

Victoria Storrs
Chair

David Kidera
Vice Chair

Richard Kotlow
Treasurer

Edward W. De Barbieri
Secretary

Victor Franco
Member

Georgette Steffens
Member

Chris Welch
Member



**Town of Bethlehem
Industrial Development Agency**
445 Delaware Avenue
Delmar, NY 12054
(518) 439-4955
info@bethlehemida.com
www.bethlehemida.com

Catherine M. Hedgeman, Esq.
Executive Director
Agency Counsel
(518) 752-3111

Allen F. Maikels
Chief Financial Officer
Contracting Officer
(518) 487-4679

John W. Taylor
Senior Economic Developer
(518) 439-4955 x1189

Board Meeting Agenda
Wednesday January 31, 2024 | 8:00am | Bethlehem Town Hall Room 101A
Livestream:

<https://us02web.zoom.us/j/85100733919?pwd=cStxekJMOTNXWUc2TGNVc2I4YlBBUT09>

- I. Call to Order/Roll Call/Quorum Approval (Storrs)**
- II. Approval of Minutes from the December 21, 2023 Board Meeting**
- III. Financial Report (Kotlow and Maikels)**
 1. Approval of the December 2023 Financials
 2. Engagement of the Auditors
- IV. Updates from John Taylor, Senior Economic Director**
- V. Executive Director Updates**
 - NYS EDC Conference February 13-14
 - Governance Review Schedule
- VI. Old Business**
 - A. Items for Discussion (Hedgeman)**
 1. Recommendations for purchase of Insurance
- VII. New Business**
 - A. Items For Discussion (Hedgeman)**
 1. Board Manuals/Name Plates
 2. Training dates/strategic planning
 3. Compliance Discussion

- a. Mission Statement Performance Measures
 - b. Operations and Accomplishments
 - c. Assessment of Internal Controls
 - d. Fiduciary Duty Acknowledgement
 - e. Conflict of Interest policy/forms
 - f. Board self-evaluation
- 4. Staff recommendations for award of Contract for Industrial Site Inventory and Assessment (Hedgeman and Taylor)

VIII. Adjourn

2024 MEETING DATES

Wednesday: January 31, 2024

Wednesday: February 28, 2024

Wednesday: March 27, 2024

Wednesday: April 17, 2024

Wednesday: May 22, 2024

Wednesday: June 26, 2024

Wednesday: July 24, 2024

Wednesday: August 28, 2024

Wednesday: September 25, 2024

Wednesday: October 23, 2024

Wednesday: November 20, 2024

Wednesday: December 11, 2024

Victoria Storrs
Chair

David Kidera
Vice Chair

Richard Kotlow
Treasurer

Edward W. De Barbieri
Secretary

Victor Franco
Member

Georgette Steffens
Member

Chris Welch
Member



**Town of Bethlehem
Industrial Development Agency**
445 Delaware Avenue
Delmar, NY 12054
(518) 439-4955
info@bethlehemida.com
www.bethlehemida.com

Catherine M. Hedgeman, Esq.
Executive Director
Agency Counsel
(518) 752-3111

Allen F. Maikels
Chief Financial Officer
Contracting Officer
(518) 487-4679

John W. Taylor
Senior Economic Developer
(518) 439-4955 x1189

Board Meeting Minutes

Tuesday, December 19, 2023 | 8:00am | Bethlehem Town Hall Room 101A

Livestream:

<https://us02web.zoom.us/j/89279888945?pwd=U3VnVHlqV2hKT29VTmFvQ0pRUmN3QT09>

I. Call to Order/Roll Call/Quorum Approval

Members present

Victoria Storrs, Chair

D. Kidera

V. Franco

R. Kotlow

C. Welch

E. De Barbieri

Absent:

G. Steffens

Also present:

Al Maikels, Chief Financial Officer

Catherine M. Hedgeman, Esq., Executive Director and Agency Counsel

David VanLuven, Town Supervisor

John Taylor, Senior Economic Developer

A. Joseph Scott, Esq., Special Counsel

II. Approval of Minutes from the November 14, 2023 Board Meeting

- III. Mr. Kidera made a motion to approve the November 14, 2023 Minutes, seconded by Mr. Welch, with all members present in favor.

IV. **Financial Report**

a. **Report of the November 2023 Financials**

Mr. Maikels provided the Financial Report for November 2023.

V. **Updates from John Taylor, Senior Economic Director**

Mr. Taylor explained that the BIDA received three responses to RFP for industrial site selection services. He hopes to conduct interviews in regard to the new applications with the hope of providing a more extensive update during the January board meeting.

VI. **New Business**

a. **Items for Action**

i. **Resolution Approving Amendments to GB II NEW YORK, LLC PILOT Agreement (PSEG)**

Mr. Scott and Ms. Hedgeman explained the process and the purpose of the resolution in regard to the extension for PSEG. Mr. Kotlow made a motion to approve the resolution approving amendments to GB II New York, Pilot Agreement, with all members present in favor.

ii. **Resolution to Approve Agreement for Executive Director and a Retainer Agreement for Agency Counsel**

Board members discussed the updated retainer agreement for agency counsel. After reviewing the document, Mr. Kidera stated that some of the language may create ambiguity. As such, Ms. Hedgeman agreed to edit the ambiguous aspect of the document in an effort to create more clarity. Mr. Kotlow made a motion to approve the agreement as amended, seconded by Mr. Welch, with all members present in favor.

iii. **Resolution to Approve Services Contract with Town of Bethlehem**

Mr. Franco made a motion to approve the updated service contract with the Town of Bethlehem, seconded by Mr. Welch, with all members present in favor.

iv. **Review of Insurance quotes- Cyber Security quote**

Ms. Hedgeman explained that one of the primary issues up for discussion is whether or not cyber security insurance is necessary. The BIDA currently utilizes the BellesBoard management site for document management. Board members discussed coverage options and expenses. Mr. Kotlow and MS. Hedgeman agreed to follow up with the insurance broker.

VII. **Adjourn**

Mr. Welch made a motion to adjourn the meeting, seconded by Mr. Kidera, with all members present in favor.

BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY
STATEMENT OF NET ASSETS
December 31, 2023

ASSETS	December 31, 2023
Current Assets	
Checking/Savings	
200.04 Cash-M&T Bank Agency Account	288,469.32
200.06 Cash-M&T CD	769,184.40
200.07 Cash-Citizens CD	200,000.00
200.02 Cash-Trustco CD	200,000.00
200.08 Cash- Key Bank CD	200,000.00
Total Checking/Savings	<u>1,657,653.72</u>
Other Current Assets	
380 Fee Receivable	18,200.00
480 Prepaid Expense	2,575.00
Total Other Current Assets	<u>20,775.00</u>
Total Current Assets	<u>1,678,428.72</u>
TOTAL ASSETS	<u><u>1,678,428.72</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabili 601 Accrued Expenses	<u>11,364.35</u>
Total Current Liabilites	<u>11,364.35</u>
Total Liabilities	<u>11,364.35</u>
Equity	
924 Net Assets	
924.3 Net Assets-Unassigned	1,667,064.37
Total 924 Net Assets	<u>1,667,064.37</u>
Total Equity	<u>1,667,064.37</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,678,428.72</u></u>

BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY
STATEMENT OF REVENUE AND EXPENSES
December 31, 2023

ORDINARY INCOME/EXPENSE

Income

2116 FEE INCOME	400,208.35
2116.1 PSEG ENERGY REIMB	<u>140,079.75</u>

Total Income	<u>540,288.10</u>
--------------	-------------------

Expenses

6460.4 Contractual Expenses	146,423.02
6460.5 Business & Economic Development	<u>0.00</u>

Total Expenses	<u>146,423.02</u>
----------------	-------------------

NET ORDINARY INCOME	<u>393,865.08</u>
---------------------	-------------------

Other Income/Expense

Other Income

2401 Interest Income	22,831.02
----------------------	-----------

Total Other Income	<u>22,831.02</u>
--------------------	------------------

NET INCOME	<u><u>416,696.10</u></u>
------------	--------------------------

BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY
BUDGET VS ACTUAL
December 31, 2023

Ordinary Income/Expense	Dec-23	YTD Budget	Variance	Annual Budget
Income				
2116 Fee Income	400,208.35	160,351.00	239,857.35	160,351.00
2106.1 PSEG Energy Reimb	140,079.75	80,000.00	60,079.75	80,000.00
Total Income	540,288.10	240,351.00	299,937.10	240,351.00
Expenses				
6460.4 Contractual Expenses	146,423.02	160,100.00	-13,676.98	160,100.00
6460.5 Business and Economic Dev	0.00	100,000.00	-100,000.00	100,000.00
Total Expenses	146,423.02	260,100.00	-113,676.98	260,100.00
Net Ordinary Income	393,865.08	-19,749.00	413,614.08	-19,749.00
Other Income/Expense				
2401 Interest Income	22,831.02	1,200.00	21,631.02	1,200.00
Total Other Income	22,831.02	1,200.00	21,631.02	1,200.00
Net Income	416,696.10	-18,549.00	435,245.10	-18,549.00

Recommendations For Purchase of Agency Insurance

Errors and Omissions (Directors and Officers)

Greenwich Insurance Company
Coverage \$3million/occ
Premium \$5, 250.00 annually

General Liability

The Hartford Insurance Company
Coverage \$2million occ/ \$4m aggregate
Premium \$705

Cyber Liability

Coalition Insurance
Coverage \$1million aggregate
Premium \$952 annual

***Release coverage from the Town- we do not want issues between companies if there is a claim. Plus, our policies cover more than the Town limits anyhow.**

Total Insurance premium costs: \$6, 901.00

2024 BIDA Budget for Insurance: \$2,000.00

Town of Bethlehem Industrial Development Agency

2024 AUTHORITY MISSION AND GOALS MEASUREMENT REPORT

Name of Public Authority: Bethlehem Industrial Development Agency

Public Authority's Mission Statement:

The Agency's mission is to assist the Town in implementing the development components of the Town's Comprehensive Plan by actively promoting, attracting, retaining and developing high quality jobs and capital investment in the Town with a focus on appropriate, economically sound and sustainable commercial, industrial, manufacturing, warehousing, educational, research and recreational facilities and projects. To secure expanded jobs and investment associated with such development, the Agency will provide to such projects technical and other assistance and financial assistance to such projects in accordance with Article 18-A of the General Municipal Law of the State of New York.

List of Performance Goals and Measurement of Progress in Meeting Goals:

1. Advance job opportunities

For the year ended December 31, 2023, the Agency closed on two transactions, an Extension of the PILOT Agreement between the BIDA and PSEG, and a modification of a project lease to provide an interest rate adjustment for American Housing Foundation. The Agency will continue to review and approve proposed projects that create new jobs or sustain jobs in the Town.

2. Promote general prosperity and long-term economic vitality in the Town

The Agency will continue to review, promote, develop and encourage projects that will advance job opportunities, health, general prosperity and economic vitality in the Town.

3. Foster creation of new business

The Agency will partner with various Stakeholders to promote, develop, encourage and assist in acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial and manufacturing facilities or educational and cultural facilities for the benefit of residents and taxpayers in the Town.

The Agency issued a Request For proposals for an Industrial Site Inventory and Assessment aimed at identifying Industrial sites for further development. The BIDA expects to award the RFP in January of 2024.

4. Foster retention and expansion of existing businesses

The Agency will partner with various stakeholders including the Center For Economic Growth and the Bethlehem Chamber of Commerce for the purpose of fostering retention and expansion of existing businesses.

5. Identify new opportunities for the local economy

The Agency members will continue to attend meetings and conduct research on new opportunities to help it meet the goals and objectives of advancing job opportunities, business expansion and retention to help protect jobs that help bolster the Town's economy. To achieve this goal, the BIDA will send staff to the National Offshore wind conference and the Annual meeting of the NYS EDC.

6. Enhance the economic wellbeing of Town residents and businesses

The Agency will accomplish this goal by reviewing potential applications that propose projects that are consistent with the goals of the Town's Comprehensive Plan, are compatible with existing businesses and foster quality of life and economic opportunity for town residents.

Additional questions:

1. Have the board members acknowledged that they have read and understood the mission of the public authority?

YES

2. Who has the power to appoint the management of the public authority?

The Town Board

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?

No.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The Role of Management of the Agency is delegated to an Executive Director. The Executive Director is responsible for the daily operations of the Agency including, but not limited to:

- Reviewing all applications
- Reviewing correspondence of the Agency
- Overseeing the financial operations of the Agency
- Providing support for Board and other meetings
- Maintaining the Agency website
- Ensuring compliance with all Federal, State and local laws

The Role of the Board is to:

- oversee the operations of the Agency and the performance of staff and contractors
- ensure the Agency is meeting its statutory, fiduciary and ethical obligations

The Board carries out its role by holding regular board and committee meetings and conducting an annual financial audit.

5. Has the Board acknowledged that they have read and understood the responses to each of these questions?

Yes.

Bethlehem Industrial Development Agency

2023 Operations and Accomplishments

The Bethlehem Industrial Development Agency (the “Agency”) is a public benefit Agency which operates in the Town of Bethlehem, New York. The Agency is classified by the New York State Authorities Budget Office as a public authority. The Agency's mission is to assist the Town in implementing the non-residential development components of the Plan by actively promoting, attracting, retaining and developing high quality jobs and capital investment in the Town with a focus on appropriate, economically sound and sustainable commercial, industrial, manufacturing, warehousing, educational, research and recreational facilities and projects. To secure expanded jobs and investment associated with such development, the Agency will provide to such projects technical and other assistance and financial assistance to such projects in accordance with Article 18-A of the General Municipal Law of the State of New York.

