

There will be a Regular Meeting  
of the  
**Seneca County IDA**

as follows:

**Tuesday May 14, 2024**

**@**

**9:00 AM**

**2456 State Route 414  
Waterloo, NY 13165**

The Meeting will also be livestreamed on IDA website at:

<https://www.senecacountyida.org/livestream>

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LOCAL VALUES. FORWARD VISION.

SENECA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

Tuesday, May 14, 2024  
9:00 AM  
Seneca County IDA Office  
2456 State Rt 414, Waterloo NY

Agenda

1. Approval of IDA Meeting Minutes of March 21, 2024 V \_\_\_\_\_
2. Approval of IDA Financial Statements thru March 2024 V \_\_\_\_\_
3. Review / Discussion of Beardsley Architects and Engineers Interior Design Schemes of IDA Office
4. Discussion / Proposed Approval of IDA Resolution No 2024-13 | Grogery Development LLC Project | Final R \_\_\_\_\_
5. Approval of updated IDA ByLaws with new address V \_\_\_\_\_
6. Standing Item – Update / Seneca County Chamber of Commerce– Jeff Shipley
7. Standing Item – Update / Seneca County Board of Supervisors – Ernie Brownell
8. Quarterly Report | IDA Executive Director – Sarah Davis
9. Other Business
10. Consideration of Executive Session
11. Adjournment

SENECA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY  
MEETING MINUTES

Regular Meeting  
Thursday, March 21, 2024  
12:00 Noon / IDA Office  
Waterloo, NY 13165

**Attendance:**

Board Members Present: Bruce Murray, Chair; Steven Brusso; Ernie Brownell; Ralph Lott; Jeff Shipley; Seth Kircher; Tom Murray and Tom Kime (*arrived at 12:20*)

Board Members Absent: Ben Guthrie

Staff Attending: Sarah Davis, Kelly Kline, David Hewitt

Others Attending: Robert Kernan, CFO

Chairman Murray called the meeting to order at 12:00 p.m. A quorum of the Agency's members were present.

**Approval of IDA Meeting Minutes of February 1, 2024:**

The minutes of the Agency's meeting of February 1, 2024, had been sent to Board members prior to the meeting. A motion was made by Mr. Brusso to approve the minutes. Seconded by Mr. Lott. Motion carried.

**Approval of 2023 IDA Annual Audit, Single Audit and Management Letter:**

The 2023 IDA Audit, Single Audit and Management Letter had been mailed to board members prior to the meeting. Ms. Davis advised Board Members that the 2023 Audit, Single Audit and Management letter were accepted by the Audit Committee at their meeting on March 7, 2024, and approval by the full board is recommended. Ms. Davis noted that the auditors have issued a clean opinion with no material weaknesses or deficiencies in internal controls. After discussion, a motion was made by Mr. T. Murray approving the 2023 IDA Audit, Single Audit and Management Letter and authorizing staff to post to PARIS, per the recommended approval of the Audit Committee. Seconded by Mr. Shipley. Members, Brusso, Lott, B. Murray, T. Murray, Shipley, Brownell, Kircher voted "yea". Mr. Kime and Mr. Guthrie were absent. Motion carried.

**Approval of ABO Measurement Report:**

A copy of the New York State Local Public Authority Mission Statement and Measurement Report was provided to Board members prior to the meeting. The agency is required to provide a self-evaluation of the prior year's performance. In the calendar year 2023, the Seneca County IDA supported 28 active projects, which have leveraged \$591,400,914 of private investment. These projects retained 2,092 FTE jobs and 168 FTE Construction jobs, of which 903 were created as a result of public support leveraging private investment. Job creation is significantly understated due to employee leasing by some employers, and the inability to accurately track the number of jobs at the Waterloo Outlet mall. Board members acknowledged having read and understood the answers to the five questions in the final section of the document referred to as "Governance Certification." A motion was made by Mr. Brusso approving the Measurement Report and posting to PARIS. Seconded by Mr. Lott. Motion carried.

**Standing Item – Update / Seneca County Chamber of Commerce– Jeff Shipley:**

The Chamber has been actively preparing for the upcoming solar eclipse on April 8th by distributing nearly 10,000 safety glasses to the community as well as producing commemorative posters. Mr. Shipley noted that most hotels in the area are fully booked for the event. The Chamber's board of directors met for strategic planning and discussed using their resources to address the housing issue in the county, aiming for synergy with other organizations like the IDA. Furthermore, the Chamber board endorsed four initiatives advocated by a statewide business coalition for pro-business legislative policies in New York State during budget season.

**Standing Item – Update / Seneca County Board of Supervisors:**

Mr. Brownell noted that the Board of Supervisors is currently focused on infrastructure projects, including the ongoing Willard project, alongside various smaller initiatives.

**Chairman's Remarks:**

Chairman Murray introduced the topic of employment data to the board. He presented charts containing data collected by the New York State Department of Labor which includes the number of employees by occupation and industry from 2000 to mid-2023. The charts refer to significant events like the opening of facilities such as Five Points and del Lago, as well as the impact of

COVID-19 showing how employment numbers fluctuate due to various factors like business openings, closures, and economic trends. Mr. Lott raised a question about the apparent discrepancy between job loss due to COVID-19 and the perceived recovery in the restaurant industry. The chairman explained that while some sectors may have recovered, others like accommodation and food service still face challenges, including hiring difficulties. Mr. Lott also questioned the accuracy of government job reports, citing inconsistencies between initial reports and later revisions. Mr. Murray acknowledged the imperfections in the data but asserts its overall reliability and importance for economic evaluation. The discussion delved into specific sectors experiencing growth or decline, such as manufacturing, finance, construction, and healthcare. Education is highlighted as experiencing significant decline due to factors like population aging and school enrollment decreases. Mr. Murray proposes to use the employment data to identify growth opportunities, focusing on industries like nanotechnology, advanced manufacturing, and tourism. The concept of cluster theory in economic development was also discussed, emphasizing the importance of targeting specific sectors for growth initiatives. Concerns were raised about the accuracy of data regarding farm employment and the need for further analysis to reconcile discrepancies. The chairman plans to engage staff in analyzing the data further to develop an economic growth plan for the county.

