

SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
MEETING MINUTES

Regular Meeting
Thursday, October 7, 2021
12:00 Noon
Heroes Conference Room
One DiPronio Drive
Waterloo, NY 13165

Attendance:

Board Members Present: Steven Brusso, Chair; Stephen Wadhams (via Phone); Jeff Shipley; Suzanne Cirencione and Bruce Murray
Board Members Absent: Thomas Kime, Don Trout and Tom Murray
Staff Attending: Sarah Davis, Executive Director; Patricia Jones, Deputy Director; Kelly Kline, Office Manager
Others Attending: Robert Kernan, CFO; Robert Halpin, Legal Counsel; Marie Weiss, Carpenters Union 277

Call to Order:

Chairman Brusso called the meeting to order at 12:07 p.m. A quorum of the Agency's members were present.

Approval of IDA Meeting Minutes of September 2, 2021:

The minutes of the Agency's meeting of September 2, 2021, had been sent to Board members prior to the meeting. A motion was made by Mr. Shipley to approve the minutes. Seconded by Mr. Bruce Murray. Members, Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried.

Approval of August 2021 Financial Statements:

The August 2021 financial statements had been mailed to board members prior to the meeting. Mr. Brusso summarized the financial statements for the board. A motion was made by Mrs. Cirencione to approve the financial statements. Seconded by Mr. Shipley. Members, Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried.

Discussion / Approval of IDA Resolution No 2021-21 / Trelina Solar Project / Final Resolution:

A copy of the proposed resolution was provided to board members prior to the meeting. Approval is conditional on the project receiving its article 10 designation from the state which is expected to occur before the end of the year. Mrs. Davis advised the board that the company is seeking the standard solar PILOT agreement per the Agency's UTEP. 15 years at the base taxes on the property plus a \$4,500 per megawatt fee that increases 2% annually. The total estimated PILOT payments for the project are around \$7.32 million, with a total (sales and property) tax exemption of \$18.34 million. The cost-benefit analysis showed \$3 of benefits to the public for every \$1 of assistance this project receives. IDA staff conducted a public hearing for this project on September 22, 2021, Many comments were received from members of the public and the local building trades in support of the project. A copy of the minutes from the hearing are included with the proposed resolution. This final resolution would approve the proposed PILOT agreement for the project, conditional on their being issued a certificate of environmental compatibility and public need under Article 10 of the NYS Public Service Law, which should be by the end of this year. Questions: Mr. Bruce Murray asked if there is any way to verify that the actual labor contributions are either reliable or auditable, so we know for a fact that the number of hired contractors are in line with their estimate as noted in their application? Mrs. Davis noted that the cost benefit software has some built in assumptions for the project, so those are not a standard that we hold the company to; however, we do have to track and audit from the company, the number of jobs that are created annually which is then reported to the state. In terms of local labor, we do have our local labor policy that they do have to adhere to. This project in particular is subject to NYS Prevailing wage because of the level of assistance they are receiving from other agencies. And they working to negotiate project labor agreements with some of our local unions so there will be additional compliance thru those other parties. Mr. Halpin also

noted that there is a requirement within the IDA closing documents that the company provides annually documentation on employment to the agency. The resolution was presented as follows:

RESOLUTION AUTHORIZING THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") TO (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF TRELINA SOLAR ENERGY CENTER, LLC (THE "COMPANY"), (ii) NEGOTIATE, EXECUTE AND DELIVER A LEASE AGREEMENT, LEASEBACK AGREEMENT, AGENT AGREEMENT, PAYMENT IN LIEU OF TAX AGREEMENT, AND RELATED DOCUMENTS, (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (a) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (b) A PARTIAL REAL PROPERTY TAX ABATEMENT UNDER A PAYMENT IN LIEU OF TAX AGREEMENT, AND (c) A MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT; AND (iv) EXECUTE A MORTGAGE AND RELATED DOCUMENTS

A motion was made by Mr. Shipley approving Resolution No 2021-21. Seconded by Mrs. Cirencione. Members Brusso, Cirencione, B. Murray, Shipley and Wadhams voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout absent. Motion carried.

IDA Long Term Forecast:

A copy of the Long-Term Forecast was provided to the board prior to the meeting. Mrs. Davis presented the Agency's long-term financial plan projecting out seven years with worst and average case scenarios. In both scenarios, the IDA would be financially stable thru 2027 continuing into 2028. Ms. Davis noted two primary streams of revenue are agency fees and annual funds received from the County. Other types of potential revenue would come from the sale of land at the IDA-owned Deer Run Industrial Park and minimal application fees. This forward-looking view is reviewed twice a year, with the budget in the fall and the audit in the spring. It is for informational purposes only,

Presentation and Approval of Proposed 2022 IDA Budget and Posting to PARIS:

The proposed 2022 IDA Budget had been forwarded to Board members prior to the meeting. Mr. Brusso advised board members that the IDA Audit Committee met on September 14th and are recommending approval of the 2022 budget by the IDA Board. Mrs. Davis provided a summary of the proposed budget to the board. A motion was made by Mr. Bruce Murray approving the 2022 IDA Budget and posting to PARIS. Seconded by Mr. Shipley. Members Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried.

