

**SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
MEETING MINUTES**

Regular Meeting
Thursday, March 25, 2021
12:00 Noon
Via Recorded Conference Call open to the public

Attendance:

Board Members Present: Steven Brusso, Chair; Thomas Kime; Menzo Case; Tom Murray; Bruce Murray; Don Trout and Stephen Wadhams
Board Members Absent: Jeff Shipley
Staff Attending: Sarah Davis, Executive Director; Patricia Jones, Deputy Director; Kelly Kline, Office Manager
Others Attending: Robert Kernan, CFO; Robert Hayssen, Chairman Seneca County Board of Supervisors; Rob Halpin, The Halpin Law Firm; Mitch Rowe, County Manager

Call to Order:

Chairman Brusso called the meeting to order at 12:00 p.m. A quorum of the Agency's members were present.

Approval of IDA Meeting Minutes of February 2, 2021:

The minutes of the Agency's meeting of February 2, 2021 had been sent to Board members prior to the meeting. A motion was made by Mr. Kime to approve the minutes. Seconded by Mr. Tom Murray. Motion carried.

Approval of 2020 IDA Annual Audit, Single Audit and Management Letter:

The 2020 IDA Audit, Single Audit and Management Letter had been mailed to board members prior to the meeting. Mrs. Davis advised Board Members that the 2020 Audit, Single Audit and Management letter were accepted by the Audit Committee at their meeting on March 16, 2020 and approval by the full board is recommended. Mr. Kernan noted that the auditors have issued a clean audit with no material weaknesses or deficiencies in internal controls. A motion was made by Mr. Case approving the 2020 IDA Audit, Single Audit and Management Letter and authorizing staff to post to PARIS, per the recommended approval of the Audit Committee. Seconded by Mr. Wadhams. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray, Case voted "yea". Mr. Shipley absent. Motion carried.

Review of 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 the worst case, the IDA could exhaust its cash in 2027. In the average case, and using total projected income of \$400,000 a year, the IDA would be financially stable thru 2027. 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.

Approval of ABO Measurement Report:

A copy of the New York State Local Public Authority Mission Statement and Measurement Report was provided to Board members prior to the meeting. Mrs. Kline noted that the agency is required to provide a self-evaluation of the prior year's performance. In calendar year 2020 the Seneca County IDA supported 25 active projects, which have leveraged \$551,887,617 of private investment. These projects retained 2,202 FTE jobs and 3 FTE Construction

jobs, of which 854.03 were created as a result of public support leveraging private investment. Job creation is significantly understated due to employee leasing by some employers, and the inability to accurately track the number of jobs at the Waterloo Outlet mall. Board members acknowledged having read and understood the answers to the five questions in the final section of the document referred to as "Governance Certification." A motion was made by Mr. Kime approving the Measurement Report and posting to PARIS. Seconded by Mr. Case. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Approval of Resolution 2021 – 08 | Finger Lakes Equipment Rental | Sales Tax Exemption Extension:

A copy of the proposed resolution was provided to board members prior to the meeting. Mrs. Davis advised the board that Finger Lakes Equipment Rental is requesting an extension of their sales tax exemption, which is expiring on March 31, 2021. As of December 31, 2020, they had only used one sixth of the exemption. The company provided a letter explaining that COVID 19 had caused delays in their expansion plans. The resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING AN EXTENSION OF THE AGENT STATUS OF FINGER LAKES EQUIPMENT RENTAL LLC TO DECEMBER 31, 2023

A motion was made by Mr. Kime approving the resolution. Seconded by Mr. Case. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Approval of Resolution 2021 – 09 | Waterloo Containers Project | Sales Tax Exemption Extension:

A copy of the proposed resolution was provided to board members prior to the meeting. Mrs. Davis advised the board that Waterloo Container is requesting an extension of their sales tax exemption, which is expiring on March 31, 2021. As of December 31, 2020, they had used just over half of the exemption. In a letter to the IDA, the company explained that COVID-19 caused supply chain issues, resulting in delivery delays of equipment, which has held up the completion of their facility expansion. The resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING AN EXTENSION OF THE AGENT STATUS OF WATERLOO CONTRACTORS, INC. D/B/A WATERLOO CONTAINER TO DECEMBER 31, 2023.

A motion was made by Mr. Kime approving the resolution. Seconded by Mr. Case. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Approval of Resolution 2021 – 10 | Waterloo Downtown Properties | Sales Tax Exemption Extension:

A copy of the proposed resolution was provided to board members prior to the meeting. Mrs. Davis advised the board that Waterloo Downtown Properties is requesting an extension of their sales tax exemption, which is expiring on March 31, 2021. As of December 31, 2020 they had claimed about 85% of the exemption. A letter from the company explained that, due to COVID-19, they have experienced supply chain delays, which slowed the project. The resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING AN EXTENSION OF THE AGENT STATUS OF FINGER LAKES EQUIPMENT RENTAL LLC TO DECEMBER 31, 2023

A motion was made by Mr. Kime approving the resolution. Seconded by Mr. Case. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Approval of Resolution 2021 – 11 | Deep Dairy Products LLC | Sales Tax Exemption Extension:

A copy of the proposed resolution was provided to board members prior to the meeting. Mrs. Davis advised the board that Deep Dairy Products is requesting an extension of their sales tax exemption, which is expiring on March 31, 2021. As of December 31, 2020, the company had claimed approximately 25% of their exemption. The company provided a letter explaining that COVID-19 had caused delays in their expansion plans. The resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING AN EXTENSION OF THE AGENT STATUS OF DEEP DAIRY PRODUCTS, L.L.C. TO DECEMBER 31, 2023.

