



Auburn Industrial  
Development Authority

**MEETING MINUTES**  
**AUBURN INDUSTRIAL DEVELOPMENT AUTHORITY**  
**Wednesday, October 28<sup>th</sup>, 2015**  
**Cayuga County Chamber of Commerce**  
**2 State St., Auburn, NY 13021**

**Board Present:** James A. Dacey (Chair & Member of Business)  
Monika Salvage (School Board Member)  
Robert Byron (Member of Industry)  
Michael Quill (Council Member)  
Terry Cuddy (Council Member)  
Frank DeRosa (Member at Large)  
Tricia Ottley (Member at Large)

**Excused:** Demetrius Murphy (Member at Large)  
William Andre (Member at Labor)

**Staff:** Tracy Verrier, Assistant Treasurer  
Andrew Fish, Executive Director  
Michelle Prego-Milewski, Acting Secretary  
Rob Poyer, Hancock & Estabrook

**Others Present:** Karen Walter, Allyssa Lawn, Mark Carpenter, John Walter (residents)

Mr. Dacey, Chair, called the meeting to order at 5:01 pm noting a quorum was present.

Motion to approve the September regular meeting minutes by Mr. Cuddy; seconded by Mr. DeRosa. Ms. Salvage abstained, and all other members present voted in favor; motion passed.

**TOWER LEASE UPDATES & PUBLIC COMMENT**

Mr. Dacey moved the Tower Lease & Public Comment agenda item up in the meeting order.

Ms. Walter asked Mr. Dacey if he has spoken to corporation counsel regarding AIDA’s ability to change the lease. Mr. Dacey said that AIDA cannot make changes at this time, adding that the decision regarding the location of the tower is not in the hands of the planning board. Mr. Fish added that he had spoken to AIDA’s legal counsel, not corporation counsel, about what AIDA’s legal responsibilities are. Counsel informed him that any change to the contract would subject the board to significant litigation. He said that the AIDA board would hear the residents’ health concerns, although the planning board is not legally able to consider such concerns.

Ms. Walter said that the residents only received one day notice of the October 6<sup>th</sup> planning board meeting. At that time she called Mr. Quill and let him know that the residents were upset about the late notice and the project. Mr. Quill met with the residents and said that the board would try to address the residents’ concerns. She questioned why the board would approve a lease without planning board approval, and Mr. Dacey clarified the contract was contingent on planning board approval. Mr. Fish added that the board is legally bound to leasing the land to Crown Castle, unless the contract is nullified because the planning board does not approve the proposal or the company doesn’t move forward within the next two years.

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Ms. Walter said she was not opposed to the tower, just the current location. She stated that it was too close to the residents' homes. She cited standards saying towers should not be within 1500 feet of a school, adding that this location is within that distance of both Casey Park Elementary and the BOCES center on Allen St. She clarified that she does not think the board had ill intentions, but noted that it was flawed not to include the residents, AIDA's stakeholders, sooner. Mr. Quill clarified that when he spoke to the residents, he wanted to include Mr. Dacey and Mr. Fish. Ms. Walter praised Mr. Quill for listening to their concerns, but went on to say that listening and taking the right step are two different things. She said that moving the tower to another nearby location is an opportunity for a win-win.

Ms. Lawn said that her mother still lives in the neighborhood. She explained that she had taken pictures of the proposed site, which had been staked out a few days earlier. Ms. Lawn said that the proposed center of the tower didn't seem to be 150 feet from her mother's property line, and that a breast cancer survivor lives right across the street and had concerns about her health. Mr. Carpenter was also concerned that the tower is located less than 150 feet from his property, adding that it would be on his property if it were to fall. Mr. Dacey said he wasn't familiar with the regulations, and Mr. Fish urged the residents to bring this up to the planning board as they are responsible for approving the location.

Ms. Walter stated that homes elsewhere that have had towers built nearby have decreased in value by an estimated 20%, and didn't see how the rent to AIDA would foot the bill. She said eventually the revenue loss will filter back to the municipalities.

Mr. Walter asked why the tower had to be placed in its planned location instead of several hundred yards away. Mr. Fish said that Crown Castle had approached the board about this particular location. He said the AIDA board does not have the expertise to direct the tower to a specific location, adding that the company picked the site based on their own software and models.

Mr. Walter asked if this was the same company that is building a tower in Owasco, and was told that it was.

