

**Watertown Industrial Center Local Development Corporation
Board of Directors' Meeting
February 15, 2011
Minutes**

The Watertown Industrial Center Local Development Corporation held its regular board meeting on Tuesday, February 15, 2011 in the boardroom of the WCBI, 800 Starbuck Avenue, Watertown, New York.

Present: Donald Rutherford, Kevin Jordan, Carolyn Fitzpatrick, Paul Morgan, Nickolas Darling

Others Present: Billy Soluri, Donald Alexander, Lyle Eaton, David Zembiec, Peggy Sampson, and Craig Fox of the Watertown Daily Times.

Excused: William Fulkerson, John Doldo Jr.

Absent: None

- I. Call to Order:** Mr. Doldo called the meeting to order at 8:42 a.m.
- II. Pledge of Allegiance**
- III. Minutes:** The minutes of the meeting held December 21, 2010 were presented for approval. A motion was made by Ms. Fitzpatrick to approve the minutes as presented, seconded by Mr. Jordan. It was noted that Mr. Darling was excused from the December meeting, so the correction will be made. All in favor. Carried.
- IV. Treasurer's Report:** Mr. Eaton reviewed the financial statements for the period ending December 31, 2010. A motion was made by Mr. Darling to approve the financial statements as presented, seconded by Mr. Jordan. All in favor. Carried.
- V. Correspondence:**
 - 1. ABO Policy Guidance No. 11-01 Compliance Review Process** – The memo explains the provisions for the compliance reviews that may be conducted by the Authorities Budget Office.
 - 2. ABO Policy Guidance No. 11-02 Enforcement Powers of the Authorities Budget Office** – The memo explains that Authorities Budget Office's intent regarding its powers of enforcement. They now have the right to give a public warning, issue a censure, and/or recommend suspension or dismissal board members.
- VI. Committee Reports:**
 - 1. Facility Update** – Mr. Soluri updated the board on the following items:
 - Started the budget process,

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- Leaking PIV valve ó system 621 seat leaking ó could cost approximately \$5,000 to 6,000, but Mr. Soluri will ask the City to pitch in by digging it up,
- Water line freeze up in four spots, but staff repaired,
- Building C sprinkler keeps tripping ó valve is leakingí repair kit has been ordered, it is active and on
- There were two power outages, one at Converse Labs and one at Junction Boyz. Staff replaced the fuses.
- There have been roof leaks in all buildings. There was a small leak in the back of building A. Mr. Soluri was not sure whether it was wind and weather related or from the old roof separation, but he notified the Aubertine & Currier the contractors anyway. He indicated that the Building B roof is in rough shape and that he is relocating SERV PRO to Building A to the old Shred Con space to accommodate them due to the roof leaks. He will change their lease identification number, but they will continue to pay the

2. **Leases/Prospects** ó Mr. Soluri distributed the spreadsheet for review. He indicated that there were no prospects at this time. He did update the board on Brookfield. He said that they are ready to sign the proposed lease; however, they have two requests. They want a 120-day early termination period built into the lease and no more than a 3% increase in any one year for the capital reserve fund. Mr. Soluri recommended that the board make them responsible for the base rent for the remainder of the lease should they give their 120-day notice; the board agreed to 5 years, but not less than 3 years.

VII. Unfinished Business:

1. **SVI/ServPro Update** – Mr. Soluri indicated that sampling had been done in the ServPro space for TCE. During the investigation, the report dated 1/7/11 from Golder Associates referenced other VOCs detected in the sub-slab gas samples included n-heptane and n-hexane which are associated with petroleum and are not related to the sources of contamination from the former NYAB facility. It indicated that the source of these VOCs detected in the sub-slab soil gas samples is unknown. The indoor air samples also included VOCs associated with petroleum. Mr. Soluri questioned it, because he thought WIC would have to take ownership if he did not question it now. He distributed a letter from Leah Ziemba of Nixon Peabody indicating that SPX is not taking the position that the former NYAB facility operations did not contribute to petroleum contamination at the Site. The letter indicates that remedial actions included petroleum contaminated areas.
2. **Junction Boyz Inc. Repayment Plan Agreement** – At 9:25 a.m., a motion was made by Mr. Darling to move into Executive Session to negotiate a contract for Junction Boyz Inc., seconded by Ms. Fitzpatrick. All in favor. Staff along with Attorney Caughlin and Board members, remained.

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At 9:43 a.m., a motion was made by Ms. Fitzpatrick to adjourn the Executive Session and convene the regular board meeting, seconded by Mr. Darling. All in favor. Mr. Rutherford indicated that the board would allow Mr. Soluri and Attorney Caughlin to negotiate with the contract with Mr. Sampson.

VIII. New Business

- 1. Bldg. D Improvement Estimate** (Discussion Only) ó Aubertine & Currier provided an estimate of \$299,475 for a sprinkler system. Other improvements include a build out for office, bathroom, and utility rooms with sewer to building. Mr. Soluri will work with Chapin to see what options might be available since their lease will expire September 30.

- IX. Adjournment:** With no further business before the Board, a motion was made to adjourn by Mr. Morgan, seconded by Mr. Jordan. All in favor. The meeting adjourned at 9:56 a.m.