

IDA

**CONFERENCE ROOM
LAKE PLEASANT, NY**

APRIL 2, 2012

The meeting was called to order by Chairman Towers at 11:00 A.M. with the following members present:

Brian Towers, Chairman
William Farber, Vice Chairman
Fred Fink
William Faro
Robin Morrison

Absent: Tim Pine and Robert Peck

Also Present:

Ann Melious, Executive Director
Laura Abrams, Secretary
Pete Klein, Press
Matt Fuller & Kara Lais of FitzGerald Morris Baker Firth PC
Kevin and Matt O'Brien
John Stevens (Independent Towers)
Members of the Public

Payment of Bills:

Rose & Keirnan (Oak Mt. Insurance)	\$8,763.35
Ernest Lavine (Process Server)	\$75.00
Wm. J. Kline (Legal)	\$4.62

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

The Chairman introduced Mr. Fuller to discuss the Grain Communications Group proposal. Mr. Fuller explained that they reviewed the three responses that were received. Based on the way the RFP was sent out, the IDA was not entertaining bids solely for the tower. If the IDA wants to consider a bid solely for the tower, you would need to reject all the bids and re-due it. The Grain Communications Group proposal is non-responsive to the request the IDA put out.

Mr. Farber made a motion to reject the Grain proposal as it is non-responsive. Seconded by Mr. Faro. Mr. Fink requested Mr. Fuller to differentiate between the Grain proposal and the Independent Tower proposal. Mr. Fuller stated that he is going to get into that. Mr. Farber stated that the Grain proposal didn't even speak to the mountain; they made it clear that they were bidding solely on the tower. Mr. Fuller stated that if you are going to bid the tower out solely you could get a multitude of offers. Mr. Fuller stated that his opinion that the Grain proposal is non-responsive is not a comment on the substance it is more of what you asked for they didn't respond to. Motion Carried. ,

Mr. Fuller discussed the remaining two proposals, the Independent Towers and the O'Brien's proposals. The IDA could negotiate with either.

Mr. Farber made a motion to go into Executive Session to get advice from Mr. Fuller and Ms. Lais. Seconded by Mr. Morrison. Carried.

Motion to open session by Mr. Faro, seconded by Mr. Fink. Carried.

Mr. Fuller reported that while in Executive Session he and Ms. Lais shared their thoughts regarding the proposals with the IDA members. He further explained that the IDA is going to have a quick Executive Session to meet with Independent Towers and then with the O'Brien Family to discuss financial information. They will then report publicly where they are going to go from there.

The Chairman called for a motion to go into Executive Session to meet with Independent Towers and the O'Brien Family separately, motion made by Mr. Faro, seconded by Mr. Morrison. Carried.

Motion to open session by Mr. Farber, seconded by Mr. Fink. Carried.

The Chairman reported that while in closed session the Board talked to the two proposers. No action was taken.

Mr. Fuller stated that the IDA talked to both parties and will have them come back with more information and to give them the opportunity to talk to each other. The proposals will be due in to the IDA on April 13th and the IDA will meet on April 23rd at 2PM in Lake Pleasant.

Mr. Farber clarified that one of the reasons the IDA handled it this way is because when you do an RFP as an IDA there is a non-collusive clause, which precludes the two proposers from talking to each other. That is why we left it open going forward with our request for additional information so that the individuals could answer our questions individually or work together.

The Chairman thanked everyone for showing up today, this is a complicated issue and asked for everyone's patients while the IDA continues to move forward and tries to do the right thing for the mountain, the community and the county.

As there was no further business, motion to adjourn by Mr. Morrison, seconded by Mr. Fink. Carried.