A motion was made by Mr. Kime approving the resolution. Seconded by Mr. Case. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Approval of Transfer of Army's Retained Environmental Sites:

The Army has completed environmental clean-up of eleven sites (283 acres) and they are ready to transfer these parcels to the IDA. A memorandum of agreement was signed by the IDA and the Army in 2003 that when all the environmental cleanup was completed the army had an obligation to deed that property to the IDA. All parcels are located in the Town of Varick and include sites in the Army's Exclusion Area and the conservation area. The Army has provided a draft deed and it has been reviewed by Legal Counsel. A portion of this land will then be deeded to Deer Haven Park (part of the Conservation Area transfer) (236.93 acres) and the other portion will be leased to First Light (part of their Development Lease) (45.82 acres). For information purposes – the Army has just two (2) environmental sites remaining totaling 403.03 acres.

Chairman Brusso noted this item was tabled at the February board meeting as the board had a number of concerns with the environmental liability of the IDA. A summary was provided to the board of what remediations have been done by the Army as well as what the relative responsibilities are for prior contamination if something comes up in the future.

A motion was made by Mr. Bruce Murray approving the Transfer of the Army's Retained Environmental Sites from the US Army to the IDA. Seconded by Mr. Trout. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

SEQRA Review | Transfer of Railroad | Seneca Ag Park:

Ms. Jones advised board members that in 2008 when the property at the Depot was transferred to Seneca Depot LLC, the IDA reserved the railroad tracks and provided an easement for their use. Seneca Ag Park, LLC, the new owner of the property, has requested that the railroad tracks be conveyed to them. It has been determined that these railroad tracks are of no use or value to the IDA and constitute a source of potential liability. In order to transfer the tracks to Seneca Ag Park, LLC, a SEQRA review is required. A copy of Parts 1 and 2 of the Short Environmental Assessment Form (EAF) were provided to Board members prior to the meeting. Ms. Jones noted that in Part 2 – staff is recommending "No, or small impact will occur" for the eleven listed items. A motion was made by Mr. Case that based on the information and analysis of the EAF, that the proposed action will not result in any significant adverse environmental impacts. Seconded by Mr. Tom Murray. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Discussion | Approval of Resolution 2021 – 12 | Transfer of Railroad | Seneca Ag Park :

A copy of the proposed resolution was provided to the board prior to the meeting. Mr. Brusso advised board members that this is the final part of the approval of the transfer of the Railroad to Seneca Ag Park LLC. The resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE TRANSFER OF RETAINED RAILROAD FACILITIES TO SENECA AG PARK, LLC.

A motion was made by Mr. Wadhams approving Resolution no 2021-12. Seconded by Mr. Case. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

Discussion | Approval of FAME Renewal:

The 2020 annual FAME report to contributing IDAs was provided to board members prior to the meeting. Staff is proposing that the agency remain founding members of FAME at a cost of \$975. A motion was made by Mr. Kime approving support of FAME for 2021. Seconded by Mr. Wadhams. Members, Brusso, Trout, Wadhams, Kime, B. Murray, T. Murray and Case voted "yea". Mr. Shipley absent. Motion carried.

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

IDA Board Member and Chairman of the Chamber Board, Bruce Murray provided an update on behalf of Mr. Shipley, who was absent. Mr. Murray noted that Mr. Shipley is continuing to chair weekly One Seneca meetings, which is also attended by Mrs. Davis as well as many others. The Chamber is taking the lead and looking to restart what at one time was a collaborative effort related to the One Seneca umbrella.

Standing Item – Update / Seneca County Board of Supervisors – Don Trout:

Mr. Trout advised board members that the Board of Supervisors recently had discussions regarding the reimbursement to the IDA for pending repair costs to the Route 414 sewer line, currently owned by the IDA. The Board of Supervisors voted to not compensate the IDA for any repairs that are to be made to the Route 414 sewer line.

Quarterly Report | IDA Executive Director – Sarah Davis:

Mrs. Davis provided the following quarterly report to the board: Staff is continuing to make progress on many of the priority projects and improvements which were outlined for the year. Significant progress is also being made toward the goal of 50 business retention and expansion (BR&E) visits and six business attraction or expansion projects. To date, staff has completed 13 BR&E visits, putting us just over a quarter of the way to our year-end goal. Four of the companies visited have expressed they have plans to expand over the next few years. In terms of business attraction and expansion projects, the IDA now has 17 projects in our pipeline. An RLF Loan application has been submitted and is being presented to the RLF committee for consideration. With their approval and recommendation, it will come before the full board in May. Overall, the agency is on track for a strong year, provided that we can move some of our pipeline projects along to completion over the next few months.

Other Business:

None

Executive Session:

None

Adjournment:

A motion to adjourn the meeting was made by Mr. Case. Seconded by Mr. Wadhams. Motion carried. The meeting adjourned at 12:53 p.m.

The next regular scheduled meeting will be held on **May 6, 2021, 12:00 Noon**, Via conference call and Livestreamed due to Covid-19.

Respectfully submitted,

Stephen Wadhams
Secretary

pc: Margret Li, Clerk to the Board of Supervisors