



INDUSTRIAL DEVELOPMENT AGENCY

Meeting Minutes
Monday, March 26, 2018 Meeting
 Second Floor Conference Room
 20 Ontario St
 Canandaigua, NY 14424

Members Present	Members Excused
Mike Davis, Chairman	Dave Reh
Andy Molodetz, Vice Chairman	
Laura Pedersen, Secretary	Guests Present
Lewis Zulick, Treasurer	Brian Young, Deputy County Administrator
Supervisor Jeff Gallahan	Tom Lauffer, CPA, Ray Wager & Assoc.
Kelly Mittiga	Harry Sicherman, Harrison Studio
	Greg Merriam, Harrison Studio
Staff Present	Bob Murphy, 205 Lakeshore Drive, LLC
Mike Manikowski, Exec. Dir.	Contract Staff
Michael Wojcik, CFO	Jim Coniglio, Underberg & Kessler
Suzanne Vary, Staff	Bill Weir, Nixon Peabody
	Jim Dolan, McFarland Johnson

CALL TO ORDER: Chairman Mike Davis called the meeting to order at 5:00 pm. A quorum was present. Introductions were made around the room.

NEW BUSINESS:

Public Hearing for 205 Lakeshore Drive: Mike Davis asked all guests to sign in and place a star next to their name if they wished to speak. Speakers were informed they will have a three minute limit. At 5:02, Mike Manikowski read the notice of public hearing and opened the floor for written and oral comments on the 205 Lakeshore Dr., LLC application. A written transcript of comments is attached to these minutes. The public hearing was closed at 5:53 p.m. Mike Davis called for a brief recess at that time.

205 Lakeshore Dr., LLC: The Board reconvened at 6:00 p.m. Suzanne Vary reviewed the project and Michael Wojcik reviewed the cost-benefit analysis. *Andy Molodetz motioned to approve a resolution to induce the 205 Lakeshore Drive, LLC project, and Kelly Mittiga seconded the motion.* Discussion ensued.

Jeff Gallahan stated he completed his due diligence with his constituents. Jeff believed 90% of the people he spoke with were against granting PILOT assistance, and 85% did not understand the project. Jeff stated he felt the project had too few rooms for the conference center size, and that the market was oversaturated with apartments and condominiums. Jeff does not believe the jobs provided will be living wage jobs. Jeff objects to the form of the PILOT provided, as it does not step up to full assessed value, but is flat over the ten-year period. Jeff stated he supports the project, but not the PILOT.

Lew Zulick inquired if we are approving or denying the PILOT tonight. Bill Weir explained that the Board is voting on inducing the PILOT, not authorizing, tonight. Mike Manikowski explained the structure of PILOT to the Board, and stated it is necessary for the project to receive debt and equity financing needed to complete the project. Bill Weir walked the Board through the inducing resolution which included SEQR concurrence, tourism destination designation, economic welfare and jobs, the agency acquires a leasehold interest in the property, and that benefits are subject to recapture. Lew Zulick inquired if the City had a say in the project. Mike Manikowski clarified that the City Planning Commission approved the site and SEQR, and City Council approved a resolution to apply for a CDBG grant for the project.

Harry Sicherman explained that Bob Murphy will own 50%, Dave Genecco will own 30%, and new investors will own 20%.

Chairman Davis called for a vote on the inducement resolution. *The resolution was approved with five votes in favor and one opposed.*

LSI Solutions:

Suzanne Vary reviewed the public hearing and project checklist and Michael Wojcik reviewed the cost-benefit analysis. Mike Manikowski explained the history of LSI, and how they started with 15 employees, but now have over 300 employees. Kelly Mittiga inquired if the 30 new jobs will be in Ontario County or elsewhere. Suzanne stated they will be in Victor.

Laura Pedersen moved to approve the inducement and authorization for a PILOT for LSI Solutions. Andy Molodetz seconded the resolution. Unanimously approved.

OLD BUSINESS:

AIRPORT UPDATE: Jim Dolan with McFarland Johnson (MJ) informed the Board of the following items:

Grants and Upcoming Projects

NYSDOT FY2016 Aviation Capital Grant - No new information on grant status. MJ, the FBO, and other stakeholders are meeting to locate a terminal building and larger hangar.

Current Projects

Airport Master Plan Update - Layout plans are moving forward.

Snow Removal Equipment (SRE) Building – Design & Bidding – Bid will be advertised this week in local newspapers.

Airport Management – Mike Manikowski explained that the search for the Manager of Strategic Assets continues.

Airport Maintenance – Request for Proposals is on hold until a Manager of Strategic Assets is selected.

Extension of McFarland Johnson Airport Management Services Agreement – Mike Manikowski suggested extending the MJ contract through June 30, 2018 (current one expires March 31, 2018) when a Manager of Strategic Assets is hired. Kelly Mittiga questioned if June 30 would allow enough transition time from MJ to the new hire, and suggested we extend the agreement until September 30, 2018.

Jeff Gallahan motioned to extend the Airport Management Service Agreement through Sep. 30, 2018, and Kelly Mittiga seconded the motion. Jeff Gallahan asked how much money is in the budget for this, and Michael Wojcik replied that we will have to amend the budget for this. After discussion, Jeff Gallahan amended his motion to extend the Airport Management Service Agreement to the lesser of 60 days after the hire of a Manager of Strategic Assets or September 30, 2018. The amended resolution unanimously passed.

Jim Dolan exited the meeting at approximately 6:29 pm.

33 Forge Avenue, Geneva: Mike Manikowski explained that the City of Geneva IDA request permission from OCIDA to sell 17 acres of land in the Geneva Industrial Park at a below-market rate to Small Grid. Small Grid will build modular housing units which operate on solar power. Their first project is in the City of Geneva near the lakefront. Small Grid is asking for a concession on price as they are not looking for a PILOT. Bill Weir reminded the Board that PAAA requirements must be satisfied if selling the land at below market values.

Laura Pedersen motioned to approve the sale of land to Small Grid, and Kelly Mittiga seconded the motion. Mike Davis recused himself as he has a work relationship with Small Grid. Motion approved.

