



**Regular Meeting Minutes  
Auburn Industrial Development Authority  
Wednesday, May 15, 2024 @ 5:00pm  
Remote and board attendance  
2 State St., Auburn, NY**

**Board Present:** Gwen Webber-McLeod (Chair)  
Jimmy Giannettino (Council Member)  
Tessa Crawford (Treasurer & Member at Large)  
Dan Lovell (Representative of Auburn School District)  
Terry Cuddy (Secretary & Council Member)  
Karen Walter  
Stephanie Leone

**Excused:** Katie MacIntyre  
William Andre (Vice-Chair & Member of Labor)

**Staff & Guests:** Rob Poyer, AIDA Council (Hancock Estabrook)  
Ryan Coe, RJC  
Jennifer Haines, City of Auburn Planning Department  
Cynthia Aikman, CEDA  
Tracy Verrier, MRB Group

Ms. Webber-McLeod called the meeting to order at 5:02pm and a roll call was taken.

**MEETING MINUTES:**

The minutes of the April meeting were reviewed, and a motion was made by Mr. Lovell to approve the minutes, seconded by Mr. Giannettino. All present voted in favor, motion carried.

**BILLS AND COMMUNICATION:**

Ms. Verrier reported that there was one new bill for \$150 from Divine Coverings for the use of Melody's for the April 30<sup>th</sup> meeting. Ms. Verrier noted that bills from Dannible & McKee were approved at the last meeting, but wanted to clarify the \$2,250 invoice was for additional support services that were not related to the audit. The total audit cost was \$7,700.

Mr. Lovell motions to approve dispersal of funds, seconded by Mr. Giannettino. All present voted in favor, motion carried.

**NEW BUSINESS: RJC ST-60 Extension Request**

Ms. Verrier presented a Resolution prepared by Mr. Poyer for RJC to extend their ST-60 for their sales tax exemption. This is just an extension for an additional year, but no additional incentive. The extension would align with the 3-year maximum allowed in the UTEP. The new deadline to utilize the sales tax exemption would be May 1<sup>st</sup>, 2025.

Mr. Coe noted that the project is nearing completion but there are a few outstanding items to complete that require additional expenditure.

**RESOLUTION APPROVING THE GRANT OF FINANCIAL ASSISTANCE THROUGH THE EXTENSION OF AN EXEMPTION FROM ALL STATE AND LOCAL SALES AND USE TAXES WITH RESPECT TO THE RJC DEVELOPMENT INC.**

Motion to approve the resolution by Mr. Giannettino, seconded by Mr. Lovell. The question of the adoption of the Resolution was duly put to a vote on roll call which resulted as follows:

	Yea	Nay	Absent	Abstain
Gwendolyn Webber-McLeod, Chair	X			
William Andre, Vice Chair			X	
Terry Cuddy, Secretary	X			
James Giannettino	X			
Katie McIntyre			X	
Daniel Lovell	X			
Tessa Crawford	X			
Stephanie Leone	X			
Karen Walter	X			

This Resolution was thereupon duly adopted.

**TREASURER REPORT:**

The board discussed how the bank accounts should be managed. AIDA has always had the City Treasurer, currently Bob Gauthier, as the signer on bank accounts due to language in AIDA’s enabling statute. Mr. Poyer clarified that other areas of Public Authorities Law allow AIDA to set up accounts however they’d like. There was general agreement that the City Treasurer should remain as the primary signer of the accounts. Ms. Leone asked if there would be a benefit to having a backup signer in the case that the City Treasurer is not available. Ms. Walter noted that having the City Treasurer as a sole signer has worked without a problem for decades. The board also discussed updating online access to the bank accounts. Ms. Crawford recommended requesting information only access for herself and Ms. Verrier for oversight and tracking, and removing all prior online accounts.

Motion to have Bob Gauthier, City Treasurer, as a signer on all bank accounts, as well as to remove all prior online banking access accounts and add information only online accounts for Tessa Crawford and Tracy Verrier by Ms. Crawford, second by Mr. Giannettino. All present voted in favor, motion carried.

