



## INDUSTRIAL DEVELOPMENT AGENCY

**Meeting Minutes**  
**Monday, May 23, 2016**  
 Economic Development Conference Room  
 20 Ontario St  
 Canandaigua, NY 14424

| <b>Members Present</b>              | <b>Members Excused</b>            |
|-------------------------------------|-----------------------------------|
| Mike Davis, Chair                   | Andy Molodetz, Vice Chair         |
| Lewis Zulick, Treasurer             | Supervisor Jeff Gallahan, Member  |
| Laura Pedersen, Secretary           |                                   |
| David Reh, Member                   | <b>Guests Present</b>             |
| Kelly Mittiga, Member               | Carla Biuso, MCA                  |
|                                     | Matt Horn, City of Geneva         |
|                                     |                                   |
| <b>Staff Present</b>                | <b>Contract Staff</b>             |
| Mike Manikowski, Executive Director | Jim Coniglio, Underberg & Kessler |
| Michael Wojcik, CFO                 | Bill Weir, Nixon Peabody          |
| Suzanne Vary, Staff                 | John Mackowiak, Dixon Schwabl     |
| Melissa Doyle, Staff                | Jim Dolan, McFarland Johnson      |
| Diane Foster, Staff                 |                                   |

**CALL TO ORDER:** Chair, Mike Davis, called the meeting to order at 5.01 p.m. A quorum was present.

**NEW BUSINESS:**

***MCA/Omnitech:*** Suzanne Vary introduced Carla Biuso with MCA Group, LLC; a real estate property management company. Ms. Vary explained that MCA would like to retain the current tenants in the 7640 and 7650 Omnitech Place locations in Victor. L-3 GCS is their current tenant in these locations. She explained that the lease for 7640 has expired and the lease for 7650 expires in 2017. She reported that the 7640 location was in a PILOT that expired in 2011 that the 7650 location PILOT is in its eighth year. L-3 is a world-wide company that hired CBRE to broker all their leases. MCA has requested a PILOT for the two buildings to freeze the taxes at the level they are at now for a ten year period and a sales tax exemption on improvements. They expect to retain 150 jobs and plan to invest \$300,000 in improvements.

Mike Manikowski reiterated that L-3 is a global company that has operations all over the world. They are a satellite communications company. He stated that it has been tenuous on whether they

will stay or go as tenants. He stated that the PILOT, if created, would allow MCA predictability in the amount of taxes their tenant would pay. They are saying the amount of taxes will stay the same for ten years.

Carla Biuso explained that Global Communications Solutions, was a small company from Fairport that moved to Omnitech Business Park in Victor. The company grew and expanded into a second building there. Shortly after the expansion, L-3 Communications, a \$10.5 billion corporation with 66 locations within the US and another 20 throughout the world, purchased Global Communication Solutions. As a tenant for MCA, L-3 has over 80,000 square feet and MCA would like them to stay as a tenant. Ms. Biuso explained that the company would like to combine the two leases into one lease to have the same expiration date. Because the company is so large, MCA is obligated to negotiate with the L-3's real estate broker. L-3 has stated that they will not commit to a lease any more than five years and would prefer only three. MCA is appealing to L-3 to stay at their current location offering an incentive which includes the proposed PILOT agreement. She noted the average salary for L-3's 150 employees was approximately \$104,000.

Following a full and frank discussion concerning the effect of the PILOT already in place and the benefits of the proposed PILOT; *Lew Zulick made the motion to hold a Public Hearing for MCA's request for a PILOT. Laura Pedersen seconded the motion. Motion carried with four members in favor and Mr. Dave Reh opposed.*

Carla Biuso exited the meeting at 5:33 pm.