**Other Business:**

**Seneca Storage and Transloading PFRAP Grant application:**

Ms. Davis announced that the IDA has been awarded a pass-through grant from the New York State Department of Transportation for the passenger and freight rail assistance program, totaling \$1.512 million. The grant is designated for rail upgrades at the Depot, which is on property owned by Earl Martin. Mr. Martin's company, Deer Haven Park, will undertake the repairs and upgrades, with an interconnection agreement being worked out with Finger Lakes Rail, which also received funding for some of their projects. The project involves rehabilitating existing rail ties and infrastructure to make the depot functional again. Ms. Davis also mentioned the need for coordination with other rail systems and upgrades to ensure compatibility.

**Executive Session:**

Chairman Murray requested a motion to enter into Executive Session to discuss the financial, credit or employment history of a particular corporation, or matters leading to the approval of a contract for a particular corporation. A motion was made by Mr. T. Murray at 12:43 pm to enter into executive session. Seconded by Mr. Brusso. Motion carried. A motion to come out of executive session at 1:00pm was made by Mr. Kircher. Seconded by Mr. Kime Motion carried.

**Approval of IDA Resolution No. 2024-12 | Contract with Design Firm | Renovations at 2456 State Rt 414 Waterloo:**

A copy of the proposed resolution was provided to board members prior to the meeting. The IDA office will be relocating to 2456 State Rt 414 in the coming weeks. The Governance Committee has met and reviewed three proposals for interior design services submitted by Beardsley Architects, MRB Group, and Peter L Morse Architecture. The Committee is recommending the IDA Board approve a contract with Beardsley Architects to complete an initial Schematic Design Phase, costing approximately \$9,000, to include two potential floor plan options for the renovation. The resolution was presented as follows:

**RESOLUTION AUTHORIZING THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") TO ENTER INTO A CONTRACT FOR DESIGN SERVICES WITH BEARDSLEY ARCHITECTS**

A motion was made by Mr. T. Murray approving Resolution No 2024-12. Seconded by Mr. Brusso. Members Brusso, Lott, B. Murray, T. Murray, Shipley, Kime, Brownell and Kircher voted "yea". Mr. Guthrie was absent. Motion carried.

**Adjournment:**

A motion to adjourn the meeting was made by Mr. T. Murray. Seconded by Mr. Kime. Motion carried. The meeting adjourned at 1:05 p.m.

The next regular scheduled meeting will be held on **May 14, 2024, 9:00 am**, IDA Office, 2456 State Route 414 Waterloo, NY 13165

Respectfully submitted,

Sarah R. Davis  
Executive Director

SENECA COUNTY  
IDA

Financial Statements

**March 2024**

**Seneca County IDA  
Balance Sheet  
Variance Explanations**

**March 31 2024 – Jan 31 2024**

- 1 Cash Operating increased by \$25K  
Increase is due to collection of Accounts Receivable offset by net loss
- 2 Cash -CD increased by \$26K  
Increase is due interest on two CDs
- 3 Cash Pass Through increased by \$50K  
Increase is due to timing on payments
- 4 Cash Revolving Loan increased by \$10K  
Increase is due payment on loan accounts
- 5 Accounts Rec – decreased by \$93K  
\$93K Willard Study collected
- 6 Notes Rec Long Term decreased by \$8K  
Bestmade – Feb/March, Schrader Dec – March – both current as of 3/31/24
- 7 Pilot Program increased by \$47K  
Timing of payments
- 8 Net Assets decrease by \$55K  
Due to net loss

**Mar 31 2024 – Mar 31 2023**

- 9 Total Checking/Saving – increased \$148K  
Due to net income off set by balance sheet changes
- 10 Note Rec – decreased \$17K  
Payments on the notes
- 11 Lease Rec – decreased \$98K  
Payment made on Lease
- 12 Net pension liability – increased \$118K  
GASB 68 calculation – deferred inflows increased \$118K
- 13 Due to other government – decreased \$153K  
GASB 68 calculation – deferred inflows
- 14 Net Asset – decreased 104K  
Net loss

