

**ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
MEETING AGENDA**

Agenda subject to change

November 12, 2021

Ernest J. LaBaff Industrial Building, 19 Commerce Lane, Suite 1, Canton, New York 13617

Call to Order

Roll Call

Public Notice November 5, 2021

Public Comment

Approval of Minutes October 29, 2021 1-2

Financial Report

Reports of Committees

Staff Report Patrick Kelly

Old Business

New Business Resolution: Authorizing a Three-Year Audit Services Contract 3-5

Resolution: Project Authorization: Corning, Inc. Canton Plant Expansion
Project..... 6-10

Executive Session

Adjournment

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ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Meeting of October 29, 2021

CALL TO ORDER: Chairman Staples requests that Mr. Blevins (who is attending the meeting in person) lead the meeting. Mr. Blevins calls the meeting to order at 11:02 AM in the Thomas A. Plastino Conference Room at the Ernest J. LaBaff Industrial Building, Canton.

ROLL CALL:

LaBaff	Present (via teleconference)	Morrill	Present (via teleconference)
McMahon.....	Absent	Hall	Present
Blevins	Present	Reagen	Present (via teleconference)
Staples.....	Present (via teleconference)		

Mr. Blevins announces there is a quorum.

Others: IDA Staff (Patrick Kelly, Richard Williams, Bob Ahlfeld, and Lori Sibley); and Agency Counsel (Andrew Silver, Esq.)

PUBLIC NOTICE: Public notifications sent October 22, 2021 to, at a minimum: newspapers designated for the publication of local laws and other matters required by law to be published; additional local media sources and websites.

PUBLIC COMMENT: None

APPROVAL OF MINUTES: Motion to accept the minutes of the October 1, 2021 meeting by Mr. Hall seconded by Mr. Reagen. Motion carried unanimously.

FINANCIAL REPORTS: Motion to accept the August 2021 financial reports by Mr. Hall, seconded by Mr. Reagen. Mr. Kelly reports on highlights that include building revenue, the fourth installment of County economic development revenue, a refund from the Property Development Corporation for the Newell building rehabilitation expenses, solar project fees, interest and expenses for on-going building and operational costs, and final expenses for the RBDG grant which will now exhaust the balance of funding provided for the CDL-A training program. Motion to accept the August 2021 financial reports by Mr. Hall, seconded by Mr. Reagen. Motion carried unanimously.

COMMITTEE REPORTS: None

STAFF REPORT: Patrick Kelly reports the following:

Corning, Inc: Public Hearing scheduled for November 4th to accept comments for the company's 2021 proposed expansion project in the Town of DeKalb.

Renewable Energy Projects: Three solar projects are scheduled to close next week with another handful of additional projects in the following weeks. There are a little over twenty renewable energy projects that have been approved with another ten projects in the development stage. NextEra has requested a letter of support for their project in the Town of Brasher. It is agreed to provide a letter that supports the notion of the project being brought forward for consideration of the siting board and the IDA.

Fort La Presentation: A ribbon cutting ceremony was held on Friday, October 22nd for the new viewing deck. During the ceremony, the St. Lawrence County IDA and St. Lawrence River Valley Redevelopment Agency were acknowledged for the assistance they have provided to the Fort through the years. Mr. Reagen mentions the Commissioner of the Department of Environmental Conservation was in attendance and he was impressed with the amount of work performed by volunteer groups in this area. A \$1.1 million project was completed on top of a \$1.3 million project that was done just 2-3 years ago to build the trail. The County distributed

\$60,000 toward the project, as matching funds, to make the project happen this summer. Mr. Reagen mentions a lot was accomplished in a brief period of time. He thanked the IDA and RVRDA for their assistance.

Former Newell Manufacturing Facility: The current rehabilitation phase is almost complete. With the border reopening again on November 8th, postcards will be going into Ontario and Quebec in November to highlight the building availability and the reopening of the border.

Drum Country Business: The IDAs in Jefferson, Lewis, and St. Lawrence County, the Development Authority of the North Country, Advocate Drum, and National Grid have developed a campaign called “Lets Meet” to attract people to the region. Additionally, we continue the effort to promote the County to transitioning soldiers. Following our recent visit with the Commanding General, we continue to be engaged in follow up discussions and we have attended, and are scheduled to attend, recruitment events on Post.

Attorney Silver enters the meeting at 11:12 AM

Workforce: Our unemployment rate of 4.5% is lower than the State average of 7.1%. Mr. Kelly reviews the current workforce numbers and states that we seem to be weathering the pandemic about as well as could be expected.

