

Cayuga County Industrial Development Authority
Regular Meeting
2 State St. Auburn NY 13021
September 21st @ 4pm

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

ROLL CALL:

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

Absent: Gina Speno, Paul Lattimore

Others Present: Danielle Szabo, Taylor Symes (CEDA), Riccardo Galbato (Galbato Law Firm), Mark Chamber (C&S Companies), Tracy Verrier (MRB Group)

MEETING MINUTES:

Mr. Marshall motioned to approve the August 17th Regular Meeting Minutes, seconded by Mr. Rindfleisch. All members present voted in favor; motion was carried.

BILLS AND COMMUNICATION:

Ms. Symes presented the following bills: NYSEG for the month of September in the amount of \$169.82 and a bill from Highlander in the amount of 88,480.20.

Mr. Marshall wanted to know what the credit was. Ms. Symes explained it was a credit for piping. Ms. Verrier stated that the bill should wait until the discussion of the sewer happens. Ms. Verrier stated the timeline was extended and Highlander would like to have a payment made before phase two takes place.

Mr. Vitale motioned to approve the NYSEG bill but hold off on paying Highlander until an official invoice is submitted, seconded by Mr. Rindfleisch. All members present voted in favor; motion was carried.

REPORT OF THE TREASURER:

Ms. Symes presented the August Profit and Loss Budget Report. Income for the month of August was \$134.75 which resulted from Gas Lease Revenue in the amount of \$47.46 and the Interest-Savings, Short Term CD in the amount of \$87.29 The total expense for the month of August was \$85,080.54 which resulted from Construction Management in the amount of \$287.10 and Phase 1 in the amount of \$84,793.44 The total Net Income for the month of August was (\$84,945.79). Ms. Symes explain the difference in the savings account balance based upon a transfer being made to cover the payment for Highlander. At the end of the Profit and Loss Budget Performance Report was a breakdown of the account balances for the month of August.

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

UNFINISHED BUSINESS:

Update on Sewer Line: Ms. Verrier stated that Mark Chamber from C&S Companies would be taking the lead role of managing the Sewer Project. Ms. Verrier would still be facilitating the

conversation with Mr. Steve Botar in regards of the EDA Application. It is anticipated of an October 8th submission with a December award. CCDC met to discuss CCIDA's Application for gap financing. CCDC Committee would be willing to work with CCIDA on their application. CCDC would like to have the loan repaid with the reimbursement of the grants. Closer to the end of construction documents would be gather to put together a close figure to anticipate reimbursements. Ms. Verrier stated that the financing is aligned pretty well. In regards to the Highlander Invoice they would like to be paid now based on the timeline has changed to construction being in the spring of 2022. Mr. Botar advises CCIDA to not apply for the waiver to expend money prior to construction. Mr. Latanyshyn stated that the CCDC meeting went well and is willing to work with CCIDA to get the project done. Mr. Marshall wants to know if a contract was signed with C&S to manage the project? Ms. Verrier stated that yes one was signed. Mr. Marshall wants to know if Mr. Chambers would in agreeance to do this additional work at the price he agreed upon? Mr. Marshall wants to be at the meetings from here on out to give updates in regards to the Sewer Project.

Ms. Verrier stated that the only thing that would need to be decided on is the Highlander Invoice. Mr. Vitale asked if CCDC could pay for the Highlander invoice? Mr. Marshall stated that if the delay in the project is from CCIDA then the bill needs to be paid as soon as possible.

Mr. Chambers introduced himself to the board and gave a background on what he has been involved with. Mr. Chambers stated that an initial proposal was brought to CCIDA in regards to Construction Observation and Inspection. Due to circumstances, he has advised to bring a proposal including construction management. Mr. Chambers submitted an email to give an update on the project. Mr. Marshall asked if Mr. Chambers could attend the meetings until further notice? Mr. Chambers stated that he can attend them in person. Mr. Marshall asked if he was aware of the problems with the piping? Mr. Chambers stated that yes he was aware and that Highlander should get the material on sight and CCIDA should move to pay the contractors. Mr. Chambers stated that the piping has been paid for and that Highlander currently holds it. He stated that onsite storage is the best option.

Mr. Galbato pointed out that we do not have an actual invoice from Highlander. Ms. Verrier stated that Highlander paid for the materials and want CCIDA to pay them as a reimbursement of the supplies. Ms. Verrier stated that she was advised to not include the materials in the grant application and to pay for it now. Mr. Vitale stated that we would be in a good position since it would be an 80% of the cost in grants. Mr. Vitale would like to know if it would be possible for a third party to pay the Highlander Bill. Ms. Verrier stated that it could be questioned and cause a problem. Mr. Latanyshyn stated that trying to save 80k and risking the entire project is not ideal.

Mr. Vitale requested that Highlander submit an actual bill.

Mr. Vitale motioned to pay Highlander once a pay application was submitted, seconded by Mr. Latanyshyn. All members present voted in favor; motion was carried.

