

Cayuga County Industrial Development Authority
Special Meeting Minutes
2 State Street, Auburn, NY 13021
June 5, 2023 @ 9:00 a.m.

Present: Ray Lockwood (Chair), Herb Marshall, Andrew Rindfleisch, Paul Lattimore, Riccardo Galbato (Galbato Law Firm), Gina Speno, Bob Shea

Others Present: Mark Chambers (C&S), Lauren LaGreca (CEDA),
Representatives of Cayuga Milk Ingredients – Brian Linney, Rod Ives, Jared Lusk,

Attending on Zoom: Justin Miller (Harris Beach), Michael Miller (CCIDA Executive Director), Catherine Moran (CCIDA Assistant Secretary/Treasurer), John Latanyshyn (CCIDA Board Member), Unknown caller

Mr. Lockwood called the meeting to order at 9:00 a.m. and turned the meeting over to Mr. Galbato who said that this meeting was to get updates on the sewer project, Cayuga Milk Ingredients and the revised project, and to make sure that there is nothing needed from the Board before the June 6 Aurelius Planning Board meeting. Discussion between the Planning Board attorney and Justin Miller indicate that there is nothing more that they need from CCIDA at this time. This meeting is intended to keep the process going and to keep Board members up to date. A revised application for the CMI project was received this morning.

SEWER PROJECT

Mr. Chambers is here to speak about the sewer project. Payment bonds, performance bonds and insurance requirements have been received and there will be a conference call today to make sure that everything is ready so that applications for the funding can be submitted. A discussion about changing the retainage had been held. Highlander is willing to do the first payment with 10% retainage but then wants to go back to the 5% number. Mr. Marshall pointed out that the bids were opened two months ago and nothing has been sent back to the grant people yet. CCIDA should not let discussions of the retainage delay getting back to the grant people. It hasn't been the retainage that is holding things back but has been the other details.

Mr. Marshall asked if the insurance information will be approved today. If it is, it should go to the grant people immediately. There is a checklist to send to them that they need to approve. Once this is approved, approval from the EDA must be received and a notice to proceed will be given. If Highlander has agreed to 10% retainage on the first payment then we should go with that. If they haven't agreed we should not push it but should look to get things going.

J. Miller reported that he had suggested the 10% retainage to help cover the fund balance difference to keep cash flow going. He is trying to make sure that the IDA can cover costs when they start coming in.

Mr. Marshall asked who will be in charge of the project from the IDA side of things. M. Miller said that it will be his job to take care of this. C&S has lined up someone to be on site.

CAYUGA MILK INGREDIENTS

A question arose as to whether there is a firm commitment for the property that is targeted for this project. J. Miller has been working on this and is talking to the County Attorney about the plan. The existing contracts between the IDA and Cayuga Milk will still work with the changes. The town planning board must approve the new applications and the site plan. It appears that everything is moving well and the new application will be able to be approved at the June Board meeting. The Land Development Agreement will cover additional

land for the new project. Things are in good shape. J. Miller will revise the language in both LDA's but they essentially cover the additional land.

Time Line: The application was made two weeks ago. A revised application will be presented to the town planning board tomorrow. They are focusing on the new plant and the wastewater plant. Lot 4 will not be presented. CMI representatives will walk the planning board through it tomorrow. The hope is that the planning board will say okay to the amendment and turn it over to the town engineers to start the environmental assessment with the intention of getting a declaration on the seeker review in July. Hopefully the site plan approval will be given in August so that work can begin on moving dirt (no structures) by September. There was a similar situation the first time. Problems were resolved by amending LDA's and other documents. CCIDA should contemplate a license adjustment now so it is there if it is needed in August. Cayuga Milk already has an option on Lot 4.

CCIDA will do whatever is needed to get things going. The June meeting is on the 20th. At that time the new CMI application can be accepted.

Motion was made by to enter Executive Session by Mr. Lockwood, seconded by Mr. Rindfleisch. All presented voted in favor.

Following executive session, a motion to adjourn was made by Mr. Marshall and seconded by Mr. Rindfleisch and the motion passed. Meeting ended at 9:06 a.m.

Respectfully Submitted,

Katie Moran