AWOS Move to Terminal: The computer which operates the Airport's AWOS is located in Canandaigua Air Center's building. As CAC will charge a monthly rent for housing this, MJ recommends we move it to the temporary terminal. The cost to do this is \$1,250.

Andy Molodetz motioned to approve moving the AWOS equipment to the temporary terminal, and Lew Zulick seconded the motion. Unanimously approved.

YMCA bond amendment: Bill Weir explained that the Y requested an amendment to their bonds. The bond rates decreased, and a new tax opinion allows the Y to recalculate the interest rate paid to save funds.

Jeff Gallahan made a motion to approve the bond amendment and Lew Zulick seconded the motion. Motion unanimously carried.

ADMINISTRATION:

February 26, 2018 Minutes: Mike Davis presented the February 26, 2018 Meeting Minutes for approval.

Jeff Gallahan made a motion to approve the February 26, 2018 minutes. Lew Zulick seconded the motion. Motion unanimously carried.

12/31/17 Audited Financial Statements and PARIS report: Tom Lauffer, with Raymond F. Wager Assoc., reviewed the Executive Summary Financial Statements, and mentioned the

financial highlights of the summary. Michael Wojcik gave a brief description on the Accounts Receivables for the fuel at the Airport.

Accountant's Management Letter & Letter of Communication: Tom Lauffer reviewed the Accountant's Management Letter and the Letter of Communication. He noted Canandaigua Air and an old receivable and the consideration of a write off. He noted finally to continue to monitor fiscal conditions of the airport going forward.

Lew Zulick made a motion to accept the 12/31/17 Audited Financial Statements and PARIS report, the Accountant's Management Letter and the Letter of Communications. Jeff Gallahan seconded the motion. Motion unanimously carried.

Tom Lauffer exited the meeting at approximately 6:49 pm.

2017 Reports: Michael Wojcik reviewed the following reports to the Board:

- Annual Procurement Report
- Procurement Policies & Procedures
- Management's Internal Control and Assessment Report
- IDA Mission Statement and Measurement Report
- Real Property Report

Michael Wojcik noted that all the reports will be posted on the website.

2017 Annual Report: Suzanne Vary distributed the draft 2017 Annual Report.

Andy Molodetz made a motion to block and accept the Annual Procurement Report, the procurement policies & procedures, the Management's Internal Control and Assessment Report, the IDA's Mission Statement and Measurement Report, Real Property Report and 2017 Annual Report. Laura Pedersen seconded the motion. Motion unanimously carried.

FAME contract: Michael Wojcik presented the annual Finger Lakes Advanced Manufacturing Enterprise (FAME) contract in the amount of \$10,000 for approval. Mike Manikowski noted that it is a contract for advanced manufacturing services directed toward workforce development. Andy Molodetz inquired about the services provided, and Mike Manikowski responded that they educate and hold events to attract young people to advanced manufacturing jobs. Kelly Mittiga inquired about what their other sources of revenue are, and Mike answered that other IDAs, NYS, and members provide revenue.

Kelly Mittiga made a motion to approve the FAME contract in the amount of \$10,000.

Jeff Gallahan seconded the motion. Motion unanimously carried.

PILOT Letter from Taxing Jurisdiction: The Town of Victor, Ontario County Real Property Tax Services, and Victor School District sent a letter to the OCIDA to stop the use of a PILOT format which is not billed under the normal billing schedule. Two projects, 770 Canning Parkway and Surmotech, have PILOTs which delay payment to the taxing jurisdictions for almost a year. Counsel will be mindful of this going forward.

Invoices for payment: Michael Wojcik presented for approval, airport invoices for payment totaling \$10102.29; Agency invoices totaling \$81,350.18 and total invoices in the amount of \$91,452.47.

Lew Zulick made the motion to approve the payments of the above referenced invoices. Jeff Gallahan seconded the motion. Motion unanimously carried.

ADJOURNMENT:

Jeff Gallahan made a motion to adjourn the IDA meeting at 7:04 pm. Kelly Mittiga seconded the motion. Motion unanimously approved.

Respectfully submitted,

Suzanne Vary

IN RE: 205 LAKESHORE DRIVE, LLC

PUBLIC HEARING

March 26, 2018



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In the Matter of 205 Lakeshore Drive, LLC

Public Hearing in the Above-Titled Matter:

Location: Ontario County Municipal Building
20 Ontario Street
Canandaigua, New York 14424

Date: March 26, 2018

Time: 5:00 p.m.

Reported By: MICHELLE MUNDT ROCHA
Alliance Court Reporting, Inc.
120 East Avenue, Suite 200
Rochester, New York 14604



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A P P E A R A N C E S

Appearing on Behalf of Ontario County Industrial
Development Agency:

James A. Coniglio, Esq.
Underberg & Kessler LLP
300 Bausch & Lomb Place
Rochester, New York 14604
jconiglio@underbergkessler.com

William F. Weir, Esq.
Nixon Peabody LLP
1300 Clinton Square
Rochester, New York 14604
wweir@nixonpeabody.com

Also Present:

Mike Davis, Chairman
Andy Molodetz, Vice Chairman
Jeff Gallahan, Supervisor
Kelly Mittiga
Laura Pedersen, Secretary
Lew Zulick, Treasurer
Mike Manikowski, Executive Director
Suzanne Vary
Michael Wojcik, CFO

* * *



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 MONDAY, MARCH 26, 2018;
3 (Proceedings in the above-titled matter
4 commencing at 5:00 p.m.)

5 * * *

6 MR. DAVIS: I'm going to call the Ontario
7 County Industrial Development Agency to order and
8 quickly go around the table, so the board can
9 introduce themselves. I'm Mike Davis, the Chair.

10 MR. MOLODETZ: Andy Molodetz, board
11 member.

12 MS. PEDERSEN: Laura Pedersen, board
13 member.

14 MS. MITTIGA: Kelly Mittiga, board member.

15 MR. WEIR: William Weir, Nixon Peabody,
16 transaction counsel.

17 MS. VARY: Suzanne Vary, staff.

18 MR. WOJCIK: Michael Wojcik, staff.

19 MR. CONIGLIO: Jim Coniglio, Underberg &
20 Kessler, general counsel.

21 MR. GALLAHAN: Jeff Gallahan, board
22 member.

23 MR. ZULICK: Lew Zulick, board member.

24 MR. MANIKOWSKI: Mike Manikowski, staff.

25 MR. DAVIS: All right. We're going to go



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 right into the public hearing. I just want to set
3 some parameters for the public hearing.

