

**Cayuga County Industrial Development Agency
Regular Meeting
Cayuga County Chamber of Commerce
2 State Street
Auburn, NY
March 19, 2019 at 4:00pm**

Mr. Marshall called the meeting to order at 4:01pm, noting that a quorum was present.

ROLL CALL:

Present: Ray Lockwood, Herb Marshall, John Latanyshyn, Ben Vitale, Andrew Rindfleisch, Gina Speno

Excused: Paul Lattimore

Others Present: Tracy Verrier, Samantha Frugé (CEDA); Jeanine Wilson (Sewer & Water Authority)

MEETING MINUTES:

Mr. Rindfleisch moved to approve the minutes of the February 19th Governance Meeting and February 19th Regular Meeting, seconded by Ms. Speno. All members present voted in favor; motion carried.

BILLS AND COMMUNICATIONS:

Ms. Frugé presented the January electric bill for the Industrial Park (\$165.06) and a bill from the Chamber of Commerce for one seat at the 2018 Annual Dinner (\$65). Mr. Vitale moved to pay the bills, seconded by Mr. Rindfleisch. All members voted in favor, the motion carried.

REPORT OF THE TREASURER

Ms. Frugé reviewed the budget report, noting income generated from interest accounts in the amount of \$977.90. Ms. Frugé advised that they invoiced for the Finger Lakes Railroad PILOT and the \$3000 administrative fee appeared under receivables. Mr. Latanyshyn asked what the bank service charge was? Ms. Verrier explained the \$116.65 bank charge was from KeyBank and they were usually credited back. She added that she would close the bank accounts before the next meeting. Mr. Latanyshyn moved to accept the report of the treasurer, seconded by Mr. Rindfleisch. All members present voted in favor, the motion carried.

NEW BUSINESS

2018 Financial Audit Review: Ms. Buffington presented a draft of the 2018 Financial Audit. She noted the audit was clean with no issues or deficiencies and that internal controls tested clean with no instances of non-compliance. Ms. Buffington reviewed the cash position for FY2018 and stated that revenue increased due to project fees collected from several large projects that were approved during the year. She noted that payables had increased, largely due to land investments, costs associated with the Aurelius Sewer Line engineering study, and the CEDA fee share included in the 4th quarter invoice. She noted there was also a PILOT payment that was outstanding at the end of the year which was received and disbursed at the beginning of the new year. She then pointed out the investment report, which was a new report included in the audit

that reviewed the investment policy to make sure the board was compliant with state regulation, which it was. Ms. Buffington discussed a grant payable for Clarity Connect that had been sitting on the books for several years and noted the grant was pass-through money and would be released when they received a reimbursement request with invoices proving expenditures. Mr. Lockwood noted that income from the gas well should be listed as a royalty, not a lease. Ms. Buffington stated she would make that correction for the final report. Mr. Marshall motioned to accept the 2018 Draft Financial Audit as amended, seconded by Mr. Rindfleisch. All members present voted in favor; motion carried.

2018 PARIS Reporting Review: Ms. Verrier reviewed the draft 2018 PARIS report, noting the report would look similar to previous years. She explained that they were waiting on project reports and ST-340 forms to come in for a few projects before they could submit the final report. She went through the Operations & Accomplishment report and Measurement report, explaining the reports were a narrative of what projects were in progress and how the IDA was performing with selected goals. She asked the Board to review the reports and let her know of any changes to be made before the final report is submitted at the end of March.

Upcoming Events: Ms. Verrier discussed the upcoming NYSERDA presentation to be held at BOCES on Monday, March 25th. She asked the Board to let her know if they planned to attend so she could get them registered. Ms. Verrier also discussed the Career Day to be held at Cayuga Community College and said they were expecting around 300 students and 50 employers.

