

Cayuga County Industrial Development Agency Meeting
2 State St., Auburn, NY 13021
November 18, 2014 at 4 p.m.

Ray Lockwood opened the CCIDA meeting at 4:07 pm, noting there was a quorum present.

ROLL CALL

Present: Ray Lockwood, Paul Lattimore, Carol Contiguglia, John Latanyshyn, Herb Marshall.

Excused: Joe Runkle, Gina Speno.

Others Present: Andrew Fish, Executive Director, Tracy Verrier, CCIDA, Michelle Prego-Milewski, CSS; Rick Galbato, Galbato Law Firm; Fred Swayze, Jr., Northeast Regional Council of Carpenters.

MINUTES: Motion by Mr. Lattimore to approve the October 21, 2014 regular meeting minutes and the October 21, 2014 Finance Committee minutes, seconded by Mr. Marshall. All members present voted in favor. Motion passed.

TREASURER'S REPORT:

- a) Ms. Verrier reviewed the October financials. She noted specific income and expenses in October. Motion to approve the Treasurer's Report by Mr. Latanyshyn, seconded by Mr. Lattimore. All members voted in favor. Motion passed.
- b) Ms. Verrier explained that she had researched FDIC coverage limits, and that CCIDA is allowed to have up to \$250,000 in checking accounts and \$250,000 in a savings accounts at a single bank, for up to \$500,000 in coverage at a single bank. However, money market accounts and CDs are included in the savings portion. The Board is already over their limit with Generations Bank, but the Generations Board of Directors will be voting on whether or not to provide the collateralization required under the CCIDA Investment Policy at their next meeting. Mr. Latanyshyn suggested that the Board put all CCIDA savings into Generations if they can collateralize. If this is not possible, the Board discussed several other options. Motion by Mr. Marshall to move all of CCIDA's interest bearing assets into Generations Bank if they collateralize, or if Generations will not collateralize move it into a 48-month CD at Cayuga Lake National Bank if the penalty for early withdrawal is six to nine months, or into a 29-month CD at Key Bank if the penalty for early withdrawal from the 48-month CD is too high. Motion seconded by Ms. Contiguglia. All members voted in favor.

OLD BUSINESS:

- a) The Board received an update from the Finance Committee. The Committee had discussed using Cuddy & Ward for the 2014 annual audit, and possibly partnering with AIDA for the audit process in 2015. They reviewed the Committee's Charter and added "teleconference" as an option for attendance at a Committee meeting. They made no other changes to the Charter or other policies reviewed (Procurement Policy, Property Acquisition & Disposition Policy, and Investment Policy). The Committee discussed investment options such as securities and treasuries as possibilities for the future. Motion by Mr. Marshall to use Cuddy & Ward for the 2014 audit, seconded by Ms. Contiguglia. All members voted in favor. Motion passed.
- b) The Governance Committee updated the Board on its meeting earlier in the afternoon and asked Mr. Latanyshyn his advice on the current check writing policy. Mr. Latanyshyn and Ms. Verrier will work on a new policy. The Committee would also like to change the roll-call vote requirement in the By-Laws. Currently the By-Laws require a roll-call vote on all motions, the Committee would like to require a roll-call vote on resolutions only and still leave open the option for Board members to request a roll-call on other motions. The Committee would also like to add "Executive Session (as needed)" to

the order of business outlined in the By-Laws.

- c) Mr. Fish informed the Board that the REDC would make their announcements on December 10, 2014. Mr. Fish also informed the Board that the innovation accelerator would be discussed at the November 20, 2014 CEDA Board meeting, and that it would need \$100,000 to get off the ground. Additionally, the CEDA contract discussion with the County is going well. The County's portion of CEDA's funding has dropped from 92% to 85%. He also discussed a joint meeting with the AIDA Board. The Board members questioned if the two Boards will merge and some point, and Ms. Contiguglia asked if CCIDA would still be a seven-member body if there were a merge. Mr. Fish answered yes, but also said there are many benefits to keeping AIDA functioning on some level.

NEW BUSINESS:

- a) Mr. Fish discussed the Johnston Paper public hearing that took place on November 18th at the Aurelius Town Hall. The hearing attracted seven attendees, five from CCIDA and CEDA, as well as two Aurelius residents. The residents had concerns about the impact that the new PILOT would have on special districts (fire, water, sewer). Mr. Fish also read a prepared statement from the Union Springs School District and discussed the school district's concerns with the extended PILOT length.

RESOLUTION OF THE CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(i) APPOINTING REHC 5, INC. (THE "COMPANY") AND JOHNSTON PAPER COMPANY, INC. (THE "OPERATOR") AS AGENTS TO UNDERTAKE A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW); (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF AGENT AGREEMENTS, ALONG WITH AMENDED AND RESTATED LEASE, LEASEBACK AND PAYMENT-IN-LIEU-OF-TAX AGREEMENTS AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE PROVISION OF CERTAIN FINANCIAL ASSISTANCE TO THE COMPANY AND OPERATOR (AS FURTHER DEFINED HEREIN); (iv) ADOPTING FINDINGS WITH RESPECT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA"); AND (v) AUTHORIZING THE EXECUTION OF RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

Motion to approve the resolution as is by Mr. Marshall, seconded by Mr. Lattimore. The Resolution passed with the following roll-call vote:

Raymond Lockwood: Yes
Carol Contiguglia: Yes
Paul Lattimore: Yes
John Latanyshyn: Yes
Herb Marshall: Yes
Joe Runkle: Absent
Gina Speno: Absent

- b) Mr. Fish informed the Board that the Finger Lakes Mall is exercising the out clause in its PILOT and is going back on the tax rolls. He said that the mall is willing to work with the town to come to a fair assessment. The Board discussed Bouck taking over the renting of store fronts and the future of Bass Pro.
- c) The Board agreed to hold its annual meeting at the Springside Inn on December 16, 2014 at noon.
- d) Ms. Contiguglia, Mr. Marshall, and Mr. Latanyshyn agreed to serve on the nominating committee.

EXECUTIVE SESSION

Motion by Mr. Marshall to move into executive session for discussions regarding pending litigation and contracts at 5:11 p.m., seconded by Mr. Lattimore. All members voted in favor.

Motion to come out of executive session by Mr. Marshall at 5:35, seconded by Mr. Latanyshyn. All members voted in favor.

ADJOURNMENT OF CCIDA MEETING

Motion to adjourn the meeting at 5:37 p.m. by Mr. Marshall, seconded by Mr. Lattimore. All members voted in favor.

The next regularly scheduled CCIDA meeting will be the held on Tuesday, December 16th at 12 p.m. at the Springside Inn.

Respectfully submitted,
Michelle Prego-Milewski,
Acting Secretary