



## WYOMING COUNTY IDA BOARD MEETING MINUTES

The WCIDA Board of Directors met on June 13, 2024 at 2:30 p.m. at the Wyoming County Business Center, 36 Center Street Warsaw, New York 14569.

### **1. Roll call to establish quorum**

The Chairman called the meeting to order at 2:33 p.m., in attendance were: Mark Dadd, Chairman; A. Douglas Berwanger, Vice-Chairman; Rebecca Ryan, Treasurer; E. Joseph Gozelski, Director; Niccole Hastings, Director; Jim Rutowski, Director; James Pierce, Executive Director; Robin Marschilok, Director of Operations; Jennifer Tyczka, Program Manager; Scott Gardner, Economic Development Specialist and Kevin Zanner, Hurwitz & Fine, Agency Counsel.

Absent: Thomas McCormick, Secretary

### **2. Administrative**

#### **A. Review/approve minutes from April 11, 2024**

The minutes from the April 11, 2024 Board Meeting were reviewed. A motion was made to accept the minutes by D. Berwanger. The motion was seconded by J. Gozelski and unanimously carried.

#### **B. Review and approve financial reports for April and May 2024**

R. Marschilok presented the financial reports from April and May 2024. After review the Board approved the financial reports on a motion made by R. Ryan. The motion was seconded by N. Hastings and unanimously carried.

#### **C. Review and renew MOU between the WCIDA & WCBAC for another five years for administrative services (the annual fee was \$75,000 for the last five years).**

J. Pierce informed the Board that the MOU for WCIDA administrative services for the WCBAC has expired and he asked that the Board consider renewing the MOU. D. Berwanger stated that the fee should be raised to reflect the increase in cost of services and suggested the term be less than five years in order to revisit in a timely manner. He then made a motion to approve the renewal of the MOU raising the fee amount to \$90,000 annually for a period of three (3) years. The motion was seconded by J. Gozelski and unanimously carried.

### 3. **Executive Director's Report**

#### **Wyoming County IDA Economic Development Projects**

- Jim P. is working with a manufacturer from Buffalo who is interested in the now vacant API building in Arcade. The business is involved with metal fabricating and the low-cost municipal electric is very attractive to them. Jim P. has also been in discussion with Pyramid Brokers who is the listing agent for the properties. Pyramid indicated they also have a couple of other prospects for the buildings as well.
- Jim P. continues to work TPI Casting out of Arcade on plans for a small expansion project and tracking down funds for the addition of 2 new robotic cells for polishing of parts that are cast. Empire State Development has been brought in to see if they can assist with 2 robotic cells that they would like to purchase. Waiting to hear back from the company on a possible IDA application.
- Jim P. and Robin Marschilok have met with Hillcrest Industries in Attica that is making plans for building another warehouse that will be approximately 15,000 sq. ft. and will include a crane. It is anticipated they will be applying to the IDA for assistance.
- Jim P. met with a representative from AES who will be working on a new IDA application for the replacement of the wind farm turbines in Eagle and Wethersfield that have reached the end of their life span. NYSERDA has awarded AES a repower allocation for the two projects that will replace the existing wind turbines with taller and more efficient units. There will be less turbines on these new wind farms but the electrical production will be the same as the original projects. This project will be a new project meaning local approvals and host agreements will all have to be done over again.
- Jim P. and Robin met via Teams with representatives from Sun East Highview and Cordellio power who are working jointly on the previously IDA Board approved 20 MW solar project in the Town of Castile. A second public hearing for this project was held last year as a result of the company adjusting their capital expenditures number from over \$20 million to over \$40 million. Company representatives anticipate they will be clearing the land for the project likely in November once the time period has passed for protecting areas where the endangered Northern Long Ear bats might roost.

The companies also acquired the previously IDA Board approved (2020) solar project in the Town of Bennington known as the 20 MW Niagara Solar project. A new site plan has been submitted to the Town Planning Board. Jim P. suggested to Town Supervisor Ellen Grant that she and the town's counsel should review of the previously approved community host agreement. The developer has indicated that the project application and deal that that was previously approved by the IDA will have to be amended to take into consideration an increase in the capital expenditures from the previous number of \$23 million which will necessitate another public hearing by the IDA.

- Jim P. met with representatives from a long-standing Castile business that is considering a new building project. While the business is retail in nature and normally not eligible for IDA assistance, there is a case can be made that it could be eligible based on the fact that Town of Castile is designated as a “highly distressed area”. We are expecting to receive some project numbers soon to discuss this further.
- Jim P. and Greg Albert from Empire State Development met with the new leadership team at Prestolite in Arcade following some major changes. The main purpose of the meeting was to make sure the new leadership team was aware of their obligations regarding two grants that were secure totaling over \$600,000. It was also an opportunity to learn about plans for additional growth which they are working on that will include some building changes that are likely a year or so off, but the news from the company was very encouraging.
- Jim P. met with a local builder/developer to talk about some development needs for the County. The brainstorming discussion led the company to begin exploring the possibility of getting into housing development which is huge need for the County.
- Jim P. has been in discussion with Ice is Nice in Arcade who has recently purchased a CNC machine for ice sculpting. The purchase required some significant investment and possible financing from the WCBAC and WCBC was considered.
- The WCBAC loan for Dell Collective was closed on June 7<sup>th</sup>. The short term-stay housing project located in the Town of Genesee Falls is redeveloping a house that was uninhabited and reaching a point of needing to be demolished. Some great progress has already been made.
- We anticipate the WCBAC will be receiving a GAIN loan application from Keem Dairy from Java for a building expansion that is being built for a larger milk tank that Upstate Farms ask them to acquire.