4 Anybody who wants to speak, please put a
5 star next to your name, that way we have a list of
6 who's speaking.

7 You're going to be given three minutes on
8 the subject. I'll time it up front here. At 2
9 minutes and 30 seconds I will let you know you have 30
10 seconds left.

11 Go ahead, Mike.

12 MR. MANIKOWSKI: I will start by reading
13 the Notice of Public Hearing. Notice is hereby given
14 that a public hearing pursuant to Title 1 of Article
15 18-A of the New York State General Municipal law will
16 be held by the Ontario County Industrial Development
17 Agency on the 26th day of March 2018, 5 p.m. local
18 time, at the second floor conference room, 20 Ontario
19 Street, Canandaigua, New York, in connection with the
20 following matters:

21 205 Lakeshore Drive, LLC, a Limited
22 Liability Company organized and existing under the
23 laws of the State of New York on behalf of itself
24 and/or the principals of 205 Lakeshore Drive, LLC, or
25 an entity formed or to be formed on behalf of any of



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 the foregoing (collectively, the Company) and
3 Canandaigua Finger Lakes Resort, LLC, a limited
4 liability company organized and existing under the
5 laws of the State of New York on behalf of itself
6 and/or the principals of Canandaigua Finger Lakes
7 Resort, LLC or an entity formed or to be formed on
8 behalf of any of the foregoing (collectively, the
9 Sublessee) have applied to the Ontario County
10 Industrial Development Agency to enter into a
11 transaction in which the Agency will assist in the
12 acquisition of an approximately 5.848 acre parcel of
13 land located at 205 Lakeshore Drive, City of
14 Canandaigua, Ontario County, New York, (the Land), and
15 completion of the construction and equipment thereon
16 of a five-story approximately 192,000 square foot
17 mixed-use destination resort and conference center and
18 associated driveway, utilities, landscaping located
19 thereon (including, but not limited to, 109-room hotel
20 operated under the Hilton brand or such other hotel as
21 may be determined to include a restaurant, lounge,
22 wine tasting room and approximately 12,475 square feet
23 of meeting and conference space (comprised of an
24 approximately 5,536 square foot ballroom, which will
25 be divisible into three separate meeting and



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 conference spaces, and approximately 1,777 square foot
3 junior ballroom, an approximately 723 square foot
4 meeting room, an approximately 575 square foot meeting
5 room and a function room and corridor space on the
6 first floor and approximately 638 square feet of
7 pre-function space on the second floor)), an
8 approximately 5,000 square foot full-service spa, a
9 business center, a market pantry and vending areas,
10 approximately 310 surface-level parking spaces and a
11 two-story parking ramp with approximately 293 spaces,
12 outdoor pool, hot tub, exercise facilities, and common
13 areas, such as the roof, lobby, parking areas, outdoor
14 dining, lounge and meeting spaces, which can be
15 covered by tents and walkways (collectively, the
16 Improvements), and the acquisition and installation
17 therein of certain equipment, furnishings, computers
18 and personal property, not part of the equipment (as
19 such term is defined) as the Facility Equipment; and
20 together with the land and the improvements, the
21 Company Facility.

22 The Company Facility will be located in a
23 commercial condominium unit to be leased by the
24 Company to the Agency together with the common areas.
25 The Company Facility and the common areas will be



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 leased by the Agency to the Company, and the Company
3 Facility and the common areas will be further
4 subleased by the Company to the Sublessee; and the
5 acquisition and installation of certain equipment,
6 furnishings, computers, dishes and dinnerware, kitchen
7 equipment and personal property (the Equipment; and
8 together with the Company Facility, the Facility),
9 which equipment is to be leased by the Agency to the
10 Sublessee, and which Facility is to be used by the
11 Sublessee as a premier luxury hotel and conference
12 center.

13 In addition to the project, the Company
14 further intends to build approximately 44 residential
15 condominium units, to be located on the fourth and
16 fifth floors above the Company Facility (the
17 Non-Commercial Space). The Non-Commercial Space will
18 be excluded from financial assistance that the Agency
19 may provide to the Company and/or the Sublessee. The
20 Company Facility will be initially owned, operated
21 and/or managed by the Company. The Equipment will be
22 initially owned, operated and managed by the
23 Sublessee.

24 The agency contemplates that it will
25 provide financial assistance to the Company and the



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 Sublessee in the forms of exemptions from mortgage
3 recording taxes in connection with the financing or
4 any subsequent refinancing of the Facility, exemptions
5 from sales and use taxes in connection with the
6 construction and equipping of the Facility and
7 exemptions of real property taxes consistent with
8 policies of the Agency.

9 The agency previously granted benefits in
10 the form of sales and use tax exemptions to the
11 Sublessee in connection with the acquisition,
12 construction and equipping of a prior version of the
13 Project. The construction of the project stalled, the
14 Agency has determined that the benefits to be
15 conferred upon the Company and the Sublessee are
16 necessary in order to complete the project.

17 A representative of the Agency will at the
18 above-stated time and place herein accept written
19 comments and views from all persons in favor of or
20 opposed to either the proposed financial assistance to
21 the Company and the Sublessee or location or nature of
22 the Facility. At the hearing all persons will have
23 the opportunity to review the application for
24 financial assistance filed by the Company and the
25 Sublessee with the Agency and an analysis of the cost



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 and benefits of the proposed Facility.

3 MR. DAVIS: All right. Is anybody here
4 not signed in who's a guest? I'll leave this one
5 sheet up here for people that come in to sign in; and
6 if you wish to speak, put a star next to your name.
7 Other than that, we're going to start the public
8 hearing portion.

9 This is strictly for the board to hear
10 your thoughts. There's not to be any interaction with
11 the board. We just want to collect as much
12 information from you as possible. And again, you'll
13 be limited to three minutes, and I'll let you know
14 when you have 30 seconds left.

15 And we'll start with Mike Yarger.

16 MR. YARGER: Yes, Mike Yarger.

17 MR. DAVIS: Can you stand right up there
18 next to that red seat. Please let us know your name
19 and where you're from and who you represent.