UNFINISHED BUSINESS

CEDA Staff Update: Ms. Verrier advised that Jon Patterson inquired about leasing the land at the Aurelius Industrial Park again this year and asked the Board if they were open to renewing the lease for another year? The Board was agreeable. Mr. Lockwood asked if there was discussion regarding the price of the land lease, and whether the price should be closer to market rate? Mr. Marshall asked how much the lease was currently? Ms. Verrier advised they were charging \$50 per acre. Mr. Latanyshyn asked how long Mr. Patterson had been paying the current price? Mr. Lockwood explained the price has remained the same over the approximately 10 years the land had been leased. Mr. Marshall suggested the price per acre be increased, and that the pre-harvest termination payment by CCIDA be reduced to just cost of inputs rather than a flat amount for the unharvestable corn. Mr. Latanyshyn asked what the going rate was for farmland? Mr. Vitale noted that \$50 per acre was low, and added that the reimbursement clause should remain in the contract as good faith but should be based on inputs rather than the value of crop. Mr. Marshall said fair market farmland was between \$50-\$150 per acre depending on the area, but that in the Aurelius area it was at the higher end of that range (\$100-150). Mr. Latanyshyn motioned to propose the land lease at \$110 per acre with the reimbursement clause to be amended to the cost of inputs, and that the Executive Director could use her discretion to negotiate a reasonable deal. The motion was seconded by Mr. Rindfleisch. All members present voted in favor; motion passed.

Ms. Verrier provided a brief update on the Aurelius Sewer Line, noting she would be attending the Sewer & Water Authority meeting to discuss the letter of intent and determine if they were interested in being involved in the project.

Master Planning for Mall Parcel: Ms. Verrier discussed the mall parcel and explained a few board members walked the property before the meeting. She explained that Jason Cuddeback from Cayuga County Soil & Water would be flying a drone over the property to look for timber and get an overview of the wetland areas in the back of the property. She added that they would have maps provided and brought to the next meeting so the Board could review. Mr. Rindfleisch asked if there was an update on a potential lookback? Ms. Verrier said she would follow up on that item.

Solar PILOTs: Ms. Verrier discussed the proposed UTEP and UPEP policies included in the meeting packet, noting a resolution was included if the Board wanted to move forward. She advised that both policies were reviewed by Harris Beach who said the policies had sufficient flexibility to allow for adjustments as necessary. Ms. Verrier discussed the upcoming NYSERDA presentation to be held the following Monday where Houtan Moaveni would be presenting. She added that they invited school districts, town supervisors, clerks, ZBA and Planning boards, assessors, and others and had a good amount registered. Ms. Verrier noted the Board should discuss and decide if they wanted to work with projects that did not have municipal support or were located within a municipality that had opted out of the RPTL 487 exemption? Mr. Lockwood said they should decide on a case-by-case basis. Mr. Marshall asked how it would differ if the municipality opted out? Ms. Verrier explained that it indicated the municipality was not supportive of solar/renewable energy projects and it raised the question if the IDA should circumvent that desire? She added that they should determine how much direction they would be taking from the towns and school districts. Mr. Latanyshyn suggested they should support the decisions of the municipalities. Mr. Lockwood said the school districts were generally not favorable of PILOTs. Ms. Verrier explained that PILOTs affect school districts differently because of there are different rules around the tax cap and because they don't receive sales tax. She said that for solar projects they should look to do additional outreach/communication in addition to the public hearings. She asked if the Board wanted to move forward or table the resolution until after the NYSERDA presentation? Mr. Marshall suggested they table the resolution to see if there is feedback from the municipalities after the presentation. The Board was agreeable. Ms. Verrier asked the Board to review the policies as presented in the packet and let her know of any adjustments to be made before the next meeting.

Page Trucking Local Labor Waiver: Ms. Verrier relayed alternative local labor percentages she received from Page Trucking, noting they are requesting 20% from Cayuga County, 65% from Adjacent Counties, and 15% from New York State. Mr. Latanyshyn asked what they were building that could not be sourced from Cayuga County? Ms. Verrier said the building is a fabricated metal building being manufactured off-site in Rochester, and that perhaps a Rochester crew was needed. Ms. Speno noted that the original percentage for Cayuga County may be too high and Ms. Verrier added that it was probably easier to meet the requirement within the City of Auburn, but more difficult outside of it. Ms. Verrier said the waiver request included a price differential but did not include quotes to back it up. Mr. Marshall noted he was not supportive of the Cayuga County and Adjacent County percentages as proposed by Page Trucking but was open to negotiation. Mr. Latanyshyn suggested proposing 40% from Cayuga County, 40% from Adjacent Counties, and 20% from NYS. The Board was agreeable. Motion to propose the local

labor percentages as agreed by the Board made by Mr. Rindfleisch, seconded by Mr. Marshall. All members present voted in favor; motion passed.

Motion to adjourn at 5:14pm by Mr. Marshall, seconded by Mr. Latanyshyn. All members present voted in favor; motion carried.

Respectfully submitted,
Samantha Frugé

Next regularly scheduled meeting: Tuesday, April 16, 2019 @ 4pm