Ms. Walter asked if union labor would be used to build the tower, and Mr. Fish was unsure. Ms. Walter asked if Crown Castle would still have two years to build if the planning board rejected the proposal. Mr. Fish said no, the lease is contingent upon planning board approval. Ms. Walter clarified that Crown Castle would still have two years if the planning board approved the proposal. Mr. Fish confirmed.

Mr. Dacey said the board ensured that the tower could be utilized for public safety communication. Ms. Walter said the plan submitted to the zoning board stated that there are two dead zones within reach of the tower, but they are in Throop and Aurelius. Those towns each have ordinances regarding this type of project, while Auburn does not. She said that she is not aware of any dead zones within the City of Auburn, and thus siting the tower in their neighborhood did not affect public safety for them or even for other city residents. She thanked the board for listening and agreed that the residents' efforts would be better directed to the planning board. She asked that the board work with residents in the future.

## BILLS AND COMMUNICATIONS

Ms. Verrier presented the quarterly CEDA invoice, which included the quarterly administrative fee and postage. Motion to approve the quarterly CEDA invoice by Mr. Cuddy; seconded by Mr. DeRosa. All members voted in favor; motion passed.

## REPORT OF THE TREASURER

Mr. Fish and Ms. Verrier reviewed the September budget report, which included a \$2,500 fee as part of the Xylem PILOT. Ms. Verrier added that AIDA was refunded all of the bank service charges, and some PILOT payments have been received and disbursed.

Mr. Dacey asked if an RFP was done for the 2015 audit, and Mr. Fish answered that there had been an RFP and the joint audit committees had reviewed the responses. Mr. Byron asked for copies of the RFP responses, and Ms. Verrier said she would send them out. Ms. Salvage asked about the Central Building and Community Computer PILOTS. Mr. Fish explained that Community Computer had been received and disbursed, but Central Building had not been received yet. Mr. Quill asked about the payment terms for the PILOTS. Mr. Fish

stated that payments are due January 1, adding that late fees are charged if payments are not received on time.

#### CELL TOWER DISCUSSION, CONT.

Mr. Fish asked if the board would like to continue the discussion on the cell tower. Ms. Salvage said that the planning board will have to look into the distance from the tower to Casey Park Elementary and the residences. Mr. Fish said the last drawings that he received showed the tower more in the center in the property and Mr. Dacey wanted to make sure the planning board does its due diligence. Mr. Fish said the planning board is considering bringing in an independent consultant to look at the project, but they are not legally allowed to deny it based on health concerns. Mr. Fish and Ms. Ottley shared some of the information they had found regarding the health concerns related to cell towers. Neither was able to find reliable studies or sources that were able to prove a connection between cell towers and negative health effects. Mr. DeRosa asked about the worst case scenario and asked if AIDA had insurance. Mr. Fish answered that the board has Directors and Officers liability insurance through the City. Ms. Salvage asked about AIDA's liability if there were negative health effects. Mr. Fish stated that it might be hard to connect any isolated health cases to the tower. Mr. Poyer advised that in a worst case scenario, any legal actions would likely be against the federal government due to its telecommunications regulations. Mr. Dacey said the board really needs to do its research and be able to understand where the residents are coming from. He added that AIDA is relying on the planning board to do that and to do a good job.

Mr. Quill said that the area that Mr. Carpenter was referring to is called a collapse zone and it's based on the height of the tower. He said he had asked for the inclusion of a 911 tower, and he said that he knows that there are areas of the city that have spotty service. He said the city staff is getting questioned about the Osborne St. tower. He said it would be interesting to see what that tower did to property values and Ms. Salvage agreed. Mr. Fish asked if the assessor would have taken the zoning into consideration beforehand, and Mr. Poyer said he would think so. Mr. Dacey said that since the parcel is zoned heavy industrial, any effects of the tower might have already been considered in the current assessment.

