

**Wayne County Industrial Development Agency
Board Meeting – May 31, 2023
MINUTES**

A regular meeting of the Wayne County Industrial Development Agency (WCIDA) was called to order by Chairman Scott Johnson, at 9:10 a.m. at 9 Pearl Street, Lyons, Second Floor Conference Room. The meeting was held in person for board members. Members present in-person were Chairman Scott Johnson, Vice-Chairman Phil Eygnor, Secretary Kaye Stone-Gansz, Treasurer Julie DiLella, Kenneth VanFleet, Pamela Heald, and Amanda McDonald. Also present in person were staff members Brian Pincelli, CEO; Katie Bronson, COO; Jamie Corteville, CFO; Ariel Camp, Economic Development Specialist, and Deb Hall, Assistant Secretary.

The meeting was broadcast and available live on the WCIDA YouTube channel.

Mr. Johnson presented Minutes from the April 26, 2023 board meeting for approval with a motion to accept by Mr. Eygnor and a second by Ms. Stone-Gansz. All approved.

Mr. Johnson introduced the Initial Project Resolution for Grant Building LLC at 1071 Rt. 31 in Macedon, a now vacant manufacturing site formally known as Rando. Filer's-PowerSports located across the street is interested in leasing a portion of the building and using it for inventory warehouse storage while a separate operator will use 17.5% of it for self-storage business. The project will not require town approvals except a few building permits but no special variance or permits, therefore the WCIDA will be the lead agency on SEQRA. The initial resolution allows for WCIDA to move forward with the project and to act as lead agency. Ms. Heald asked for clarification on the self-storage area. She asked for clarification on the \$850,000 estimate for rehabilitation. Mr. Pincelli stated the building is in rough shape and needs a lot of clean up. The site is also a brownfield site that requires bi-annual monitoring. Ms. Stone-Gansz asked for clarification on the vandalism issue and security of inventory. Ms. McDonald asked about real property assessment estimate. Ms. Bronson explained the self-storage will be located in the office space of the building, where there are lower ceiling heights. The warehousing will be located in the remainder of the building. Ms. Bronson opened the application for assistance where more specific data was ascertained. The agency has spoken with local assessor for current value and estimated increase after project completion. This calculation of 10-year benefits comes from this initial data calculation. Mr. Pincelli explained that the agency talks to local assessors and applicants throughout this process to make sure everyone is in agreement on cost and benefits. Ms. DiLella asked for clarification of reasonableness that the applicant is getting a 5-acre parcel, with a 40,000 sf building for \$50,000 sale price, payable to the Wayne County Regional Land Bank who currently holds title to the building. Mr. Pincelli, who also sits on the Land Bank Board, said the Land Bank reviewed all the offers and factors associated with the building and had other offers that did not go through because of the environmental test well monitoring requirements. Ms. Bronson shared a recent document from the current monitoring service submitted to DEC in April 2023. Ms. Heald stated that it is her understanding that the acquisition cost is not part of the WCIDA consideration. Ms. DiLella was concerned with the low acquisition fees. Ms. Heald said it would be a good idea for the Land Bank Board and the WCIDA Board to meet and discuss the parameters of acquisition of contaminated properties in light of potential future applications. Mr. Pincelli explained the upcoming brownfield assessment and revolving loan funds that will possibly come into play for future assistance applications. Ms. Bronson showed the Source and Uses document for acquisition. Ms. Stone-Gansz asked if the acceptance of this application sets a precedent. Ms. Bronson noted that SEQR lead language was missing from the Resolution being reviewed. Ms Heald asked for review of the process for determining acceptance of an offer to the Land Bank since Mr. Pincelli is on that Board. He reviewed the process which includes a lot of discussion regarding market rate values, brownfield issues as well as other factors currently affecting the property, then an Enforcement Mortgage is added to each property sale. Next Land Bank meeting is June 15 at 1 p.m.

Mr. Pincelli asked for a Motion to amend the Initial Project Resolution to include SEQR review by the WCIDA as lead agency. Ms. Heald made the motion as stated, noting for the record that the acquisition price of the property, regardless of who is the seller, is not part of the consideration of the IDA for this project even though there was much conversation regarding these particulars due to the fact that the Land Bank is the seller. Mr. VanFleet offered a second. All members approved.

Mr. Johnson introduced the Resolution Authorizing Planning Funds from Wayne County for the Former Butler Prison Market Study and REOI (Request for Expression of Interest). Board of Supervisors, ESD and NYS Prison Redevelopment Commission have toured the Butler facility in an effort to put them into active use. Before the county can potentially acquire the property, the state has required a market analysis of potential reuse. The Market Study and REOI is acceptable to ESD. The County released an RFQ and got one response from MRB at \$67,000. State is offering \$30,000 with at least 50% match. This resolution is requesting money from the County fund, Project Planning Funds, which is already an approved budget line item in the current county budget for these types of use. Mr. Pincelli advocates for this use of funds in an effort demonstrate to the state a productive and beneficial use of the facility so that ownership might potentially be transferred to the County and then to the IDA for marketing and sale to a beneficial recipient. Ms. DiLella asked if agency was comfortable with only one RFP response. Mr. Pincelli is comfortable. The Board of Supervisors is slated to review and pass a similar motion to provide the match in June. A motion was made to accept the Resolution as submitted from Ms. Heald with second from Ms. Stone-Gansz. All approved.