The board discussed having the Chair as a backup signer only in case of emergency or unforeseen circumstances. Ms. Walter noted that the bylaws show that the chair and treasurer should be signing, and this is counter to the actual practice. Ms. Verrier noted that this was an oversight on her part when the bylaws were updated previously. The board agreed that the bylaws should be updated to reflect the true practice.

Motion to add Gwen Webber-McLeod, Chair, as a signer on all bank accounts as a backup in addition to Bob Gauthier, and to amend the bylaws so that section 6 reflects the appropriate signers by Ms. Crawford, second by Ms. Leone. All except Ms. Walter voted in favor, Ms. Walter opposed, motion carried.

Ms. Crawford explained that it came up that Katie Moran may have opened a CD with LNB already, so we need to investigate that. The board discussed having Ms. Verrier investigate to find the details of that account.

Motion to approve informational access to account information at Lyons National Bank for the purpose of identifying and getting details on any additional accounts and CDs AIDA has by Mr. Giannettino, second by Mr. Lovell. All present voted in favor, motion carried.

#### LATER IN THE MEETING:

Ms. Walter said she recalled Ms. Moran giving an update on interest at a board meeting, so she looked and the October minutes indicated that the CD was actually at Generations - \$150,000 for 5 months. The board discussed checking both Generations and LNB for additional accounts.

Motion to amend the prior motion to approve informational access to account information at Lyons National Bank AND Generations Bank for the purpose of identifying and getting details on any additional accounts and CDs AIDA has by Ms. Crawford, second by Mr. Lovell. All present voted in favor, motion carried.

#### **UNFINISHED BUSINESS: Committee Appointments and Updated Staffing Contract**

Ms. Verrier briefly reviewed the required committees of Finance, Government, and Audit and their roles, responsibilities, and time commitments. Ms. Verrier also noted that Ms. MacIntyre is working on the structure for a marketing/branding committee, which could either be a special or a standing committee.

Ms. Webber-McLeod noted that there are vacancies within each committee. She would like all board members to review and indicate the committee they would like to participate in prior to the June meeting. With regard to the potential establishment of a marketing committee, Ms. Webber-McLeod noted that she would like to see it provide guidance on how to situate AIDA within the broader economic development efforts in Auburn.

Ms. Webber-McLeod asked if board members can serve on more than one committee, Ms. Verrier responded that it is.

Ms. Verrier suggested approving the proposed finance committee so that they can start meeting to review AIDA's financial situation. Proposed members of the finance committee are Ms. Webber-McLeod, Ms. Walter, and Ms. Crawford, with Ms. Crawford as Chair.

Motion to appoint the finance committee as proposed by Mr. Giannettino, seconded by Mr. Lovell. All present voted in favor, motion carried.

Ms. Verrier presented the updated staffing contract with MRB Group. Ms. Verrier explained that after consulting with Mr. Poyer, it was decided that Swiftwater, a subsidiary of MRB, would be a better fit for the contract. The scope of services within the contract remained the same, with more additional sections related to Public Authorities requirements and more clarity about the executive director position.

Motion to approve contract with Swiftwater by Mr. Lovell, seconded by Mr. Cuddy. All present voted in favor, motion carried.

#### **BOARD EDUCATION: Camoin Report & Recommendations re: CEDA Reorganization**

Ms. Haines presented on Restore NY updates. There were two awards last year.

In the special project category, \$8.4 million was awarded for redevelopment of 151 Orchard, Alstom (Bombardier). The property was listed for sale with Cushman Wakefield. Offers were received by February 15<sup>th</sup>, 2024 and are under review by Alstom. The City is moving forward with grant compliance. The SHPO no impact letter is complete, and they are getting ready for SEQR. Waiting for sale decision from Alstom. The estimated total project cost for the site's reuse is ~\$18m.

