

**Cayuga County Industrial Development Agency
Regular Meeting
Remote due to COVID
November 17th, 2020 @ 4pm**

Chairman Lockwood called the meeting to order at 4:00pm, noting a quorum of the committee was present.

ROLL CALL:

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

Others Present: Tracy Verrier, Taylor Symes (CEDA); Riccardo Galbato (Galbato Law Firm); Jeanine Wilson (Cayuga County Water & Sewer Authority)

Absent: Gina Speno

MEETING MINUTES:

Mr. Vitale moved to approve the minutes of the October 20th Regular Meeting, seconded by Mr. Rindfleisch. All members voted in favor; motion was carried.

Mr. Latanyshyn moved to approve the minutes of the October 20th Finance Committee Meeting, seconded by Mr. Rindfleisch. All members voted in favor; motion was carried.

BILLS AND COMMUNICATION:

Ms. Symes presented the following bills: NYSEG for the electric at the Industrial Park for the month of October in the amount of \$141.46, which was paid online on October 26th. Ms. Symes discussed the PILOT Payments that were disbursed on November 4th in the amounts of \$74,246.48 to Union Springs School District and \$25,783.31 to Weedsport Central School District. Another disbursement will be made to Union Springs School District in the amount of \$73,701.23 and Weedsport Central School District in the amount of \$35,318.08. The Citizen sent two Public Hearing notice invoices, one for Abundant Solar Power in the amount of \$80.78 and one for Omni Navitas in the amount of \$59.69. The Probst Group sent an invoice in the amount of \$4,253.13. All payments other than NYSEG will be paid via checks.

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

REPORT OF THE TREASUERER:

Ms. Symes presented the Profit and Loss Budget Report and went over the activity in the accounts. In the month of October, there was revenue of \$59.42, which included \$13.80 from the Gas Lease Revenue along with interest that accrued on the savings account in the amount of \$45.62. The expenses for the month of October totaled \$333.71. At the end of October, monthly net income was \$274.29. Restricted funds were related to the PILOT Payments that were disbursed in November.

Mr. Rindfleisch moved to accept the Report of the Treasurer, seconded by Mr. Marshall. All members voted in favor; motion carried.

UNFINISHED BUSINESS:

Authorizing Project Resolution: GSPP/Omni Navitas: Ms. Verrier explained that on November 16th, we had a Public Hearing in the Town of Niles in relation to Omni Navitas with no public participation. Ms. Verrier noted that she ran into the Town Supervisor after the hearing and that the project seemed to be moving forward with the town, and thus there should not be an issue for CCIDA to authorize. Ms. Verrier stated that the project will still need to complete all Town permitting and zoning processes. At the Public Hearing, Mr. Mendlesohn stated that when they had the public hearing with the Town of Niles they received four comments, two of the comments were negative while two comments were positive. The concerns that were voiced pertained to farm land being taken out of production. Also, Mr. Marshall noted a concern with how the solar panels will be decommissioned and land will be put back to its original state. The positive remarks that were made pertained to the benefits of solar projects along with the New York State's goal in regards to renewable energy. At the hearing, Mr. Mendlesohn stated that for this project the land that is being removed from production will be replaced by land elsewhere, so the effect will be offset. The power will be distributed to the community based on the load zone they live in. Some of the community is in the National Grid zone and some is in the NYSEG load zone. Ms. Verrier stated that Mr. Mendlesohn has requested a waiver for the local labor policy strictly for the framing installation. The manufacturer for the framing requires to use their employees for warrantee reasons. We would want to exempt this from the policy as Mr. Mendlesohn says they should be able to hire contactors locally for the remaining portion of the project. Unfortunately, the framing portion is a significant part of the project, but the policy does allow for waivers due to warrantee requirements.

Mr. Latanyshyn asked if any of our other projects have asked for a waiver like this project? Ms. Verrier stated that she thought Abundant had a waiver for a portion of their project. Mr. Marshall asked if other projects are receiving the same benefits as this one? Ms. Verrier stated that this deal is the same as the Abundant deal, which was also community solar. Mr. Marshall and Mr. Latanyshyn voiced that if Omni Navitas are going to receive a waiver for the framing installation, the ongoing maintenance work will need to be from a local company. Ms. Verrier stated she will have to consult with the lawyers to see if we can legally require this in the agreement. Mr. Marshall voiced that if Omni Navitas cannot provide local labor for the maintenance work, then we will not provide a waiver for the framing installation.

Mr. Lockwood stated that at the New York Farm Bureau annual meeting a resolution will be brought to the table pertaining to discouraging solar projects from using good productive farm land. Mr. Vitale asked what is the definition of good productive farm land? Mr. Lockwood said once he receives an answer he will bring it back to the board. Mr. Marshall asked if this was based on a local level or a state level? Mr. Lockwood stated Mr. Patterson brought it to everyone's attention at a regional level. If it passes at the regional meeting, they will present it at the state meeting.

Mr. Latanyshyn asked if approving the resolution included an amendment?

Mr. Vitale made a motion to require the use of local labor for ongoing maintenance of the project once the project is completed, if this legally possible. Seconded by Mr. Marshall. All members voted in favor; motion carried.

Mr. Rindfleisch motioned to approve the authorizing resolution with the amendment, seconded by Mr. Vitale.