Comprehensive Economic Development Strategy (“CEDS”): The CEDS is nearing completion.

Office of the State Comptroller (“OSC”) Audit: The OSC audit is near completion and a summary report is expected sometime next week, with an exit conference soon to be scheduled.

Request for Proposals for Audit Services: On October 15th, a bid opening was held as part of the request for proposals for audit services. At the next meeting, a resolution will be presented to select a firm for Audit Services.

Governance Committee Meeting: A meeting of the Governance Committee will be held in the near future.

OLD BUSINESS: None

NEW BUSINESS:

Resolution IDA-21-10-27: Adopting FY2022 Final Budget: The draft budget for FY2022 was reviewed at the last meeting, filed with the County Clerk’s office, and was made available for at least 20 days for public view and comment. As Mrs. Gilbert mentioned at the last meeting, certain line items needed to be modified, particularly the insurance rates for FY2022 since they just came in and a line item for \$35,000 was added to replace an Agency vehicle. Mr. Hall motions to approve Resolution IDA-21-10-27, seconded by Mr. Staples. The motion is approved by unanimous vote.

EXECUTIVE SESSION: None

ADJOURNMENT: A motion to adjourn is made by Mr. Hall. The meeting adjourns at 11:16 AM by unanimous vote.

(Mr.) Lynn Blevins, Secretary

ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
 Resolution No. IDA-21-11-xx
 November 12, 2021

AUTHORIZING A THREE-YEAR AUDIT SERVICES CONTRACT

WHEREAS, on September 15, 2021 the St. Lawrence County Industrial Development Agency (the “SLCIDA”) released, on behalf of the SLCIDA, the SLCIDA-Local Development Corporation, the SLCIDA-Civic Development Corporation and the St. Lawrence County Property Development Corporation (collectively, the “Entities”), a Request for Proposal for audit services for each of the entities, and

WHEREAS, the term of services shall begin with fiscal year January 1, 2021 and end December 31, 2025. A three- (3) year contract will be awarded, with the option to renew audit services for each of the subsequent two (2) years, subject to the annual review

WHEREAS, the Board, having met on November 12, 2021 to review the responses, recommends the audit services of Pinto, Mucenski, Hooper and VanHouse and Co., CPA’s, PC,

NOW, THEREFORE, BE IT RESOLVED that said Auditor shall render services as described in the Request for Quotations dated September 15, 2021 and shall be remunerated according to the following schedule:

Audit Year:	2021	\$	33,000.00
	2022	\$	33,825.00
	2023	\$	34,650.00
	2024	\$	35,500.00
	2025	\$	36,350.00
Additional Work (Per Hour)			
	2021-Executive	\$	175.00
	2021-Mid	\$	90.00
	2021-Clerical	\$	65.00
	2022-Executive	\$	180.00
	2022-Mid	\$	95.00
	2022-Clerical	\$	65.00
	2023-Executive	\$	185.00
	2023-Mid	\$	100.00
	2023-Clerical	\$	65.00
	2024-Executive	\$	185.00
	2024-Mid	\$	100.00
	2024-Clerical	\$	65.00
	2025-Executive	\$	190.00
	2025-Mid	\$	100.00
	2025-Clerical	\$	65.00

BE IT FURTHER RESOLVED that the St. Lawrence County Industrial Development Agency’s pro-rata share of the cost shall be set at 25% of the total audit cost, and that the pro-rata share of any additional work shall be determined on a case-by-case basis among the Entities, and

BE IT FURTHER RESOLVED that the St. Lawrence County Industrial Development Agency hereby authorizes, empowers and directs its Chief Executive Officer to sign, with Legal Counsel approval, a three-year audit contract with Pinto, Mucenski, Hooper and VanHouse and Co., CPA's, PC (the "Auditor").

Move:				
Second:				
VOTE	AYE	NAY	ABSTAIN	ABSENT
Blevins				
Hall				
LaBaff				
McMahon				
Reagen				
Staples				
Morrill				

I HEREBY CERTIFY that I have compared this copy of this Resolution with the original record in this office, and that the same is a correct transcript thereof and of the whole of said original record.

/s/ _____
 Lori Sibley
 November 12, 2021

ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PROJECT AUTHORIZING RESOLUTION
CORNING CANTON PLANT EXPANSION PROJECT - Project Number, 4001-21-11
 Resolution No. IDA-21-11-xx
November 12, 2021

A regular meeting of the St. Lawrence County Industrial Development Agency (the "SLCIDA") was convened on November 12, 2021 at 9:00 AM, local time, in the Main Conference Room of the Ernest J. LaBaff Industrial Building, 19 Commerce Lane, Canton, New York.

