

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

Minutes of the Regular Meeting May 28, 2020

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Steuben County Industrial Development Agency (the "Agency") held this Board Meeting via electronic webinar instead of a public meeting open for the public to attend in person.

- I. CALL TO ORDER:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:06 p.m. by Chairman, Mike Nisbet Chairman Nisbet confirmed that there was a quorum present via Zoom meeting.

Present:	Mike Nisbet	Chairman
Board	Scott VanEtten	Vice Chairman
	Mark Alger	Secretary
	Mike Doyle	Member
	Christine Sharkey	Member
	Dean Strobel	Member
Staff:	James Johnson	Executive Director
	Jill Staats	IDA Staff
	Keri Allison	IDA Staff
	Russ Gaenzle	SCIDA Counsel
Other:	Jim Griffin	Hornell IDA
	Susan Payne	Three Rivers Development

- II. SECRETARY'S REPORT:** A motion to approve the April 7, 2020 Steuben County Industrial Development Agency's Regular Meeting minutes was made by Mike Doyle, seconded by Scott Van Etten. All in favor. Approved.
- III. TREASURER'S REPORT:** In Tony Russo's absence, Jamie presented the April financial statements to the Board. A motion to approve the April financial statements was made by Mike Doyle, seconded by Dean Strobel. All in favor. Approved.
- IV. NEW BUSINESS**
- a. Office Re-Opening Plan**
- Jamie presented the safety plan established by the Agency to re-open under Phase 2 guidelines. The anticipation is that beginning on Monday, June 1st, the office will be open for regular business hours, staffed at 50% capacity, with a rotating staff schedule. Staff will work remotely when not

in the office. Outside visitors will be by appointment only, and a visitors' log will be utilized for contact tracing purposes. The currently contracted cleaning person will increase to twice-weekly cleaning to ensure adequate sanitizing and disinfecting protocols are in place, and will complete a cleaning log. Adequate PPE is available for staff and visitors.

A motion to approve the office re-opening plan was made by Mark Alger, seconded by Mike Doyle. All in favor. Approved.

b. B & H Railcorp PILOT Extension Application

Jamie presented to the board an application to extend the current PILOT agreement for B&H Railroad. The current PILOT schedule has two years remaining, at an 80% taxation value. The applicant made the request to help establish a fixed cost operation in order to promote continued rail service in central Steuben County. B&H Railcorp agrees to invest an additional \$500,000 in the line, plus \$250,000-\$300,000 in other operating expenses during the timeframe of the proposed PILOT extension.

Because B&H Railcorp is currently a partner with the Agency with a current project in place, Jamie proposed that there not be any additional Administrative fees, and B&H Railcorp will pay all necessary legal fees related to the new project.

A motion was made to approve the application and initial inducement resolution by Mark Alger, seconded by Dean Strobel. All in favor. Approved.

V. OLD BUSINESS

a. Bright Hill Solar – Final Resolution

Jill presented the final resolution for the Bright Hill Solar Project to the board, including details regarding the revision of the sales tax rate applicable for the project. SEQR information and evidence of a negative declaration was provided by the town. There is a decommissioning bond in place. The public hearing was held on Friday, May 15th, with no participation from the public.

A motion was made to approve the Final Resolution by Scott VanEtten, seconded by Chris Sharkey. All in favor. Approved.

b. NY Bath I, LLC – Final Resolution

Jill presented the final resolution for the NY Bath I solar project. The host community agreement with the Town of Bath has been established and received by the Agency. A motion to approve the final resolution was made by Dean Strobel, seconded by Mike Doyle. All in favor. Approved.

c. Baron Winds LLC – Final Resolution

Jamie presented the final resolution for phase I of the Baron Winds LLC project to the Board, Phase I includes 33 turbines in Cohocton, Wayland and Dansville. Article 10 approval for the entire project was received last fall, but an amendment was filed based on conditions imposed on the project. The project was redesigned to reduce the turbine numbers but increase the size requiring wind law changes in all the municipalities. The Town of Fremont was the only Town which did not approve the change to allow the taller turbines, as a result the phased proposal has all the turbines outside of Fremont being constructed during Phase I and the Fremont portion in phase II if and when the wind law is amended to allow for taller turbines. Total PILOT revenue for Phase I will be \$15.5M.

Russ Gaenzle provided brief legal counsel regarding the differentiation between the total approval of the project versus the current Phase I/Phase II situation.

A motion was made to approve Phase I of the Baron Winds LLC final resolution by Scott VanEtten, seconded by Dean Stroble. All in favor, approved.

VI. PROJECT UPDATES

Jamie provided information to the Board regarding the supportive services that the Agency has provided to various businesses within the county regarding mandates for re-opening plans. The Agency has continually increased its engagement with businesses in Steuben County, and has been expanding our database of information so we are able to provide information and resources to the business community.

The Dana Lyon project continues to move forward, and is currently under architectural and engineering review. Their anticipation is to submit an application to the state by the end of the year for applicable tax credits.

Chris Sharkey voiced her concerns regarding the re-opening regulations, specifically regarding the lack of detailed information from the State.

A brief discussion took place regarding the newly approved NYS Loan program for small businesses, and the established REDEC program that the Agency invested in. At this time, it appears that the value of the REDEC program exceeds the NYS program, which has much more stringent stipulations and less appealing repayment and interest stipulations.

VII. EXECUTIVE SESSION

At 12:54pm, a motion was made by Scott VanEtten to enter into Executive Session, under the Public Officers Law, Article 7, Open Meeting Law Section

105, Paragraph f (personnel). This motion was seconded by Chris Sharkey. All in favor. Approved.

At 1:09pm, a motion was made by Mike Doyle to close Executive Session, seconded by Mark Alger. All in Favor. Approved.

VIII. Other Business

a. Staff Bonuses

The Board determined that it was appropriate to provide staff with a bonus of 3% of their annual salary for efforts put forth during the COVID-19 crisis. A motion was made to approve staff bonuses by Chris Sharkey, seconded by Mark Alger. All in favor. Approved.

IX. ADJOURNMENT

With no further business to discuss, a motion was made by Scott VanEtten to adjourn the meeting at 1:12 p.m., seconded by Mark Alger. All in favor. Approved.

Meeting was adjourned at 1:12 p.m.

Respectfully submitted,

Mark Alger
Secretary