heard tonight -- not about the Sands
 12 family. I'm sure they're great people, and I'm sure
 13 this is a great project, which is why it doesn't need
 14 tax breaks. They're going to make a fortune off of
 15 it. They don't need any tax breaks.
 16 MR. DAVIS: Time.
 17 MR. NACCA: I've got one last sentence.
 18 MR. DAVIS: Very quickly.
 19 MR. NACCA: Tony McGee and this bottle
 20 exposed that narrative for the sham that it is. This
 21 business should pay the exact same property tax as
 22 every small business owner and every homeowner in
 23 Canandaigua. Thank you.
 24 MR. DAVIS: Bob Palumbo.
 25 MR. PALUMBO: Bob Palumbo, 59 Gorham

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 Street in Canandaigua.
 3 I'm currently on city council also,
 4 representing Ward 2, and these are my thoughts and
 5 thoughts of the constituents that have called and
 6 talked to me about this.
 7 I did, in the last pilot program, look at
 8 this as something the city needs. The taxes that
 9 could come from this project we need. It's when we
 10 get a building, a structure like this, that increases
 11 our need for fire, police, infrastructure of the city,
 12 and as we sit on city council and go through the
 13 budget process, the tax base of the city is our
 14 number one place to get revenue. And to have this
 15 project not turn into that, not turn in that revenue,
 16 hurts everyone in the city.
 17 And I was very pleased when this project
 18 was first talked about, that it would be the family
 19 and the project was not going to be looking for tax
 20 breaks. I was very happy to hear that. Then they ran
 21 into construction problems, but I still really would
 22 like to see this revenue come to the city. And at
 23 least, the value this property, I think before the Inn
 24 was taken down was around \$11 million. And at
 25 minimum, if there is a pilot that would be structured

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 School. They met as a result of my mother working
 3 with my aunt at the telephone company.
 4 I have given this example just to say, you
 5 know, we have roots here in this community. My
 6 grandparents are buried in South Farmington Cemetery.
 7 I grew up, I believe down the street from Randy. I
 8 grew up on Church Street. Again, I have roots, very
 9 long-standing roots in this community. Both my
 10 children are graduates from the Canandaigua Academy.
 11 Fifteen years ago my husband and I had the
 12 opportunity to move right here onto Chapin Street. We
 13 were living in the Canandaigua District in Farmington
 14 but decided to move here in town. The house we bought
 15 at 239 Chapin Street was hurting. It was hurting
 16 pretty bad. It was what we could afford on his
 17 salary, and at that time I was working part-time,
 18 opposite my husband's schedule to keep our children
 19 out of childcare. So I was working part-time.
 20 Part-time.
 21 My husband was working full-time as a
 22 military technician. He was also required to be in
 23 reserves, which means he's gone once a month and
 24 usually a month in the summertime. We managed.
 25 In this time, since we bought that house

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 at the \$4.1 million that was proposed. I was glad to
 3 hear it was going to 10 years, not 20, that's a plus.
 4 Less than that would obviously be better.
 5 The city already has a third of the
 6 property in the city is tax exempt, which already
 7 burdens, you know, a tremendous amount of people, and
 8 the rest of that has to fall on the taxpayers that do
 9 pay taxes in the city.
 10 So for those reasons for the added
 11 services that I think are needed to safely, you know,
 12 cover a structure like this, I'd really like to see
 13 more of the tax dollars come to the city. And, again,
 14 enough can't be said for what the Sands family has
 15 done for this city through the decades. But I really
 16 think that I'd really like to see the tax dollars come
 17 to everyone in the city and, in fact, the taxpayers
 18 and homeowners do not have to pick up the slack that's
 19 going to be generated by the loss of taxes from this
 20 property. Thank you.
 21 MR. DAVIS: Amy Foster Collins.
 22 MS. COLLINS: Amy Foster Collins. I live
 23 at 239 Chapin Street here in Canandaigua.
 24 I grew up in Victor. My mother graduated
 25 from Victor. My father attended the Cheshire Union