Financial Highlights

The Agency’s net position increased by \$416,696 as a result of operations in 2023:

- Revenues increased by \$377,639 compared to 2022.
- Expenses decreased \$16,485 compared to 2022

Agency Highlights

During 2023, the Agency continued to successfully establish and/or improve administrative processes, policies, Board training and project awareness, intra-agency relationships, and community outreach:

- Prioritized Transparency and Training for Board and Accountability for Projects
 - Brought website into 100% compliance with Authorities Budget Office Directives
 - Procured and onboarded *BellesBoard*, a board management and document retention platform
- Reviewed adequacy of Benefits application (ongoing)
- Projects
 - Extension of PILOT Agreement with PSEG until 2025
 - Modification of Project Lease for American Housing Foundation due to interest rate adjustments

- Continued to work with Albany County with regard to Plug Power PILOT and Phase II project
 - Continued to work with the Albany Port District Commission to defend opposition to offshore wind project
 - Ongoing Project- Albany Port District Commission \$235,213, 646 Off-Shore Wind Project: \$853,000 Sales Tax Exemption
- Issued a Request For Proposals for Industrial Site Inventory and Assessment to be awarded in January 2024.
- Implemented IMPLAN software to perform cost-benefit analysis for all projects
- Improved Inter-Agency and Stakeholders Relationships
 - Attended Albany County Alliance Quarterly Meetings
 - Attended Annual CEG meeting
 - Attended Weekly Meetings with the Albany County Alliance and Town officials regarding the Plug Power Project
 - Attended NYS Economic Development Council Annual Meeting
 - Improved relationship with the Town Assessors office

Town of Bethlehem Industrial Development Agency

Assessment of Internal Controls

12/31/2023

A. Define major business functions

- **Enhance economic development potential by:**
 - Issuance of bonds
 - Offering PILOT agreements
 - Providing Sales and Mortgage Tax Exemptions
- Foster increased living wage jobs by inducing quality projects for residents and taxpayers
- Ensure IDA Applications are correct, and appropriate tracking is conducted.
- Ensure the financial stability of the IDA
- Promote a culture of governance through transparency while adhering to and adopting IDA statewide best practices

B. Determine the risks associated with operations

Risks:

- Issuance of Bonds - **Low**
- Foster Business development while balancing tax Payer concerns - **High**
- Improper influence of project taxing jurisdictions on BIDA decisions - **High**
- Improper political influence on BIDA decisions - **Moderate**
- Board conflicts of interest - **Moderate**
- Negligent or fraudulent administration of BIDA - **Moderate**
- Independence of BIDA - **Moderate**
- Project does not accomplish its goals or meet financial obligations - **Moderate**
- Financial Operations Fraud - **Moderate**
- Administrative Errors – **Low**

C. Internal and External Controls in place to mitigate risks

- Mission Statement
- Bylaws
- Internal Controls Policy
- Rigorous pre-screening and questioning of applicant for suitability of Projects
- Strong project compliance by administrative staff
- Clear procedures involving approval process

- Rigorous review of contract and contract negotiation
- Annual audit of financials
- Website for information and education
- Rigorous examination and audit of tax bills utilized by municipal taxing Entities

D. Assessment of effectiveness of internal controls

- Internal review suggests a more rigorous annual compliance with reporting from BIDA clients that is timely for State Reporting and also requires higher accuracy and precision in data reporting.
- Internal review suggests continuous and rigorous review of policies to insure equitable balance between being “business-fair” and “taxpayer- friendly.”

E. Corrective Actions

- Actions will be developed where weaknesses have been identified
- Corrective Actions are included in public records

Authorities Budget Office Policy Guidance



No. 10-01

Date Issued: March 1, 2010

Supersedes: New

Subject: Acknowledgement of Fiduciary Duty

Statutory Citation: Public Authorities Law Section 2824(1)(h)

Provisions: Section 6(i) of Public Authorities Law, as amended by Chapter 506 of the Laws of 2009 (“The 2009 Public Authorities Reform Act” or “PARA”), requires the Authorities Budget Office (ABO) to develop and issue a written acknowledgement that all board members must execute as part of their duties and responsibilities under Section 2824 of Public Authorities Law. By signing this acknowledgement a board member is stating they understand their role and fiduciary responsibilities as well as their duty of loyalty and care to the organization and commitment to the authority’s mission and the public interest.

Pursuant to PARA, every board member of a Public Authority is required to sign an acknowledgement of fiduciary duty at the time they take the oath of office. The effectiveness of the acknowledgement will be deemed applicable throughout the duration of such board member's term and/or for as long as such director continues to serve in such capacity. Board members appointed to their positions prior to the effectiveness of PARA and the implementation of this new requirement are required to execute an acknowledgement by May 1, 2010.

Authorities Budget Office Policy Guidance: The primary responsibility of a board member is to understand the mission and public purpose of the Authority and to act in the best interests of the Authority, its mission, and the public. The intent of this written acknowledgement is to re-affirm the importance of this duty to board members.

The ABO is directing all state and local public authorities to use the attached acknowledgement form to satisfy this statutory requirement. Public authorities are to maintain signed copies of the acknowledgement throughout the official term of each active board member. State and local authorities will also be expected to certify as part of the Annual Report submission that these statements were executed in accordance with Section 2824 of Public Authorities Law. The failure to execute this acknowledgment will be considered a failure to comply with the requirements of Public Authorities Law. The failure to act in accordance with the principles stated in this acknowledgment can be considered a breach of fiduciary duty and could result in a recommendation that the board member be sanctioned.

A board member is to sign a new acknowledgement document at the start of each new term to which the board member is appointed.



Acknowledgement of Fiduciary Duties and Responsibilities

As a member of the Authority's board of directors, I understand that I have a fiduciary obligation to perform my duties and responsibilities to the best of my abilities, in good faith and with proper diligence and care, consistent with the enabling statute, mission, and by-laws of the Authority and the laws of New York State. The requirements set forth in this acknowledgement are based on the provisions of New York State law, including but not limited to the Public Authorities Reform Act of 2009, Public Officers Law, and General Municipal Law. As a member of the board of directors:

I. Mission Statement

I have read and understand the mission of the Authority; and the mission is designed to achieve a public purpose on behalf of the State of New York. I further understand that my fiduciary duty to this Authority is derived from and governed by its mission.

I agree that I have an obligation to become knowledgeable about the mission, purpose, functions, responsibilities, and statutory duties of the Authority and, when I believe it necessary, to make reasonable inquiry of management and others with knowledge and expertise so as to inform my decisions.

II. Deliberation

I understand that my obligation is to act in the best interests of the Authority and the People of the State of New York whom the Authority serves.

I agree that I will exercise independent judgment on all matters before the board.