20 MR. YARGER: My name is Mike Yarger. I
21 run a Facebook page called "Canandaigua 2020." I'm
22 from Rochester, New York. I own property here in
23 Ontario County down on South Main Street.

24 I'd like it, first off, to be noted that
25 we've exceeded the allowable legal capacity of this



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 room, which is 49; and this meeting should immediately
3 be called closed and moved to a larger location where
4 we can legally meet. And if you refuse to do so, then
5 I ask that any comments or any actions taken by this
6 board be considered null and void.

7 MR. DAVIS: Okay. Stop.

8 Go ahead. Count.

9 So, Brian, you're out. Diane. Any other
10 county staff who doesn't need to be here, please step
11 outside.

12 Are you in agreement we're good now?

13 MR. YARGER: No, because now you're
14 attempting to hold a public meeting where the public
15 has been asked to step out.

16 MR. DAVIS: No, I didn't ask anybody but
17 staff to leave. I said any staff not needed should
18 exit. I didn't say anything about the public.

19 MR. YARGER: But some of the public has
20 also left.

21 MR. DAVIS: They did so on their own
22 accord.

23 MR. YARGER: So what's your count now?

24 MR. DAVIS: 47.

25 MR. YARGER: Okay.



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1 IN RE: 205 LAKESHORE DRIVE, LLC

2 MR. DAVIS: Thank you.

3 MR. YARGER: Am I free to begin now?

4 MR. DAVIS: Yep, go ahead.

5 MR. YARGER: So I'd like to point out that
6 Canandaigua 2020 basically is an organization, group,
7 made up primarily of people from the Ontario County
8 area and mainly from Canandaigua, from the City of
9 Canandaigua and the Town of Canandaigua.

10 There's been a lot of viewpoints expressed
11 on that site, and the main viewpoint that comes
12 through over and over again is that the people in this
13 community do not want the taxpayers helping with this
14 project. Either it stands on its own, or it doesn't
15 go.

16 Thank you very much.

17 MR. DAVIS: All right. Next up, Bob
18 Palumbo.

19 MR. PALUMBO: Good afternoon. Bob
20 Palumbo, 59 Gorham Street in Canandaigua. I also
21 represent Ward 2 for Canandaigua City Council.

22 I think the project is great. I think it
23 should go. I think it's going to be an asset. I am
24 opposed to using city funds, taxpayer money, for this
25 project.



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1 IN RE: 205 LAKESHORE DRIVE, LLC

2 Over the ten years it's a tremendous
3 amount of money that's going to be not available to
4 the city. And it's projects just like this that are a
5 burden on our infrastructure, our fire, police, which
6 we need more of and always hear the terms that the
7 money's not there, the sales tax isn't there. So I
8 really would like to see the project stand on its own.

9 My second point is that I'm just -- I
10 don't know what the word is. I'm upset that City
11 Council does not have a vote on this issue and that
12 the IDA pretty much would dictate or come down with
13 these rulings without City Council having a vote on
14 the issue.

15 Thank you.

16 MR. DAVIS: All right. Next, Ellen
17 Polimeni.

18 MS. POLIMENI: First of all, I have to
19 start by --

20 MR. DAVIS: Say your name for the record.

21 MS. POLIMENI: Oh, I'm sorry. Ellen
22 Polimeni. I live at 190 Spencer Lane. I am also the
23 Mayor in the City of Canandaigua, have been involved
24 in this project from probably the very beginning of
25 the whole eminent domain process.



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1 IN RE: 205 LAKESHORE DRIVE, LLC

2 The community's been focused on seeing
3 this project move ahead for over three years after it
4 stalled in the summer of 2015. I know that the
5 developers have made several attempts to get it
6 started again, and I also know that the community's
7 patience has been tried. I think that's probably a
8 soft way of saying it.

9 I remain a steadfast supporter of the
10 project. We need a hotel and a conference facility at
11 this site. The community has developed -- has desired
12 a hotel at this site for over 30 years, and it goes
13 back to when we first began seeing a resurgence down
14 in the lake front area.

15 The reason it has been supported is
16 directly related to the economic impact it will have
17 on the City of Canandaigua. The project will result
18 in hotel rooms, conference space, a waterfront
19 restaurant, meeting facilities, a full-service spa and
20 then also the condominiums, which are not really part
21 of the hotel and the convention center.

22 The city supported the project because of
23 these attributes. City officials recently submitted
24 an application to the community development grant
25 process on behalf of the developers, because the



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 resort is expected to create 88 jobs for low and
3 moderate income workers. Also, these jobs will be in
4 hotel operations, the spa and the restaurant. There
5 would be additional temporary construction jobs that
6 go along with this project.

7 And I want to add and emphasize that the
8 CDVG program requires that applications need to be
9 submitted by a municipal, and that's why the city did
10 it; however, it was written and actually put together
11 by the developers. It was not paid for with city
12 funds.

13 And there's a common misconception the
14 City of Canandaigua has been involved in putting
15 monies into this project. The city has certainly
16 benefitted from the project itself and the result of
17 the work that has been done to this point, but we have
18 not provided any city monies for this project thus
19 far. All the costs associated with the project,
20 including the eminent domain process, were borne by
21 the developers.

22 So in closing, Canandaigua needs to
23 support this project and to see it at it. It will
24 certainly bring a great deal to the City of
25 Canandaigua and the surrounding area.



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1 IN RE: 205 LAKESHORE DRIVE, LLC

2 MR. DAVIS: Thank you.

3 MS. POLIMENI: Thank you. Oh, also, I'm
4 just going to add, I have to leave, because I have
5 another meeting, and I don't want to walk out and make
6 it appear that I'm leaving.

7 MR. DAVIS: Well, actually, with the space
8 being as limited as it is --

9 MS. POLIMENI: That might help. And to be
10 honest -- and just so the public that's here knows --
11 I'm actually headed to a meeting about another project
12 in the City of Canandaigua which involved the Fort
13 Hill Performing Arts Center that's being created in
14 the old auditorium at the high school. So I feel it's
15 a legitimate reason to leave.

16 MR. DAVIS: Next up -- I'm having trouble
17 with the spelling and a little bit of printing here --
18 Robert Gusciora?