Ms. Crawford asked if there was a timeline for Alstom to accept an offer on the property. Ms. Haines replied that because it is a private owner, there is no timeline for a decision. They can also choose not to accept any offers.

The second award was \$1.2m for 22 E Genesee St, which is owned by one of the Bartolotta property entities. The project received \$625k via the DRI as well. The project costs have ballooned, so Restore NY is helping to fill the gap. Restore NY requires a 10% owner match. The total project cost is \$3.3m. They are currently working on the SHPO review.

In the next Restore NY round, they will be applying for funding for 120 Genesee again.

Ms. Webber-McLeod would like to add a standing agenda item for updates from the City.

#### REACTIONS TO CAMOIN REPORT:

Ms. Webber McLeod asked board members for their reactions to the Camoin report:

- Mr. Cuddy: report was accurate and comprehensive, creates an opportunity to address issues identified within the report and recalibrate.
- Ms. Crawford: pleasantly surprised by some of the statistics, good reminder that there is a lot of opportunity for growth.
- Mr. Giannettino: report was timely, most importantly because they are at an intersection regionally for economic development. With the knowledge that Micron will have a ripple effect across the region, there is an opportunity to reposition the area within the current context.

Ms. Aikman, CEDA Vice Chair, reported on the general reaction that CEDA is getting to the report. She noted that the board has taken the report very seriously and has begun the restructuring process. They are currently giving the County time to read and digest the report. CEDA is continuing to provide services to businesses and address critical items. Ms. Aikman noted that it feels like a holding pattern right now and they are working to maintain services. Ms. Aikman explained that Michelle Baron from SBDC is meeting with people in person at the office, and that Kris Phillips from MRB Group is catching other calls. CEDA is continuing to make connections and educate. On June 25th, CEDA is hosting a CFA training event at the Finger Lakes Mall at 10am.

Ms. Verrier explained the sections she would like the Board to focus on, which were the executive summary and the economic development perspective. She noted that there needs to be a discussion about the transition from 20th century to 21st century economic development. Ms. Verrier noted that AIDA needs to have intentional conversations about the role AIDA plays in a more holistic economic development approach (e.g. housing, workforce development, etc.). Ms. Aikman recommended starting from the statute and building from there.

Ms. Webber-McLeod explained the need to collaborate to provide a united front. This would include continuing to educate the AIDA board, creating intentional conversations, and continuing collaboration.

Ms. Aikman invited one or two members of AIDA to sit on the executive director selection committee at CEDA when the time comes, noting that they will be using a professional search firm. This participation would not be contingent on whether or not AIDA comes back under the CEDA umbrella.

## **BOARD UPDATES**

Ms. Walter asked about having a separate PILOT checking account. This will be an agenda item for the Finance Committee.

Ms. Walter asked about the website and whether it needs to be transferred. Ms. Verrier responded that it is already under AIDA's control, but we are still tracking down website credentials.

Ms. Walter noted that the link to AIDA's site on the City's website is not working.

## **CLOSING**

Motion to adjourn the meeting by Mr. Cuddy, seconded by Mr. Giannettino. All present voted in favor, motion carried.

The meeting adjourned at 6:38pm.

**RESOLUTION**  
*(RJC Development Inc. Project)*

A regular meeting of Auburn Industrial Development Authority was convened at Memorial City Hall, 24 South Street, in the City of Auburn, on May 15, 2024 at 5:00 p.m.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION APPROVING THE GRANT OF FINANCIAL ASSISTANCE THROUGH THE EXTENSION OF AN EXEMPTION FROM ALL STATE AND LOCAL SALES AND USE TAXES WITH RESPECT TO THE RJC DEVELOPMENT INC.**

**WHEREAS**, the Auburn Industrial Development Authority (the "**Authority**") is authorized and empowered by the provisions of the Auburn Industrial Development Authority Act, Chapter 915 of the 1969 Laws of New York constituting Title 15 of Article 8 of the Public Authorities Law, Chapter 43-A of the Consolidated Laws of New York, as amended (the "**Act**"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities, and facilities for use by a federal agency or medical facility, among others, and thereby to advance the job opportunities, health, general prosperity and economic welfare of the people of the City of Auburn and improve their medical care and standard of living; and