I understand that any interested party may comment on any matter or proposed resolution that comes before the board of directors consistent with the laws governing procurement policy and practice, be it the general public, an affected party, a party potentially impacted by such matter or an elected or appointed public official. However, I understand that the ultimate decision is mine and will be consistent with the mission of the Authority and my fiduciary duties as a member of the Authority's board of directors.

I will participate in training sessions, attend board and committee meetings, and engage fully in the board's and committee's decision-making process.

III. Confidentiality

I agree that I will not divulge confidential discussions and confidential matters that come before the board for consideration or action.

IV. Conflict of Interest

I agree to disclose to the board any conflicts, or the appearance of a conflict, of a personal, financial, ethical, or professional nature that could inhibit me from performing my duties in good faith and with due diligence and care.

I do not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of my duties in the public interest.

Signature: _____

Print Name: _____

Authority Name: _____

Date: _____

Authorities Budget Office Policy Guidance



No. 10-05

Date Issued: October 26, 2010

Supersedes: New

Subject: Annual Board of Directors Evaluation

Statutory Citation: Public Authorities Law sections 2800(1)(a)(15) and 2800(2)(a)(15) and Section 2824(7)

Provision: The 2009 Public Authorities Reform Act requires that the board of every state and local public authority conduct an annual evaluation of its performance. Board member comments are protected from disclosure under Article 6 of Public Officers Law, but the results of the assessment are to be provided to the ABO.

Authorities Budget Office Policy Guidance: Board members must be committed to the highest standards of corporate governance. The board must hold itself accountable to the mission of the authority and the public interest. This annual assessment is a reminder to each board member of their duties, why those responsibilities are important, and whether they are performing those duties appropriately. The evaluation provides an opportunity for board members to measure their individual and collective effectiveness, determine if they are following their own policies and procedures, identify areas for board improvement, and to compare how their evaluation of the board's performance compares to that of other board members. This annual evaluation can be a learning tool to educate board members and build a well functioning board.

The Authorities Budget Office recommends that each board member annually perform their own evaluation of the whole board. The evaluation should be conducted confidentially with the results compiled by the governance committee. Furthermore, the ABO consulted with the Committee on Open Government, which advised that a board discussion of its performance "would constitute a matter made confidential, by state law that, therefore, could be conducted in private."

To the extent that the results of this evaluation demonstrate the need for the board to improve its performance, amend its practices or procedures, or clarify its expectations of board members, the board is expected to implement suitable corrective actions immediately.

The Authorities Budget Office has developed the following model board evaluation tool that can be adopted by public authorities to meet the needs of their boards of directors. This document should be completed by each board member.

Confidential Evaluation of Board Performance

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members have a shared understanding of the mission and purpose of the Authority.				
The policies, practices and decisions of the Board are always consistent with this mission.				
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles.				
The Board has adopted policies, by-laws, and practices for the effective governance, management and operations of the Authority and reviews these annually.				
The Board sets clear and measurable performance goals for the Authority that contribute to accomplishing its mission.				
The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.				
Individual Board members communicate effectively with executive staff so as to be well informed on the status of all important issues.				
Board members are knowledgeable about the Authority's programs, financial statements, reporting requirements, and other transactions.				
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.				
The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law.				
Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members.				
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.				
Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required.				
The Board exercises appropriate oversight of the CEO and other executive staff, including setting performance expectations and reviewing performance annually.				
The Board has identified the areas of most risk to the Authority and works with management to implement risk mitigation strategies before problems occur.				
Board members demonstrate leadership and vision and work respectfully with each other.				

Name of Authority: _____

Date Completed: _____

The member responses to the Board Evaluation questionnaire should be aggregated and the results submitted to the ABO via email (Subject: CONFIDENTIAL Results of Board of Directors Evaluation) within 90 days of the close of the authority's fiscal year. The board evaluation is required annually beginning with fiscal years ending on or after September 30, 2010.

A model summary reporting form has been provided, below, that should be revised to reflect the evaluation tool adopted by your public authority. Enter in each cell the number of board members who answered the question with that response.

Results should be sent to: info@abo.ny.gov

Summary Results of Confidential Evaluation of Board Performance

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members have a shared understanding of the mission and purpose of the Authority.	#	#	#	#
The policies, practices and decisions of the Board are always consistent with this mission.				
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles.				
The Board has adopted policies, by-laws, and practices for the effective governance, management and operations of the Authority and reviews these annually.				
The Board sets clear and measurable performance goals for the Authority that contribute to accomplishing its mission.				
The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence or self-interest.				
Individual Board members communicate effectively with executive staff so as to be well informed on the status of all important issues.				
Board members are knowledgeable about the Authority's programs, financial statements, reporting requirements, and other transactions.				
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.				
The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law.				
Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members.				
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.				
Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required.				
The Board exercises appropriate oversight of the CEO and other executive staff, including setting performance expectations and reviewing performance annually.				
The Board has identified the areas of most risk to the Authority and works with management to implement risk mitigation strategies before problems occur.				
Board members demonstrate leadership and vision and work respectfully with each other.				

Name of Authority: _____

Date Completed: _____

Victoria Storrs

Chair

David Kidera

Vice Chair

Richard Kotlow

Treasurer

Edward W. De Barbieri

Secretary

Victor Franco

Member

Georgette Steffens

Member

Chris Welch

Member

BETHLEHEM IDA

TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK

Town of Bethlehem Industrial Development Agency

445 Delaware Avenue

Delmar, NY 12054

(518) 439-4955

info@bethlehemida.com

www.bethlehemida.com

Catherine M. Hedgeman, Esq.

Executive Director

Agency Counsel

(518) 752-3111

Allen F. Maikels

Chief Financial Officer

Contracting Officer

(518) 487-4679

John W. Taylor

Senior Economic Developer

(518) 439-4955 x1189

TOWN OF BETHLEHEM IDA ANNUAL INVESTMENT REPORT FOR THE YEAR ENDED 12/31/23

As required by the Agency's investment policy, the annual investment report is hereby submitted to the Agency Board for review and approval. There are seven designated depositories for the Agency, each with a deposit limit of \$5,000,000. The following chart identifies the depositories, as well as balances invested at year-end:

M & T Bank 327 Great Oaks Boulevard Albany, NY 12203	\$1,057,653
JP Morgan Chase 12 Corporate Woods Boulevard Albany, NY 12211	\$0.
Key Bank of New York, NA 327 Great Oaks Boulevard Albany, NY 12211	\$200,000
Citizens, N.A. 833 Broadway Albany, NY 12207	\$200,000
Trustco Bank 1 Sarnowski Drive Glenville, NY 12302	\$200,000
Bank of America Kiernan Plaza Albany, NY 12207	\$0
Pioneer Commercial Bank 21 Second Street Troy, NY 12180	\$0

Fees Paid to Brokers: None.

Investment Guidelines: Exhibit A contains a copy of the Investment Policy.

Amendments to Guidelines: None.