**SENECA COUNTY IDA**  
**SUMMARY SCHEDULE COMPARATIVE BALANCE SHEET**  
**Mar 31 2024, Jan 31, 2024 AND Mar 31, 2023**

	A YTD Mar 31 <u>2024</u>	B YTD Jan 31 <u>2024</u>	C (B-A) Net Change Monthly	D YTD Mar 31 <u>2023</u>	E (B-D) Net Change <u>2022-2023</u>
<b>Assets</b>					
<b>Current Assets</b>					
Cash in escrow	33,226.36	33,226.36	0.00	33,226.36	0.00
Cash - Operating	893,630.84	868,740.95	24,889.89 1	937,978.99	-44,348.15
Cash - CD	1,111,716.57	1,084,876.63	26,839.94 2	1,061,063.20	50,653.37
Cash - Pass Through	414,880.17	364,558.31	50,321.86 3	314,715.18	100,164.99
Cash - Revolving Loan	956,881.64	946,615.35	10,266.29 4	915,115.24	41,766.40
Total Checking/Savings	3,410,335.58	3,298,017.60	112,317.98	3,262,098.97	148,236.61 9
Accounts Receivable	0.00	93,377.93	-93,377.93 5	0.00	0.00
Lease Rec - Short Term	98,483.00	98,483.00	0.00	96,990.00	1,493.00
Notes receivable - Current Portion	36,179.00	36,179.00	0.00	53,081.00	-16,902.00
<b>Total Current assets</b>	<b>3,544,997.58</b>	<b>3,526,057.53</b>	<b>18,940.05</b>	<b>3,412,169.97</b>	<b>132,827.61</b>
Notes Receivable - Long Term	175,640.92	184,260.80	-8,619.88 6	192,705.74	-17,064.82 10
<b>Fixed assets</b>					
Land, Buildings, Equipment	385,578.60	385,578.60	0.00	385,578.60	0.00
Less Accumulated Depreciation	-59,482.66	-58,810.66	-672.00	-55,450.66	-4,032.00
<b>Net Fixed Assets</b>	<b>326,095.94</b>	<b>326,767.94</b>	<b>-672.00</b>	<b>330,127.94</b>	<b>-4,032.00</b>
<b>Other Assets</b>					
Deferred Outflows - Pension	112,844.00	127,860.00	-15,016.00	131,063.00	-18,219.00
Lease Rec - Long Term	0.00	0.00	0.00	98,483.00	-98,483.00 11
Pension Asset	0.00	0.00	0.00	45,836.00	-45,836.00
Prepaid Expenses	0.00	0.00	0.00	0.00	0.00
<b>Other Assets</b>	<b>112,844.00</b>	<b>127,860.00</b>	<b>-15,016.00</b>	<b>275,382.00</b>	<b>-162,538.00</b>
<b>Total Assets</b>	<b>4,159,578.44</b>	<b>4,164,946.27</b>	<b>-5,367.83</b>	<b>4,210,385.65</b>	<b>-50,807.21</b>
<b>Liabilities &amp; Equity</b>					
<b>Current Liabilities</b>					
Accounts Payable	575.00	906.88	-331.88	0.00	575.00
Credit Card	1,009.98	1,355.56	-345.58	338.74	671.24
Labor & Compliance	17,925.00	14,765.00	3,160.00	0.00	17,925.00
Pilot Program	47,161.90	0.04	47,161.86 7	0.03	47,161.87
Net Pension Liability	118,343.00	118,343.00	0.00	0.00	118,343.00 12
PIF Deposits Held	33,131.86	33,131.86	0.00	33,131.86	0.00
<b>Total Current Liabilities</b>	<b>218,146.74</b>	<b>168,502.34</b>	<b>49,644.40</b>	<b>33,470.63</b>	<b>184,676.11</b>
Deferred revenue	0.00	0.00	0.00	0.00	0.00
<b>Long Term Liabilities</b>					
Deferred Inflows - Leases	98,483.00	98,483.00	0.00	195,473.00	-96,990.00
Due to Other Gov't	21,854.00	21,854.00	0.00	175,149.00	-153,295.00 13
<b>Equity</b>					
Net Assets Operating	2,745,019.07	2,760,035.07	-15,016.00	2,630,641.31	114,377.76
Net Assets -RLF	1,163,798.46	1,163,798.46	0.00	1,158,660.46	5,138.00
Net Income	-87,722.83	-47,726.60	-39,996.23	16,991.25	-104,714.08 14
<b>Total Equity</b>	<b>3,821,094.70</b>	<b>3,876,106.93</b>	<b>-55,012.23 8</b>	<b>3,806,293.02</b>	<b>14,801.68</b>
<b>Total Liabilities &amp; Equity</b>	<b>4,159,578.44</b>	<b>4,164,946.27</b>	<b>-5,367.83</b>	<b>4,210,385.65</b>	<b>-50,807.21</b>
			(0)		(0)

**Seneca County IDA  
Income Statement  
Variance Explanations**

**Mar 31, 2024 – Jan 31, 2024**

Total Operating Income \$32,600 at Mar 2024 and \$3,314 at Jan 2024. Increase of \$29,287

- A. Interest Income increased \$27K –CD interest on both accounts

Total Operating expense \$120,323 at Mar 2024 and \$51,040 at Jan 2024 – increase of \$69,283K.

- B. Payroll increased \$42K –Feb and March
- C. Benefits increase \$11K – Feb and March
- D. Professional increased \$8K – Accounting, CFO, Bookkeeping

No other income or expense both years

**Mar 31, 2024 – Mar 31, 2023**

Total Operating Income \$32,600 at Mar 2024 and \$134,973 at Mar 2023 – decrease of \$102K

- E. Agency fee decreased \$124K – Wilkins Rec in prior year
- F. Interest Income increased \$18K – CD renewal

Total Operating expense \$120,323K at Mar 2024 and \$117,982K at Mar 2023. Increase \$2.3K

- G. General Office decreased \$10K – office furniture in 2023

No other income of expense both years



**SENECA COUNTY IDA**  
**SUMMARY SCHEDULE COMPARATIVE PROFIT AND LOSS STATEMENT**  
 Mar 31 2024, Jan 31, 2024 AND Mar 31  
 , 2023  
 AND 2022 BUDGET