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 17 years ago, we have -- my husband put in a new
 3 kitchen. My husband remodeled both bathrooms. My
 4 husband did the floor and remodeled our living room
 5 area. My husband did both the children's bedrooms,
 6 taking linoleum of their floors and sanding it down to
 7 wide pine flooring restoring the original flooring.
 8 My husband is now in the middle of renovating our
 9 porch and our dining room. We have had our driveway
 10 blacktopped. We had a 24-by-24-foot garage put up.
 11 August 31st we will be having a new patio put on the
 12 back of our house, along with some patio work done
 13 behind our garage.
 14 I'm sharing this. We did this. We did
 15 this. We did this without taxpayer help. Indirectly
 16 we are contributing to the value of our neighborhood.
 17 We have helped raise the value of our neighbor's home
 18 without taxpayer contribution. You know, this has
 19 been our project. We have done it.
 20 We contribute in donations. We may not
 21 have the money that the Sands family have, but we do
 22 contribute. We do donate money also. Like I said,
 23 not to the volume and amount they do, but we also
 24 contribute to charitable causes.
 25 I completely respect the Sands family.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 Bless you and thank you for all you do. I'm an RN so
 3 I do appreciate the ICU. Thompson desperately needed
 4 that. I appreciate the Sands Cancer Center. I have
 5 fellow RNs that work there that I've worked there in
 6 the past. I completely respect that.
 7 But my husband and I have managed to do
 8 everything they're doing, on a much smaller scale, but
 9 we've managed. We've managed without any kind of tax
 10 break, except for my husband's veterans tax break that
 11 he's earned. He's been in the military for almost 43
 12 years. I think he has earned that tax break. It's
 13 miniscule. Our family has earned it with our time
 14 away from him. But we have done it. We have not got
 15 a dime from anybody to do all this improvement in our
 16 house. We do the financial contributions to
 17 charitable organizations, and we have contributed,
 18 like I said, to the value of our houses that are
 19 around. The house was hideous. We're working on it,
 20 and we will continue to work on it with our money.
 21 Thank you.
 22 MR. DAVIS: Joe Stefcu.
 23 MR. STEFCO: Good evening. My name is Joe
 24 Stefcu. I'm president of Rock 2025. I'm also an
 25 Ontario County resident and taxpayer. I'm here to

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 attractions in our own backyard, what really makes
 3 tourism different is its ability to draw dollars into
 4 our region. People visit, stay, recreate and spend.
 5 And that's why continuing to invest in that ecosystem
 6 is so important.
 7 One form of investment, of course, is
 8 ensuring amenities and spaces are added in ways that
 9 are financially sustainable and economically balanced.
 10 Destination services in the report that
 11 was cited earlier estimates that this project would
 12 generate more than a half billion in total economic
 13 impact, construction and guest spending by 2027, with
 14 more than 60 percent of guest spending originating
 15 from outside Ontario County.
 16 And the key to financial sustainability
 17 and economic balance is ensuring that investments
 18 within the tourism and ecosystem are done in ways that
 19 are equitable among investors, provide parody, but
 20 also vitally important to the community and its
 21 taxpayers.
 22 One thing we know about successful
 23 incentive strategies across the country is that
 24 inter-project equity or parody is essential,
 25 especially for projects in common industry sectors

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 speak in support of the proposed project and also to
 3 offer some perspective on not only why I think the
 4 development is important to our region and can have
 5 catalytic economic benefits, but also how successful
 6 incentive strategies need to ensure inter-project
 7 equity, or parody, and also be structured in ways that
 8 result in net positive fiscal impact on the community
 9 and its taxpayers, and I believe this project does
 10 both.
 11 Over the past ten years our region's
 12 leisure and hospitality industry has grown by
 13 13 percent. Our accommodation and food service
 14 industry has grown by 14 percent. And our food
 15 services and related establishment industry has grown
 16 by 18 percent. And the data, some of which were cited
 17 tonight, indicated that our tourism industry is poised
 18 to continue growing.
 19 The Finger Lakes Visitors Connection
 20 report that was released earlier in the spring speaks
 21 to the high probability of continued market growth in
 22 meetings, events and conferences, especially here in
 23 Ontario County.
 24 And while those of us who live and work
 25 here are fortunate enough to have world-class

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 where incentives are applied equitably. And in
 3 targeted ways, the community can deepen its capacity
 4 to compete for economic activity and benefit.
 5 But where that parody isn't maintained, it
 6 can create an unequal situation, and that impact gets
 7 magnified when those projects are in the same space or
 8 in the same sector. They provide similar services and
 9 compete for similar customers.
 10 The other intent of any successful
 11 incentive strategy is that the value of any abatement
 12 should be eclipsed by the overall economic benefit of
 13 the project to the community, and that is certainly
 14 the case here. The combined sales taxes alone, sales
 15 taxes alone, are greater than the proposed abatement
 16 in tax revenues, and the overall abatement is less
 17 than 1 percent of the project's projected overall
 18 economic impact.
 19 So in closing I'll just affirm that
 20 tourism and the sectors in this community and county
 21 that support it remain vitally important parts of our
 22 county's economic ecosystem, continued investment in
 23 them, particularly during a time of growth, it is
 24 important to ensuring that our world-class attractions
 25 continue to be regional and national draws and we can

