



## **Regular Meeting Minutes**

### **Auburn Industrial Development Authority**

**Wednesday, April 20<sup>th</sup> @ 5pm**

**Remote and limited board attendance**

**2 State St., Auburn, NY**

#### **Board Present:**

James Dacey (Chair & Member of Business)

William Andre (Vice-Chair & Member of Labor)

Katie MacIntyre (Member at Large)

Terry Cuddy (Council Member)

Gwen Webber-McLeod (Member at Large)

Lisa Green (Member at Large)

Jimmy Giannettino (Council Member)

#### **Absent:**

Brandon Gravius (Member of Industry)

Jeff Gasper (School Board Member)

#### **Staff & Guests:**

Taylor Symes, Acting Treasurer

Richard Cook, Hancock Estabrook

Robert Poyer, Hancock Estabrook

Ryan Coe, RYCOE Enterprises

Holley Carpella, RYCOE Enterprises

Mr. Dacey called the meeting to order at 5:58pm, noting the presence of a quorum.

#### **MEETING MINUTES:**

Ms. Webber-McLeod motioned to approve the March 16<sup>th</sup> Regular and Audit Committee Meeting Minutes, seconded by Mr. Cuddy. All members present voted in favor with one abstained; motion was carried.

Ms. Green stated that she was present at the March 16<sup>th</sup> Regular Meeting and Roger Beer was no longer on the board. Ms. Symes stated that she would correct the minutes and that they would be brought back in April for a re-approval.

## **BILLS AND COMMUNICATION:**

Ms. Symes presented the following bills: TGW in the amount of \$4,750, RJC Development Public Hearing notices in the amount of \$88.56, CEDA-AIDA Q1 in the amount of \$5,030.80, and Buffington and Hoatland in the amount of \$2,650.

Mr. Giannettino motioned to pay the bills, seconded by Mr. Cuddy. All members present voted in favor; motion was carried.

## **REPORT OF THE TREASURER:**

Ms. Green reviewed the Balance and Budget Report for March. Ms. Green stated that the only income for year to date was \$500 for Admin Fees. She said she was unsure of how our income was generated. Ms. Symes stated that it was based off of projects. Ms. Green stated that we are showing a \$46,000 deficit due to operating expensing. Mr. Cuddy stated that the operating fees come from CEDA. Ms. Symes clarified that operating expenses would not be included. CEDA pays for operating expenses and it is billed back to AIDA.

Mr. Dacey asked for clarification on the budget for Contract Services. Ms. Symes stated that the reason why AIDA is showing over budget was due to the CEDA-AIDA Q4 2021 Payment that was billed in January. Ms. Verrier would have removed this prior to pulling the report. Ms. Symes stated that Buffington and Hoatland was aware that it was showing that way.

Ms. Symes stated that at some point during the year a transfer would need to happen to cover the TGW investment. Mr. Dacey said that was standard practice since a transfer was made last year due to the checking account balance having a decent amount of funds. Ms. Green asked if the transfer would need board approval? Ms. Symes stated that it would need an approval and it would be on the agenda when it needs to occur.

Ms. Webber-McLeod motioned to approve the Report of the Treasurer, seconded by Mr. Cuddy. All members present voted in favor; motion was carried.

## **UNFINISHED BUSINESS:**

TGW Marketing Update: Mr. Cuddy stated that himself, Ms. Webber-McLeod and Ms. MacIntyre met with A TGW Representative to discuss the metrics. Ms. MacIntyre stated that she would review the power point or bring the board up to speed on what has been happening. Mr. Cuddy stated that there was another version of the power point that was more detailed.

Ms. MacIntyre stated that for the month of March, we spent about \$700 on Facebook. The goal was to bring awareness to what AIDA is, and the Take Root in Auburn Brand. The action for this would be to sign up and learn more. TGW target area was Cayuga County residents. Ms. MacIntyre stated that we almost reached 27,000 people and about 800 people were engaged on the AIDA website. 64 people signed up to learn more about AIDA. Linked-In had a budget of \$400 for the month. The Ads were reaching Business owners, VP's and C-Level Executives. Linked-In reached over 10,000 people, 107 people reviewed our website. TGW put together target specific ads. Ms. MacIntyre stated that it would be great for the board to support the social media accounts. Mr. Cuddy stated that a lot of organic outreach happened. It comes back to the board to encourage their friends to follow and share our message. Ms. MacIntyre stated that the key info from the power point was that looking at the graph we would notice more engagement

from in March compared to January and February. With the ads were are increasing the traffic to our sites.

Ms. Webber-McLeod stated that the board wanted to know how would AIDA know that we would achieve the outcome they were looking for? Ms. Webber-McLeod wanted to know if this presentation was what the board was looking for? Ms. Webber-McLeod asked Mr. Andre if this was useful? Mr. Andre stated this was well presented. Mr. Andre stated that some corrections should be made to information that is being reported incorrectly in regards to mileage to certain places within NYS. Ms. Webber-McLeod stated that TGW is more than happy to make any adjustment needed and the feedback from the board is encouraged.