	1	2	3	4	5	6	7
	YTD March 31 2024	YTD Jan 31 2024	Col 2-1 DIFFERENCE YTD Monthly	YTD March 31 2023	Col 2-4 DIFFERENCE YTD 2023-2024	BUDGET 2024	Col 2-6 BUDGET VARIANCE
<b><u>ORDINARY OPERATING INCOME</u></b>							
Agency Fees	700.00	0.00	700.00	124,700.00	-124,000.00 E	1,318,096.00	-1,317,396.00
Seneca Co	0.00	0.00	0.00	0.00	0.00	54,000.00	-54,000.00
Rent/Lease Income	0.00	0.00	0.00	0.00	0.00	100,000.00	-100,000.00
RLF Income	4,903.29	3,256.88	1,646.41	2,241.82	2,661.47	6,290.00	-1,386.71
Interest Income	26,997.61	56.70	26,940.91 A	8,032.14	18,965.47 F	48,670.00	-21,672.39
Property Sales	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Misc Income	0.00	0.00	0.00	0.00	0.00	2,000.00	-2,000.00
Total ordinary income	<u>32,600.90</u>	<u>3,313.58</u>	<u>29,287.32</u>	<u>134,973.96</u>	<u>-102,373.06</u>	<u>1,529,056.00</u>	<u>-1,496,455.10</u>
<b><u>ORDINARY OPERATING EXPENSE</u></b>							
Payroll	59,035.03	16,501.98	42,533.05 B	55,699.63	3,335.40	214,116.00	-155,080.97
Benefits	32,617.70	21,281.21	11,336.49 C	31,670.97	946.73	133,201.00	-100,583.30
Professional Services	12,213.62	3,985.94	8,227.68 D	10,513.21	1,700.41	101,340.00	-89,126.38
General Office	1,990.75	507.63	1,483.12	12,153.58	-10,162.83 G	12,300.00	-10,309.25
Admin & Tech	5,531.32	4,386.72	1,144.60	2,926.35	2,604.97	14,520.00	-8,988.68
Insurance	2,402.84	2,402.84	0.00	2,224.37	178.47	4,224.00	-1,821.16
Misc Expense	1,220.00	220.00	1,000.00	63.87	1,156.13	2,000.00	-780.00
Travel & Conference	883.00	0.00	883.00	1,182.06	-299.06	5,000.00	-4,117.00
Repairs & Maintenance	3,421.47	1,417.86	2,003.61	540.67	2,880.80	10,540.00	-7,118.53
Marketing & Promotion	0.00	0.00	0.00	0.00	0.00	5,000.00	-5,000.00
Depreciation expense	1,008.00	336.00	672.00	1,008.00	0.00	0.00	1,008.00
RLF Expense	0.00	0.00	0.00	0.00	0.00	8,075.00	-8,075.00
Total Ordinary Expenses	<u>120,323.73</u>	<u>51,040.18</u>	<u>69,283.55</u>	<u>117,982.71</u>	<u>2,341.02</u>	<u>510,316.00</u>	<u>-389,992.27</u>
Net Ordinary Income	-87,722.83	-47,726.60	-39,996.23	16,991.25	-104,714.08	1,018,740.00	-1,106,462.83
<b><u>OTHER INCOME</u></b>							
Government Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pass Through Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Nonoperating Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Other income	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b><u>OTHER EXPENSES</u></b>							
Site development	0.00	0.00	0.00	0.00	0.00	50,000.00	-50,000.00
Government Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pass Through Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Other Expenses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>50,000.00</u>	<u>-50,000.00</u>
Net Income	<u>-87,722.83</u>	<u>-47,726.60</u>	<u>-39,996.23</u>	<u>16,991.25</u>	<u>-104,714.08</u>	<u>968,740.00</u>	<u>-1,056,462.83</u>

RESOLUTION  
*(Grogger Development LLC Project)*

A regular meeting of Seneca County Industrial Development Agency on  
May 14, 2024, at 9:00 a.m.

The following resolution was duly offered and seconded, to wit:  
Resolution No. 2024-13

RESOLUTION AUTHORIZING THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") TO (i) UNDERTAKE A CERTAIN PROJECT (AS DEFINED BELOW) FOR THE BENEFIT OF GROGGERY DEVELOPMENT LLC (THE "COMPANY"), (ii) NEGOTIATE, EXECUTE AND DELIVER A LEASE AGREEMENT, LEASEBACK AGREEMENT, AGENT AGREEMENT, PAYMENT IN LIEU OF TAX AGREEMENT, AND RELATED DOCUMENTS, (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (a) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, AND (b) A PARTIAL REAL PROPERTY TAX ABATEMENT UNDER A PAYMENT IN LIEU OF TAX AGREEMENT

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (hereinafter, the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **GROGGERY DEVELOPMENT LLC**, a New York limited liability company, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of a leasehold interest in property located at 2357 Poorman Road, Town of Fayette, Seneca County (the "Land"), (ii) the redevelopment of the existing facilities on the Land (the "Current Improvements") into six two-bedroom apartment units and a build-to-suit business space, and related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, by resolution adopted on February 1, 2024 (the "Inducement Resolution"), the Agency (i) accepted the Application, and (ii) directed that a public hearing be held pursuant to General Municipal Law section 859-a; and

WHEREAS, pursuant to General Municipal Law section 859-a, on March 14, 2024, at 6:00 p.m. at Fayette Town Hall, 1439 Yellow Tavern Road, Waterloo, New York, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined in the Inducement Resolution) being contemplated by the Agency (the “Public Hearing”) whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, copies of the minutes of the Public Hearing, written submissions and the notice of the Public Hearing published and forwarded to the affected taxing jurisdictions at least then (10) days prior to said Public Hearing are attached hereto as Exhibit A; and

WHEREAS, the Agency has prepared a cost-benefit analysis with respect to the Project and the contemplated Financial Assistance and has reviewed the results of said cost-benefit analysis; and

WHEREAS, in reviewing the Application, the Agency has considered (i) the nature of the Project, (ii) the economic condition of the area and the multiplying effect the Project will have on the area; (iii) the extent to which the Project will create permanent, private sector jobs; (iv) the estimated value of tax exemptions contemplated to be provided; (v) the economic impact of the Project and proposed tax exemptions on affected taxing jurisdictions; (vi) the impact of the Project on existing and proposed businesses and economic development projects in the vicinity of the Project; (vii) the amount of private sector investment likely to be generated by the Project; (viii) the extent to which the Project will require the provision of additional services; (ix) the extent to which the Project will provide additional sources of revenue for the municipalities and school district in which the Project is located; and (x) the benefit of the Project not otherwise available to the area in which the Project is located; and

WHEREAS, the Town of Fayette Town Board (the “Lead Agency”) has acted as lead agency in a coordinated review of the Project pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as “SEQRA”), with the Agency as an involved agency in such review; and

WHEREAS, as a result of its review pursuant to SEQRA, the Lead Agency adopted a resolution on May 9, 2024 determining that the Project did not present a potential significant adverse environmental impact (the “Negative Declaration”);

WHEREAS, the Agency has been provided with written notice of the Lead Agency’s Negative Declaration and copies of relevant resolutions and assessment forms; and

WHEREAS, the Negative Declaration is binding upon the Agency pursuant to 6 N.Y.C.R.R. § 617.6(b)(3)(iii);

