

Cayuga County Industrial Development Agency

Regular Meeting Minutes

2 State Street, Auburn, NY 13021

January 22, 2024, 4:00 p.m.

Present: Ray Lockwood (Chair), Andrew Rindfleisch (zoom), Herb Marshall, Bob Shea, Paul Lattimore, Gina Speno, John Latanyshyn,

Others Present: Ricardo Galbato (Galbato Law Firm), Karl Rindfleisch (Water and Sewer authority), Steve Meaeron (C & S), Mark chambers (C & S), Justin Miller (zoom), CMI CFO, Michael Miller, Katie Moran (CEDA)

Mr. Lockwood called the meeting to order at 4:00 p.m., noting the presence of a quorum.

Minutes

Mr. Marshall made a motion and Mr. Shea seconded it to approve the minutes of the January 22, 2024 regular meeting. There was no further discussion and the motion passed.

Bills and Communications

Ms. Moran presented the list of bills that are due to be paid. A motion was made by Mr. Marshall and seconded by Mr. Latanyshyn to approve the bills. A recommendation was made to review the properties in Aurelius because some had been sold to the milk plant and not to pay for the ones that had been sold. There was also some discussion of the culvert that Soil and Water put in. With these discussions concluded, the motion passed.

Directors Report

There is interest in some properties. Mr. Miller followed up with a property owner outside of Weedsport. The property owner is waiting to hear about some smaller properties. David Botar's office has been working with CCIDA to put together a site profile for the region that should come out later in the week. Mr. Miller will send that out to the Board. The 66 acre plot in Weedsport that has been discussed is for sale. The transition that CCIDA has been working on is near completion. We have been preparing for the annual financial audit. PILOT billing has been done. Mr. Miller has a new extension of his contract to present to the Board. Space is still on hold. Copying is being done at Staples for the time being.

Financial reports

With the fees from the Milk Plant project, the income is well over what was budgeted. Interest for the year was over \$13,000. The report does not show December income for the investments, which was around \$3,000. Billing has been submitted for the grant in two vouchers. We were reimbursed for over \$687,607. The invoices were not entered as receivables, but they need to be in the future. The CCDC loan will come due in the spring. Mr. Marshall made a motion to accept the Treasurer's Report and Mr. Latanyshyn seconded. There was no further discussion and the motion passed.

Sewer Line

Mark Chambers is trying to call in but is not able to get in on the Zoom line. Mr. Mearon reported that currently they are holding off on installing the final stages of the pump station. They have some change orders. There is an electric service that needs to be moved according to NYSEG. There was also some ditch work that needed to be done. Test holes were needed for the water excavation. They needed to encase the concrete for the existing water main due to its proximity to the sewer main. There was a different requirement for the fused meter of the electrical work, and lastly there was a traffic loop that needed repair. A question was asked about the additional cost for the change orders. The big one will be the electrical modifications required by NYSEG. The total cost will be around \$30,000. The contract has a \$40,000 allowance for unforeseen changes so these modifications will be covered under that allowance. In response to a question, Mr. Chambers reported that the project is 72% complete. The generators are still pending in August. They have materials to start putting in the interior of the pump station. The electrical work will have to be completed and inspected before it can be completed. Mr. Chambers reported that things are moving along well. C&S will send information on the change orders for the next meeting.

There is another smaller grant that cannot be submitted until the project is complete. Highlander is working on the WMB requirement for that grant.

Director Contract

Mr. Miller recommended extending his contract from January 1 through March 31. Mr. Marshall made a motion to extend Mr. Miller's contract from January 1 through March 31, 2024, and Mr. Shea seconded the motion. Mr. Galbato reported that the contract is the same as before but in the name of the LLC rather than Mr. Miller's name. Mr. Marshall reported that it would be important that the Board have advance notice if Mr. Miller leaves before March 31.

A roll call vote was taken:

| | Yes | No | Abstain |
|-----------------|-----|----|---------|
| John Latanyshyn | X | | |
| Bob Shea | X | | |
| Gina Speno | X | | |
| Paul Lattimore | X | | |
| Herb Marshall | X | | |
| Ray Lockwood | X | | |

All present approved the motion, and it was passed.

Water Line

The packet contains a resolution and documents. This resolution authorizes the acquisition of the easement necessary to install the water line and allows the IDA to begin working with other parties to finalize the financial structure and how the project is going to work.

Mr. Marshall made a motion for Mr. Miller to read the resolution and Mr. Shea seconded. Mr. Latanyshyn asked about the potential expense. The CFO of CMI reported that CMI would provide some of the funding. The approximate cost would be \$700,000. CMI would like to pay \$600,000 and to ask other businesses that would benefit to pay the remainder. CMI would like to purchase lots 9 and 10 and split 11 with Denkavit. The resolution allows the IDA to issue licenses to CMI and Denkavit to investigate the situation. The process for the water line would be similar to that for the sewer line. The Water and Sewer Authority could establish the IDA as a subagent and through that there is a grant that might reimburse the costs. It might be possible for the IDA to remain cost neutral. Mr. J. Miller is working with the CMI attorney to put things together. Mr. Latanyshyn asked if there is any way to stay cash neutral up front. The situation is still in flux. The resolution authorizes the undertaking of the project, getting the easements needed, and starting conversations with various parties. It also authorizes signing an agreement with MRB.

CMI has done a study and determined that there is not enough water for the expansion.

Mr. Miller read the resolution. A roll call vote was taken.

| | Yes | No | Abstain |
|-----------------|-----|----|---------|
| Ray Lockwood | | | X |
| John Latanyshyn | | X | |
| Bob Shea | X | | |
| Gina Speno | X | | |
| Paul Lattimore | X | | |
| Herb Marshall | X | | |

The motion passed with 4 Yes votes, 1 No vote, 1 abstention.

Executive Session

A motion was made by Ms. Speno and seconded by Mr. Lattimore to go into Executive Session. The motion passed.

Mr. Latanyshyn made a motion to come out of Executive Session and it was seconded by Mr. Marshall. The motion passed.

The meeting was adjourned at 5:20.