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 continue to support them. Thank you.
 3 MR. DAVIS: All right. I am currently out
 4 of names. Is there anyone else that wishes to speak?
 5 Please step to the podium and state your name.
 6 MR. YARGER: Good evening. My name is
 7 Michael Yarger. I represent a group called
 8 Canandaigua 2020. We're a Facebook group. And I'd
 9 like to speak regarding this proposal.
 10 First, I'd like to salute the Sands and
 11 all their generations. This is not an attack on them.
 12 And I think most of the speakers tonight have done a
 13 very good job of pointing out that we aren't attacking
 14 the Sands family. They've been extremely generous to
 15 our community and we greatly appreciate that.
 16 The question here is about this pilot
 17 program. And I'd like to start out by saying that
 18 this is a game, and it's a game run by the IDA. It's
 19 a game which takes money out of the pockets of poor
 20 people and puts it into the pockets of rich people.
 21 One only needs to look at Lake Shore Drive to see the
 22 impact that this is having in our community. Look at
 23 the bird cage that was a stalled project for so many
 24 years that had gotten an IDA pilot agreement. Let's
 25 look at Pinnacle North. They got an IDA pilot

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 We are a great community. We shouldn't be
 3 giving out tax breaks just to get developers to come
 4 in here to do work that people want to do anyways.
 5 That's my time. Thank you.
 6 MR. DAVIS: Anybody else who would like to
 7 speak?
 8 MS. KENYON: Good evening. My name is
 9 Laura Kenyon. I live at 57 Granger Street, and I'm a
 10 taxpayer here in Canandaigua and Ontario County.
 11 This evening we've heard extensively from
 12 the Sands family about their investment in
 13 Canandaigua. And it's undeniable that our community
 14 has benefited from their generosity and charity. But
 15 the Inn on the Lake is a for-profit business. It
 16 benefits from its place on our lake. It benefits from
 17 the workforce we provide. It benefits from the
 18 dollars we spend there.
 19 It also benefits from the government
 20 services that I, and every Canandaigua resident, pays
 21 into. So the Inn on the Lake does not need to receive
 22 further benefit in the form of payment in lieu of
 23 taxes. The project does not need a pilot to continue,
 24 it doesn't need a pilot to be successful, and doesn't
 25 need a pilot to be profitable. I look forward to the

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 agreement. Again, that's a stalled project, and you
 3 guys don't have a great track record when it comes to
 4 this.
 5 Now, the developers are asking for parody
 6 here. That's fantastic. Let's talk about parody here
 7 for a minute. Okay? They are saying that they have
 8 to pay more taxes than the guy down the road. Okay?
 9 So they should have to pay less. But by their paying
 10 less, it increases it on the rest of the community.
 11 Well, where's the parody in that to us?
 12 Right? None of us get this tax break. That's not
 13 fair. You know, I don't hear the developers screaming
 14 for parody when it comes to their restaurant, New York
 15 Kitchen. The folks at New York Kitchen are
 16 non-profit. They don't pay property taxes. And every
 17 other restaurant in the City of Canandaigua is paying
 18 their property taxes. And you don't see that going
 19 on. And they're not asking for parody there. So that
 20 gives them an unfair advantage when it comes to
 21 restaurants.
 22 I don't like this game. I don't like the
 23 IDA. I don't think the City of Canandaigua is the
 24 ugly stepchild that you have to pay somebody to take
 25 the prop.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
 2 day it opens. I look forward to going to the spa.
 3 Sounds great. But I urge the IDA to turn down this
 4 ask.
 5 MR. DAVIS: Any other speakers?
 6 MR. TORPEY: Steve Torpey, 41 Yacht Club
 7 Drive.
 8 When Pinnacle North came in front of you,
 9 the word was "certainty." How can you expect anyone
 10 to invest without certainty?
 11 Now, the word has changed to parody, but
 12 it's all the same thing. Everybody is looking for
 13 free money from the taxpayers. It's got to stop
 14 someplace. It's got to stop someplace, and this might
 15 not be a bad place. Thank you.
 16 MS. SCOTT: Donna Scott, Scotland Road.
 17 I can support this pilot provided if I can
 18 get a guarantee that my taxes will not be going up for
 19 the next 10 or 20 years.
 20 MR. DAVIS: Anyone else?
 21 MR. KELLMAN: I'm Bob Kellman, 109
 22 Deerfield Drive.
 23 I have been in Canandaigua many years.
 24 I've built many projects in Canandaigua: Town Harbour
 25 Island, Calman Place. All those were built to a