***Industrial Park Partnership:*** Matt Horn, Geneva City Manager, reviewed the background of the Geneva Enterprise Development Center (GEDC). It is a commercial and industrial incubator located at 122 North Genesee Street in Geneva. It was an American Can Factory which sat vacant for a very long time. The City and County acquired and redeveloped the facility in the late 1990's. Mr. Horn stated that the facility is now home to 15 firms with 50 jobs on site. Mr. Horn also shared a success story with a company called QwikSolar that had sales of \$276K to \$3.8M and grew from 2 employees to 16 employees.

Mr. Horn explained that in 2014, a lease with a bit coin firm required a high volume of electricity. As part of the site buildout and startup for this tenant, GEDC discovered the facility's electrical service had not been updated since the closing of the American Can facility. An electrical engineering firm estimates it will cost \$300,000 - \$500,000 to update the electrical. The facility had another tenant that abandoned approximately 50,000 square feet of electronic waste, resulting in an estimated \$200,000 - \$400,000 of clean-up.

Mr. Horn explained the critical nature in having the electrical updated and the clean-up in order to retain and recruit tenants. To cover these costs, a finance plan totaling \$750,000 was crafted, with \$600,000 from a commercial mortgage and \$150,000 drawn from the Geneva Industrial Park Partnership Fund. Because OCIDA holds a 22.06% share of all park assets, including the partnership fund, Mr. Horn requested permission to draw on the OCIDA's share in the amount of \$33,090.

*Kelly Mittiga made a motion to approve the drawdown of funds in the amount of \$33,090. Laura Pedersen seconded the motion. Motion unanimously carried.*

Matt Horn exited the meeting at 5:47 pm.

### **OLD BUSINESS:**

**Airport Update:** Jim Dolan of McFarland Johnson (MJ) informed the board of the status of several projects.

### **Grants and Upcoming Projects**

- **New York State Aviation Capital Grants:** MJ expected to receive word on decisions for 2015 NYSDOT Aviation Capital Grants by now. Word may come in the June time frame, but inquiries to NYSDOT Aviation received a consistent “we don’t know”. They have told MJ that applications have been reviewed and ranked for quite some time.
- **FAA Grants:** Based on conversations with FAA New York Airports District Office and available grant funds, MJ has submitted updated Airport Capital Improvement Plans (ACIP’s) to the FAA with a request for their concurrence. The FY2017 – FY2021 ACIP is available. Notable updates:
  - Snow Removal Equipment Building design would begin in 2016;
  - Bids for the construction of the SRE building will be let and constructed in 2017;
  - Main Aircraft Parking Ramp Rehabilitation will be bid and constructed in 2018.
- ❖ ***MJ requested a resolution to:***
  - Submit a grant programming package to FAA for the design of a new Snow Removal Equipment Building. Total project design cost is \$72,222, with \$65,000 in Federal Share, \$3,611 in NYSDOT Share and \$3,611 in OCIDA support. MJ will submit a final grant application to FAA for the above-referenced project;
  - Accept the FAA grant offer;
  - Pending acceptance of the project by FAA and receipt by OCIDA of a FAA of a Grant Offer, execute a Task Order with McFarland Johnson, Inc. for design of the SRE Building, on a cost plus fixed fee basis of \$72,222.
- ❖ ***Lew Zulick made a motion to approve the above referenced request. Dave Reh seconded the motion. Motion unanimously carried.***

### **Current Projects**

- **Airport Master Plan Update:**
  - MJ continues to progress the master plan update.
  - The first Tactical Advisory Committee (TAC) and Public Information Workshop meetings were both held on May 2<sup>nd</sup>, with very good participation and public input received at both.
- **Jet-A Fuel Tank:**
- ❖ ***MJ requested a Change Order:***
  - New fuel pumps were specified without protective covers, due to concerns about fitting the new fuel tank and pumps within the grant budget. With construction complete, there is a balance of \$61,186 remaining in the grant.
  - Ontario County Code enforcement, at the final inspection, requested additional vehicle impact protection (concrete bollard posts) to be installed around the new fuel pumps and island.

