

WYOMING COUNTY IDA BOARD MEETING MINUTES

The WCIDA Board of Directors met on January 11, 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

Chairman Dadd, called the meeting to order at 2:44 p.m., in attendance were: Mark Dadd, Chairman; Rebecca Ryan, Treasurer; Thomas McCormick, Secretary; James 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: A. Douglas Berwanger, Vice-Chairman; Niccole Hastings, Director; E. Joseph Gozelski, Director.

Guest: Joseph Kehm, EFPR Group, CPAs, PLLC; Mark George, Underwriter and Michael Bellamy, Silverlaken, LLC.

2. Administrative

A. Review/approve minutes from December 14, 2023 Board Meeting

The minutes from the December 14, 2023 Board Meeting were reviewed. A motion was made to accept the minutes by T. McCormick. The motion was seconded by J. Rutowski and unanimously carried.

B. Review and approve Financial Statements from December 2023

R. Marschilok presented the financial reports from December 2023. After review of the Board approved the financial reports on a motion made by R. Ryan. The motion was seconded by T. McCormick and unanimously carried.

C. 2023 Audit overview with Joe Kehm from EFPR (the IDA's auditing firm)

Pierce then introduced Joe Kehm from EFPR Group, to present his proposed audit overview to the Board. Kehm reviewed his presentation of audit services, which he had previously supplied to the IDA Board. After his review the Board thanked Kehm for his review. The Board moved to approve the 2023 audit plan on a motion made by J. Rutowski. The motion was seconded by R. Ryan and unanimously carried. Kehm then left the meeting at 3:04p.m.

3. Action Items

A. Request from the A & A Railroad for a sales tax exemption only project for replacement of some rail infrastructure.

Pierce presented a request from the A& A Railroad for sales tax exemption to cover the taxable costs of materials associated with a rail improvement project.

The Rail Road has been awarded a \$1.2M Grant from NYSDOT to cover costs associated with 2 miles of rail replacement and improvements to rail bed and gates

used to carry freight cars. The cost of Materials is estimated to be \$1M and the sales tax exemption would be \$80,000, therefore a public hearing is not required. An Environmental Assessment Form was submitted by the Company, the project has been determined to be a type II and no further environmental review is required. The Board passed a resolution authorizing financial incentives consisting of sales and use tax exemption for the materials, equipment and fixtures to be purchased and incorporated into or used at the Project location with a total cost not to exceed \$1M. The motion to pass the resolution was made by T. McCormick. The motion was seconded by R. Ryan and unanimously carried.

Pierce further presented a request from the A&A Railroad to waive the 1% IDA Fee which would be due for the providing IDA Incentives, due to the hardship it would cause the Company. The Board agreed to the waiver of the IDA Fee citing the importance of the Railroad on freight and tourism in Wyoming County. A motion was made to approve the request to waive the fee on a motion made by T. McCormick. The motion was seconded by J. Rutowski and unanimously carried.

Pierce stated that the Company will pay the \$200 application fee.

4. Executive Director's Report

Wyoming County IDA Economic Development Projects

- Jim P. and Jennifer T. met with an entrepreneur startup business in Strykersville known as Maker Movement. The business is looking for resources to grow his small business that makes kits that are sold to organizations who are teaching young people how to learn skills and work with their hands to build something.
- Jim P. met with representatives from NYS Department of Labor to discuss the plans for the workforce at API who will be losing their jobs. In addition, Jim P introduced to API representatives a North Carolina company that builds similar products as API that would be interested in buying the equipment, leasing the buildings and keeping the existing workforce in place in Arcade. Waiting to see if that goes any place.
- Construction is progressing on the facility in the Town Sheldon with work now being started on the second floor.
- We were notified by Jay Bee Contracting of Warsaw that he is closing to finalizing a lease for space in the former Shared Harvest building in Perry for his Re-Bath showroom. Before we close on the loan from WCBAC we have asked for a copy of the lease and to see concept plans. The building has been vacant for many years and we want to be sure the space is satisfactory before we close on the loan.
- A business prospect is looking to buy a small manufacturing operation in Arcade is working through financing options with a local bank, however the buyer needs to demonstrate a plan to the bank on how they will diversify the customer based since it is limited to a few accounts. If bank financing is secured, they may be seeking funds from the WCBAC.
- Working with one of the participants in the WCBC's Business Accelerator Program has resulted in the Lawrence's Auto Detailing business buying a building on Park Street in Arcade where he will move his business to and hire his first employee.

- Jim P. has also been working with a small Arcade manufacturer that was defrauded out of \$114,000 in fraudulent checks. Investigations are on-going.

5. **Other Business** – **Staff Compensation Discussion**

The Board moved into Executive Session to discuss staff compensation on a motion made by R. Ryan. The motion was seconded by J. Rutowski and unanimously carried.

After discussion the Board moved out of executive session on a motion made by T. McCormick. The motion was seconded by J. Rutowski and unanimously carried.

Once back in regular session no action was taken.

6. **Next Meeting**: February 8, 2024 at 2:30 p.m. at the Wyoming County Ag & Business Center

7. **Adjournment**

The meeting was adjourned at 3:30p.m. on a motion made by T. McCormick. The motion was seconded by J. Rutowski and unanimously carried.

Meeting recorded and posted on You-Tube at the following link:

https://www.youtube.com/watch?v=s7CIY_4eTrM

Minutes prepared by: Robin Marschilok