The Regular Meeting of the City of Hornell Industrial Development Agency (the " Agency") was held September 24, 2026 at 8:00 am at 40 Main Street, Hornell, NY.

PRESENT: David Parmley, Chairman
John Buckley, Vice Chairman
Ed Flaitz, Treasurer
John Carbone, Secretary
Richard Andolina, Jr., Assistant Treasurer/Secretary

ALSO
PRESENT: Michael Nisbet, CEO, Executive Director
Elizabeth Hughes, Attorney, via telephone
John Dagon, Agency Counsel
Michelle Burch, Administrative Assistant
Erin Ferris, Administrative Assistant

MINUTES

Chairman Dave Parmley called the meeting to order at 8:00 am. Chairman Parmley reported that there was a quorum for the meeting as required by the by-laws.

Secretary John Carbone presented the minutes of the August 21, 2026 meeting. A motion was made by John Buckley, seconded by Rick Andolina, Jr. to approve the minutes of the August 21, 2026 meeting. Carried All.

Treasurer Ed Flaitz presented the financial statements for August that had been emailed to the Board prior to the meeting. A motion was made by Rick Andolina, Jr., seconded by John Buckley to approve the financial report as presented. Carried All.

COMMITTEE REPORTS

Audit Committee – The Audit Committee paid bills in August from the operating account in the amount of $99,664.00. A motion was made by Ed Flaitz, seconded by Rick Andolina, Jr. to approve the Audit Committee report as presented. Carried All.

Personnel Committee – No Report

Governance Committee – Executive Director Nisbet reported that Rick Andolina, Jr. continues to work on future goal planning and strategic planning efforts including collaborating with local stakeholders, such as the City of Hornell and Steuben County. John Buckley stated the importance of prioritizing efforts on economic development in the downtown area with a focus on small businesses. Rick Andolina, Jr. noted the strategic planning process will also incorporate the Hornell Area Industrial Development Corporation.

EXECUTIVE DIRECTOR REPORT

Intermunicipal Sewer Project – On June 26, 2025, the Agency approved a $21,400 contribution toward the $107,900 Intermunicipal Sewer Project with the City of Hornell, Village of North Hornell and Town of Hornellsville. Per the Professional Services Agreement between the Agency

and LaBella, the Agency's 40% share of the project cost is $43,160. Steuben County IDA previously agreed to contribute $21,400 toward this amount, leaving the Agency's actual contribution as $21,760. A motion was made by Ed Flaitz, seconded by John Carbone, to increase the Agency's contribution from $21,400 to $21,760 and ratify all actions taken by the Agency and Agency staff in accordance with such increase to date. Carried all.

Shawmut Park New Access Road – Executive Director Nisbet reported that the Shawmut Park New Access Road construction is underway. The final road designs submitted for Board review on September 11, 2026 by Erdman Anthony may change slightly to conform to business needs in the area. The necessary property transfers (Tax ID 151.05-01-064.111 & part of Tax ID # 151.10-01-070.000) are underway as well.

On August 21, 2026 the Board waived competitive bidding requirements for the Shawmut Park Access Road project in accordance with the Agency's Procurement Policy, finding that bidding was impractical due to Union Concrete's familiarity with the Project as they are already mobilized on the adjacent NYSDOT State Route 36 project and the project's time constraints. Union Concrete has submitted a construction proposal in the amount of $995,000 for Board review. This amount is consistent with a previous estimate used for the ARC 2026 Area Development Grant for the Shawmut Park New Access Road application and it is recommended for approval, in an amount not to exceed $995,000.

Nisbet updated the Board on the Agency's ARC 2026 Area Development Grant application for $250,000. The ARC grant process is experiencing delays, with funding not expected for up to one year and moving forward may result in forgoing the ARC funding award. Given the necessity of completing the project this year due to increased construction costs and the potential loss of private investment, the Agency is in favor of moving forward.

The following resolution was duly offered by John Buckley, and seconded by Ed Flaitz, to wit:

RESOLUTION OF THE CITY OF HORNELL INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") APPROVING AND AUTHORIZING THE AGENCY TO ENTER INTO A CONTRACT WITH UNION CONCRETE FOR THE CONSTRUCTION OF THE SHAWMUT ROADWAY EXTENSION.