- To address the above two items, and increase the longevity of the new equipment, MJ would like to request a change order to be approved by NYSDOT Aviation, for two stainless steel or aluminum covers, to be fabricated and installed over the AvGas & Jet-A fuel pump skids, and the addition of five new concrete bollard posts. Costs:

|                         |                                                   |
|-------------------------|---------------------------------------------------|
| Fuel Pump Skid Covers:  | \$14,258 (Say not to exceed \$15,000)             |
| Concrete Bollard Posts: | \$3,070 (Say not to exceed \$4,000)               |
| <b>Total:</b>           | <b>\$17,328.00 (Total Not to Exceed \$18,000)</b> |

- OCIDA Share, at 10%, would not exceed \$1,800.00
- All of the above would be pending approval by NYSDOT Aviation Bureau.
- Grant was accepted at the full value of \$475,000, so OCIDA would not incur any additional cost outlay beyond the \$47,500 already approved.
- ❖ *Kelly Mittiga made a motion to approve the request for change order. Lew Zulick seconded the motion. Motion unanimously carried.*
- **Sanitary Sewer:**
  - State Environmental Quality Review (SEQR) needs to be completed for this project.
  - The project should be classified as an “Unlisted Action”, requiring completion of a Short Environmental Assessment Form (EAF).
  - MJ has completed the Short EAF
- ❖ *MJ has requested a resolution as follows:*
  - That OCIDA classify this project as “Unlisted Action”
  - The OCIDA act as Lead Agency. Send out a coordinated review request no later than May 26<sup>th</sup>, so that results will be ready for review and discussion at the June OCIDA Board meeting.
- ❖ *Laura Pedersen made a motion for the Sanitary Sewer Project to be classified as an Unlisted Action and for the OCIDA to declare themselves as Lead Agency and to have MJ complete a 30 day coordinated review. Lew Zulick seconded the motion. Motion unanimously carried.*
  - Comments have been received from NYSDOT Aviation Bureau, and MJ has issued responses to NYSDOT.
  - Project has been fully reviewed by Ontario County DPW, and comments addressed
  - Advertisement for bids should begin first week of June.
  - Bid opening should be third week in June. Followed by contract award, with construction beginning in July/August.

## **Airport Management**

### **Fourth year extension for Airport Management:**

OCIDA has created the “Manager of Strategic Assets” position in the strategic plan. That position would include management/oversight of Canandaigua Airport; however it is not likely to become an active position until 2018. Mike Manikowski discussed a year four airport management agreement with McFarland Johnson and the Canandaigua Airport Committee. The year four agreement would aid OCIDA and the airport in continued pursuit of airport

hangar development, transition of FBO services, business development and daily airport management through 2017, until the new Manager of Strategic Assets position is filled and active. MJ is to develop a Year Four detailed estimate and work program, and present it to the OCIDA Board for review and approval at the June, 2016 OCIDA Board meeting.

**Land Purchase:** Dave Reh stated that the staff is negotiating with Mercy Flight Central to take over as FBO. Mr. Reh requested permission for the OCIDA to enter into negotiations to purchase two acres of land that Mercy Flight Central is located on, effectively allowing Mercy Flight Central to be officially located “inside the fence.” Mike Manikowski explained that currently the FAA looks at Mercy Flight Central as being unrelated to the airport. Purchasing the land would resolve any issue going forward with the negotiations of Mercy Flight becoming the Airport’s FBO and potentially subject to FAA Grants. Paul Highland is currently the owner of the land. Dave Reh mentioned the new member of the Airport Committee will be Jeff Bartkoski. *Lew Zulick made a motion to enter into negotiations to purchase the two acres of land where Mercy Flight Central is located. Laura Pedersen seconded the motion. Motion unanimously carried.*

Jim Dolan exited the meeting at 6:03 pm.