Approval of Engagement Letter / Mengel Metzger and Barr , Raymond F. Wager, CPA.PC for 2021 IDA Audit:

A copy of the 2021 IDA Annual Audit Engagement Letter from the office of Raymond F. Wager, CPA, P.C. was provided to Board members prior to the meeting. Chairman Brusso noted that the Audit Committee has reviewed the Engagement letter and is recommending approval by the full board. Mrs. Davis noted that Staff did reach out to other agencies for quotes and Mengel Metzger and Barr did have the lowest one at \$12,625. There is a modest increase in their fee from last year of \$375. It was also noted that there will be a change in lead auditor for the 2021 audit which is consistent with the PAAA requirement. A motion was made by Mrs. Cirencione approving the 2021 Annual Engagement Letter. Seconded by Mr. Bruce Murray. Members Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried.

Standing Item – Update / Seneca County Chamber of Commerce – Jeff Shipley:

Mr. Shipley gave the following update to the board. The One Seneca group has finished collecting data from the survey regarding infrastructure in Seneca County and 73 responses were received. The Chamber, the County and the IDA are working together to review the responses from the survey. The results will be shared with the Board of Supervisors where One Seneca will advocate for the use of investment in infrastructure development. The One Seneca group meets on a weekly basis for half an hour every Thursday morning and Mr. Shipley encouraged members of the IDA Board to join stating it's a very strong group and will have a big impact on development in Seneca County. Mr. Bruce Murray followed up by praising the IDA's Strategic Plan noting that the One Seneca group has taken the plan and focused on a very narrow set of priorities for the county with infrastructure, broadband and water. Mr. Murray would like members of the IDA board to consider putting their own thumbprint on the plan, noting, "it's a great plan and if we don't reinforce it, it may not see the benefit of the work that has been put into it."

Standing Item – Update / Seneca County Board of Supervisors (BOS):

Mrs. Davis noted that the IDA is getting ready to move forward with its transfer of the 414-sewer line to the County. IDA staff is waiting on the County Attorney to provide the draft documents for review.

3rd Quarter IDA Report by Executive Director, Sarah Davis:

Mrs. Davis noted that 2021 continues to be one of the IDA's strongest years yet. The agency is continuing to grow the project pipeline and the Business Retention & Expansion (BR & E) program, which is on track to meet its year-end goal of 50 total visits. Additionally, there are six projects in the "win" category, meaning the applications have at least achieved initial approval of the IDA Board although some may not seek final approval or official closing until early in 2022. The following project wins are in order of when final board approval is anticipated:

- The Schrader Farms loan, which made it through final board approval,
- The Trelina Solar PILOT project, which has received initial board approval and a public hearing,
- The Keystone Mills PILOT project, which has made it through initial board approval and a public hearing,
- The NY Lodi I Solar PILOT project, which has had initial board approval and a public hearing,
- The sale of lots 1 & 2 at Deer Run Industrial Park to Bestmade Products, which has made it past initial board approval. Additionally, this project has submitted a PILOT application that has received initial approval and a loan application that is being processed before receiving consideration from the IDA's loan committee,
- And the Wilkins RV project, which has received initial board approval and is awaiting the scheduling of a public hearing.

These six projects are expected to invest approximately \$166.5 million into our county, retain 104 employees, and create 51 new permanent jobs and over 250 construction jobs.

Other Business:

None

Executive Session:

Chairman Brusso requested a motion to enter into Executive Session under Public Officers Law, Article 7, Section 105, to discuss the financial, credit or employment history of a particular corporation, or matters leading to the approval of a contract for a particular corporation. A motion was made by Mr. Bruce Murray at 12:52 pm to enter into Executive Session. Seconded by Mrs. Cirencione. Members Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried. A motion was made by Mr. Wadhams at 1:20 p.m. to come out of Executive Session. Seconded by Mr. Shipley. Members Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried.

Discussion / Approval of IDA Resolution No 2021-22 / Engineering Services for Industrial Park Sites:

After discussion in Executive Session, Chairman Brusso proposed entering into a contract with MRB Group for Engineering Services for a feasibility study on potential Industrial Park Sites. The Resolution was presented as follows:

**RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY")
AUTHORIZING THE ACCEPTANCE OF THE AGENCY TO ENTER INTO A CONTRACT FOR ENGINEERING
SERVICES.**

A motion to approve Resolution No 2021-22 was made by Mr. Bruce Murray. Seconded by Mr. Wadhams. Members Brusso, Wadhams, B. Murray, Shipley and Cirencione voted "yea." Mr. Kime, Mr. Tom Murray and Mr. Trout were absent. Motion carried.

Adjournment:

A motion to adjourn the meeting was made by Mr. Shipley. Seconded by Mr. Bruce Murray. Motion carried. The meeting adjourned at 1:21 p.m.

The next regular scheduled meeting will be held on November 4, 2021 at **12:00 Noon**.

Respectfully submitted,

Stephen Wadhams
Secretary

pc: Margret Li, Clerk to the Board of Supervisors