

**Cayuga County Industrial Development Authority
Regular Meeting
6141 Westlake Rd, Auburn, NY 13021
December 14th, 2021 @ 12pm**

Mr. Lockwood called the meeting to order at 12:10pm, noting the presence of a quorum.

ROLL CALL:

Present: Ray Lockwood, Herb Marshall, Ben Vitale, Gina Speno, Paul Lattimore, John Latanyshyn

Absent: Andrew Rindfleisch

Others Present: Danielle Szabo, Taylor Symes (CEDA), Riccardo Galbato (Galbato Law Firm), Mark Chambers (C&S Companies)

MEETING MINUTES:

Mr. Marshall motioned to approve the November 16th Regular Meeting Minutes, seconded by Mr. Vitale. All members present voted in favor; motion was carried.

BILLS AND COMMUNICATION:

Ms. Symes presented the following bills: Cayuga County Chamber of Commerce 2022 Membership dues for \$275.00, Galbato Law Firm for \$1,898.00, Harris Beach Attorneys at Law for \$2,259.88 which included the previous outstanding balance for 2020 in the amount of \$1,434.38, Springside Luncheon for \$427.70 and NYSEG was paid online in the amount of \$197.70.

Mr. Vitale motioned to approve the bills, seconded by Mr. Marshall. All members present voted in favor; motion was carried.

REPORT OF THE TREASURER:

Ms. Symes presented the Profit and Loss Budget Performance for the month of November. She stated that the total income was \$95.72 which consisted of Gas Lease Revenue in the amount of \$32.16 and Interest Savings in the amount of \$63.56. The total expense for the month was \$197.70 which was for the Industrial Park Electric Bill. The Net Income for the month was (\$101.98).

Mr. Marshall motioned to approve the Report of the Treasurer, seconded by Mr. Latanyshyn. All members present voted in favor; motion was carried.

UNFINISHED BUSINESS:

Update on Sewer Line: Ms. Szabo received an email from David Bottar stating the application was submitted on December 11th and has already received some reviews and comments requesting changes. They are looking for a consolidated engineering report and the Probst Group needs to update their report. Mr. Marshall reiterated that the application was submitted. Ms. Szabo stated that yes it was submitted and that her, Mr. Chambers and Mr Bottar are answering EDA's questions. Mr. Marshall asked about our Sams.gov account. Ms. Szabo stated sam.gov required her to delete both CCIDA & CEDA accounts and reapply for new accounts before

becoming an authorized user on both accounts. Ms. Szabo stated Mr. Bottar explained the account not being active would not affect the grant approval, but in the case of the application being approved and awarded CCIDA would need an active account to access funding.

Self-Evaluation Forms and Sexual Harassment Training Forms: Ms. Symes stated that she put this item back on the agenda since she hadn't received everyone's forms and certifications. Ms. Symes stated that she was missing 2 evaluation forms. The sexual harassment certification is a yearly requirement and Ms. Symes reiterated that you can email, mail or hand deliver it the CEDA.

Mr. Lockwood asked if it was administered already? Ms. Symes stated that each board member would complete it on their own time or at their place of employment. Ms. Speno asked if the Chamber had any upcoming trainings? Ms. Symes explained that Ms. Jessica Wrench has already completed all of the trainings for the year.

CEDA Staff Update: Ms. Szabo stated that Ms. Goloub has put her resignation in. She will be leaving CEDA on February 9th, 2022. Her job description would be posted along with the CEO position next week. Mr. Lockwood stated that on December 16th the article will be released for the CEO position. The salary range will be between \$90,000-\$100,000. Ms. Szabo stated that the bounce rate on the careers page seen a 600% increase over the last three months. Mr. Marshall expressed his concern with waiting to post this position due to no salary. Mr. Marshall asked what the breakdown would be for the payment of this position? Ms. Szabo stated it was an 80%-20% split. Mr. Lockwood asked how long has it been since Ms. Verrier had left the organization? Ms. Szabo stated its been over 80 days since Ms. Verrier left.

NEW BUISNESS:

Nominating Committee Mr. Marshall motioned to keep everyone in their positions as they are. Mr. Marshall stated that he would like to keep Mr. Lockwood ad chair, Mr. Lattimore as Vice-Chair, Mr. Latanyshyn as Treasurer/Secretary, Ms. Symes as acting Treasurer/Secretary, Harris Beach as Legal Counsel and Galbato Law Firm as General Counsel. Mr. Marshall stated that he called the county to express his frustration in the process and need to take the responsibility.