**Airport Consultant:** Dave Reh informed the Board that the Airport Committee recommends the selection of McFarland Johnson (MJ) as the Airport Consultant for a five year term. Mike Manikowski informed the board that a Request for Quote (RFQ) went out and the Committee reviewed and scored evaluations of the three companies that responded. *Laura Pedersen made a motion to contract with McFarland Johnson as the Airport Consultant for five years. Lew Zulick seconded the motion. Motion unanimously carried.*

## **ADMINISTRATION:**

**Revised applications/policies:** Bill Weir of Nixon Peabody informed the Board of the new and updated policies recommended for the IDA Application. He explained that they developed a user friendly application for both the applicant and the Agency. He stated that a lot of the policies come out of the Office of State Comptroller and are state mandated. He reviewed and explained what each question on the application included and what is required. It was noted that the OCIDA’s application will incorporate the strategic plan and can be tailored to the state requirements.

Dave Reh exited the meeting at approximately 6:16 pm.

**By-Law changes:** Suzanne Vary reported that the Governance Committee met. She stated that the County is recommending that there be a backup for the Executive Director for the IDA. The primary change of the By-Laws is to incorporate a Deputy Executive Director for the IDA. Mike Manikowski stated that this would formalize Suzanne Vary to be the Deputy Executive Director for the IDA enabling her to authorize resolutions and sign legal documents when the Executive Director is not able to.

*Kelly Mittiga made the motion to accept the By-Law changes. Laura Pedersen seconded the motion. Motion carried with Mr. Dave Reh as absentee.*

Dave Reh re-entered the meeting at approximately 6:20 pm.

**Policies & Procedures changes:** Michael Wojcik explained the changes to the Policies and Procedures Manual which included the amendment of the by-laws being incorporated into the Policies and Procedures. It also includes an Impermissible Contact Policy required by PARIS and some other minor changes such as the bank reconciliation prepared within ten days of receipt of statement instead of seven and cash receipts deposited with a bank within four days instead of two.

*Lew Zulick made the motion to accept the amended Policies and Procedures Manual. Kelly Mittiga seconded the motion. Motion unanimously carried.*

**Committee assignments:** Dave Reh reported that the Governance Committee met and informed the Board the recommendations for the Governance Committee Assignments. It was noted that two independent members are not on the IDA Board and have not been at meetings. Mike Manikowski stated that he will reach out to the independent members one more time. If they decline to be a committee member, the recommended action will be to find at least one independent member for the Governance Committee. It was also recommended by the Governance Committee to have Andy Molodetz added as a new member.

**April 25, 2016 Minutes:** Mike Davis presented the April 25, 2016 Minutes for approval. *Laura Pedersen made a motion to approve the April 25, 2016 Minutes. Dave Reh seconded the motion. Motion carried.*

**PARIS Project review:** Melissa Doyle reviewed with the Board the highlights of the annual review of the existing IDA projects. It was noted by Mike Manikowski that the annual review is for the Board to determine whether a project has met their job commitments or not; if they haven't, the Board is to determine an appropriate course of action including termination. Melissa Doyle reviewed the entire report. One company, B-R Carts and Kiosks (Ikoniq), is in default and it was recommended to have counsel write a letter indicating they are in default commencing legal action. Dave Reh commented on the great job Melissa Doyle has done in consolidating and summarizing the information presented to the Board. *Dave Reh made a motion to accept the PARIS Project Report as presented with the action item to have counsel write a letter to B-R Carts & Kiosks indicating they are in default. Kelly Mittiga seconded the motion. Motion unanimously carried.*  
Lew Zulick exited the meeting at approximately 6:39 pm.

**Invoices for payment:** Michael Wojcik presented to the Board for approval, twenty invoices for payments totaling \$55,925.76; twelve invoices totaling \$34,276.33 for the Airport and eight invoices for the Agency in the amount of \$21,649.43. *Laura Pedersen made the motion to approve the payments of the above referenced invoices. Kelly Mittiga seconded the motion. Motion carried.*

**ADJOURNMENT:** *Dave Reh made a motion to adjourn the IDA meeting at 6:42 pm. Laura Pedersen seconded the motion. Motion carried.*

Respectfully submitted,  
Diane Foster