Results of Annual Independent Audit:

The firm of Cusack & Company, CPA's LLC has been engaged to perform an audit of the 2023 financial activity. The work will be completed in February 2024. The most recent audit report is for 2022, prepared by Cusack & Company, CPA's LLC are on file in the Agency Clerk's Office.

Inventory of Existing Investments as of 12/31/23:

M & T Bank Checking	\$288,469
Trustco Bank Certificate	\$200,000
M & T Certificate of Deposit	\$769,184
Key Bank	\$200,000
Citizens Bank	\$200,000

Investment Income Record:

Interest earnings for 2023 were \$22,831 about \$20,561 more than the 2022 earnings of \$2,270. The increase in income reflected an increase in the investment return on a certificate of deposit and higher account balances.

<u>Type of Investment</u>	<u>High</u>	<u>Low</u>	<u>Average</u>
<u>2023</u>			
M & T Bank Checking	.08	.08	.08
M & T Bank Certificate	3.72	3.50	3.70
Key Bank	4.30	4.30	4.30
Trustco Bank	5.00	5.00	5.00
Citizens Bank	5.00	5.00	5.00

<u>2022</u>			
M & T Bank Checking	.08	.08	.08
M & T Bank CD	1.50	1.50	1.50

If you have any questions, please do not hesitate to call.

Allen F. Maikels, Chief Financial Officer
January 9, 2023

Exhibit A

Town of Bethlehem Industrial Development Agency Investment Policy

INVESTMENT POLICY FOR THE TOWN OF BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY

I. SCOPE

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

The Board shall annually review the Investment Policy, and amend if necessary.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

- a) to conform with all applicable federal, state and other legal requirements (legal);
- b) to adequately safeguard principal (safety);
- c) to provide sufficient liquidity to meet all operating requirements (liquidity);
- d) to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Chief Financial Officer, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Bethlehem Industrial Development Agency to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Bethlehem Industrial Development Agency to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Town of Bethlehem Industrial Development Agency for all monies collected by any officer or employee of the government to transfer those funds to the Chief Financial Officer for deposit within three days of receipt, or within the time period specified in law, whichever is shorter.

The Chief Financial Officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
Key Bank of New York	\$5,000,000
JP Morgan Chase	\$5,000,000
M & T Bank	\$5,000,000
RBS Citizens, N.A.	\$5,000,000
TD Banknorth	\$5,000,000
Bank of America	\$5,000,000
HSBC Bank USA	\$5,000,000
Pioneer Commercial Bank	\$5,000,000
First Niagara Commercial Bank	\$5,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Bethlehem Industrial Development Agency, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Section 10, equal to the aggregate amount of deposits from the categories designated in Section X of the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits (and also excluding any bank affiliated with the bank which serves as an authorized depository) in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository or a third party bank or trust company, subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Bethlehem Industrial Development Agency or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the Town of Bethlehem Industrial Development Agency authorizes the Chief Financial Officer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- a) Special time deposit accounts;
- b) Certificates of deposit;
- c) Obligations of the United States of America;
- d) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- e) Obligations of the State of New York;
- f) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- g) Obligation issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Bethlehem;
- h) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- i) Certificate of participation (COPS) issued pursuant to GML Section 109-b.
- j) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

All investment obligations shall be payable or redeemable at the option of the Town of Bethlehem Industrial Development Agency within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Bethlehem Industrial Development Agency within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Bethlehem Industrial Development Agency shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer (See Section VII). All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Bethlehem Industrial Development Agency. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Financial Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Chief Financial Officer is authorized to contract for the purchase of investments:

- 1. Directly, from an authorized trading partner.
- 2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- 3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Bethlehem Industrial Development Agency by

the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are not authorized as an investment vehicle.

XIV. REPORTING

Within 120 days of the end of the fiscal year, the Chief Financial Officer shall prepare and submit to the Industrial Development Agency Board an annual investment report; recommendations for changes in the Investment Guidelines; the investment income record; a list of total fees; commissions or other charges, if any, paid to the Custodial Bank and such other matters as the Chief Financial Officer deems appropriate. The Board shall review and approve the annual investment report within 45 days of receipt.

MEMORANDUM

TO: Bethlehem IDA Board

FROM: John Taylor

DATE: January 26, 2024

RE: **Recommendation to select CPL for professional consultant services for the Industrial Site Inventory and Assessment**

Purpose & Objective

As a reminder, the purpose of the Request for Proposals was to receive competitive proposals from qualified site selection and engineering consultants interested in conducting an industrial site inventory and assessment study for the Bethlehem IDA. The study will provide the BIDA with detailed data and analysis of industrial-zoned parcel conditions, which will ultimately help inform efforts to identify and support the preparation of shovel-ready development sites—in cooperation with property owners—to advance job creation and expand the tax base.

This memo provides an overview of the RFP process and interviews, with a recommendation to the BIDA board regarding consultant selection. This will be the focus of the January board meeting; a contract would then be prepared in the coming weeks for the board to authorize at the February meeting.

RFP Response & Interviews

The RFP provided a 6-week time period for consultants to respond with a proposal to provide consulting services to the Town (October 30 – December 8, 2023). Three (3) consultants responded to RFP, including:

- CPL
- CBRE Upstate NY and Creighton Manning
- Delaware Engineering and Mathes Public Affairs

The review team, consisting of John Taylor (senior economic developer), Rob Leslie (director of planning), and Kate Hedgeman (IDA executive director) evaluated each proposal based on the selection criteria found in the RFP and determined all three consultant teams were qualified and should receive an interview. Interviews were conducted both in-person and via video meeting (Zoom) and held during the first two weeks of January 2024 with each consultant team.

Consultant Recommendation

The review team unanimously agreed to recommend that the Bethlehem IDA board select CPL as the consultant for this study, based on its proposal and interview. References were contacted and were all positive. Below is a brief summary of highlights from the proposal and interview, organized by the selection criteria found in the RFP.

Project Team Resumes

The project team would be led by Andrew Kosa, PE, with 20 years of experience in economic and industrial development, site design and municipal engineering. Two other vice presidents, Thomas Carpenter and Matthew Smullen—who is based in the Albany office and has experience on site development projects in Bethlehem—would serve as resource principals on the project. The project team would be filled out by two civil engineers, a civil designer, and a planner. Much of the project team is based in Rochester, but some are based in Albany and the Hudson Valley, and the firm has statewide experience. The review committee felt that the project team had a relevant base of experience for this project, and that the team was sized and structured in a way to complete the study effectively and on time.

