

Cayuga County Industrial Development Authority
Regular Meeting
2 State St. Auburn NY 13021
July 26th, 2022 @ 4:00pm

Present: Ray Lockwood, Paul Lattimore, Herb Marshall, Andrew Rindfleisch, Gina Speno, John Latanyshyn

Absent: Bob Shea

Others Present: Taylor Symes, Maureen Riester (CEDA), Riccardo Galbato (Galbato Law Firm), Mark Chambers (C&S Companies), Justin Miller (Harris Beach Law Firm), Doug Wayne (D&W Diesel previous owner)

Mr. Lockwood called the meeting to order at 4:01pm, noting the presence of a quorum.

MEETING MINUTES:

Mr. Rindfleisch motioned to approve the meeting minutes, seconded by Mr. Marshall. All member present voted in favor; motion was carried.

BILLS AND COMMUNICATION:

Ms. Symes presented the following bills: NYSEG in the amounts of \$148.98 and \$181.68, C&S Companies in the amount \$374.40 and Highlander in the amount of \$10,571.44 and the CEDA Admin Invoice in the amount of \$5,050.36.

Mr. Marshall motioned to accept the bills contingent upon Highlander waiting to receive their payment based on the EDA Award, seconded by Mr. Rindfleisch.

Mr. Miller stated that they are looking over Highlander's Accrual and have everything taken care of so they can work with Highlander to resolve their balance.

Mr. Marshall asked if he can contact Highlander and tell them they aren't getting paid right now. Mr. Galbato stated that he would like to review their pay application with Mr. Miller before speaking with them. Mr. Miller explained that no communication should happen with Highlander. He recommends holding all payments to Highlander pending the approval of a bid that they will potentially be submitting. He would like all pay apps to be satisfied. The new contract would enter a procurement without and liens, or disputes associated with the project.

Mr. Marshall wanted to clarify that everything was paid to Highlander except for the final bill that was presented by Ms. Symes for \$10,000. Mr. Marshall explained all other bills are taken care of. Mr. Miller asked what the additional 10,000 was for? Mr. Marshall stated that it was for the fittings for the pump stations.

Mr. Latanyshyn stated that he abstains from the motion for paying the bills. He stated that he will approve a counter motion that gives our attorney's the ability to review all of the payments before speaking to anyone.

Mr. Rindfleisch stated that we would pay all the bills besides Highlander and let Mr. Miller review the pay application.

All members voted in favor with one abstained; motion was carried.

REPORT OF THE TREASURER:

Ms. Symes reviewed the Budget Report for June. Ms. Symes stated that for the month of June, our income for the month was \$113.39, which included Gas Lease Revenue and Interest on the CD and savings. Our total

expenses for the month was \$406.48, which included Gas and electric for the Industrial Park, and legal notice. The net income for the month of June was (293.09). Ms. Symes stated that there was a breakdown on the account balances at the bottom of the report.

Ms. Symes stated that she worked with Mr. Latanyshyn to renew the CD for another 3 months that was due on July 21st. The next renewal will be in October.

Mr. Rindfleisch motioned to accept the Treasurer's Report, seconded by Mr. Latanyshyn. All members present voted in favor; motion was carried.

UNFINIHSED BUSINESS:

Update of Sewer Line: Mr. Galbato stated that nothing new since the Special Meeting. Mr. Marshall stated that he has information but would like to wait until the executive session. Mr. Marshall asked if Mr. Steve Lynch was present. Ms. Symes stated that he was invited but is not present. Mr. Lockwood stated that he spoke with him earlier. Mr. Marshall stated that under the present conditions he should be notified that we are uninterested in the loan and that we are not in agreeance with the closing costs or the interest payments associated with the loan. Mr. Lockwood stated that the conversation that he had with Mr. Lynch was in regards to what Mr. Miller recommended. Mr. Lockwood stated that he would like for the loan to be held for CCIDA and when it is needed we would be able to readily access the funds. Mr. Lockwood stated that Mr. Lynch believed he was able to do that and that he was supposed to be here at the meeting to discuss this option. Mr. Marshall stated that there was also a \$1500 interest payment along with the closing cost. Mr. Marshall asked if he was waiving the application fee along with the interest payment. Mr. Lockwood stated that he wasn't aware if he was doing this but Mr. Lynch had to meet with his board to discuss.