## **Other Updates**

### **Emkay Brownfield Clean Up Project**

- The Emkay Brownfield Clean project that is tackling the asbestos controlled demolition and disposal of all the buildings at the site is well underway. A recent update from Labella our environmental consultants on the project included some recent photos and their observation that the company is progressing rapidly and the work should be completed by the end of the July. The next step is to get the property into the hands of Frontier Global Companies who is the designated developer for taking the project further into remediation of the site by getting the site into the NYS Brownfield Cleanup. Jim P. has met with representatives from Frontier to discuss the next steps that will formalize with an amended designated developer contract.

- A rapid start loan of \$10,000 was made to Creative Food Ingredients (Pizzano's restaurant) from Warsaw that will be used to pay for a portion of equipment that is in the restaurant but owned by the previous restaurant owner of Shenanigans. Shenanigans will be paying off the loan they have with the WCBC. When they do it will trigger the release of a new loan that was approved by the WCBC Board for the owner of the former Shenanigan's to establish a new pizzeria and restaurant in Attica that is located on East Main Street that will be known as Railway Station.

#### **4. Discussion Items**

##### **A. Summary of a meeting held with the Department of Wyoming County Real Property regarding improving timely and accurate PILOT payments made by local municipalities.**

Pierce informed the Board that the Wyoming County Real Property Director, Sarah Lippencott, initiated a meeting to review the process of PILOT management and billing. Lippencott, Pierce, R. Marschilok, R. Ryan, S. Gardner along with Scott Schrader, County Administrator; Leann Becker, Deputy Treasurer; and Julie Wheeler, Real Property attended the meeting. There was a long discussion regarding the accuracy of PILOT billing by municipalities, the clarity of the start and end dates on the WCIDA PILOT Agreements and developing a process to ensure more accuracy in the PILOT process. There will be a follow up meeting in June to discuss further.

##### **B. WCIDA 50<sup>th</sup> Year Anniversary (Proclamation and cake at the Board of Supervisor's June 11<sup>th</sup> Meeting at 2:30 p.m. at 143 N. Main Street, Warsaw)**

Pierce stated that 2024 is the 50<sup>th</sup> year since the Wyoming County IDA was formed. Scott Gardner put together written information and prepared a proclamation after researching the history of the IDA. We put this on the planning committee agenda in May and took it to the Board of Supervisors Meeting on June 11th for the announcement of the proclamation and had a cake to celebrate the 50 years.

##### **C. NYS Legislative changes for the WCIDA, WCBAC and WCBC**

Pierce presented copies of new legislation that will affect the IDA. The newest bill to pass requires that all state and local authorities live stream public meetings and post video recordings of the meetings on their website within five days. The postings are required to remain on the website for a period not less than five years. The law went in to effect May 20, 2024. The WCBAC and the WCBC will now record and post their board meetings.

There is a bill that passed both the House and the Senate and now awaits the Governor's signature, that, if signed into law, will mandate an IDA to appoint a labor organization representative and a local school district superintendent or a school board member to its board. If this passes it will go into effect 180 days after it is signed into law.

Pierce informed the Board that the Investigative Post has sent a FOIL request asking for all records pertaining to attorney fees paid with a description of the service

provided dating back to January 1, 2023. Within the five day window to respond we sent a letter telling the Post that we need more time to gather the information. We now have until June 20<sup>th</sup> to prepare and send the requested information to them.

**5. Staff Compensation Discussion- The Board moved in to executive session at 3:24 p.m. to discuss staff compensation on a motion made by D. Berwanger, seconded by R. Ryan and unanimously carried.**

The Board moved out of executive session at 3:44 p.m. on a motion made by D. Berwanger seconded by R. Ryan and unanimously carried.

Once back in regular session the Board agreed to the recommendation as recommended by the Executive Committee. R. Ryan made a motion to adjust all staff compensation with an increase of 15%, retro to January 1, 2024. D. Berwanger seconded the motion and it was unanimously carried.

**6. Other Business - None**

**7. Next Meeting: The Next Meeting is scheduled for July 11, 2024, at the Ag and Business Center.**

**8. Adjournment**

The meeting was adjourned at 3:48 p.m. on a motion made by D. Berwanger. The motion was seconded by J. Gozelski and unanimously carried.

Meeting recorded and posted on You-Tube at the following link:  
<https://www.youtube.com/watch?v=P4t0dgI2ggU>

Minutes prepared by: Robin Marschilok