19 MR. GUSCIORA: Gusciora. Close. I won't
20 give you a test, though.

21 MR. DAVIS: All right. Thanks.

22 MR. GUSCIORA: Bob Gusciora, or Robert
23 Gusciora. I live on 3728 Thorndale Beach Road in the
24 Town of Gorham. I am an Ontario County resident, and
25 I am very, very opposed to having a nickel spent by



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 the county on this project. And the reason is that as
3 far as I'm concerned, if the developer can't do it on
4 his own, forget it. That's what he's there for, to
5 develop and to invest his own money, not suck out the
6 wallets of the poor people that are in the county.

7 Anyhow, the other problem that I have is
8 that the bird cage is now forming the eastern end of
9 an emerging slum on the north end of the lake. The
10 western pivot of that slum is the apartment complex
11 that has already been partially established. I don't
12 want to see any money from the county go into that
13 project unless buy or get rental money to get a
14 bulldozer and push that thing in the lake, the bird
15 cage. Be done with it. It's enough time.

16 MR. DAVIS: Next up, Valerie Knoblauch.

17 MS. KNOBLAUCH: Valerie Knoblauch;
18 K-N-O-B-L-A-U-C-H. I live at 5000 Butler Road in the
19 Town of Canandaigua. I work for Finger Lakes Visitors
20 Connection, which is the Ontario County Tourism
21 Office.

22 And I'm here to speak, as one might guess,
23 in favor of having the hotel. As we've brought guests
24 into our area and looked at the economics of the
25 facility, we realize the more people that come here



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2 and enjoy Canandaigua will be spending money direct
3 and indirectly to our county owe. The mayor mentioned
4 earlier the jobs that will be created by this, and we
5 also need to extend our year-round visitation.

6 Every visitor that comes to our area, be
7 they here for a meeting or a leisure trip, spends
8 money in our area. The average is \$100 a person that
9 they spend when they come.

10 If you imagine how many people a 12,000
11 square foot conference center can bring in different
12 times of the year, you can imagine the economic
13 benefit to Ontario County.

14 I see the IDA's support of this as an
15 investment in the future of Canandaigua bringing that
16 property up to speed and making it useful to bring
17 more economic benefit to Ontario County.

18 Thank you.

19 MR. DAVIS: Thank you.

20 Next up is -- I'm going to say Julie or
21 Jim Bar.

22 MR. BAR: Jim. B-A-R. I live at 242
23 Roseland Lane. I'm a CPA here in town, been a CPA for
24 about 50 years; and frankly, I am in total favor of
25 this project. However, they have not proven



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 themselves to be able to do a multi-million-dollar
3 project. Neither Mr. Genecco or Mr. Murphy have been
4 able to do that. They haven't even started to do
5 something like that. But yet, we're willing to give
6 them money as a concession on the real estate taxes.

7 It makes no sense to me. If a client came
8 to me and said, you know, "I want to do this project.
9 It's going to cost me 15 million," whatever number it
10 is -- but the bigger the number, the more scrutiny you
11 should do. And the fact is that they don't have the
12 whereabouts.

13 If somebody came to me and said, "I want
14 to do a \$10 million project, but I need the city to
15 give me concessions before I can start," what would
16 you say? I mean, aren't people building for a profit?
17 Don't they want to be able to keep the business going?

18 So for them to come in and say, "We can't
19 do this project, the bank that we're talking with
20 won't work with us unless we get the support," you
21 can't make this up. I mean, it's -- totally in favor
22 of it. It is an eyesore down there. We live right
23 next to it, and I'd love to see it go forward. But
24 these fellows, they have not proven themselves at all
25 that they can do it.



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2 Thank you.

3 MR. DAVIS: Rich Russell.

4 MR. RUSSELL: Hi. My name is Rich
5 Russell. I live at 251 Prospect Street here in the
6 City of Canandaigua, and for the past ten years I've
7 had more than a passing interest in this project.
8 I've seen it proposed, I've seen it amended, amended
9 and amended; and then to everyone's great excitement,
10 we saw something happen in 2013. We say steel go up,
11 we saw a roof go on; and unfortunately, in 2015
12 construction stopped. It was unfortunate that
13 construction stopped due to financing, and it's been
14 sitting there for three years now.

15 Unfortunately, in my opinion, if the PILOT
16 agreement proposed does not go through, we'll be
17 looking at that facility as is indefinitely. The
18 numbers just aren't there to make it work financially
19 without some public support.

20 So as I look at what's going to happen if
21 a PILOT is put in place, I look at the tax -- I look
22 at the property tax as it won't be accrued to the city
23 and the county; but I would rather look at the sales
24 tax that would come from a project that is finished
25 and generating revenue both in terms of occupancy tax



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2 and sales tax on the rooms as well as any additional
3 tax from food, beverage and spa. And the number is
4 considerable. The proposed number is considerable.
5 The money will be recouped by the county, by the city
6 and, yes, by the state if the project is finished.

7 Now, do I have a great deal of confidence
8 in the original developers? I'd say probably not.
9 But they have brought in a new partner, and a new
10 partner brings in new ideas and new proposals for
11 capital; and I think that's a good thing for this
12 project.

13 So yes, I would be in favor of the PILOT
14 going forward, because I see a better chance for
15 return on investment through a finished building than
16 I do see for a building that's sitting down there and
17 for the foreseeable future will be sitting looking
18 like that.

19 Thank you for your time.

20 MR. DAVIS: Next up is Renee Sutton.

21 MS. SUTTON: Renee Sutton; S-U-T-T-O-N. I
22 live at 57 Academy Place, and I work with Ward 4 of
23 the Canandaigua City Council. And like almost
24 everyone here who's spoken, I want the Finger Lakes
25 resort completed. I think it's a great project. I



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 like the idea of there being more hotel inventory, the
3 tourists, the jobs. It's all good.

4 But I don't want it so badly at the cost
5 of putting the Canandaigua taxpayer in the position of
6 subsidizing the margin of a for-profit business. I
7 just don't want it that badly. And I have to mention
8 a for-profit business that by all accounts is going to
9 be very well served by our new federal tax bill, a tax
10 bill that's generated headlines like "Tax bill a boon
11 to commercial real estate owners" or "Commercial real
12 estate developers hit the jackpot." So they're in a
13 good position to be profitable.