Mr. Miller stated that we have plenty of cash available until we assign the bids. He stated over the next two months we can determine the amount of fees that are associated with the loan. Mr. Marshall stated that he spoke with Mr. Bottar and it was discussed that CCIDA could use the loan towards construction costs. Mr. Miller stated that this being a 2-month process, how long does EDA take to issue a disbursement. Mr. Marshall stated that he is one vote and will not approve the loan from CCDC at the 4.50% interest rate since he could go to a bank and get a cheaper rate. Mr. Rindfleisch stated that we should wait until a discuss was had until conversations were had with the contractor before making a decision. Mr. Miller stated he would like to continue this conversation in an executive session.

Doug Wayne Land Proposal: Mr. Lockwood asked for the board and staff to introduce themselves to Mr. Wayne. Mr. Wayne stated that he would like to purchase approximately 18 acres of land that is to the east of his house on Half Acre Road. Mr. Wayne explained that he brought this proposal to Ms. Verrier over 3 years ago. He stated that he would like to ask again if the IDA would be willing to sell the 18 acres at this point in time for \$20,000. Mr. Lattimore asked if the \$20,000 was for the entire 18 acres? Mr. Wayne stated yes and that it was a starting point but is willing to pay any price that he deems reasonable. Mr. Wayne stated that he was the owner of D&W Diesel but he has recently sold it and would like to buy our land for security reasons. Ms. Speno asked if there was a purpose for him wanted to buy the land? Mr. Wayne stated no, he doesn't want it to infringe on his house. He stated he does not want any hunters near his house or any development that close to his property. Mr. Wayne stated he would like to have control of the area around his home. Ms. Speno asked Mr. Wayne if he has had problems with hunters in the previous years? Mr. Wayne stated no, but he doesn't want it to start now.

Mr. Marshall asked how long he has lived in the house? Mr. Wayne stated they have been there for the past 10 years. Mr. Marshall stated that the board was advised to listen to his proposal and then CCIDA would discuss the offer. Mr. Marshall asked if this land was surveyed to get the acreage? Mr. Wayne stated no, this was an approximate amount.

CEDA Staff Update: Mr. Lockwood stated that the new Executive Director started on Monday, July 25th. He was informed that he would not be attending the meeting from the HR. Committee. Ms. Riester stated that she would have an update at the next month's meeting. Ms. Riester stated that applications would be coming in and would have a better answer at the August meeting. Ms. Symes agreed with Ms. Riester. Mr. Lockwood asked if Ms. Riester had the meeting with Grober Nutrition? Ms. Riester stated it would be on Wednesday, July 26th.

NEW BUSINESS:

AIDA/CCIDA Auditor RFP: Ms. Symes stated that she spoke with Mr. Lockwood and Mr. Dacey in regards to how they would like to proceed with placing an RFP out this year for the Auditor Services. Ms. Symes explained that they both agreed contingent upon board approval to ask for another one-year extension. Ms. Symes reminded the board that a one-year extension was granted for 2022 at a price increase. Mr. Lattimore asked if there was an IRS regulation stating we have to put out an RFP and change auditors every couple of years? Mr. Galbato stated that Mr. Miller would have a better understanding but he heard that we at least should submit an RFP every couple of years but we should change lead auditors every 3 years. Ms. Symes stated that we did change lead auditors and that we have been working with her partner for the last 2 years. Ms. Symes stated that Ms. Buffington has been presenting the audit to the board but she is not the one conducting the audit. Mr. Miller clarified that we are allowed to keep the same auditor as long as the lead auditor is rotated every 3 years.

Upcoming Events:

Ms. Symes reviewed upcoming events.

BOARD MEMBER DISCUSSION:

Mr. Marshall has requested that Mr. Kevin Miles who is CEDA's Board Chair attend the August Regular CCIDA Meeting.

EXECUTIVE SESSION:

Mr. Lattimore motioned to enter executive session at 4:31pm for contract negotiations, purchase of sale of real property and personnel issues seconded by Mr. Rindfleisch. All member present voted in favor; motion was carried.

Mr. Rindfleisch motioned to exit the executive session at 5:03pm, seconded by Mr. Marshall. All members present voted in favor; motion was carried.

ADJOURNMENT:

Ms. Marshall moved to adjourn at 5:05pm seconded by Mr. Rindfleisch. All members present voted in favor; motion was carried.

Respectfully Submitted,
Taylor Symes