**WHEREAS**, RJC Development Inc. (the "**Company**") previously requested the Authority's assistance with a certain project (the "**Project**") consisting of: (i) the acquisition of two (2) undeveloped parcels of land located on John Walsh Boulevard in the City of Auburn, New York identified as Tax Map Nos. 109.56-1-1.111 and 109.55-1-1.121 (the "**Land**"), and (ii) the construction thereon of an approximately 17,300 square foot building (the "**Building**"), and (iii) the installation therein of equipment for use as an office, retail, and truck repair facility (the "**Equipment**" and, together with the Land and the Building, the "**Facility**"); and

**WHEREAS**, the Authority, pursuant to a resolution dated May 18, 2022, approved financial assistance for the Project, which included an exemption from all state and local sales and use taxes with respect to the qualifying personal property included in or incorporated into the Project Facility or used in the acquisition, construction, renovation and equipping of the Project Facility (the "**Sales Tax Exemption**"); and

**WHEREAS**, the Sales Tax Exemption expired as of May 1, 2024; and

**WHEREAS**, the Company submitted a letter dated May 2, 2024 which letter is attached hereto as Exhibit "A" (the "**Letter Request**"), pursuant to which the Company requested an extension of the Sales Tax Exemption through May 1, 2025 due to inclement weather, which affected completion of the Facility; and

**WHEREAS**, the Authority's Uniform Tax Exemption Policy allows for an exemption from sales and use tax related to construction, renovation or equipping of a project for up to three (3) years measured from commencement of construction, renovation or equipping of a project; and

**WHEREAS**, the Authority desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of the City of Auburn, New York by undertaking the Project in the City of Auburn, New York; and

**WHEREAS**, pursuant to Section 2307 of the Act, the Authority is not required to hold a public hearing with respect to the Project; and

**WHEREAS**, the Authority previously appointed the Company as its true and lawful agent to undertake and complete the Project pursuant to the terms of an Agent and Financial Assistance and Project Agreement dated as of August 1, 2022 (the "**Agent Agreement**") by and between the Authority and the Company; and

**WHEREAS**, the Authority previously determined that the Project constitutes an "Unlisted Action" within the meaning of the New York State Environmental Quality Review Act and issued a Negative Declaration with respect to the Project; and

**WHEREAS**, the execution of the extension of the Agent Agreement and related documents, and the granting of financial assistance to the Company will help to improve the Project and enhance opportunities for the citizens of the City of Auburn.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AUBURN INDUSTRIAL DEVELOPMENT AUTHORITY AS FOLLOWS:**

Section 1. Based upon the representations made by the Company to the Authority in the Letter Request, the Authority hereby finds and determines that (A) the Company has shown good cause to extend the Sales Tax Exemption through and including May 1, 2025; and (B) the Authority has previously determined that the Project constituted a "Unlisted Action" within the meaning of the New York State Environmental Quality Review Act and that no further action is necessary thereunder.

Section 2. The Authority hereby approves financial assistance for the Project in the form of an extension of the Sales Tax Exemption through and including May 1, 2025.

Section 3. The Authority may, pursuant to Section 2326-a of the Act, recover or recapture from the Company, its agents, subagents, contractors, subcontractors, or any other party authorized to make purchases for the benefit of the Project (each a "**Company Party**" and, collectively, the "**Company Parties**"), any sales and use tax exemption benefits obtained or purported to be obtained by the Company Parties if it is determined that: (A) any Company Party is not entitled to sales and use tax exemption benefits; (B) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by any Company Party; (C) the sales and use tax exemption benefits are for property or services not authorized by the Authority as part of the Project; (D) the Company has made a material false statement in its application for financial assistance; and/or (E) the sales and use tax exemption benefits are taken in cases where a Company Party fails to comply with a material term or condition to use property or services in the manner approved by the Authority in connection with the Project (each a "**Recapture Event**").