14 And I think it's misleading, too. I mean,
15 some of the things I've read coming out of the IDA
16 talking about that the city is going to come out ahead
17 when the property is not going to be generating sales
18 tax or occupancy tax in the first several years. It's
19 based on an assessment remaining at its current value,
20 not at its completed value, which is estimated to be
21 about \$22.4 million. The city is not coming out ahead
22 in any way.

23 Our city is under constant pressure to
24 maintain or add services while operating under a tax
25 cap, under a shrinking base, but we're asked to



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2 swallow the loss of millions of dollars in revenue.

3 Should the day come that this is actually
4 built, which I'm not taking odds on, it's going to
5 need the services of an already under-resourced fire
6 department, it's going to need the services of the
7 Canandaigua PD, it's going to need the services of the
8 DPW. And they're not paying their fair share for it.
9 We're paying for it. We're picking up the tab.

10 I have to join my colleague Bob Palumbo in
11 saying I'm a little frosted that it's this body's
12 decision to make this decision and not the elected
13 legislature of the taxing jurisdiction. This body has
14 no accountability to the Canandaigua taxpayer, but
15 you're making decisions for them.

16 And frankly, most of all, I'm just tired
17 of taxpayer-funded corporate welfare that helps real
18 estate developers realize profits while we pick up the
19 tab.

20 Thank you.

21 MR. DAVIS: Joe Nacca.

22 MR. NACCA: It's hard to believe, but as I
23 walked out of the house, my wife said, "Joe, be brief.
24 They probably just want to get to dinner." Of course,
25 I'm always brief. Now, Mike, you reinforced it; you



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2 said I've got three minutes.

3 MR. DAVIS: As soon as you say your name.

4 MR. NACCA: Oh, yeah. Joe Nacca, and I'm
5 a resident of Canandaigua. And I probably have more
6 than three minutes; so if I'm a little incoherent,
7 it's because I'm cutting stuff out.

8 But I'm kind of surprised that the mayor
9 would mention eminent domain. This property was
10 originally transferred under coercion from one private
11 citizen to another private citizen, because City
12 Council decided that the second person would put this
13 land to a more desirable use. Now, we may all
14 disagree on a lot of things tonight, but none of us, I
15 think, would be happy to see our property taken from
16 us in that manner. I don't think anybody would be
17 pleased with that.

18 From that very negative beginning, the IDA
19 then granted this property -- the second property
20 owner two rounds of tax breaks, sales tax, that no
21 other citizen in this county is going to get. And now
22 the IDA says because the project hasn't done well, we
23 want to provide property tax relief.

24 Now, some of you in here are property tax
25 owners. You may be contributing a lot to this



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 community, and you may be facing financial hardships.
3 That doesn't matter. You will not get property tax
4 relief, but this project will.

5 Now, this is America, and we think that
6 property rights are sacred, and we think that
7 everybody should be treated equally under the law,
8 including the tax laws. Both of these rights have
9 been violated.

10 Now I'm going to move from principles to
11 dollars and sense. I'm going to recommend to the IDA
12 today that with every tax bill that is sent to the
13 local property tax owners you include -- you work with
14 the taxing jurisdictions -- let me go back a bit. The
15 county, the city and the school district, you work
16 with them, and every tax bill includes a page
17 itemizing all the tax breaks or incentives, if you
18 want to call them that, that are in process in Ontario
19 County, how much tax revenue is foregone -- that's a
20 nice euphemism -- because of those tax breaks --

21 MR. DAVIS: 30 seconds.

22 MR. NACCA: -- and how that impacts the
23 average citizen's tax bill. With that kind of
24 transparency, the people in this county will be better
25 able to make a decision as to whether what you're



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2 doing meets with their approval or does not meet with
3 their approval.

4 Thank you.

5 MR. DAVIS: Eli Bowen.

6 MR. BOWEN: I'm Eli Bowen; B-O-W-E-N. I
7 live in the City of Canandaigua.

8 I'm fine with this project going ahead. I
9 don't have any big problems with the project itself.
10 However, I see no reason at all why the average
11 taxpayers of the city and the county should subsidize
12 a private business that's owned by millionaires. Why
13 are we helping out the richest in the community at the
14 expense of everybody else?

15 I think the project is a failure. The
16 developers have not been able to complete it. And the
17 way I look at this, without knowing all of the -- of
18 course, we can't -- none of us here except the
19 principals can know the details of the financing or
20 the situation of the corporations involved, but it
21 seems to me we have an opportunity where if we do
22 nothing -- we got to think long-term. What's in the
23 best interest of the community?

24 I know the IDA is not elected, but it does
25 represent the community. It's supposed to be helping



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2 the community. And certainly the City Council is
3 elected to represent the community and its long-term
4 interests.

5 What are we doing if we're subsidizing
6 millionaires at the expense of everyone else? We're
7 setting a precedent for the future. Every other
8 developer who comes to town is going to want the same
9 kind of sweetheart deal. Why wouldn't they? If these
10 guys can get it, then why not everybody else who wants
11 to build a big project that's promising jobs?

12 But if we do nothing, these guys are going
13 to have to sell. Somebody else is going to take it
14 over, and they're going to be able to start from
15 scratch or with what's there without whatever problems
16 these developers have will be reduced -- or whoever
17 takes it over.

18 So the community will have taken a stand.
19 Say no, we're not going to be blackmailed because your
20 business has failed. And we'll get a project that can
21 get completed and be profitable on its own without
22 everybody else in town subsidizing it.

23 So I want to urge you all to say no.
24 We've done enough. The project's failed. Let's let
25 the failure be at the expense of the developers rather



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2 than at the expense of the community. They took the
3 risk, they failed, they screwed up. They should pay.
4 I don't want to pay. Why should I? Cut it out.

5 MR. DAVIS: Three minutes. I didn't say
6 30 seconds.

7 MR. BOWEN: That's all I have to say.
8 Thank you.

9 MR. DAVIS: Is there anybody else who is a
10 guest who hasn't signed in? Do you wish to speak?

11 AUDIENCE MEMBER: Please.

12 MR. DAVIS: Sign in. Spell your last name
13 and where you're from.

14 MR. WEEKS: So it's Doug Weeks, 68
15 Deerfield Drive.

16 I've caught little bits and pieces of
17 this, so I don't want to be redundant with what's
18 already been said, so I've got to check my notes here
19 real quick.