WHEREAS, the Agency desires to adopt a resolution (i) acknowledging that the Public Hearing was held in compliance with the Act, (ii) authorizing Financial Assistance to the Company in excess of \$100,000, and (iii) authorizing the execution and delivery of the Lease Agreement, the Leaseback Agreement, the Agent Agreement, the PILOT Agreement (as all of the foregoing are defined in the Inducement Resolution) and all documents related thereto (collectively, the "Transaction Documents").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. The Agency hereby finds and determines:

- (a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and
- (b) The Project will promote employment opportunities and prevent economic deterioration in Seneca County, and otherwise further the purposes of the Agency, and that by entering into the PILOT Agreement and otherwise providing financial assistance for the Project the Agency will be increasing employment opportunities in Seneca County and otherwise furthering the purposes of the Act; and
- (c) The Project includes components that will enhance economic activity in Seneca County by addressing the need for improved quality and supply of housing stock in Seneca County; and
- (d) The Facility constitutes a commercial facility as contemplated by the Act, and a "project" as such term is defined in the Act; and
- (e) The leasing of the Facility from and the subleasing back of the Facility to the Company will promote and maintain job opportunities, health, general prosperity and economic welfare of the citizens of the County of Seneca and State of New York and improve their standard of living and thereby serve the public purposes of the Act; and
- (f) Based upon the representations and warranties of the Company, the Facility conforms with local zoning laws and planning regulations of the County of Seneca and all regional and local land use plans for the area in which the Facility is located; and
- (g) Based upon the representations and warranties of the Company, the Facility and the operations conducted thereon will not cause or result in the violation of the health, labor or other laws of the United States of America, the State of New York or the County of Seneca; and
- (h) It is desirable and in the public interest for the Agency to acquire an interest in the Facility; and
- (i) The Lease Agreement will be an effective instrument whereby the Company leases the Facility to the Agency; and
- (j) The Leaseback Agreement will be an effective instrument whereby the Agency subleases the Facility back to the Company; and
- (k) The PILOT Agreement will be an effective instrument whereby the Agency and the Company set forth the terms and conditions of their agreement regarding the Company's payment of payments in lieu of real property taxes; and

(l) The Agent Agreement will be an effective instrument whereby the Agency and the Company set forth the terms and conditions of their agreement regarding the Agency's appointment of the Company as its agent for the Project; and

(m) The Public Hearing held by the Agency on March 14, 2024 concerning the Project and the Financial Assistance was duly held in accordance with the Act, including but not limited to the giving of at least ten (10) days published notice of the Public Hearing (such notice also provided to the Chief Executive Officer of each affected tax jurisdiction), affording interested parties a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

Section 2. In consequence of the foregoing, the Agency hereby determines to (a) acquire a leasehold interest in the facility pursuant to the Lease Agreement, (b) sublease the Facility back to the Company pursuant to the Leaseback Agreement, (c) authorize the undertaking of the Project and appoint the Company as its agent for purposes of acquiring, constructing and/or equipping the Facility, subject to the Company entering into the Agent Agreement, and (d) provide financial assistance for the Project in the form of (i) a sales and use tax exemption for purchases and rentals related to the undertaking of the Project, subject to the terms and conditions of the Agent Agreement, the total value of the exemption not to exceed \$28,000, and (ii) a partial real property tax abatement, subject to the terms and conditions of the PILOT Agreement.

Section 3. The foregoing resolutions notwithstanding, the Agency's appointment of the Company as its agent for purposes of undertaking the Project is subject to and conditioned upon the Company's agreement, in accordance with Section 875(3) of the New York General Municipal Law, that, if the Company receives New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") from the Agency, and it is determined that: (i) the Company is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized by the Agency to be taken by the Company; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project, then the Company will (A) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (B) promptly pay over any such amounts to the Agency that the Agency demands in connection therewith, and that in the event that the Company fails to pay over such amounts to the Agency, the New York State Tax Commissioner may assess and determine New York State and local sales and use taxes due from the Company, together with any relevant penalties and interest due on such amounts.

Section 4. The Chairman, Vice Chairman and/or the Executive Director of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Transaction Documents in substantially the forms presented to this meeting, and all documents related thereto, with such additions, changes, variations, omissions and insertions as the Chairman, Vice Chairman and/or Executive Director, shall approve, which agreements may provide for the

forfeiture and/or recapture of financial assistance where projected employment goals have not been met. The execution thereof by the Chairman, Vice Chairman and/or Executive Director of the Agency shall constitute conclusive evidence of such approval.

Section 5. The Chairman, Vice Chairman and/or Executive Director of the Agency are hereby authorized , on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions and required by any lender or financial institution identified by the Company providing financing for the Project, all with such changes, variations, omissions and insertions as the Chairman, Vice Chairman and/or Executive Director of the Agency shall approve, the execution thereof by the Chairman, Vice Chairman and/or Executive Director of the Agency to constitute conclusive evidence of such approval, provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required 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 Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. These Resolutions shall take effect immediately.

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

	Yea	Nay	Abstain	Absent
Steven Brusso				
C. Ernest Brownell				
Seth Kircher				
Bruce Murray				
Jeffrey Shipley				
Thomas Murray				
Ralph Lott				
Thomas Kime				
Benjamin Guthrie				

The Resolutions were thereupon duly adopted.

Exhibit A

[NOTICE DOCUMENTS]

Attached

**MINUTES OF PUBLIC HEARING**

**Grogger Development LLC Project  
Fayette Town Hall  
One DiPronio Drive  
1439 Yellow Tavern Rd  
Waterloo NY 13165**

**March 14, 2024  
6:00 PM**

**ATTENDEES:**

Sarah, Davis, IDA Executive Director  
Kelly Kline, IDA Staff  
Dave Hewitt, IDA Staff  
Chris Kim Stamberger, Grogger Development  
Kim Stamberger, Grogger Development  
Kyle Mosher, Grogger Development

A public hearing on assistance being extended to **Grogger Development LLC** was opened by Sarah Davis, Executive Director of the Seneca County IDA, at 6:00 PM. Attendees are listed above. No written or oral comments were received.