#### ADMIN SERVICE CONTRACT

Mr. Fish explained that the administrative services contract between AIDA and CEDA is expiring at the end of the year, and originally the contract was put in place to see if CEDA staffing would work. He said that CEDA would like to restructure the contract to include a performance-based fee share. He said that there are two changes in the provided draft – a date change aligning the AIDA contract with the county contract and the item regarding fee sharing based solely on project fees. He explained that the 2016 budget includes \$25,000 in project fees, and anything above that would be split 50/50. Mr. Fish said that CEDA isn't interested in having contracts with the two IDAs that are different, and noted that the CCIDA board has the same contract to review. He said that CEDA does not want the fee sharing to be favorable one way or another between the IDAs. Mr. Dacey said that if the board agrees, CCIDA has to understand that deals in the City would still come to AIDA, and Mr. Fish explained that that agreement is already in place. He said the fee sharing is more of a performance metric. He said that CEDA would someday to have a \$700,000 budget. He said he will not ask for more than \$350,000 from the county, and thus has to raise additional funds elsewhere. Ms. Ottley said she would like to see the shared fees benefit Auburn. She said the board is in a unique position of having some surplus money, and would like to start the discussion of using those funds strategically to stimulate activity in the city. Mr. Cuddy said he agrees with the idea of incentivizing CEDA's work, but thought it might be better to have CEDA present a plan that AIDA could provide seed money to. Ms. Salvage said she liked the idea of what the city is doing with the State St. RFPs. She would like to see other properties ready for sale, and would like the board to be a little more proactive when it comes to sites.

Mr. Cuddy asked the board members what type of businesses they would like to see come to the city, and what AIDA could do to ready the city. Mr. Dacey spoke of the idea of feeder companies and used NUCOR and TRW as examples. Ms. Ottley said she liked the idea of using Cornell, SU and RIT for a business plan competition. Mr. Quill said all of the ideas were good, but thought that it might be worthwhile to create a

graded list of available properties first. Ms. Fish said that the property database has been challenging, but it is being worked on. He said the city is doing work with Brownfields, and that CEDA is supporting that in any way they can. He explained efforts to expand rail connections to local businesses. Ms. Salvage asked if it was part of the CFA, and Mr. Fish answered that it was part of the URI. He said a business competition would be great and that it hasn't been brought to the table. He said that just because CEDA isn't doing something now, doesn't mean it won't in the future.

Ms. Salvage said that 50% sounded like the right split. Mr. Fish said he wouldn't budget the monies initially in year one, but when it came to the time to use the funds, there would be a dialogue with the boards. Mr. Dacey said that he didn't have a problem with the percentage as long as the board got enough bang for its buck. Mr. Fish said that CEDA needed to increase personnel, and that some positions are nearing full capacity. He focused on the need for an increased marketing budget, a small loan program with more flexibility, and workforce development.

#### 2016 BUDGET

Ms. Verrier presented two versions of the draft 2016 budget. The first aligns with the monthly budget report format, and the other shows how the budget appears in PARIS. Ms. Ottley asked about the miscellaneous income line, and Mr. Fish said that that was the tower lease income. Motion to accept the 2016 budget by Mr. Quill; seconded by Ms. Salvage. All members voted in favor; motion approved.

#### 2015 AUDITOR APPROVAL

Ms. Verrier said that the board had to vote again on the selection of the audit firm for the 2015 audit because at the previous meeting only five members were present and one member had to abstain. She said that Buffington & Hoatland was selected for the audit after lowering its price to meet a competitor. She added that CCIDA was sticking with Cuddy & Ward. Motion to accept Buffington & Hoatland for the 2015 audit by Ms. Ottley; seconded by Mr. Quill. All members voted in favor; motion approved.

#### BANK ACCOUNT DISCUSSION

Ms. Verrier presented the board with an updated chart of banking options. Ms. Salvage asked the board why it is discussing the item, and Mr. Fish said that the interest rate AIDA received at Key Bank had dropped very low. Ms. Verrier noted that Lyons Bank does not have branch in the county, and Mr. Quill said he would like for AIDA to bank within city limits. Ms. Salvage asked for a recommendation, and Ms. Verrier said there were a lot of good options but that Generations is offering the best interest rate and could provide all the services AIDA might need. She said that Generations and First Niagara have the best interest rates, but that Generations was able to collateralize. Motion to move AIDA's bank accounts to Generations Bank by Ms. Ottley; seconded by Mr. Byron. All members voted in favor; motion approved.

#### BOARD SELF-EVALUATION

Ms. Verrier asked the board to complete its self-evaluations, or to email them to her. Mr. DeRosa asked if Ms. Verrier could include the 2014 results, and Ms. Verrier said she could, adding that the 2015 strategic planning was based on those responses. She added that the evaluation this year includes a question regarding options regarding the two IDAs.

#### ADJOURNMENT

Motion to adjourn at 6:53 pm by Mr. Quill; seconded by Mr. Cuddy. All members present voted in favor; meeting adjourned.