As a condition precedent to receiving the financial assistance set forth in Section 2, above, the Company must, upon the Authority's determination that a Recapture Event has occurred, (A) cooperate with the Authority in its efforts to recapture any sales and use tax benefits; and (B) pay over to the Authority, on demand, any amounts required to be recaptured.

Section 4. The Chair, Vice Chair or any other officer of the Authority is and are hereby authorized, on behalf of the Authority, to execute and deliver an amendment to the Agent Agreement, and related documents, if any, (collectively, the "**Authority Documents**") in the form and with such changes as shall be approved by either or both of the Chair and Vice Chair upon execution.

Section 6. The Chair, Vice Chair or any other officer of the Authority is and are hereby authorized, on behalf of the Authority, to execute and deliver the Authority Documents and any such other documents and agreements as may be necessary to carry out the intent of these resolutions; and, where appropriate, the Secretary or Assistant Secretary of the Authority is hereby authorized to affix the seal of the Authority to the Authority Documents and to attest the same, all with such changes, variations, omissions and insertions as either or both of the Chair and Vice Chair of the Authority may approve, the execution thereof by either or both of the Chair and Vice Chair of the Authority to constitute conclusive evidence of such approval; provided in all events recourse against the Authority is limited to the Authority's interest in the Project.

Section 7. The officers, employees and agents of the Authority are hereby authorized and directed for and in the name and on behalf of the Authority to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Authority with all of the terms, covenants and provisions of the documents executed for and on behalf of the Authority.

Section 8. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Gwendolyn Webber-McLeod, Chair	X			
William Andre, Vice Chair			X	
Terry Cuddy, Secretary	X			
James Gianettino	X			
Katie McIntyre			X	
Daniel Lovell	X			
Tessa Crawford	X			
Stephanie Leone	X			
Karen Walter	X			

This Resolution was thereupon duly adopted.



STATE OF NEW YORK )

COUNTY OF CAYUGA ) SS:

I, the undersigned Secretary of the Auburn Industrial Development Authority, DO HEREBY CERTIFY:

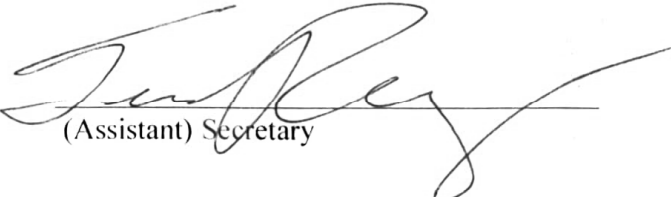
That I have compared the annexed extract of minutes of the meeting of the Auburn Industrial Development Authority (the "**Authority**"), including the resolution contained therein, held on May 15, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Authority and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Authority had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Authority present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Authority this 15<sup>th</sup> day of May 2024.

  
(Assistant) Secretary

**EXHIBIT "A"**

**LETTER REQUEST**



May 2, 2024

To: Auburn Industrial Development Authority

From: CEO/Owner- RYCOE Enterprises, Inc.

Attn: Gwen Webber-Mcleod

Name: Ryan Coe

Phone: (315)975-0000

Email: [ryan@rycoe.com](mailto:ryan@rycoe.com)

Subject: Request for ST-60 Extension

Dear Ms. Webber-McLeod,

We sincerely appreciate the incentives AIDA has given us toward our newly built facility located at 63 John Walsh Blvd. The building has come along nicely, but we still have a few things to get done before it's completed. We still need to have the parking area paved, signage, and a few other projects to complete before it's completely finished. We were hoping to have this completed, but unfortunately due to weather and contractor delays we need a bit more time. Our ST-60 expired on 05/01/24. We would like to request an extension to 05/01/25 to give us more than enough time to make sure everything is completed.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Coe", written over a horizontal line.

Ryan Coe  
President/CEO  
RYCOE Enterprises, Inc.