The public hearing was closed at 6:15 P.M.

Respectfully submitted,

Sarah R. Davis  
Executive Director



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law, will be held by the Seneca County Industrial Development Agency (the "Agency") on the 14<sup>th</sup> day of March 2024 at 6:00PM, local time, at Fayette Town Hall, 1439 Yellow Tavern Road, Waterloo, New York in connection with the following matters:

GROGGERY DEVELOPMENT LLC, a New York limited liability company, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of a leasehold interest in property located at 2357 Poorman Road, Town of Fayette, Seneca County (the "Land"), (ii) the redevelopment of the existing facilities on the Land (the "Current Improvements") into six two-bedroom apartment units and a build-to-suit business space, and related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility");

The initial owner of the Facility will be the Company. The Agency will acquire a leasehold interest in the Facility from the Company and lease the Facility back to the Company. At the end of the lease term, the Agency will terminate its leasehold interest. The Agency contemplates it will provide financial assistance to the Company in the form of exemptions from sales and use taxes and abatement of property taxes.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. A copy of the Application for Financial Assistance filed by the Company with the Agency, including an analysis of the costs and benefits of the proposed Facility, is available for public inspection at the offices of the Agency, One DiPronio Drive, Waterloo, New York.

SENECA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

Dated: February 22, 2024

By: /s/ Sarah Davis, Executive Director

TOWN OF FAYETTE TOWN BOARD  
GROGGERY DEVELOPMENT LLC – GROGGERY APARTMENTS  
2357 POORMAN ROAD – TM# 29-1-30  
MIXED USE REZONING AND SITE PLAN APPROVAL

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**SEQR RESOLUTION – UNLISTED ACTION**

**WHEREAS**, Town of Fayette Town Board (hereinafter referred to as “Town Board”) is considering petition to rezone to MX District and Site Plan Approval for the conversion of an existing building into a six-unit apartment and a build-to-suit retail space located at 2357 Poorman Road and within the Hamlet and Mixed Use Overlay Zoning Districts, and detailed on Site Plans and application materials received by the Town dated April 25, 2024, and associated materials discussed at the May 9, 2024 Town Board meeting; and

**WHEREAS**, the Town Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced site plan application (hereinafter referred to as Action); and

**WHEREAS**, the Town Board has determined the above-referenced Action to be an Unlisted Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Town Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

**WHEREAS**, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short EAF Part 1; and

**WHEREAS**, the Town Board has completed Part 2 and Part 3 of the Short EAF; and

**NOW, THEREFORE BE IT RESOLVED** that the Town Board does hereby designate itself as lead agency for the proposed development above herein; and

**BE IT FURTHER RESOLVED** that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;

TOWN OF FAYETTE TOWN BOARD  
GROGGERY DEVELOPMENT LLC – GROGGERY APARTMENTS  
2357 POORMAN ROAD – TM# 29-1-30  
MIXED USE REZONING AND SITE PLAN APPROVAL

---

**SEQR RESOLUTION – UNLISTED ACTION**

- (iv) the overall density of the site is consistent with the Town’s Comprehensive Plan land use recommendations;
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vi) there will not be any hazard created to human health;
- (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby make a Determination of Non-Significance on the proposed development, and the Town Supervisor is hereby directed to sign and date the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board’s determination.

**BE IT FINALLY RESOLVED** that the Town Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

The above resolution was offered by Keith Tidball and seconded by Coreen Lowmy at a meeting of the Town Board held on Thursday, May 9, 2024. Following discussion thereon, the following roll call vote was taken and recorded:

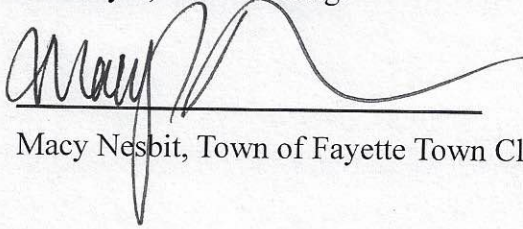
Votes:

TOWN OF FAYETTE TOWN BOARD  
GROGGERY DEVELOPMENT LLC – GROGGERY APARTMENTS  
2357 POORMAN ROAD – TM# 29-1-30  
MIXED USE REZONING AND SITE PLAN APPROVAL

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**SEQR RESOLUTION – UNLISTED ACTION**

I, Macy Nesbit, Town of Fayette Town Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Fayette Town Board for the May 9, 2024 meeting.



A handwritten signature in black ink, appearing to read 'Macy Nesbit', is written over a horizontal line. The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Macy Nesbit, Town of Fayette Town Clerk

Project: Groggerly Apartments

Date: 5/9/2024

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

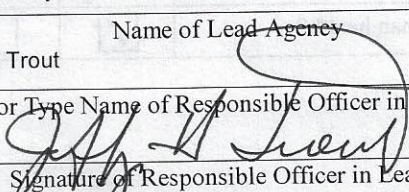
The Town Board under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation, the Town Board, in a separate resolution adopted on May 9, 2024 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

Regarding Question 1: While a rezoning is required, the Town Board determines that these impacts are small and not significant because it is in conformance with the comprehensive plan. Because this property lies within the existing Mixed Use Overlay district, the Town Board has already predetermined that these types of uses are acceptable in the area and established a specific process for these rezonings to mitigate environmental impacts in designated growth areas.

Regarding Question 2: The Town Board determines that these impacts are not significant because, while there will be an introduction of more residential units to the site than exists currently, the context of the surrounding area supports these types of uses as does the comprehensive plan and the previously established MUO District. The building footprint is only slightly expanded to create egress from units. The parking lot exists currently. The applicant is proposing parking to support the uses and there is no indication that infrastructure will be unable to handle these uses.