Mr. Latanyshyn motioned to approve the slate of board members, seconded by Mr. Vitale. All members present voted in favor; motion was carried.

Abundant Solar Sales Tax Exemption Extension: Ms. Szabo stated that Abundant reached out to ask for an extension. She worked with Mr. Miller and Mr. Galbato to execute the extension documents. She stated the extension was granted until through December 2022. Mr. Marshall asked where they were located? Ms. Symes stated that they are on County House Rd. Mr. Latanyshyn asked why they need an extension? Ms. Szabo stated it was due to lack of steel. The project is seeing a several month delay on material deliveries. Abundant has only used \$14,000 out of their \$440,000 for the Sales and Use exemption. Ms. Szabo stated she consulted with legal counsel on the demand and they advised her the project's ask was a reasonable request.

Generations 2 Year CD Renewal: Ms. Symes stated that she received a letter in the mail reminding us that the CD was up for a renewal. Ms. Symes stated that the CD would be up for renewal on January 19, 2022. Mr. Latanyshyn asked if Generation Bank sent along any other terms with rates besides 2 years? Ms. Symes stated that no rates were given. Mr. Latanyshyn stated that we should continue our CD at a lesser term. He recommended a six-month term because he doesn't want to miss out on a better rate. Mr. Marshall and Mr. Lockwood agreed with Mr. Latanyshyn. Mr. Vitale asked if it would make sense to go for 90 days instead of 6 months? Mr. Latanyshyn stated that 90 days would be fine. Mr. Vitale would like to amend the motion, seconded by Mr. Latanyshyn. All members voted in favor; all members present voted in favor.

Upcoming Events: None.

Resolution: Ratifying prior-adopted policies, standards, procedures: Mr. Galbato stated that he prepared a resolution. This resolution ratifies all policies and procedures. He read the resolution onto the record. He stated that as long as everything was agreed upon he would need a motion.

Mr. Latanyshyn motioned to approve the Resolution, seconded by Ms. Speno. All members present voted in favor, motion was carried.

BOARD MEMBER UPDATE

Mr. Galbato stated that he was in conversation with Mr. Miller and Mr. Barry in regards to D&W Diesel. D&W had a full stock transfer. The real estate has not been transferred yet. Mr. Galbato spoke to Mr. Barry and Mr. Galbato received an email stated that D&W would be terminating their PILOT agreement without any clawback. Mr. Miller responded to the email and stated that Mr. Galbato would update the IDA and their PILOT would end December 31, 2021. Mr. Miller explained the board would not receive any clawback. Mr. Miller would handle all documents. Mr. Lockwood asked how many PILOT's they had. Ms. Symes stated that they had a stacked PILOT of 3 different ones. Mr. Lattimore asked what would be the potential clawbacks would be if the IDA decided to administer one. Mr. Galbato stated it would be prorated taxes. Mr. Galbato stated that Mr. Miller stated that he has seen a clawback once due to delinquency.

Ms. Szabo stated that Johnston Paper reached out to her in regards to their Environmental Agreement. They have a registered storage tank onsite. The new company would have to submit proof of insurance to the IDA. Ms. Szabo asked when is their PILOT completed. Ms. Symes stated that it ends in 2030. Mr. Lattimore asked if the new company would need to apply for the PILOT due to change of ownership. Mr. Galbato stated that a PILOT is for the land not company.

Mr. Vitale announced the December meeting would be his last meeting and the county would be filling his seat. Mr. Vitale stated that he would continue to attend meetings as a member until the Legislature appoints a new member.

Mr. Galbato stated that Mr. Miller stated that a clawback doesn't happen unless a PILOT defaults on their PILOT when changing companies. Mr. Galbato stated that they signed back in 2011 and it would need to take place after 2016. Mr. Galbato stated that Mr. Miller doesn't see any problem with them terminating their PILOT. The board stated they are not happy that D&W not notifying them in regards to the sale of the company. Mr. Vitale stated that the only clawback he could see is that once CCIDA signs off they would close the company and lay off the entire staff. Mr. Galbato stated that if they were to do that, it would be after we relinquish ownership. Mr. Latanyshyn stated that would need to be something that is written into the resolution with D&W Diesel.

Mr. Galbato stated that if that was to happen public hearings would have to take place. Mr. Vitale stated that give them the release.

UPCOMNG EVENTS:

Ms. Szabo reviewed the upcoming events.

ADJOURNEMENT

Mr. Vitale moved to adjourn at 1:00pm seconded by Mr. Latanyshyn. All members present voted in favor; motion was carried.

Respectfully Submitted,
Taylor Symes