Mr. Lockwood requested a roll call vote, which was recorded as follows:

	Yes	Nay	Absent	Abstain
BEN VITALE	X			
JOHN LATANYSHYN	X			
PAUL LATTIMORE	X			
RAYMOND LOCKWOOD	X			
HERB MARSHALL	X			
ANDREW RINDFLEISCH	X			
GINA SPENO			X	

Motion approved.

CEDA STAFF UPDATE:

Ms. Verrier provided an update on the Aurelius sewer line. DEC reached back out to the Probst Group with additional questions, and the Probst Group answered their questions with some additional information. We are now waiting the final determination, but everything seems to be in good shape at this point. The Probst Group had a contractor on site doing topographic work. Once that is complete the final engineering can take place so that we can go to bid as soon as all of the approvals are in place. The board would like this process to happen as soon as possible. The board asked Ms. Verrier to continue working with Cayuga County Water and Sewer Authority and Doug Kierst to make sure everything stays on course.

Mr. Vitale would like to know if anything negative is being reported from DEC? Ms. Verrier stated nothing to be concerned about to her knowledge. She noted the DEC seemed pretty comfortable with the lower capacity request to start. It may be the case that we need to upgrade the Eagle Drive line first in the spring just to meet the immediate needs of CMI, then continue to work toward the force main moving forward. Ms. Wilson stated that there has been a lot of information exchanged, but confirmed that there is nothing new to report.

Ms. Verrier also discussed the REDI Grant which was available for businesses affected by the flooding that took place on Lake Ontario. This includes Sterling and Fair Haven. Awarded applicants must have a 10% local match in addition to their equity. One way for them to receive their match is through IDA incentives, such as a sales and use tax exemption and mortgage recording tax abatement. The IDA could also reduce its fees, which can be used towards their 10% match. Ms. Verrier explained that other IDA's are creating a specific application that would give them the option of doing the mortgage recording abatement or the sales and use tax

exemption only for these projects. A PILOT would not be an option unless the project warranted such a benefit separate from the REDI match needs. As of right now we have been contacted by one business that is in need of a local match. Their total project cost is \$200k, which is lower than the minimum project cost that is set by the IDA. Mr. Rindfleisch asked what type of businesses would be contacting us in regards to this local match? Ms. Verrier explained it would be marinas and other like businesses that are looking to repair shoreline, dock reconstruction, reconstruction on buildings that were damaged by flooding, etc. There are a few community-based projects, but we would be dealing with business projects. The only problem that we will most likely face is the retail exemption, so we would need to identify the exception in IDA law that would work for these projects. She noted that possibly the tourism exception would work. Mr. Marshall mentioned it doesn't seem unreasonable that if the grant pays 90% the business would pay the other 10%. Ms. Verrier clarified that the grant covers 50%, the business would need to contribute 40%, and then the 10% local match comes from a community based entity. Mr. Justin Miller of Harris Beach is working with Jefferson County on something similar, so Ms. Verrier said she can consult with him and get a draft program ready to go for consideration at the next meeting.

Ms. Verrier stated that Ms. Symes and herself were in an all-day IDA training. During this training we went over compliance, discussion about proposed legislation, and resiliency post-COVID.

CEDA is working with the legislature on their appropriate in the county budget for the upcoming year. Also, the new Business Development Specialist started and her name is Meg Goloub. Ms. Goloub brings a wealth of knowledge of business management along with being a SCORE mentor to her new role at CEDA. She will be joining us at the next meeting to introduce herself to the board.

Mr. Lockwood would like to know if there has been any update on the land acquisition that was discussed at the board meeting last month. Ms. Verrier stated that Ms. Szabo is still working on finding a contact.

NEW BUSINESS:

Ms. Verrier noted that the Annual Meeting was coming up. She would like to know if everyone would like to continue with having a luncheon, as was done in the past, or would the board rather have their regular meeting remotely? Mr. Marshall asked who was on the Nominating Committee? Ms. Verrier stated that the Nominating Committee consists of Ms. Speno, Mr. Marshall and Mr. Latanyshyn. Mr. Marshall stated that the three members could meet any time before the monthly board meeting to discuss everything. Ms. Verrier reiterated that the upcoming meeting is December 15th. She said we could send out an email on December 1st to confirm the logistics of the regular meeting. Mr. Marshall asked whose terms were coming to an end. Ms. Verrier stated the members whose terms are ending are Mr. Lockwood, Mr. Rindfleisch, Mr. Latanyshyn, Mr. Lattimore.

Mr. Marshall would like to motion to recommend the four board members up for reappointment, seconded by Mr. Vitale. All members voted in favor; motion carried.

Ms. Verrier will submit the appointment recommendation to the legislature, and stated that staff will follow up with the board around December 1st to schedule the December meeting.

Ms. Verrier went over the self-evaluation form in the packets. The forms are due by the end of the year and the Governance Committee will review them at their January Meeting. Everyone is able to turn the forms in via email or mail.

Upcoming Events:

NONE.

ADJOURNMENT:

Mr. Marshall motioned to adjourn the meeting at 4:38pm, seconded by Mr. Latanyshyn. All members voted in favor; motion carried.

Respectfully Submitted,

Taylor Symes