

**Steuben County Industrial Development Agency
7234 Route 54N, P.O. Box 393, Bath, NY 14810**

Minutes of the Regular Meeting March 26, 2020

- I. CALL TO ORDER:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:05 p.m. by Chairman, Mike Nisbet at their offices at 7234 State Route 54, Bath, New York. Chairman Nisbet confirmed that there was a quorum present.

Present:	Mike Nisbet	Chairman
Board	Scott VanEtten	Vice Chairman
	Mark Alger	Secretary
	Tony Russo	Treasurer
	Mike Doyle	Member
	Christine Sharkey	Member
	Dean Strobel	Member
Staff:	James Johnson	Executive Director
	Kathy Forester	Administrative Assistant
	Jill Staats	IDA Staff
	Keri Allison	IDA Staff
	Russ Gaenzle	SCIDA Counsel
	Joe Kehm	EFPR Group
	Kristie Beach	EFPR Group

- II. SECRETARY'S REPORT:** A motion to approve the February 27, 2020 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Tony Russo, seconded by Mike Doyle. All in favor. Approved.
- III. TREASURER'S REPORT:** The February 2020 financial statements were not available to be presented to the board, due to a delay caused by the recent transition to Paychex for payroll processing. A motion was made by Mark Alger to approve the Treasurer's Report for January 2020, seconded by Mike Doyle. All in favor. Approved.
- IV. NEW BUSINESS:**

Solar Discussion

Jamie provided the Board with information regarding the large number of solar companies approaching not only this organization, but other IDA's

across the state. It has been recognized that there is not adequate information to make informed decisions regarding applications, despite significant data from NYSERDA. This is new territory with evolving policy, but the IDA does not want to inhibit the ability for growth and development. Further discussion included balancing benefits with community impact including consideration of increasing the PILOT amount and possibly decreasing the PILOT benefit term. The Board recognized the need for further information regarding the decommissioning of equipment to be established in the site plan documentation for future projects. Further discussion by the Board included the possibility of including a stipulation in the revised policy covering site review plans and assurance of compliance with any contingencies requested by the governing municipality in which the project will occur; Bond requirements, proof of insurance, decommissioning plans, and monitoring of contractual obligations were among the issues addressed.

Upon recommendation and request from Jamie, a motion was made by Scott VanEtten to authorize staff and counsel to modify the existing solar policy to remove the dollar amounts currently assigned herein, seconded by Mike Doyle. All in favor. Approved.

A. NY Bath I, LLC – Application and Inducement Resolution

After discussion regarding the previously adopted policy regarding solar PILOT agreements, it was recommended by Jamie that both the application and inducement resolution be tabled for the time being, until further benchmarking has been established for solar projects in general.

B. Section 125 Plan – Employee Benefits

Upon the recommendation of Jamie, a motion was made by Mark Alger to approve the adoption of a Section 125 Plan to ensure compliance with IRS regulations related to pre-tax deductions through employee payroll. The motion was seconded by Mike Doyle. All in favor. Approved.

C. Freedom of Information Officer – Appointment of Keri Allison as FOIL Officer

Upon the recommendation of Jamie, a motion was made by Chris Sharkey to appoint Keri Allison as the Freedom of Information Law Officer. The motion was seconded by Mike Doyle. All in Favor. Approved

D. Update Five Star Bank Signature Cards

After a brief discussion regarding the current policy governing the signatory authority for checks written by the Steuben County IDA, Jamie recommended that the board approve Keri Allison as an authorized signatory on the Five Star Bank checking accounts. A motion was made by Tony Russo, seconded by Mark Alger. All in favor. Approved.

E. Policy Review

Harris Beach, LLC has completed a full review of all IDA policies to ensure compliance with current regulations. Jamie recommended to the board that all policies be adopted as currently written with the exception of one change; the Expenditure Policy should have a change in the language replacing the title of “Administrative Assistant” to “Finance and Compliance Manager” to align with Keri Allison’s title for the responsibilities outlined in that policy. A motion was made by Tony Russo, seconded by Mark Alger to approve the policies as amended. All in favor. Approved.

The following policies were included in this review, and a copy was provided to all Board members:

- Compensation Reimbursement and Attendance
- Defense and Indemnification
- EEO Policies for Personnel Handbook
- Real Property Acquisition
- Sexual Harassment Prevention
- Sexual Harassment Complaint Form
- Audit-Finance Charter
- Capitalization
- Code of Ethics/Whistleblower Policy
- Expenditure Policy Procedure
- Fee Schedule
- Financial Controls
- Governance Committee Charter
- Investment Policy
- Labor Market Policy
- Procurement Policy
- Project Evaluation Criteria
- Project Progress Assessment and Verification
- Property Disposition Guidelines
- Retail Projects
- Termination of Benefits
- Uniform Tax Exempt Policy
- Management Assessment of Effectiveness of Internal Controls

V. OLD BUSINESS.

a. Canisteo Wind Discussion

Jamie provided the Board with an overview of the Public Hearings that were held at the Troupsburg Fire Hall on February 26, 2020. A court reporter was present and the official transcript will be available to the Board and the public once received. Video footage of both sessions are currently posted on the website.

VI. EXECUTIVE SESSION – Public Officers Law, Article 7, Open Meeting Law Section 105, Paragraph 7 (Personnel)

A motion was made by Scott VanEtten to move to Executive Session, seconded by Mike Doyle. All in favor. So moved. The Board entered Executive Session at 12:45 p.m.

The Board took no action in executive session. Mark Alger made a motion to reconvene the Agency meeting at 1:00 p.m., seconded by Scott VanEtten. All in favor. Approved.

VII. Consulting Agreement with Kathryn Forester

Jamie recommended to the Board to approve a consulting agreement between the Agency and Kathryn Forester for the purpose of providing additional support during the transition time following her retirement. A motion was made by Tony Russo, seconded by Mark Alger. All in favor. Approved.

VIII. ADJOURNMENT.

With no further business to discuss, a motion was made by Scott VanEtten to adjourn the meeting at 1:05 p.m., seconded by Mike Doyle. All in favor. Approved.

Meeting was adjourned at 1:05 p.m.

Respectfully submitted,

Mark Alger
Secretary