20 I guess the big point is that it's clear
21 that the industry is not interested in this project in
22 its current form. If they were interested, then it
23 would be moving ahead. So regardless of why they're
24 not interested, what's important isn't getting this
25 project done; it's getting the right thing done, so



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2 that we have a sustainable project that -- you know,
3 we don't want to end up having to continue to bail out
4 over the years as it goes forward.

5 So I'd just say that, you know, if a
6 commercial business can't exist on its own merits,
7 then it doesn't need -- shouldn't get our money to
8 make it happen. It's just a natural selection.

9 So that's my feeling, and I hope you'll
10 make the right choice.

11 MR. DAVIS: Thank you.

12 Anybody else out in the hallway who hasn't
13 signed in and wishes to speak? Going once, twice --
14 did you sign in, ma'am?

15 MS. HENNINGS: Natalya Hennings.

16 MR. DAVIS: Did you sign in?

17 MS. HENNINGS: Yes, I did. I signed
18 somewhere.

19 MR. DAVIS: Name?

20 MS. HENNINGS: Hennings, Natalya.

21 MR. DAVIS: Say your name and spell it.

22 MS. HENNINGS: Hennings; H-E-N-N-I-N-G-S.
23 Natalya; N-A-T-A-L-Y-A.

24 My opinion about hotel, I think our
25 community doesn't need this hotel. We already have



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2 two big businesses expanding, Inn on the Lake is going
3 to be big place. They're going to invest in
4 conference room. We're going to have new huge
5 restaurant, which has already received all this tax
6 exemptions, too, going to expand and then going to
7 have all these conference rooms.

8 So it's going to be -- it's too late.
9 It's just too late. Maybe it was okay in 2013, but
10 things moved on since that. So I don't think our
11 Canandaigua needs that.

12 In terms of winter, I don't think if we
13 have huge hotel, Inn on the Lake, we're going to have
14 this restaurant, what's the name of that -- Nolan's
15 going to be there. So in the winter we're not going
16 to have a lot of business here. It's just a natural
17 thing. Whoever comes in the winter, tourist, they're
18 going to stay in these places already.

19 So this monstrosity is too big, it's too
20 huge; and it's just unproportional to our community
21 needs. That's my opinion.

22 People actually in Canandaigua want a
23 public park. On Canandaigua 2020 so many people
24 express that we would like to have beautiful park,
25 nature, maybe botanical garden. We have natural,



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2 beautiful places, like our lake. We would like to --
3 not only to eat at restaurants and play -- I don't
4 know, gambling, whatever. We have other people who
5 would like to enjoy nature. And they might come from
6 different part of the country.

7 For example, Sonnenberg Garden, because
8 the name has garden, it draws all sorts of people from
9 other states. So we can create a beautiful botanical
10 gardens, fountains, whatever, draw this kind of
11 public. Maybe have nice trails, you can ride bicycle
12 or walk. We can promote a healthy life-style instead
13 of have on this city a huge monstrosity of hotel which
14 is too late. Maybe we needed five years ago, but not
15 now.

16 Next point is I agree with all the people
17 that billionaires, millionaires should not cheat poor
18 people out of their money. Our city is pretty poor.
19 We have a lot of rentals, a lot of people on welfare.
20 And do we really need --

21 MR. DAVIS: 30 seconds.

22 MS. HENNINGS: And the city already
23 distressed on tax basis. We don't have enough taxes
24 to pay for firefighters. We're lacking firefighters
25 because don't have money. Police. And so all these



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2 new apartments -- 44 new apartments and building all
3 this Pinnacle North going to create a huge demand on
4 our services, which we already don't have enough taxes
5 to pay for, because you're taking our taxes away from
6 us for years, like for 20 years pilots given. Where
7 the money coming from?

8 MR. DAVIS: Three minutes.

9 MS. HENNINGS: Yes. Thank you.

10 MR. DAVIS: Joe --

11 MR. ADAMESCU: It's Adamescu;
12 A-D-A-M-E-S-C-U.

13 I'd like to ask a question of you people.
14 How do you do your due diligence when you come up --

15 MR. DAVIS: There's no questions for the
16 board. We're just to hear your thoughts.

17 MR. ADAMESCU: Well, here's what I'm
18 saying: Apparently somebody didn't do due diligence,
19 because they ran out of money. If you guys didn't --
20 I don't know any bank in the world that would lend me
21 any money if I didn't have opportunity to pay it back.
22 And something went wrong down there, and they stuck a
23 lot of good contractors with -- and I don't know if
24 they got their money back or not.

25 But you should think twice and make sure



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2 there's money there to finish it if they do re-start.
3 Which I am kind of against it; but if they can finish
4 it, God bless them. But make sure they've got enough
5 money to start it and finish it, not have this happen
6 again.

7 That's all I have to say.

8 MR. DAVIS: Appreciate your thoughts.

9 AUDIENCE MEMBER: Can I add my name?

10 MR. DAVIS: Yes, sir.

11 Charles?

12 MR. BATTLE: Battle.

13 MR. DAVIS: Battle?

14 MR. BATTLE: Battle; B-A-T-T-L-E. I
15 reside at 141 Lakeview Way in the Rose Park community,
16 and there's nothing I'd like better than to see this
17 project finished. I look out of my kitchen window
18 every day, and that's the sight I see.

19 And most of what I've heard tonight
20 appears to be more about being against the developer
21 than it is being against the project. And further
22 more, it seems to be more against the role of the IDA
23 itself as opposed to what the mission of the IDA is.

24 Now, my understanding of the IDA is that
25 it's there to support and assist projects of this



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2 nature that would generate both jobs and economic
3 growth. And I don't think there's any doubt that this
4 project completed will do both of those things. And
5 so if the IDA is to be consistent with its mission, it
6 would seem to me to be a no-brainer that this project
7 gets approved.