Mr. Marshall wanted to know who was in charge of writing the application. Ms. Verrier stated that Mr. Botar is writing it and that he would be in communication with Ms. Symes if anything would be needed.

Ms. Symes stated that CCIDA is still holding a payment to The Probst Group in the amount of \$6,713.31. Ms. Verrier stated it was a little over \$6,000 and that Mr. Lewis was in conversation of having the payment being credited. Mr. Lockwood asked if we actual have a bill? Ms. Verrier stated that she would notify Ms. Symes if the credit would take place.

CEDA Staff Update: Ms. Szabo introduced herself as the Interim Director for CEDA. Ms. Szabo stated that ESD Grant Funding was still available. A few applications are still being worked on. Microenterprise started and Ms. Goloub had 14 applications, 5 people were accepted, 2 people on reserves and 3 people voluntarily decided to audit the class. Ms. Szabo stated that all 10 participants will receive active monitoring during the duration of the program. The Chamber's Annual Dinner was cancelled but their Virtual Auction would still take place from September 24th to October 1st.

Mr. Lockwood stated that a Search Committee would be reviewing the job description. He stated that the description needs to be adjusted and possibly creating a Deputy Director. Mr. Marshall wanted to know how much CCIDA has put into CEDA this past year and this year? Ms. Verrier stated that it is based off of the fee share. Mr. Latanyshyn stated that last year it was around \$35,000. Ms. Symes stated that the fee share was \$10,227.17. Mr. Lockwood stated the contract with CEDA and the County was \$300k. Ms. Verrier stated that 2020 and 2019 the budget was \$250k. Mr. Marshall stated that he believes the Chamber and CEDA should be separated. Mr. Lockwood divulged that a joint venture with Centerstate CEO was being discussed. Mr. Rindfleisch asked what Centerstate was? Ms. Szabo stated that it was the Regional Economic Development.

NEW BUISNESS:

Appoint PARIS Certifier: Ms. Symes explained that since Ms. Verrier was no longer with CEDA, a PARIS Certifier would need to be appointed. Ms. Symes stated that she was in contact with the Mr. Galbato in regards to who could be appointed as the Certifier. Mr. Galbato explained that it could be any willing board member or the Interim Director. The PARIS Certifier is used for acknowledging the documents and agreeing that everything was completed to the best of our ability. Ms. Symes stated that she was the Preparer of the documents and security purposes, she could not be the certifier also.

Mr. Marshall motioned to appoint Ms. Szabo as the PARIS Certifier, seconded by Mr. Rindfleisch.

Mr. Vitale stated that if Ms. Szabo was going to be the Certifier, she could not be the one to enter the information.

All members present voted in favor, motion was carried.

Report from the Governance Committee: Mr. Lockwood stated that the Governance Meeting did not happen due to no quorum. Mr. Lockwood asked if this would need to be tabled until another time? Mr. Galbato stated that it would be up to the full board if this would need to be scheduled at a different time. Mr. Galbato stated that this meeting was for the approval of the policies. There were no known changes made. Mr. Verrier stated that this would normally be voted on at the December Meeting. Mr. Marshall stated that this should wait until December to be approved.

BOARD MEMBER DISCUSSION:

Mr. Marshall explained that at the previous meeting he was the only one that voted against signing the waiver. Mr. Rindfleisch stated that the only reason why the board was willing to sign the waiver was based on warranty purposes. Mr. Marshall stated that he still holds firm on if they aren't able to provide NYS employees to do it then they should look to buy the product from a different company located inside of NYS. Mr. Marshall stated that this part of the state is aging fast and people are moving out of state quicker. He stated that he knows the owner of the farm and doesn't see any reason to allow them the tax break by bring the product and employees from Pennsylvania. Mr. Marshall stated that we are not contributing the job creation of Cayuga County let alone NYS by allowing this. Mr. Latanyshyn stated that is rare that he doesn't agree with Mr. Marshall but his vote was solely on the warranty purpose. Mr. Latanyshyn stated that if CCIDA is going to dictate where companies have to buy their product that could harm the outcome of bringing business to Cayuga County. He stated that he has to put some trust in the company to buy their product from the best place they could. Mr. Marshall stated that in specific circumstances that would be ok but in the situation that is upon the board, the waiver wasn't a good reason. Mr. Marshall states that they should buy their equipment local and install it with local labor. Mr. Rindfleisch wanted to know if the equipment was able to be purchased in Cayuga County. Mr. Marshall stated that the only thing he knew that was local was the concrete. Ms. Verrier stated the only thing that was brought forth was based on warranty purposes and specialized labor. Mr. Marshall wanted to know the name of the owner. Mr. Lockwood stated that it was Doug Young. Mr. Latanyshyn stated that everything else should be local. Mr. Marshall stated that Ms. Szabo should look up what parts of the project was done local and what parts of the project was not local.

ADJOURNMENT:

Mr. Rindfleisch moved to adjourn at 5:54pm, seconded by Mr. Latanyshyn. All members present voted in favor; motion was carried.

Respectfully Submitted,
Taylor Symes