Work Samples

CPL stood out for its experience in conducting studies very similar to the BIDA study, but also its decades-long experience in designing and building major industrial facilities in New York. In 2022, CPL worked with Chautauqua County on a site selection study to identify potential development sites, evaluate site characteristics, review development feasibility, and rank sites for future development. This work led to the identification of a particularly promising site that CPL then worked with Chautauqua County to secure \$5.25M in FAST NY funding to make the site shovel-ready. Over the past 15 years, CPL has partnered with the Genesee County Economic Development Center to develop two major industrial facilities, the 1,250-acre STAMP facility and the 250-acre Genesee Valley Agri-Business Park. CPL was engaged on all facets of the STAMP facility—which will now be home to Plug Power’s \$290 million green hydrogen production facility—from conceptual master planning to permitting, agency approvals, and tenant site visits/engagement. The review team feels confident that these projects give the CPL team the necessary site selection/economic development experience alongside its engineering expertise.

Proposed Methodology and Approach

The methodology and approach (attached) was thoughtful and detailed. Their knowledge of key site characteristics and how to evaluate those for different industries showed, and the proposal

carefully outlined how they would narrow down sites to focus on the best potential sites. The proposal was unique in then suggesting to prepare conceptual site plans for those top sites, which will be valuable in making the study an active tool for future site marketing and development. This deliverable would be on top of the spreadsheet detailing key site characteristics and a written report summarizing key findings.

Schedule and Completion Date

The schedule (attached) is reasonable and aligns with the BIDA's proposed timeline. Given that the board will not vote on the contract until the February board meeting, the schedule will be pushed out by about a month.

Cost Proposal

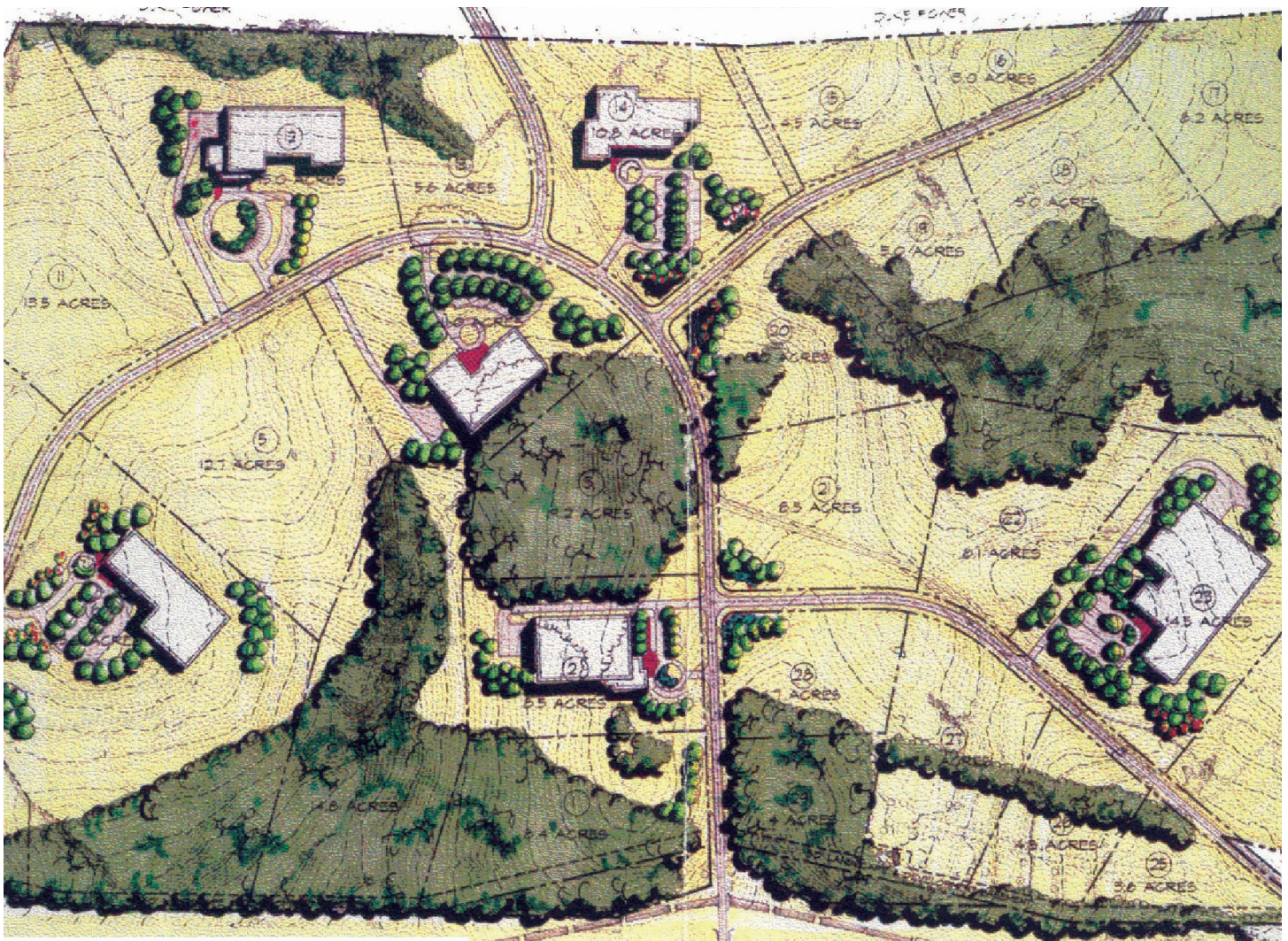
CPL provided a project fee totaling \$75,080. They provided a detailed breakout of costs (attached) by project tasks and billing rates for the team. This fee is within the budget allocated by the BIDA and we feel is a reasonable cost for a project of this scope.

Next Steps

With BIDA board approval to move forward with the selection of CPL, staff will work with CPL to develop a contract with a final scope and schedule. The scope and schedule will be drawn largely from the proposal sections attached, with further detail on with detail on key deliverables and milestones. The contract would be presented at the February 28, 2024 BIDA board meeting for authorization.



Methodology & Approach



Project Understanding

It is our understanding that the goal of the Town of Bethlehem Industrial Development Agency (BIDA) is to create a marketable inventory of select parcels throughout the Town to spur new economic development. The Town is faced with a depleted inventory of shovel ready parks and property due to the recent construction of the new Plug Power facility and the offshore wind tower manufacturing facility. It is our understanding that BIDA is seeking the services of a qualified team to review, inform, and support the preparation of new shovel ready development sites. The development of this Industrial Site Inventory and Assessment report will enable a comprehensive marketing strategy to attract potential businesses to specific sites throughout the Town. Establishing a clear and concise inventory will provide additional marketing opportunities, assist in the creation of new jobs, and add to the local tax base.

Project Approach

Our firm has extensive experience in planning and designing the required aspects of shovel-ready industrial and technology parks, site development projects, and infrastructure projects throughout New York State. These services have included site selection and predevelopment services, environmental review, site planning, assistance with marketing efforts, SEQRA, seeking funding, design and construction of infrastructure among others.

