

**Steuben County Industrial Development Agency  
Board of Director's Meeting Minutes  
May 9, 2024**

- I. **Call To Order:** The Regular Meeting of the Steuben County Industrial Development Agency (IDA) was called to order at 12:03pm by Chair Strobel, who confirmed that there was a quorum present.

Present:	Dean Strobel	Chairman
	Kelly Fitzpatrick	Vice Chair
	Mike Davidson	Secretary
	Tony Russo	Treasurer
	Mark Alger	Member
	Michelle Caulfield	Member
	James Johnson	Executive Director
	Jill Staats	Deputy Director
	Steve Maier	IDA Counsel
	Russ Gaenzle	IDA Counsel
Absent:	Sarah Creath	Member
Guests:	Tina DeNigro	Local Government Support Services
	Kevin Groff	Local Government Support Services

- II. **Secretary's Report:** A motion to approve the March 28, 2024 meeting minutes as presented in the board packet was made by Caulfield and seconded by Alger. All voted in favor and the motion passed.
- III. **Treasurer's Report:**
- a) **March 2024 Financials** – Russo highlighted the monthly changes. A motion to approve the financial statements as presented was made by Alger and seconded by Fitzpatrick. All voted in favor and the motion passed.
  - b) **Local Government Support Services (LGSS)** – Johnson introduced Tina DeNigro and Kevin Groff from LGSS who are managing the IDA's finances. They provided an overview of LGSS' transition.
- IV. **New Business:**
- a) **Corning Property Management Corporation (CPMCo) Application for Assistance** – Johnson provided an overview of the project and benefits requested. CPMCo was in the process of renovating the Erwin Child Care Center when mold was discovered by the contractor. The building was immediately closed so the mold could be removed, which will be a \$1.429 million project. The company is requesting sales tax-only assistance due to the unexpected expense that needs to be paid so the facility can resume childcare services. Since the benefit will fall under the \$100,000 threshold, Johnson requested final approval. He noted that the Governance Committee recommended that the Board

approve the request as presented. Alger made a motion to approve and Caulfield seconded. All voted in favor and the motion passed.

- b) Siemens Energy Application for Assistance** – Johnson presented this request for assistance, which is also for sales tax only. Siemens Energy needs to upgrade its fire suppression system for insurance purposes which will be an \$11.4 million project. The company has already paid to upgrade the public water system to handle the internal improvements and has requested sales tax assistance for the onsite private improvements. The Governance Committee recommended that the application be accepted and the public hearing be scheduled. Alger motioned to accept the application and schedule a public hearing. Russo seconded and all voted in favor. The motion passed.
- c) Alstom/Norfolk Southern Railway (NSR) MOU** – Johnson noted that staff are working with Alstom and NSR on a federal CRISI grant application to build a hybrid locomotive. The IDA will be the applicant because of funding eligibility. All three parties are working on an MOU to document the arrangement until notice of an award is received, at which time a formal agreement will be drafted to oversee all aspects of grant management. Johnson requested the Board authorize staff to enter into the MOU, submit the grant by May 28, and sign any supporting documents after review by Harris Beach. Davidson made a motion that was seconded by Fitzpatrick. All voted in favor and the motion passed.
- d) New and Renewing CDs** – Johnson noted the IDA had a maturing CD. Due to the timing of that maturity and the favorable interest rates, he asked for electronic approval the prior week to renew the CD and add another \$500,000 to the principal, bringing it to over \$1.5 million at 4.75% for 12 months. Johnson sought formal approval of the CD during the Board meeting. Fitzpatrick made a motion to approve the request and Alger seconded. All voted in favor and the motion passed.

Johnson also noted that the IDA has \$1.4 million in a municipal account at Chemung Canal. The bank has a favorable three-month CD rate of 4.75%. Johnson proposed to move half of the amount in the account into the CD. Fitzpatrick motioned to move the funds. Russo seconded and all voted in favor. The motion passed.

## V. Old Business:

- a) Wyckoff Gas Storage PILOT Amendment** – LGSS has been auditing projects as they build PILOT spreadsheets and noticed a discrepancy for Wyckoff Gas Storage. One year in the payment schedule was skipped when billed, which has led to an overpayment by the company and the loss of one year of PILOT benefit. To remedy the situation, Johnson suggested that the company be billed at the same rate next year as this year and that the overpayment be credited each year through the remainder of the PILOT schedule. The company agreed with this structure, as did the Town which would be impacted the most by the change. Russo motioned to amend the PILOT schedule as presented, and Fitzpatrick seconded. All voted in favor and the motion passed.
- b) TJA-NY-Cohocton PILOT Amendment** – Staats advised that the PILOT schedule for this solar project was supposed to begin with this year's school tax bill. However,

construction just began in April and would not be complete before the PILOT was set to begin. Therefore, the company requested a one-year delay in the start of the PILOT so that it begins with the 2025-2026 school taxes. Staats noted there were delays with a racking vendor and permitting delays. Alger made a motion to approve the changes as presented and Fitzpatrick seconded. All voted in favor and the motion passed.

- c) **BD Realty Transfer of Benefits** – Johnson advised that Dr. Hale, the owner of the dental practice and its real estate, is working through a succession plan for the future and is selling the real estate to a partner group. He requested the PILOT benefits be transferred to the new entity that will be buying the property – Bath Dental Office LLC. Alger made a motion to approve the transfer. Caulfield seconded and all voted in favor. The motion passed.
- d) **Project Performance Report** – Johnson reported the results of information gathered on the IDA’s annual questionnaire and the reviewed individual project performance. The report included in the packet outlines all projects that have not performed based on the original employment requirements. Johnson brought two projects to the Board’s attention. He noted that Gunlocke committed to 751 jobs originally but never reached that number and now employs 157 people. He recommends the IDA continue to support the project and keep benefits in place. Johnson also noted that Pulteney Plaza never reached its employment requirement because the Tops store decided to not operate 24 hours a day. After discussion Fitzpatrick made a motion to accept the report with the changes discussed, and Alger seconded the motion. All voted in favor and the motion passed.
- e) **NY Forward Update** – Johnson updated the Board on the status of the NY Forward grant process. He provided a list of local residents chosen to sit on the local planning committee.
- f) **Clean Tech Study Update** – Johnson provided an update on the status of the study being performed by Newmark.
- g) **Administrative Staffing Proposal** – Johnson requested feedback on the salary range and work hours for the administrative position being offered.

**VI. Other Business:**

- a) **June Meeting Date** – Johnson polled the Board for early June meeting dates to accommodate Siemens’ Energy’s request for final approval.

**VII. Project Updates** – Johnson skipped these updates due to time constraints.

**VIII. Executive Session – Open Meetings Law, Article 7 – Public Officers Law, Section 105 – Conduct of Executive Sessions, Paragraph 1f – Employment history of a particular person** – Russo motioned to enter into Executive Session at 1:07pm, with Fitzpatrick providing a second. All voted in favor and the motion passed. Alger motioned to leave Executive Session at 1:20pm and Russo seconded. All voted in favor and the motion passed.

- IX. Employment History of a Particular Individual** – Fitzpatrick made a motion to provide a 4.2% salary increase for the executive director. Alger seconded the motion and all voted in favor. The motion passed.
- X. Adjournment:** Fitzpatrick made a motion to adjourn the meeting at 1:22pm, which was seconded by Alger. All voted in favor and the motion passed.

Respectfully submitted,  
Mike Davidson  
Secretary