Ms. Webber-McLeod wanted to point of the CEDA staff for the hard work they have been doing for the brand. Mr. Dacey wanted to thank the Marketing Committee for their time and efforts that they volunteered on behalf of the board.

Fiduciary Acknowledgement Reminders: Mr. Dacey asked if everyone has filled and returned their form? Ms. Symes stated that she was only missing a couple. The board members that were present at the March Meeting signed and turned them in.

CEDA Staff Update: Mr. Dacey did not have an update on the CEO hiring. He stated that the committee was working diligently to hire a new CEO.

Ms. Symes stated that Ms. Szabo has departed from the organization and her position is not vacant. The only fulltime CEDA staff left is Ms. Foster and Ms. Symes. Ms. Symes stated that herself, CEDA and some Chamber staff joined TGW on a tour of the County. TGW visited sites around town along with a few outside of Auburn. They made it a point to have lunch at a small business in town. Ms. Foster has been working diligently on ARPA. To qualify you would need to be in business prior to May 3<sup>rd</sup>,2021. The deadline to turn the applications in was April 29<sup>th</sup>. So far she has received 55 applications and has been working with businesses to make sure all documentation was in order. Mr. Cuddy asked if there was still time to turn in an application? Ms. Symes stated yes, businesses still had time. Businesses have the option to submit it online or bring it into the office. Ms. Symes stated that we are moving forward with the DRI Projects for Small Businesses. Ms. Symes has been working with certain businesses to get this in order. The deadline for this is December 2022 and we will most likely be asking for an extension due to lack of material and other things.

## **NEW BUSINESS:**

Seminary Commons Mortgage Refinance- Resolution: Mr. Cook stated that Seminary Commons received a commitment from Adirondack Bank for a \$600,000 Commercial Mortgage on the property. AIDA is the lease leaseback holder; AIDA would join on the mortgage on a nonrecourse basis. This would allow them to benefit from the Mortgage Sales Tax Exemption at closing. AIDA is entitled to charge an administrative fees and AIDA is required to pay legal fees. Mr. Dacey asked if this was a six-year loan or is this a ladder payment. Mr. Cook stated that it would be a ladder payment. Mr. Dacey asked or a date. Mr. Cook stated it would be six years' from when they close.

Mr. Cuddy motioned to approve the refinance of Seminary Commons, seconded by Ms. Green.

Roll Call Vote:

	Yea	Nay	Abstain	Absent
Jim Dacey	X			
William Andre	X			
Gwen Webber-McLeod	X			
Katie MacIntyre	X			
Lisa Green	X			
Jimmy Giannettino	X			
Jeff Gasper				X
Brandon Gravius				X
Terry Cuddy	X			

All members present voted in favor; motion was carried.

RJC Development- Closing & SEQR Resolutions:

Mr. Cook stated he would explain the situation the project is currently facing.

Mr. Cuddy motioned to open the floor up for discussion in regards to RJC Development; seconded by Mr. Giannettino. All members present voted in favor; motion was carried.

Mr. Cook explained that RJC has two resolutions on the agenda. The first one is compliance with the SEQR. The City of Auburn approved a Negative Declaration for SEQR. AIDA piggybacks this approval. The other resolution was the Closing Resolution, approving 3 forms of financial assistance. One was sale tax exemption, next is the mortgage sale tax exemption, final one was a PILOT. The issue that has come forth pertains to this project qualification being retail project. This project was brought to AIDA back in February and Ms. Szabo was the point person on this project. The project is a retail project due to the tenants selling goods and services to the public for consumption. There are exceptions that the project could meet to be able to qualify and they are: being a tourist destination (doesn't qualify), supplies or sells unique product that cannot be found in a 5 county radius (doesn't qualify), if the project is located in an area that was formally an empire zone, project is within a highly distressed area. Highly distressed is defined by income levels and unemployment levels. This area does meet the income level. Mr. Cook stated that information was brought to our attention from the City of Auburn that the area does meet the income level but does not meet the unemployment level. Mr. Cook stated that as of right now he does not feel comfortable saying if the area does or doesn't meet the unemployment levels. If the area does not meet the requirements, then we would need to look at if this area is located in a previous Empire Zone. Mr. Cook stated that from his knowledge he does believe the entire City of Auburn was designated an Empire Zone. He stated that AIDA has 2 options. First, AIDA could table the resolutions until next month to give him time to do research or, to consider the resolution subject to verification that it qualifies under a highly distressed area or an empire zone. The resolution would only take effect if one of the two criteria were met.