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 market. I was given three years to complete Town
3 Harbour Island when Mark IV pulled out. I was given
4 three years when Columbia Bank transferred the
5 property to me. I built it to a market. I built to
6 an empty-nester market. The market supported the
7 project. I didn't receive tax dollars. The market
8 supported it.
9 Now, what's happening from what I see,
10 it's changed. Now we see very wealthy developers
11 taking over the projects in the lake area. They get
12 approval for the projects. Then they start this
13 appeasement process, or whatever you might want to
14 call it. "If I don't get grants, the project's going
15 to fail."
16 All of a sudden they get millions of
17 dollars of taxpayers' money. They come back and say,
18 "If I don't get tax reductions, the project will
19 fail." They get 20 years of tax reductions. This
20 appeasement process doesn't end. They keep coming
21 back.
22 Recently they just come back and said, I
23 need the boat dockage. So what's going on? If you
24 look at these projects, the money didn't support,
25 didn't make the project successful. If you look at

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 when you develop a project -- these people have the
3 money to finish the project, there's no question about
4 that. They are very, very wealthy people -- but the
5 project has to be built to a market, and hopefully
6 that market will support the project.
7 And in addition you hope that market that
8 builds to this product, and the businesses that
9 profit, provide characteristics to the community and
10 characteristics that's identified the community.
11 That's extremely important. Thank you.
12 MR. DAVIS: Anybody else have anything
13 different to add? You've already spoken.
14 MS. SUTTON: I didn't use my full four
15 minutes.
16 Tax incentives should be considered for
17 the businesses that would -- projects that would not
18 otherwise come to this community. This project is
19 here. This project is underway. And when we talk
20 about the things growing in Ontario County, let's
21 consider things like the poverty rate that's growing
22 in Ontario County, food insecurity that is growing in
23 Ontario County. The impact of the opioid crisis
24 that's growing in Ontario County. Those need to be
25 the things we are measuring the IDA's success against.

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 these projects down there, you got fences around the
3 projects, and behind the fences, what do you see? You
4 see piles of dirt. You see construction trailers.
5 You see a structure of a building. The businesses
6 that were there are gone. The money that was donated
7 and given from tax dollars to these projects didn't do
8 anything to support the success of those projects.
9 If you don't have a market and you don't
10 build to the market, it's not going to work, no matter
11 how much money you get. The thing is what's
12 important, small businesses provide the community.
13 It's the small businesses such as he was talking
14 about. It's those small businesses that make a
15 community. It's those small businesses that donate
16 their services to the community. It's those small
17 businesses that become integral to the community and
18 provide and promote and support the communities by tax
19 dollars that they support. Without the small
20 businesses there'd be no community. It doesn't matter
21 how much money you keep giving these millionaires, it
22 isn't going to help.
23 I really feel very strongly about it
24 because it's been very successful to me in my past.
25 So the thing is what I think is very important is that

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1 IN RE: INN ON THE LAKE PUBLIC HEARING
2 Those are the things we need to measure. What we're
3 doing as a community, that's what we need to be making
4 investments in. This project is already here. This
5 isn't an incentive. It's a handout.
6 MS. WALLACE: I just want to add a little
7 levity to this whole thing.
8 My name is Cindy Wallace, and I'm a
9 native. I'm very much against this pilot. I've known
10 the Sands family my whole life. I've interacted with
11 Marvin on a daily basis in business and personally for
12 probably over 40 years.
13 I believe that Marvin and Tony, Joe's
14 friend, would be having a little cocktail at the
15 Colonial saying, "Let's work together to help this
16 community."
17 Don't do this. Please.
18 MR. DAVIS: Everybody has had a chance to
19 speak. Whoever has spoke already, we're not going to
20 go through another round. We'd be here until
21 3 o'clock in the morning.
22 So is there anybody who hasn't spoken who
23 wishes to speak?
24 That concludes this public hearing.
25 (TIME: 6:29 p.m.)

1
2 C E R T I F I C A T I O N
3 STATE OF NEW YORK:
4 COUNTY OF ONTARIO:
5 I, TAMMY B. FIGLER, do hereby certify that
6 I reported in machine shorthand the above-styled
7 cause; and that the foregoing pages were produced by
8 computer-aided transcription (CAT) under my personal
9 supervision and constitute a true and accurate record
10 of the testimony in this proceeding;

11 I further certify that I am not an
12 attorney or counsel of any parties, nor a relative or
13 employee of any attorney or counsel connected with the
14 action, nor financially interested in the action;

15 WITNESS my hand in the City of Farmington,
16 County of Ontario, State of New York.

17
18
19 *Tammy B. Figler*
20
21

TAMMY B. FIGLER
24 Freelance Court Reporter and
 Notary Public No. 01FI4573724
25 in and for Ontario County, New York

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