Specifically, our team has assisted the Genesee County Economic Development Center (GCEDC) in planning and developing the Science & Technology Advanced Manufacturing Park (STAMP), developed a site inventory and selection feasibility study for the County of Chautauqua Industrial Development Agency (CCIDA) that recently led to the award of FAST NY funds to develop a shovel ready park in Ripley, NY, and worked directly with the Erie County Department of Environment and Planning to develop a site selection and inventory report centered around a new agri-business shovel ready park within the County. Our experience will directly translate to your project and we are excited about the opportunity to partner with you on this opportunity.

METHODOLOGY & APPROACH

For this project, the team will complete the following scope of work:

Task 1: Project Initiation and Information Gathering

- A. Project Schedule: A proposed project schedule is included in this RFP response. We will work directly with BIDA to adjust the schedule as needed during the project.
- B. Project Kickoff Meeting: Our team will organize and conduct an in-person kickoff meeting to review the project scope, schedule, deliverables, and expectations with the Focus Group. Our team will provide a governance document that will track the appropriate contacts, scope of work, responsibilities, and next steps.
- C. Tour: Before conducting the site tour, our team would recommend a review of the parcels in the study area as identified in Task 2 of the RFP. Prior to the site tour, we will review any available existing information including topography, tax maps, property surveys, utility record mapping utilizing Dig Safe NY, environmental resources mapping, historic mapping, and any other pertinent parcel information. With the parcel information and background knowledge in hand, our team will then visit the site to identify project opportunities, constraints, benefits, and challenges associated with construction. The site visit will include a findings summary, complete with appropriate photographs and relevant record mapping or sketches. Our team will also identify water, sanitary sewer, electric, and gas infrastructure in the vicinity of each parcel. The site summary will identify any data gaps that exist and how those data gaps will be addressed.
- D. Past Plan Review: Our team will review all reports identified in the RFP as well as any other pertinent information provided by the Focus Group.
- E. Focus Group: To facilitate productive meetings and provide the greatest breadth of input, CPL can tailor the meeting type based on stakeholder availability and logistics, using a mix of in-person, virtual, or hybrid styles. In some cases, an open roundtable discussion has been useful to generate new ideas and opportunities. The focus group should include both internal and external entities in order to gather varying perspectives for success. This is further outlined in Task 3.

Task 2: Parcel Inventory and Assessment

- A. Baseline Data: Our team will review all information provided by the Focus Group, including the parcels outlined for the study, zoning, acreage, etc. and organize the information appropriately. We will review the information for completeness including environmental constraints, infrastructure capacity, topography, and identify any data gaps for additional research.
- B. Detailed List of Site Characteristics and Evaluation Methodology: CPL will work directly with the Focus Group to develop a list of critical characteristics for shovel ready sites with input and consensus. The list will include site location, transportation, utilities, zoning, parcel characteristics, and general site conditions among other topics. CPL will develop a weighted priority ranking system, assigning importance to the characteristics selected. The ranking system will identify the most desirable (highest score) parcels based on the characteristics and importance assigned.

Based on the information presented in the RFP, it appears that seven (7) study areas will be reviewed as part of this analysis. Based on our experience with multiple shovel ready parks in New York State, utilities are often the focus of potential tenants looking to build their project. Does the site have enough water capacity? Does the site have enough sewer capacity? What offsite improvements might be required? Are there any potential red flags with access? We will keep these questions in mind while looking at specific target industries that include:

- Manufacturing
- Clean energy
- Semiconductors
- Materials processing
- Industrial machinery
- Pharmaceuticals/biotech
- Distribution
- General warehousing and distribution
- Transloading

CPL understands industrial utility needs and demands. With multiple offices and multiple resources, CPL is a full-service engineering and architectural firm with applicable experience in industrial applications – including very recent expansion projects for Sumitomo Rubber USA in Tonawanda, New York and Moog Inc. in Elma, New York. Our civil engineering team also assisted in siting Plug Power and Edwards Vacuum within the STAMP shovel ready park in Genesee County. This experience will translate directly to this project, relying on our relationships, experiences, and knowledge to help the Town drive development.





C. Compilation and Assessment of Site Characteristics

Data and Maps: CPL understands that the first primary deliverable is a spreadsheet consisting of site rankings and site information gathered through the analysis process. For this proposal, we have assumed that approximately 30 sites within the seven (7) study areas will be reviewed at a high level. Each site will be reviewed against the weighted ranking system and categorized based on priority and development potential. Of these 30 sites, we have also assumed that approximately 10 sites will be selected for more in depth exploration. Our proposal is based on these assumptions. If more or fewer sites require review, we will work directly with BIDA to adjust our fee and strategy.

For the ten selected sites and leveraging our experience with GIS, we will supplement our research with high-quality mapping that will highlight development constraints vs. potential within each selected site. This mapping will include an overview of the seven (7) development areas and existing conditions mapping of each selected site that highlights existing built and natural features.

For the ten selected sites, we will complete a buildable acreage analysis that will analyze various existing constraints on each of the sites, including wetlands, floodplains, cultural & archeologically sensitive areas, steep slopes, existing utility easements, and any other limiting factors that

may be found upon deeper analysis of the sites. All available mapping will be incorporated into the existing conditions map and the total buildable acreage will be calculated.

We will assemble all readily available information for the selected sites including aerial images, USGS topography, database environmental concerns (wetlands, archeological sensitive areas, etc.), and prepare a conceptual site plan for each selected site. The site plan will include a potential building layout, parking and access for the proposed parcel, driveway access, proposed utilities, potential stormwater mitigation areas, and other site amenities as identified throughout the analysis. The conceptual plan will consider zoning regulations, setbacks, transportation needs, stormwater management, parcel layout, and project constraints (steep slopes, wetlands, floodplains, and existing utility easements). We find that a visual tool to analyze and rank a potential site is very important; therefore, we are proposing to include this work in this assessment.

While this data will be provided in hard copy maps, we will also provide a basic, interactive GIS map that includes the various existing conditions and resources within each site noted above. We find that this avenue provides a much easier way for stakeholders to understand the various constraints found within each site. This also provides an opportunity for the BIDA to build off this platform in the future as a marketing tool or for further visualizations.

D. Summary of Findings and Recommendations: The second primary deliverable is a written summary of findings from this assessment. CPL will compile all information into one report and provide a narrative review of each study area. The narrative will include a summary of the data that highlights sites that scored highly for development, will outline permitting needs, identify construction constraints or obstacles, and provide recommendations to BIDA for the next steps. We will prepare a draft of the report for review with stakeholders and incorporate any comments into the final draft. Information will be presented in a format that can easily be updated by BIDA for future marketing materials.

One of the key take-aways from this report will be the recommended "Action Items." We do not recommend investing in a feasibility report to sit on a shelf. We will work with BIDA to identify immediate and long-term action items to keep the momentum going in the right direction. As we have done with numerous IDA's and industrial clients across the state, our goal is to form a lasting partnership.