Mr. Johnson introduced the Resolution Authorizing Planning Funds from Wayne County for Smart Growth Community Planning and Zoning Grant program. Mr. Pincelli explained that the purpose was to create a strategic comprehensive plan in the county utilizing all the other recent planning studies to create a cohesive approach to planning and development in the county. The County will be the municipal applicant. Smart Growth plan would guide towns to future development. This resolution allows for matching funds up to \$100,000 for use in conjunction with an award from the state to develop the plan. Ms. Bronson reminded the board that this program was applied for last year. Ms. Heald asked for clarification on the spending of \$100,000 to a consultant in combination with matching State grant, if awarded. Ms. Heald asked why IDA was involved and it was explained that the Project Planning Fund is specific to IDA but being used for County economic development objectives. Ms. Bronson suggested that IDA should be a partner in the application and on the steering committee with an IDA board member. Ms. Stone-Gansz agreed that better understanding of the board role is needed. Ms. Heald suggested a cover page for these types of resolutions. Ms. Heald made a motion to accept and amend the resolution to include approval of funding per positive award of the state funding for this project. Ms. Stone-Gansz offered a second. All approved.

Discussion was fruitful about local and regional planning and economic development boards and the overlap of agendas and projects. Mr. Pincelli explained how they all interact. Mr. Pincelli took a moment to announce the change in status of Ms. Hall's position to part-time while she transitions to another job. She will stay on as part-time until a replacement can be found. Ms. Hall also noted for clarification in the minutes the change of board membership to 7 members, per statutory requirement, after the voluntary recusal of Ms. Brockmyre and Mr. DeBadts from the board effective immediately.

Mr. Johnson introduced a Resolution to Approve an Internal Control and Finance Policy that was recommended by the Governance Committee. Motion to accept Resolution from Ms. Heald. Second from Mr. Eygnor.

Mr. Johnson introduced the Resolution Authorizing Investment Funds for CNB Jumbo Municipal CD. Ms. Corteville explained her recommendation to the board. Ms. DiLella made a motion to accept the resolution. Ms. Stone-Gansz offered second. All approved.

Ms. Corteville introduced her annual PILOT analysis from 2022. She efficiently and effectively described the data collection and analysis of jobs created/retained versus cost benefits realized by local companies. Board discussion reviewed FTEs created/retained and how it compares to benefits. Job requirements are tied to PILOT benefits. Automization does have an effect on these numbers. Ms. Heald pointed out that this points to our mission and suggested that this information would be a good topic for a press release. They appreciated the report and asked to see names of companies on the map. Ms. Heald asked what the trigger is for removing a PILOT if FTEs are not met. Ms. Corteville said it usually is reviewed over time, especially into year 3 and a discussion is held with the company to find out what is happening in their industry and company. Mr. VanFleet noted that industries are struggling to find employees. Ms. McDonald asked what the clawback provisions are. It was noted that this has not been done yet and needs more discussion. Ms. Corteville is currently doing a comprehensive survey of PILOT clients, for example, to see where there employees live.

Ms. Corteville reviewed the account balances including an explanation of use of funds for the CD purchase. Ms. Heald asked about collateralized coverage for all accounts and banks for IDA funds. Ms. Corteville explained that for IDA the only bank over the \$250,000 FDIC was LNB and there is an agreement in place with LNB/M&T for the extra collateralization of IDA funds each month over the \$250,000. Collateral statements are received monthly and reviewed by Ms. Corteville. Next, she reviewed the YTD budget vs. actuals report.

Ms. Bronson updated the board on UTEP changes. These recommendations were presented to the Governance Committee. It is not ready for board approval as it is anticipated first for public hearing.* A final draft copy will be sent to the board. The first change is to increase fees for Renewable Energy projects that use Minerals of Statewide Importance in groups 1-4. A second change is to redefine Adaptive Reuse Policy to allow for projects in 3-yr vacant properties. These would both would be for PILOT applications. Ms. DiLella warned about incentivizing a dereliction of responsibility.

**Information obtained after the meeting clarified by WCIDA's attorney that a Public Hearing is NOT required, however notification must be made to all taxing jurisdictions.*

Mr. Pincelli updated the board on the railroad discussion with the County regarding transfer of ownership of the rail line from the County to the IDA. He outlined the appropriateness based on other IDAs in the state with similar ownership as well as benefits relative to the asset and monitoring economic vitality of the operator who leases the line as for-profit business development. No formal resolution was presented, rather the request for general approval to move forward to engage agency counsel at cost in order to strategize with the county on specifics of who owns what, who has easements and how to support the economic development efforts of the rail operator. Mr. VanFleet made a motion to move forward. Second from Ms. McDonald. All approved.

Hearing no other business, Mr. Johnson stated that the next WCIDA Board Meeting was set for June 28 2023 at 9:00 a.m. Ms. Stone-Gansz made a motion to adjourn which was seconded by Mr. Eygnor. Meeting adjourned at 10:52 a.m.

Respectfully submitted,
Deborah Hall, Assistant Secretary