Mr. Cuddy stated that this is unfortunate, but is this something the CEDA staff could work with Mr. Coe to adjust his application. Mr. Cuddy wants to know if their application can be modified and be ready for the May's Meeting? Mr. Cook stated that yes the application can be modified. Ms. Webber-McLeod wanted clarification on if the application would need to be modified to say that Mr. Coe meets the criteria. Mr. Cook stated that it is not the company that needs to meet the criteria it is the location. Ms. Webber-McLeod stated this could happen with confirmation from

Auburn. Mr. Cuddy stated that for his understanding this would need to be that Auburn is an Empire Zone and that a retail business could receive benefits. Then the unemployment rate would need to be justified. Mr. Cuddy stated that he feels more comfortable tabling the resolutions until both attorneys decide the next steps. Mr. Dacey asked if Mr. Cook had been in contact with the City of Auburn's Attorney? Mr. Cook stated that he has been and the reason why this was brought to the City's attention was because this is a retail project. Mr. Cook stated that he submitted the numbers to Ms. DeForrest that Ms. Szabo had supplied. Ms. Haines had brought it to Ms. Symes' attention that Ms. DeForrest would not advise the Mayor to sign off on this project due to the area not being a highly distressed area for unemployment. Mr. Cook stated that Ms. Haines had contacted Ms. Verrier to double check the numbers and Ms. Verrier was not comfortable labeling this area a highly distressed unemployment zone. Mr. Cook stated that he would need to do further research and will need to connect with The City of Auburn along with Ms. Verrier and Ms. Symes to come to an agreement. He stated this could be handled within a few days. Ms. Webber-McLeod stated that when Mr. Cuddy stated until we confirm who is we? Mr. Cuddy stated that once the board has confirmation from the Attorney's and that the application has been modified to read that it qualifies. Ms. Webber-McLeod asked how was Ms. Verrier involved? Mr. Cook stated due to her knowledge. Mr. Dacey stated his concern was the optics. He said if we approve it and it doesn't go through at the City's level this would not be good for AIDA. Mr. Giannettino stated that he is in the middle due to being a councilman. Mr. Giannettino stated that he spoke with Ms. DeForrest and she will not advise the Mayor to sign this letter until supporting documents are obtained.

Mr. Coe asked why is this now being brought up at the eleventh hour? Mr. Giannettino stated that he found out on his way to the meeting. Mr. Cook stated that Ms. Szabo confirmed on her own that this was a highly distressed area but the City of Auburn does not agree. Now it is time to figure out what is the truth. Mr. Coe stated that this comes as shock as to why he is hearing it at the meeting. He stated he should have received a phone call prior to the meeting. Mr. Cook stated that this was brought to AIDA attention right before the meeting. Now AIDA and The City of Auburn need to work together to determine the outcome. Mr. Cuddy stated that once everything was determined he would be open to a Special Meeting. Mr. Cuddy stated that within a week or two could we schedule a Special Meeting. Mr. Cuddy asked if Mr. Coe would be willing to wait until things are handled and then be available for a Special Meeting to approve his resolutions? Mr. Dacey asked if we would need to have another Public Hearing? Mr. Cook stated that no we wouldn't. Mr. Coe stated that he understands but he is shocked and would have liked a phone call. He has changed his application numerous of time and has been delayed multiple times. He stated that his project has been pushed back even further. Mr. Cook stated that he has a lot of people lined up and that this isn't AIDA's problem but he wished it was relayed to him. Ms. Webber-McLeod that on behalf of her colleagues operate from a place of integrity. This is critically important to handle this in the correct way and that Mr. Coe hears the apology from the AIDA Board. Ms. Webber-McLeod stated that she is open a Special Meeting. Mr. Giannettino stated that he would like to point of that from a notification standpoint he received an email at 3:20pm and saw it at 4:08pm due to being in a meeting. We printed it out and walked to the meeting from his office. He read the letter on his way to the meeting. He called the attorney back due to having missed call. Mr. Coe stated that he doesn't doubt that but his issue is with the City of Auburn because he believes they did not operate with Integrity. Mr. Dacey stated that the letter was sent to the Mayor with the thought that this was routine for him to sign it and move forward. He did not believe this would end this way. Mr. Cuddy stated that someone

from the CEDA staff would reach out to him when everything is figured out and we can schedule a Special Meeting.

Mr. Coe wanted to confirm that they have no other issues besides the present one? Mr. Cuddy stated that he would put his faith in Mr. Cook since he has reviewed his supplication multiple times. Ms. Webber-McLeod stated that it is crucial on how communication will be handled going forward to Mr. Coe to keep him involved. Mr. Dacey stated that he disagrees. This was not a communication error this was an understanding that the Mayor would sign the letter and we would move forward. Ms. Webber-McLeod clarified that this has to deal with receiving the information at the last minute before the meeting from the City of Auburn. Also, it comes down to the discrepancy from the Interim Director had compared to what the data the City found.

Mr. Cuddy motioned to table the SEQR and Closing Resolutions, seconded by Mr. Giannettino. All members present voted in favor; motion was carried.

**UPCOMING EVENTS:**

Ms. Symes reviewed the upcoming events.

**EXECUTIVE SESSION:**

Mr. Cuddy motioned for an executive session at 5:56pm for attorney client privileges and to discuss a past employee; seconded by Ms. Webber-McLeod. All members present voted in favor; motion was carried.

Mr. Cuddy motioned to exit the executive session at 6:28pm, seconded by Mr. Giannettino. All members present voted in favor; motion was carried.

**ADJOURNMENT:**

Ms. MacIntyre motioned to adjourn at 6:29pm, seconded by Mr. Webber-McLeod. All members present voted in favor; motion was carried.

Respectfully Submitted,

Taylor Symes