

**IDA**

**CONFERENCE ROOM  
LAKE PLEASANT, NY**

**JANUARY 25, 2012**

The meeting was called to order by Chairman Towers at 2:30 A.M. with the following members present:

Brian Towers, Chairman  
William Farber, Vice Chairman  
Robert Peck  
Fred Fink  
William Faro  
Tim Pine

Absent: Robin Morrison

Also Present:  
Laura Abrams, Secretary  
Bill Osborne

Motion to accept the minutes of the January 5, 2012 meeting by Mr. Peck, seconded by Mr. Fink. Carried.

Treasurer's Report:

Mr. Osborne explained that there is not a Treasurer's Report today. There is no change from the January 5, 2012 meeting. Mr. Fink stated that there was an unpaid tax bill that has now been paid. Was this rebilled out to the lease holders? Mr. Osborne stated that he will have it looked into.

Payment of Bills:

National Grid (Cell Tower)	\$138.76
Dean Nervik (Wall Street Journal Oak Mt. Ad)	\$435.49
Albany Times Union (Oak Mt. Ad)	\$47.25

Motion to pay bills as audited by Mr. Faro, seconded by Mr. Pine. Carried.

Mr. Osborne explained that the loan applicant that was discuss at the last meeting has determined that he is going to hold off and re-file for the March IDA meeting. He is going to put together more data.

Mr. Osborne stated that the Lake Pleasant Lodge subdivision and transferring the note request needs to be discussed today. We will need to talk about the finances of the business. The Chairman explained that we will discuss as much as we can in open session and if we get into specifics it will call for an executive session.

Mr. Osborne stated that Don Rhodes, owner of the Lake Pleasant Lodge, with whom the IDA has a \$50,000 note, is desirous of subdividing that property into two pieces. One piece would be residential (the house), the other piece would be commercial (the motel). There are two loans

that currently are in front of us (we are in third position on the entire piece of property) one is a NBT loan for \$400,000; the other is a Small Business Administration loan for \$240,000. The NBT loan would be attached only to the residential property, the other two loans (SBA for \$240,000 + IDA \$50,000) would be attached to the commercial property. The assessed value of both properties is currently \$841,000. The assessed value of the divided parcels would be: residential \$402,000, commercial \$439,000. Mr. Osborne handed out the Partial Release of Mortgage, Schedule A and Schedule B and reviewed a map of the property. Mr. Osborne discussed further.

Pete Klein, Press, entered during Mr. Osborne's discussion.

Mr. Fink stated that he would be happier with an independent appraisal on the property. Mr. Fink also questioned why NBT would give up first position on the whole property for just first position on the residential property. He also stated that he doesn't like giving up any collateral. The bank's appraisal was discussed.

Mr. Farber stated that if we are going to get into the specific financials we should go into executive session.

Mr. Faro made a motion to enter into executive session to discuss the specific financials of the loan recipient. Seconded by Mr. Pine. Carried.

Motion to open the session by Mr. Faro, seconded by Mr. Farber. Carried.

The Chairman reported that while in executive session the Board discussed the specific financials of a loan recipient in Lake Pleasant. No official action was taken.

The Chairman explained that there is a request to do a partial release of a mortgage. Currently the IDA holds a third position on a commercial piece of property for a \$50,000 loan. The individual is in the process of subdividing that property and making part of it residential property and the other part would be commercial property which the IDA would take a second position on.

The Chairman called for a motion to approve the partial release of a mortgage, taking a second position on the commercial property, contingent upon the loan recipient providing the IDA with the documentation with regard to a bank appraisal. Mr. Fink added that he would like the collateral position to be such that it covers whatever debt is on the property on a 2 to 1 ratio. Mr. Osborne asked if that is a precedent that this Board wants to set; this Board has never asked for 2 to 1 collateral in the past. Mr. Osborne stated that he doesn't understand why the Board would not approve this on its merits, just on the assessment. Mr. Farber stated that the reality of this request for him is that based on the appraisal that was done, we are in a better position as far as collateral then we are currently in and it enhances the business opportunity by reducing the monthly payments. He feels that it is a request that is appropriate for the IDA to approve and would move it with the affirmation that by looking at the appraisal that we are in a better position in terms of collateral then we are today. Mr. Fink stated that he was not trying to set a precedent; he is trying to let this move forward with a workable contingency when he doesn't have anything physically to go on. Mr. Farber stated that he anticipated that the Executive Director would get a copy of the bank appraisal and any member of the IDA would have the ability to go to the office and look at the appraisal and confirm for themselves that they agreed with Bill's interpretation of it. Mr. Fink stated that right now if we look at the entire property against what was our appraised value when the loan was originally made there is excess collateral of \$149,000. It was agreed

that they want to see that the IDA is sustaining that position, and that the independent bank appraisal substantiates the assessment.

The Chairman called for a motion to approve the partial release of a mortgage contingent on the individual producing an independent appraisal indicating collateral in excess of \$150,000 of the SBA and IDA loan. Motion made by Mr. Farber. Mr. Fink stated that all government approval that could impede the subdivision should be in place. It was agreed that the bank isn't going to refinance it without seeing the same documentation. Mr. Farber amended the motion to include the requirement of all government approvals being in place. Seconded by Mr. Pine. Mr. Osborne suggested that it be included that the Chairman is authorized to sign the partial release of mortgage. Mover and Seconder agreed. Motion carried.

Mr. Osborne stated that the Village of Speculator has a note due the first of February in the amount of \$60,000. The Village has requested an extension to the first of April. After a short discussion, Mr. Fink made a motion to extend the due date for the \$60,000 owed by the Village of Speculator to April 1, 2012. Seconded by Mr. Farber. Carried.

Mr. Osborne explained that the initial paperwork on the \$200,000 microenterprise program has been completed. He is preparing a summary document that describes the program in some detail that he will email to everyone once it is complete. The request for RFPs have been mailed and advertised.

Chairman asked Mr. Osborne to discuss the problem with the groomer at Oak Mt. Mr. Osborne explained that the Pisten Bully broke down. Mohawk Limited quoted \$20,000 to repair. It was a hydraulic failure, similar to what happened with the previous one. He asked Mohawk Limited if they had a machine to lease for the remainder of the ski season, they do not. However, they did locate a used groomer at Titus Mt. in Malone. Titus Mt. is willing to sell it for \$11,000. It appears that FOOM has raised \$11,000 to buy that groomer. A mechanic and an operator will be going to Titus Mt. to look it over. The Mountain Manager is looking into some other companies who can repair hydraulic pumps to see if the repairs on the existing groomer can be done cheaper. The Chairman asked what the agreement with the Village says about equipment. Mr. Osborne stated basically that the Village agrees to make all repairs and keep the equipment in good working order.

Mr. Osborne reported that they have had three requests for information packets on Oak Mt.

As there was no further business, motion to adjourn by Mr. Farber, seconded by Mr. Pine. Carried.