The meeting was called to order by the Chairman, and upon roll being called, the following members of the SLCIDA were:

MEMBER	PRESENT	ABSENT
Blevins, Lynn		
Hall, Mark C.		
LaBaff, Ernest		
McMahon, Andrew		
Morrill, Steven		
Reagen, James		
Staples, Brian W.		

The following persons were ALSO PRESENT: IDA Staff (Patrick Kelly, Kimberly Gilbert and Lori Sibley).

After the meeting had been duly called to order, the Chairman announced that, among the purposes of the meeting, was to consider and take action on certain matters pertaining to proposed project for the benefit of Corning Inc./Corning Property Management Corporation.

On motion duly made by Mr. _____ and seconded by Mr. _____, the following resolution was placed before members of the St. Lawrence County Industrial Development Agency:

- (i) **DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE SLCIDA WITH RESPECT TO THE PROJECT;**
- (ii) **AUTHORIZING THE UNDERTAKING OF FINANCIAL ASSISTANCE TO CORNING PROPERTY MANAGEMENT CORPORATION FOR A PROJECT DESCRIBED HEREIN IN THE FORM OF (a) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, and (b) A PARTIAL REAL PROPERTY TAX ABATEMENT THROUGH A PAYMENT IN LIEU OF TAXES AGREEMENT;**
- (iii) **ADOPTING FINDINGS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT THAT ACTION TO ACQUIRE, CONSTRUCT AND EQUIP THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT**

WHEREAS, the St. Lawrence County Industrial Development Agency (the "SLCIDA") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "State") as amended, and Chapter 358 of the Laws of 1971 of the State, as amended (collectively,

the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, for the purpose of promoting, attracting, encouraging and developing recreation and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration, and

WHEREAS, Corning Inc./Corning Property Management Corporation (the "Company") has submitted an application (the "Application") to the SLCIDA requesting the SLCIDA's assistance with the project, the terms and conditions of which are described in Exhibit A, attached hereto and made a part thereof, and as may be more thoroughly described within the Application, and

WHEREAS, there has been enacted into law Article 8 of the New York Environmental Conservation Law, Chapter 612 of the 1975 Laws of the State of New York, as amended (the "Environmental Act"), which provides for the review of certain "actions" undertaken by State and local agencies for purposes of regulating such activities in order for proper consideration be given to the prevention of environmental damage,

NOW, THEREFORE, BE IT RESOLVED by the members of the St. Lawrence County Industrial Development Agency as follows:

Section 1. The Company has presented an Application in a form acceptable to the SLCIDA. Based upon the representations made by the Company to the SLCIDA in the Company's application, the SLCIDA hereby finds and determines that:

(A) By virtue of the Act, the SLCIDA 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 SLCIDA has the authority to take the actions contemplated herein under the Act; and

(C) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the SLCIDA hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries.

Section 2. Pursuant to SEQRA, the Agency has been informed that (1) the NYS Department of Environmental Conservation, Region 6 (the "NYSDEC") was designated to act as "lead agency" with respect to the Project, performing a coordinated review, and (2) the NYSDEC issued a Determination Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file in the NYSDEC office.

Section 3. Subject to the execution of an Agency Compliance Agreement and the delivery to the SLCIDA of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the SLCIDA, the SLCIDA hereby authorizes the Company to proceed with the undertaking of the Project and hereby appoints the Company, and their respective agents and other designees, as the true and lawful agent of the SLCIDA: (i) to acquire, construct and equip the Project; (ii) to make, execute, acknowledge

and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the SLCIDA with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the SLCIDA could do if acting in its own behalf.

Section 4. The form and substance of a proposed Agency Compliance Agreement by and between SLCIDA and the Company with respect to the Sales and Use Tax Exemption is hereby approved, and the Chairman, Vice Chairman and/or Chief Executive Officer is authorized to execute and deliver said Agency Compliance Agreement and related documents.

Section 5. The Agency Compliance Agreement shall expire on **March 31, 2023** unless extended pursuant to the terms of the Agency Compliance Agreement.

Section 6. The public hearing held by the SLCIDA on November 4, 2021, concerning the nature and location of the Facility and the contemplation of the provision of financial assistance was duly held in accordance with the requirements of the Act, including but not limited to the giving of public notice of the meeting a reasonable time before the meeting and affording a reasonable opportunity for persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance to be heard, minutes attached as **Exhibit B**;

Section 7. The SLCIDA hereby authorizes the creation, execution and delivery of any and all Lease Agreements along with the issuance of a Payment in Lieu of Taxes agreement to the Company.