Task 3: Community Engagement Plan

Our entire planning process is built around the importance of active public involvement in the design process. After all, those living and working in the community can best convey the strengths and weaknesses of their surroundings. CPL designs effective campaigns to help municipalities “talk” to their communities. Successful public outreach must address two distinct goals: information distribution and solicitation of feedback. Working with BIDA and the Focus Group, our team will develop a community outreach plan that offers the community many options for small and large group meetings, workshops, and presentations.

CPL prides itself on being “active listeners” at these early stages of the process to truly understand the needs of the community. As a result, our engagement process is designed to inspire innovative strategies from residents, businesses, and community stakeholders. Thoughtful, well-designed information sharing strategies, such as advertising in community areas (cable access channels, community centers, etc.), web-based tools (online surveys, website committed to the planning process), public announcements, work sessions, and creative display campaigns, engage all community members and encourage them to get involved. We have successfully used a multi-faceted engagement platform, *Social Pinpoint*, that provides users with several opportunities for providing input, including an ideas wall, open comment, survey, budgeting tool, and an interactive comment map. This will be one of the tools in our toolbox for community engagement.

In addition, the Team is comfortable and proficient with using more “non-traditional” means of engaging with the community such as all-virtual and hybrid meetings, which may provide more flexible avenues for residents to provide feedback. These various outreach avenues will help the Team to generate community-led ideas and strategies to best help meet the goals established.

One specific element of the engagement plan entails outreach to key property owners, realtors, business representatives, and/or others identified by the IDA. It is assumed that some of these stakeholders would

be identified during Task 1 and further refined prior to scheduling meetings. Engagement will include a mix of focus groups, interviews, and meetings to share information and learn about key issues and opportunities. While public meetings are important aspects of any planning effort, they must occur at the right time and place in the process in order to provide true value and benefit. In that vein, we would recommend at least one public meeting early in the process in order to introduce the Bethlehem community to the project, the intended goals, the areas to be assessed, and provide an opportunity for any feedback to be provided. This not only provides transparency in the project, but also helps to identify concerns or potential issues early on that can later be addressed through the assessment. Additionally, it also provides an opportunity early on for community buy in, especially if there are significant concerns with any of the sites.

Towards the latter stages of the process, when (a) recommended site(s) are being identified, a follow-up public meeting would be held to invite the community back into the process, highlight the process that was taken, the major findings, stakeholder and community input, and the final recommendations. This will give closure to the feedback loop and, though there is the potential for disagreements with the recommendations from the public, the process can come to an effective conclusion knowing that input was received and taken into consideration.

In addition to stakeholder and community outreach, CPL will also include progress and milestone updates, feedback summaries, and other pertinent information to the Bethlehem IDA Board as the responsible entity for the project. The final schedule will reflect the regular meetings of the Board each month. Therefore, we have included two public meetings as part of this proposal.

In addition to stakeholder and community outreach, CPL will also include progress and milestone updates, feedback summaries, and other pertinent information to the BIDA Board as the responsible entity for the project. The final schedule will reflect the regular meetings of the Board each month.



Additional Considerations

In addition, other services that are not included in this proposal could be added to further improve the database and take marketing to the next level. Those services include:

- **Drone Aerial Mapping**
CPL has several licensed drone pilots on staff and has utilized these capabilities to provide higher resolution imagery on a number of site and architectural projects. Furthermore, the use of drone technology would provide more up-to-date aerial images to include as part of the marketing efforts.
- **Interactive Marketing Mapping and Database**
As noted in Task 2, the initial background spatial data that is collected as part of this effort will be laid out and accessed through an interactive map. The ability to interact with each site through pop-up windows and/or links to additional information that contain site/building details or photos would be anticipated outcome for this. This map and database can be built upon in follow-up stages in the form of a storyboard map which would include narrative text, photos/videos, graphics, and mapping in a more robust application. This platform would provide not only the IDA with easy-to-use information on each of the sites, but also a marketing tool to discuss more details on each to prospective tenants. This would require additional technical work to showcase the concepts and opportunities at the recommended site(s), but the foundation would already be in place to continue this work.
- **One Page Marketing Cut Sheet**
To further enhance marketing efforts, we find that a one-page marketing cut sheet is the most effective tool when reviewing sites. This sheet will have all pertinent information associated with the site in one location – including utility capacities, acreage, an aerial photograph and/or conceptual site plan, permitting status if applicable, and any other important information that would allow a site selector to easily review.
- **FAST NY Strategy and Application**
CPL is well situated to assist in developing a strategy for the FAST NY program after successfully assisting in securing funds for Genesee and Chautauqua Counties. We will work directly with BIDA to develop a strategy that meets the development goals, provides creative phasing and funding strategies based on buildout costs, and aligns with regional opportunities.

While these services are not currently included in this proposal, CPL would be happy to discuss the need and scope of these as the assessment progresses.



Cost Proposal

Cost Breakdown vs Task

CPL proposes the following fees for the Town of Bethlehem Industrial Development Agency (IDA) Industrial Site Inventory and Assessment project. We've outlined our proposed scope of work for each of the items below. We understand the project will provide the BIDA with detailed data and analysis of industrial-zoned parcel conditions, which will ultimately help inform efforts to identify and support the preparation of shovel-ready development sites—in cooperation with property owners—to advance job creation and expand the tax base.

TASKS	PRINCIPAL	PROJECT MANAGER	PROJECT ENG/PLANNER	DRAFTER	SURVEYOR	FEES
1. Project Initiation and Information Gathering						
Project Kickoff Meeting	2	4	4			\$1,870
Site Tours		8	8			\$2,640
Past Plan Review	1	4	4			\$1,595
Focus Group Formation	1	2				\$665
Subtotal	4	18	16			\$6,770
2. Parcel Inventory and Assessment						
Baseline Data		8	30	16		\$7,370
Detailed List of Site Characteristics	1	8	4			\$2,375
Compilation and Assessment of Site Characteristics and Maps	4	24	80	120		\$29,780
Summary of Finds and Recommendations	2	20	40	80		\$18,650
Subtotal	7	60	154	216		\$58,175
3. Community Engagement Plan						
Community Engagement Plan	1	10	10	6		\$4,235
Property Owners and Business Representatives	1	10	8	2		\$3,525
IDA Board	1	8	4			\$2,375
Subtotal	3	28	22	8		\$10,135
TOTAL HOURS	14	106	192	224		
TOTAL CPL MANAGED FEES (ITEMS 1-3)						\$75,080

2024 CPL Hourly Billing Rates	
Title/Role	Hourly Rate
Principal Architect	\$285
Principal Engineer	\$250
Principal Consultant	\$210
Project Manager	\$210
Senior Planner	\$195
Landscape Architect	\$195
Senior Engineer Civil/Structural	\$165
Planner	\$150
Project Engineer Civil/Structural	\$135
Resident Observer	\$135
Senior Technician	\$135
Interior Designer	\$120
Junior Planner	\$105
Junior Engineer	\$105
Junior Technician	\$105
Clerical/Administrative	\$90