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Fayette Town Board	5/9/2024
_____ Name of Lead Agency	_____ Date
Jeffrey Trout	Town Supervisor
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
	Eric Cooper, MRB Group
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

**BYLAWS  
OF  
SENECA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY**

**ARTICLE I  
THE AGENCY**

Section 1. Name. The name of the Agency shall be “Seneca County Industrial Development Agency.”

Section 2. Seal of Agency. The seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

Section 3. Office of Agency. The office of the Agency shall be at the ~~Seneca County Office Building, One DiPronio Drive, 2456 State Route 414~~ in the Town of Waterloo, New York, but the Agency may have other offices at such other places as the Agency may from time to time designate by resolution.

Section 4. Mission of Agency. The board of the Seneca County Industrial Development Agency is appointed by the Seneca County Board of Supervisors to promote, attract and encourage economic development in Seneca County that results in the creation of employment opportunities, enhancement of the quality of life and general prosperity for Seneca County residents.

Section 5. Policies of Agency. Specific policies of the Agency will be included in the Administrative Guidelines adopted by the Agency Board, as amended from time to time.

**ARTICLE II  
MEMBERS OF THE AGENCY BOARD**

Section 1. Members. The Agency shall consist of five to nine board members who shall be appointed by the governing body of the County of Seneca (the “Board”). The term of office for each member of the Agency shall be six (6) years at the pleasure of the Board of Supervisors. Reappointment for an additional six (6) year term may be at the pleasure of the Board of Supervisors. The Seneca County Chamber of Commerce shall have a representative (either the Executive Director or an officer of the Board of Directors) on the Seneca County Industrial Development Agency (IDA) Board to foster communication between the two bodies. This representative shall be nominated annually by the Chamber of Commerce Board of Directors, and shall have all the privileges of any other IDA Board Member. These members will be independent of Agency operations.

Section 2. Duties. Members shall direct, monitor, guide and govern the Agency in a manner consistent with the mission of the Agency as defined in Article I above, Article 18-A of the New York General Municipal Law and the Public Authority Accountability Act of 2005 (“PAAA”), as amended from time to time.

### **ARTICLE III OFFICERS OF THE AGENCY BOARD**

Section 1. Chairperson. The Chairperson shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chairperson shall sign all agreements, contracts, deeds and other instruments of the Agency. At each meeting, the Chairperson shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Agency.

Section 2. Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time the Agency shall appoint a new Chairperson.

Section 3. Secretary. The Secretary may be a member of the Agency Board. The Secretary shall keep all records of the Agency, shall act as Secretary of the meetings of the Agency and record all votes, and shall keep a record of the proceedings of the Agency, and shall perform all duties incident to his/her office. He/she shall keep in safe custody the seal of the Agency and shall have power to affix such seal to all contracts and other instruments authorized to be executed by the Agency.

Section 4. Treasurer. The Treasurer shall oversee the care and custody of the agency assets, shall be a member of the Audit and Finance Committees and shall oversee the work of the Chief Financial Officer to ensure that all proper records, books and accounts of the Agency are maintained.

Section 5. Appointment of Officers. All officers of the Agency shall be appointed at the annual meeting of the Agency and shall hold offices for one year or until the successors are appointed.

Section 6. Vacancies. Should any office become vacant, the Agency Board shall appoint a successor at the next regular meeting, and such appointment shall be for the unexpired term of the said office.

### **ARTICLE IV STAFF**

Section 1. Staff. The staff of the Agency shall include an Executive Director, a Chief Financial Officer and may include additional personnel.

Section 2. Executive Director. The Executive Director shall not be a member of the Agency Board. The Executive Director is designated as the Agency's Chief Executive Officer. The Executive Director shall have general supervision over the administration of the business and affairs of the Agency, subject to the direction of the Agency Board. The Executive Director shall be charged with the management of all projects of the Agency.

Section 3. Chief Financial Officer (CFO). The CFO shall not be a member of the Agency Board. The CFO shall have the care and custody of all funds of the Agency and shall deposit the same in the name of the Agency in such bank or banks as the Agency Board may select. The CFO may, with the approval of the Agency Board, sign instruments of indebtedness, orders, and checks for the payment of the money; and may pay out and disburse such moneys under the direction of the Agency, such that all such instruments of indebtedness, orders and checks shall be signed by

two of the following: the Chairperson, Vice-Chairperson, Secretary, Treasurer, Executive Director or CFO. He/she or his/her designee shall keep regular books of accounts showing receipts and expenditures, and shall render to the Agency at each regular meeting an account of his/her transactions and also of the financial condition of the Agency. He/she shall give such bond for the faithful performance of his/her duties as the Agency may determine.

Section 4. Additional Duties. The staff of the Agency shall perform such other duties and functions as may from time to time be required by the Agency Board, by the Bylaws of the Agency, or by the rules and regulations of the Agency.

Section 5. Additional Personnel. The Agency may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the New York State Industrial Development Agency Act, as amended, and all other laws of the State of New York applicable thereto. The selection and compensation of all personnel including the Executive Director shall be determined by the Agency board subject to the laws of the State of New York.

## **ARTICLE V MEETINGS**

Section 1. Annual Meeting. The annual meeting of the Agency shall be held on the regularly scheduled meeting date in January.

Section 2. Regular Meetings. Public notice of the time and place of a regular meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto. If possible, notice of the time and place of a meeting shall also be conspicuously posted on the agency's website.

Section 3. Special Meetings. The Chairperson of the Agency will, when he/she deems it desirable, or, upon the written request of two members of the Agency call a special meeting of the Agency for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Agency via email or may be mailed to the business or home address of each member of the Agency at least two days prior to the date of such special meeting. Waivers of notice may be signed by any members failing to receive a proper notice. At such special meetings, no business shall be considered other than as designated in the call, but if all members of the Agency are present at the special meeting, with or without notice thereof, any and all business may be transacted at such special meeting.

Section 4. Quorum. At all meetings of the Agency, a majority of the members of the Agency shall constitute a quorum for the purpose of transacting business; provided that a smaller number may meet and adjourn to some other time or until the quorum is obtained. A quorum is defined as a majority of the whole number of members of the Agency's board. The term "whole number" shall be construed to mean the total number which such board would have were there no vacancies and were none of the members of such board disqualified from acting.