WHEREAS, in accordance the Agency desires to construct approximately .10 miles of new roadway connecting Shawmut Park Drive to NYS Route 36 (the "Shawmut Road Extension"), and related improvements (collectively, with the Shawmut Road Extension, the "Project"); and

WHEREAS, on August 21, 2026, in accordance with the Agency's Procurement Policy, the Agency waived competitive bidding for the Project, finding that bidding was impractical due to Union Concrete's familiarity with the Project as they are already mobilized on the adjacent NYSDOT State Route 36 project and the project's time constraints; and

WHEREAS, Union Concrete has submitted a proposal for construction of the Project to the Agency in the amount of $995,000; and

WHEREAS, on August 17, 2026, pursuant to the New York State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and the regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as "SEQRA"), the City of Hornell, considered the Project pursuant to the parameters set forth in 6 N.Y.C.R.R. §§ 617.2(b)

and 617.3(g) of the SEQRA regulations, classified the Project as an "unlisted action" as defined in SEQRA, undertook review of the Short Environmental Assessment Form and declared itself Lead Agency pursuant to SEQRA, determined that the Project will not result in a potential significant adverse impact on the environment and issued a Negative Declaration pursuant to SEQRA; and

WHEREAS, the Agency now desires to retain the services of Union Concrete to undertake the Project.

NOW THEREFORE BE IT RESOLVED BY THE MEMBERS OF THE CITY OF HORNELL INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Subject to the terms of this Resolution, the Chair, the Vice Chair, and the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate and execute a contract with PCS for construction services for the Project, in an amount not to exceed $995,000 and any appropriate change orders or scope additions as approved by the Executive Director, in consultation with the Board Chair.

Section 2. The officers, employees, and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such checks, 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 so acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 3. Any and all actions heretofore taken or authorized by the Agency and/or its officers, employees and agents with respect to this resolution are hereby ratified, approved and confirmed in all aspects.

Section 4. These Resolutions shall take effect immediately.

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

	Yea	***Nay***	***Absent***	***Abstain***
David Parmley	[X]	[ ]	[ ]	[ ]
John Carbone	[X]	[ ]	[ ]	[ ]
Ed Flaitz	[X]	[ ]	[ ]	[ ]
John Buckley	[X]	[ ]	[ ]	[ ]
Richard Andolina Jr.	[X]	[ ]	[ ]	[ ]

The Resolutions were thereupon duly adopted.

West Street Project – Executive Director Nisbet reported the Agency is awaiting the award letter and contract for the Empire State Development County Infrastructure Grant. After the grant contract is executed, Lu Engineers and Mike Griffin will prepare a Request for Proposal (RFP) to procure qualified vendors for the required infrastructure improvements necessary to support the construction of ten single-family homes on the West Street properties (Tax ID # 150.00-01-057.000, 151.17-01-068.110, 151.17-01-068.200). Nisbet further reported a meeting was held with Lu Engineers September 11, 2026 at 40 Main Street to review the preliminary West Street design

plans, presented for Board review. Nisbet noted the importance of the Governance Committee meeting with Lu Engineers in the near future to discuss the proposed design plans and concerns related to the slope of the project properties. Nisbet will continue to work with Mayor Buckley regarding the annexation of the West Street Hornellsville property (Tax ID # 150.00-01-057.000). Additional project related concerns discussed include the relocation of a neighboring property owner's driveway that currently encroaches on CHIDA-owned property and potential sale of an unusable portion of property, if confirmed unusable by Lu Engineers, to an adjacent property owner.

Recent Meetings Update – Executive Director Nisbet reported on September 15, 2026 he met with Lucas Martin of the Economic Development Administration, and with Chelsea Robertson and Victoria Ehlen of Southern Tier Central for a tour of the Alstom Car Shell Shop. Nisbet discussed with them the long-term goal of extending the sewer infrastructure along Route 21 toward the Wilkins property and potential funding opportunities that would support that effort. Additionally, Nisbet reported he also met with Amanda Spellicy from Senator Schumer's office on September 17, 2026 at HP Hood to discuss the Hornell Intermunicipal Sewer Project. Spellicy indicated she would look further into available funding opportunities for future projects. Nisbet and Buckley noted the importance of identifying buildable sites to attract new business investment, particularly transportation and manufacturing. Nisbet reported both meetings were productive. Representatives from each organization expressed an interest in receiving updates and offered assistance in identifying potential funding opportunities for future projects.

Executive Director Nisbet requested an Executive Session to discuss potential land acquisition and ongoing litigation. A motion was made by John Buckley, seconded by Rick Andolina, Jr. to go out of regular session and enter Executive Session under Public Officers Law, Article 7, Open Meetings Law, Section 105, paragraph D and H at 8:26 am. Carried All.

The Executive Session terminated at 9:34 am and a motion was made by Ed Flaitz, seconded by John Buckley to reconvene the meeting at 9:34 am. Carried All.

Old Business – No Report

New Business – No Report

There being no further business, the meeting was adjourned at 9:35 am upon motion from Ed Flaitz, seconded by Rick Andolina, Jr. Carried All.

Respectfully Submitted,
John Carbone, Secretary