Section 8. The officers, employees and agents of the SLCIDA are hereby authorized and directed for and in the name and on behalf of the SLCIDA 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 SLCIDA with all of the terms, covenants and provisions of the documents executed for and on behalf of the SLCIDA.

Section 9. These Resolutions shall take effect immediately.

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

Member	Aye	Nay	Abstain	Absent
Blevins, Lynn				
Hall, Mark C.				
LaBaff, Ernest				
McMahon, Andrew				
Morrill, Steven				
Reagen, James				
Staples, Brian W.				

The resolution was thereupon declared duly adopted.

EXHIBIT A

1.	Applicant Name/Project Number:	Corning Canton Expansion - Project [#4001-21-11]
2.	Project Description (the “Project”):	The acquisition by the SLCIDA of a leasehold interest to approximately 1 acre of real property located at 334 County Route 16, Canton, New York 13617, Town of DeKalb, St. Lawrence County, New York (the “Town”), (herein, the “Land”). The construction and operation on the Land to include structures that will add approximately 30,925 square feet of space for manufacturing and environmental improvements (the “Improvements”). The acquisition in and around the Land and Improvements and of certain items of equipment and other tangible personal property and equipment (the “Equipment” and, collectively with the Land and the Improvements, the “Facility”), and the lease of the Facility to the Company pursuant to a straight-lease transaction as defined within the Act.
3.	Type of Financial Assistance Requested:	Exemption from sales and use taxes on purchases and rentals of goods and services relating to the undertaking of the “Project” as described, above. Partial Real Property Tax Abatement through a PILOT.
4.	Total Amount of Project:	\$19,600,000
5.	Benefited Project Amount:	\$7,712,398
6.	Estimated value of NYS Sales & local sales and use tax exemption to be provided to the Company for this Project:	\$616,992
7.	PILOT Structure	Standard 10-year IDA PILOT w/an estimated 10-year net exemption of \$556,420
8.	Mortgage Recording Tax Exemption	N/A
9.	Full-time Equivalent Jobs to be Retained as a Result of the Project:	290
10.	Full-Time Equivalent Jobs to be Created as a Result of the Project:	20
11.	Expiration of the Financial Assistance:	12/31/2033

MINUTES OF PUBLIC HEARING HELD ON NOVEMBER 4, 2021
ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RE: Corning Property Management Corp. (2021 Expansion)

Richard Williams of the St. Lawrence County Industrial Development Agency called the public hearing to order at 11:00 AM, local time on November 4, 2021, via zoom per legislation (S.50001/A.40001) extending virtual access to public meetings under New York State's Open Meetings Law.

Present for the Hearing: Honorable Larry Denesha, St. Lawrence County Legislator, District 6.

<https://us02web.zoom.us/j/87396852297?pwd=UnV3NDBGUTRHSVB0VEYreWtOWCtGUT09>

Meeting ID: 873 9685 2297

Passcode: 155613

One tap mobile

+19292056099,,87396852297#,,,,*155613# US (New York)

Mr. Williams Notes:

We are streaming live via zoom.

Corning Property Management Corp submitted an application to the Agency, a copy of which has been posted to our website and is on file at the office of the Agency. The Application requests the Agency consider undertaking a project (the "Project") for the benefit of the Company,

The Project consists of the (A) (i) the acquisition by the SLCIDA of a leasehold interest to approximately 1 acre of real property located at 334 County Route 16, Canton, New York 13617, Town of DeKalb, St. Lawrence County, (ii) the construction and operation on the Land to include structures that will add approximately 30,925 square feet of space to be used for manufacturing and environmental improvements.

The Agency is contemplating providing financial assistance to the Company with respect to the Project (the "Financial Assistance") in the form of: (i) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, and (ii) a partial real property tax abatement on the improved value of the project through a Payment in Lieu of Taxes Agreement (but not including special assessments and special ad valorem levies), if any, which are subject to the obligation of the Company to make payments separately.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project. This will be addressed at the next Board meeting of the Agency.

Public Comment: Mr. Denesha is very pleased Corning is moving forward with this project and encourages the Agency to do all they can to encourage continued growth of Corning in Canton.

There being no other comments the Public Hearing closes at 11:13 am.

By: Richard Williams
For: St. Lawrence County Industrial Development Agency