Section 5. Order of Business. At regular meetings of the Agency, the following shall be the order of business. Roll Call.



1. Approval of the minutes of the previous meeting.
2. Approval of Financial Reports
3. Scheduled Business
4. Other Business
5. Executive Session, if necessary.
6. Adjournment.

NOTE: Order can be suspended by unanimous consent of Board members present.

All resolutions shall be in writing and shall be made a record of the Agency.

Section 6. Manner of Voting. The voting on all actions by resolution coming before the Agency shall identify how individual members voted, and the ayes and nays shall be entered on the minutes of such meetings, except in the case of appointments when the vote may be by ballot.

## **ARTICLE VI**

### **COMMITTEES OF THE AGENCY**

Section 1: Committees. The Agency shall establish an Audit Committee, a Finance Committee and a Governance Committee, which committees shall report directly to the Agency board. The Agency may from time to time appoint additional committees to perform designated tasks as needed to assist the Agency board or to provide information to that board.

Section 2: Audit Committee. The Audit Committee shall be responsible for recommending a certified public accountancy firm, recommending that firm's fee, oversight of the Agency's independent audit and performance of Agency financial self- assessments,

Section 3: Finance Committee. The Finance Committee shall be responsible for reviewing any proposals for the issuance of debt by the Agency.

Section 4: Governance Committee. The Governance Committee shall inform the Agency board of current best practices in, among other areas, (i) financial governance, (ii) governance trends, (iii) governance principles and (iii) the skills and experience necessary for Agency membership. The Governance Committee shall recommend to the Seneca County Board of Supervisors individual candidates for consideration of membership to the Agency board.

## **ARTICLE VII**

### **AMENDMENTS**

Section 1. Amendments to Bylaws. The Bylaws of the Agency shall be amended only with the recommendation of the Governance Committee and the approval of at least a majority of all of the members of the Agency at a regular or a special meeting, but no such amendments shall be adopted unless at least seven days written notice thereof has been previously given to all members of the Agency.

Amended: 6/3/96, 12/7/06, 1/10/08, 4/2/09, 6/30/11, 7/9/15, 12/7/17, 11/5/20,  
05/14/24

Reviewed and Re-adopted Annually

**MEMORANDUM**

**TO:** IDA Board  
**FROM:** IDA Staff  
**DATE:** 5/8/24  
**RE:** IDA Quarterly Report – Q1 2024

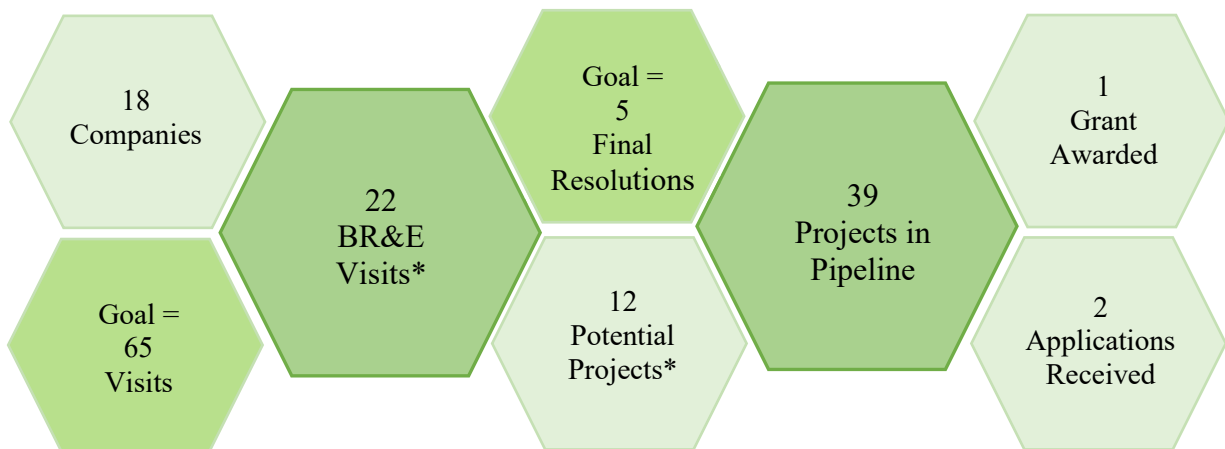
The first quarter of 2024 has been marked by significant change and accomplishment in the Seneca County IDA.

**Office Move**

In April of this year, the agency moved out of the 3<sup>rd</sup> floor space it had occupied in the Seneca County Office Building since 2008. IDA staff spent an estimated 120 hours preparing for the move, sorting files, and packing, which cost the organization (minus staff expense) just under \$2,000. Simultaneously, staff have been working with Beardsley Architects & Engineers on interior design options for the new building.

**New Projects & Business Visits**

The agency’s Business Retention & Expansion (BR&E) program is in full swing for 2024. Staff have paid 22 visits to 18 companies so far this year. IDA Staff have shared information with these businesses on IDA incentives and loans, state incentives and grants, on-the-job training initiatives, customer service training programs, marketing grants and resources, energy rebates, and business counseling services to name a few. The 18 companies visited account for 12 of the potential projects – out of 39 total – in the IDA’s pipeline, and 7 of which were newly added as of the beginning of the year. The IDA has received 2 PILOT applications this year (one from Groggery Development LLC for a housing project and the other from Savion Energy for the North Seneca Solar project) and has held 1 public hearing so far.



Additionally, the New York State Department of Transportation – in early March – announced a \$1.512 million Passenger and Freight Rail Assistance Program award to the IDA to support rail upgrades at the former Seneca Army Depot. This award will ultimately impact multiple Seneca County businesses, including Seneca Dairy Systems, Keystone Mills, and Finger Lakes Railway, and this grant application was made possible as a direct result of the IDA’s BR&E program.