

**Watertown Industrial Center Local Development Corporation
Board of Directors' Meeting
October 22, 2013
Minutes**

The Watertown Industrial Center Local Development Corporation held a board meeting on Tuesday, October 22, 2013 in the Watertown Local Development Corporation board room, Buck Building, Watertown, New York.

Present: Donald Rutherford, J. Paul Morgan, Nickolas Darling, Kent Burto

Present Via Speaker Phone: Nickolas Darling

Staff: Billy Soluri

Others Present: Mark Bellinger (Watertown Savings Bank), Keith Caughlin (Schwerzmann & Wise, P.C.), Craig Fox (Watertown Daily Times).

Absent: Michelle Capone, Carolyn Fitzpatrick

- I. Call to Order:** The meeting was called to order at 8:45 a.m.
- II. Meeting Minutes:** A motion was made by P. Morgan and seconded by K. Burto to approve the meeting minutes from the September 17, 2013 board meeting. All in favor; motion carried.
- III. New Business:**
 - a. D. Rutherford asked if a resolution to accept Mr. Mark Bellinger as a member of the Board was included in the packet. B. Soluri stated he had included the invitation he had sent to Mr. Bellinger along with the response he had received from M. Bellinger where he accepted the invitation. D Rutherford stated that Mr. Bellinger is willing to sit on the board of directors and has accepted our invitation to join the board.

A motion was made by P. Morgan and seconded by K. Burto to elect Mr. Bellinger the board. All in favor; motion carried. After the motion N. Darling excused himself from the meeting.
- IV. Financial Report:** B. Soluri presented the financials for the month ended September 30, 2013. B. Soluri stated the operation has been generating enough revenue to cover expenses. B. Soluri also presented the comparative month-to-month balance sheet for August and September 2013. D. Rutherford noted that cash has been steadily growing. B. Soluri informed the board that the first payment of approximately \$6,700.00 due Central Insurance Companies will be paid out within the current month along with school taxes of approximately \$11,000.00. D. Rutherford informed M. Bellinger of the current monies due to the agency from Junction Boyz Inc. M. Bellinger asked if the rents are

recognized as income when they are received or when they are due. B. Soluri stated they are recognized as income once they have been billed. On a motion by K. Burto and second by P. Morgan the financial statements for the month ending September 2013 were accepted. All in favor; motion carried.

V. Correspondence:

- a. B. Soluri presented the first page of each section of the PAAA report showing it has been certified for FYE 6-30-2013. He stated the rest of the pages were not included in the packet as they had been previously distributed to the members via e-mail. K. Burto asked if B. Soluri created/submitted the report. B. Soluri stated he did. K. Caughlin suggested that B. Soluri look into when M. Bellinger will have to be added to the PAAA report as a member.
- b. B. Soluri stated he had received the new insurance binders from Central Insurance Companies effective 10-1-2013. He thanked Haylor, Freyer & Coon for doing a great job shopping the policy around. D. Rutherford said there was a significant savings going with the new carrier. K. Burto asked what the total savings was. B. Soluri said the savings was around \$20,000.00.
- c. B. Soluri presented Golder Associates' on-site soil vapor intrusion work plan progress report for the month of September 2013.
- d. B. Soluri stated the next round of the SSDS install would begin next week.

VI. Committee Reports

- a. B. Soluri informed the board that the Building D roof had been leaking as in need of replacement. He said he would begin to look at potential grant opportunities to help with the cost of replacing this roof.
- b. B. Soluri updated the board on leases/prospect. He said the Watertown Model Rail Road Club is interested in leasing space in Building A, in an area that is normally considered to be dead space, as there is very limited access to the space. He stated the club was looking for a location that had a low rental cost. B. Soluri said the club would sign a 5 to 10 year lease, if needed and they may want to utilize the LHI fund to renovate their leased area.

He said they were previously a tenant of City Center Plaza. P. Morgan said the club was once located in the power house of the Air Brake. P. Morgan asked if there was other space attached to the space the club was interested in. B. Soluri said there was, but the other space would remain separate. P. Morgan asked if the space was dry. B. Soluri said it was. B. Soluri asked if anyone had any objections to the rail road club proposal, hearing none he said he would work out the lease details with the club and he would bring back any LHI request to the board for review. P. Morgan asked B. Soluri to check with the club to see if they allow public access or if they are strictly a membership organization. B. Soluri

said he would. D. Rutherford asked if we required \$1,000,000 liability policy. B. Soluri said we do, and the WIC is listed as additional insured on their policy.

VII. Unfinished Business:

- i. D. Rutherford said the board needed to ratify the change in insurance carriers that had been previously discussed via e-mail. He stated that the new insurance carrier would be Central Insurance Companies. On a motion by K. Burto, second by P. Morgan the board agreed to change insurance carriers to Central Insurance Companies. All in favor; motion carried.

VIII. New Business:

- a. See Section III.
- b. D. Rutherford stated there had been a few early morning e-mails floating around regarding Junction Boyz and he asked Mr. Caughlin to provide an update on the Junction Boyz status. K. Caughlin said there was a public aspect to his briefing on Mr. Sampson and Junction Boyz, as well as an executive session needed to discuss post judgment interest/comments.

He stated that on October 3, the Judge heard our motion for summary judgment, judgment of possession, money judgment and to sign a warrant of eviction. Junction Boyz attorney, in writing confirmed that her client would not oppose the motion, but she asked to see a copy of the proposed order. He stated the order was sent to her for review/comment.

He stated that on October 21, 2013 Junction Boyz and Mr. Sampson had been served the order, along with the judgment of possession and warrant of eviction. He discussed the amounts owed by Junction Boyz as of September 1, 2013 along with the amount that Mr. Sampson has personally guaranteed. He also stated that the WIC was awarded attorney fees relating to both parties; however, the total legal fees had not been calculated yet, but once all of the bills have been tallied that amount will be awarded to the WIC through a money judgment. He said the judge awarded possession to the WIC against Junction Boyz and signed the warrant, which was served yesterday and will be executed Friday at 9:30 a.m..

- ii. He stated the second part of his update relates to the back and forth of parties during and after litigation, even after a judgment has been rendered, because of this he recommended the WIC enter into executive session. On a motion by P. Morgan, second by M. Bellinger the board agreed to enter into executive session to discuss litigation against Junction Boyz. All in favor; motion carried.

IX. Adjournment: On a motion by K. Burto and second by M. Bellinger the meeting was adjourned at 9:20 AM.

The next regular meeting will be Tuesday, November 19, 2013 at 8:30 AM in the Watertown Local Development Corporation board room, Buck Building, Watertown, New York.