8 Any other project of this size or nature,
9 a developer coming in would solicit the IDA, and more
10 than likely they would be granted a PILOT. That's the
11 rule, that's the law, that's the way it is. And you
12 may not like it, but that's exactly what the IDA is
13 here for is to assist developers.

14 Because of the high tax base we have in
15 New York State, it's becoming impossible as a
16 developer to get anywhere without some kind of
17 assistance. And let's face it, that park right now
18 pays no taxes; and if the project doesn't go, it will
19 continue to pay no taxes. So giving the developer a
20 break for a few years and then gaining the tax that
21 will be generated afterwards seems to me to be what
22 this is all about. And that's exactly what IDA does,
23 and that's what it is.

24 So I'm in favor of it. I'm in favor of
25 the PILOT. And I know I'm in the minority; I hope I



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2 don't get beat up on the way out. That's the way it
3 is.

4 Thank you.

5 MR. DAVIS: Thank you for your thoughts.
6 Anybody we missed? What was the name?

7 MR. EGNOR: Egnor. Keith Egnor.

8 MR. DAVIS: Thank you, Keith. Go ahead
9 and spell your name.

10 MR. EGNOR: E-G-N-O-R. First name is
11 Keith.

12 MR. DAVIS: And where are you from?

13 MR. EGNOR: Canandaigua. I live on Howell
14 Street. 193 Howell Street.

15 MR. DAVIS: Thank you.

16 MR. EGNOR: I heard about the different
17 projects that have gone on, but what I always think
18 about is in my own life how I learn things. And one
19 of the things I've learned is that I sometimes learn a
20 lot better from failure than I do from success, if
21 things are going along fine.

22 I think that that's what needs to happen
23 here. I think that this project needs to be
24 considered a failure; and I think this group, as well
25 as any developer who comes here and any group that



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2 supports them, should learn from that the correct way
3 to do projects. What they should not learn from that
4 is to rely upon continual breaks that go back to the
5 homeowners and the people who live in this area,
6 making us have to pay for the mistakes.

7 Thank you.

8 MR. DAVIS: Anybody we've missed? Anybody
9 who hasn't signed in and wishes to speak? Going once,
10 going twice -- go up there and spell your name.

11 MR. KRAMER: Hello. Kramer; K-R-A-M-E-R.
12 I live in the Town of Canandaigua. I look out my
13 window and I see the pigeon hotel. And I understand
14 that maybe we need to develop it; however, I do not
15 believe we should be paying for it out of our tax
16 dollars.

17 I don't know how many people here live in
18 the Town of Canandaigua; but if you do, you all got
19 your assessment bill about a month ago. All our
20 assessments went up, we're going to pay more taxes;
21 and this gentleman is going to have no taxes paid.
22 Doesn't seem fair to me. I got to pay more taxes, and
23 he's going to pay no taxes. Plain and simple.

24 Thank you.

25 MR. DAVIS: Again, anybody else? Going



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2 once, twice -- go up and spell your name.

3 MR. BLACKWOOD: Peter Blackwood;
4 B-L-A-C-K-W-O-O-D. I'm at 235 Chapin Street in
5 Canandaigua, and I just want to add my voice to the
6 people here who have already spoken who are saying
7 that they don't feel that our property taxes should be
8 funding the mistake by the lake, as we call it in our
9 household.

10 And I find it really interesting that the
11 developer brought this project along to the point of
12 making a big huge ugly legal structure that is now in
13 all of our faces so that he can hold that hostage to
14 ask for more money over and over again, because none
15 of us like looking at that structure. He seemed to
16 get right to the point of severe ugliness, so that
17 people have gone there and put ropes around their
18 neck, and kids are probably breaking in there all the
19 time; and now the person wants more money again.

20 And I also have one quick question. I
21 raised this on 2020 and never got an answer. Why is
22 there a repurchase of the land involved? Can anyone
23 answer that question? Because what was in the paper
24 said that they'd be asking for assistance in
25 purchasing 5.8 whatever acres of land, and I don't



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2 know what that means.

3 AUDIENCE MEMBER: Yeah, where is it?

4 MR. BLACKWOOD: Where is that land? Is it
5 part of Kershaw Park, or is it the land that they
6 already own? And if it is, why do they need to
7 repurchase it? Can anyone answer that question?

8 MR. DAVIS: Again, I told you the board
9 wasn't going to answer any questions.

10 MR. BLACKWOOD: Well, you folks are
11 residents.

12 MR. DAVIS: If you want to be deep and ask
13 the whole audience, I don't have a problem with it,
14 but the board's not --

15 MR. BLACKWOOD: I'm asking everyone in the
16 room if anyone can answer the question of why that is
17 part of this proposal, assistance in purchasing 5.8
18 acres of land.

19 MS. HENNINGS: What is the secret? Why
20 nobody can answer? Can anyone answer?

21 MR. BLACKWOOD: Well, it's important,
22 because it might be land that is owned by all the
23 Canandaigua city residents.

24 Yes, sir.

25 AUDIENCE MEMBER: I suggest that it's a



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1 IN RE: 205 LAKESHORE DRIVE, LLC
2 bald-faced plan to take this 6 acres of property off
3 the private sector and put it back into the public
4 sector, and therefore taking it off the tax rolls.

5 MR. BLACKWOOD: That would be a suspicion
6 of mine as well.

7 AUDIENCE MEMBER: Is that what everyone
8 else is reading here? Okay, thank you.

9 MR. BLACKWOOD: Thank you.

10 MR. DAVIS: All set?

11 MR. BLACKWOOD: Thank you.

12 MR. DAVIS: Anyone else? Going once,
13 going twice. That concludes the public hearing.

14 (TIME: 5:51 p.m.)

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C E R T I F I C A T I O N

STATE OF NEW YORK:
COUNTY OF MONROE:

I, MICHELLE M. ROCHA, do hereby certify that I reported in machine shorthand the above-styled cause; and that the foregoing pages were produced by computer-aided transcription (CAT) under my personal supervision and constitute a true and accurate record of the testimony in this proceeding;

I further certify that I am not an attorney or counsel of any parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action;

WITNESS my hand in the City of Rochester, County of Monroe, State of New York.



MICHELLE M. ROCHA
Freelance Court Reporter and
Notary Public No. 01R05038965
in and for Monroe County, New York



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