

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
DECEMBER 13, 2016
8:00 A.M.
PLANNING DEPARTMENT CONFERENCE ROOM**

AGENDA

PRESENT:

___ TODD RULISON, CHAIRMAN
___ JOSEPH SEMIONE, VICE CHAIRMAN
___ WILLIAM SULLIVAN, TREASURER
___ JOE GILLIS, SECRETARY
___ DIANA PUTNAM, MEMBER
___ DAVE D'AMORE, MEMBER
___ TIM MUNN, MEMBER
___ KARA LAIS, IDA COUNSEL
___ JAMES MRAZ, IDA EXECUTIVE DIRECTOR
___ WILLIAM WALDRON, LIAISON
___ RON PETERS, FULTON COUNTY CENTER FOR REGIONAL GROWTH
___ MIKE ANICH, LEADER-HERALD

I. MINUTES FROM OCTOBER 11, 2016 MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :

II. BUDGET REPORT:

MOTION :
MADE BY :
SECONDED :
VOTE :

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- No report.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. OTHER REPORTS:

A. Fulton County Center for Regional Growth: Ron Peters

B. Fulton County Board of Supervisors' Economic Development Committee: Bill Waldron

V. OLD BUSINESS:

A. Tryon Technology Park Project:

1. Repairs to Wastewater Pump Station:

A. Background:

- IDA members were e-mailed regarding problems with pumps at the wastewater pump station.
- General Control Systems (GCS) and Adirondack Septic were both called to the Pump Station to diagnose the problem and then make the repairs.

B. Invoices:

- General Control Systems : \$1,404.50
- Adirondack Septic : \$1,788.00

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize payments of \$1,404.50 to General Control Systems and \$1,788.00 to Adirondack Septic for repair work at Tryon Wastewater Pump Station.

MADE BY:

SECONDED:

VOTE:

2. Roof Leak in F-Wing:

- At the October 11, 2016 meeting, the IDA Board authorized having a roof leak at a cost to not exceed \$1,000 in F-Wing repaired.
- Correll Roofing has repaired the leak.
- Total Invoice: \$500.00

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize a payment of \$500.00 to Correll Roofing to repair a leaking roof drain in the F-Wing.

MADE BY:

SECONDED:

VOTE:

3. Engineering Evaluation of F-Wing of Building 3:

A. Background:

- Fulton County has hired C.T. Male to prepare an engineering evaluation on the feasibility and cost of developing a standalone HVAC/electrical, plumbing, water and sewer system for the F-Wing of Building 3.
- The Agreement has been executed.
- C.T. Male has inspected the F-Wing and is conducting its evaluation.

IDA DISCUSSION:

4. Proposed Solar Array:

- The Application was submitted to National Grid to conduct their engineering evaluation.
- National Grid has responded to the Application by saying the proposed array may work. National Grid says the proposed project can now go to the next level of review.
- National Grid advised that in order for them to conduct the next level of review, an \$18,100 fee must be paid.

IDA DISCUSSION:

5. Lead Generation:

- Applied Marketing is working on trying to identify companies that may be interested now or in the near future with moving into the Tryon Technology Park.

6. New Electric Service:

a. Background:

- National Grid recently asked for the corners of all lots to be marked and surveyed.
- IDA hired Ferguson & Foss to perform that work.
- Survey map was sent to National Grid on July 18, 2016.
- National Grid responded by asking if the lot lines were floating.
- National Grid was advised that the intent was to keep the lot lines as shown. However, if a company wanted a parcel of land that would require moving a lot line, that would be considered.
- National Grid requested that property lines be staked.
- IDA hired Ferguson & Foss to install stakes along property lines.
- Ferguson & Foss completed this work.

b. November 30, 2016 Meeting with National Grid:

1. Background:

- Chad Kortz, C.T. Male, Jon Stead, Administrative Officer, Scott Henze, Planner, and Jim Mraz, Executive Director, met with eight (8) National Grid representatives.
- National Grid is designing the new 13.2 Kv electrical service for Tryon.

2. National Grid Input:

- National Grid will be extending 3-phase, 13.2 Kv service along CR107 to the main entrance to Tryon.
- National Grid will be installing a new electrical pole on the right side of the entrance road.
- National Grid will be installing a new underground electrical service along the outside of CR117. This will consist of approximately 7,400+/- linear feet of wire.
- The new electrical service will be installed in 5" conduit.
- National Grid will be installing switchgear at each property corner.
- National Grid will make the new electrical services available to:
 - 1) Vireo Health
 - 2) Building 60
 - 3) Wastewater Pump Station
 - 4) Water pump Station
 - 5) Elevated Tank
 - 6) Building 3

3. Customer Responsibilities:

- a. National Grid advised that the Customer must provide and pay for:
 - 1) Supply and install two (2) 5" conduits around the exterior of CR117. 7,400+/- linear feet/conduits. Total: 14,800 linear feet of 5" conduit

- 2) Dig the trench for the conduits.
 - 3) Backfill the trench.
 - 4) Supply and install electrical hand holes every 400' : (18+/-)
 - 5) Acquire easements from private property owners along CR107 that will be needed for guide wires on several new poles that National Grid will be installing along CR107.
- b. The Customer must provide an approved Site Plan showing all lots and existing utilities:
- Town of Perth Planning Board Chairman signed three (3) copies on December 5th. The signed Site Plan was delivered to National Grid on December 6, 2016.
4. National Grid Grant Programs:
- a. On December 5, 2016, Jim Mraz e-mailed National Grid regarding potential grant programs they may have to offset the potential Customer responsibilities identified above.
 - b. National Grid responded by saying::
 “In 2003, National Grid created the programs to help developers (public or private) to manage “customer costs.” Depending on the costs, one or both programs can be used to offset customer Contribution In Aid to Construction (CIAC). A third program, the Capital Investment Incentive Program, can be used if an eligible applicant decides to locate at the site and we need to provide power to them, causing a customer Contribution In Aid to Construction (CIAC).
1. **Industrial Building Redevelopment**
 The Industrial Building Redevelopment Program provides grants of up to \$250,000 (based on the amount of capital investment) to property owners who are upgrading electric and/or natural gas infrastructure to return these properties to active industrial use.
 2. **ShovelReady Infrastructure**
 The Shovel Ready Infrastructure Program provides grants of up to \$125,000 for engineering and planning to advance a site in the ShovelReady certification process. When the site is certified ShovelReady by Empire State Development, a \$250,000 matching grant is made available for the installation of electric and natural gas infrastructure. Already designated BuildNow NY and ShovelReady Certified sites may also apply for matching grant for electric and gas infrastructure. All sites must be served by National Grid to be eligible for the program.
 3. **Electric Capital Investment Incentive**
 The Capital Investment Incentive Program provides funds to help offset the customer costs associated with upgrading utility infrastructure to accommodate a business expansion or new construction project. Specifically, this program supports business attraction or expansion projects located in National Grid’s upstate New York service territory. The applicant must demonstrate that they are unable to secure sufficient funding for the project through federal, state, or local economic development programs.
5. Next Steps:
- a. National Grid completes their Design for the new electrical service.
 - b. National Grid submits their Design to the IDA/Fulton County.

- c. IDA/Fulton County prepare plans and specifications to use to go out for bids to dig trench, supply and install 5” conduits and electrical hand holes.
- d. Obtain competitive bids.
- e. Apply for National Grid grant.
- f. Award contract.
- g. Complete installation of conduits and hand holes.
- h. National Grid pulls wires and installs switchgear at each property corner.
- i. Connect Vireo Health, Building 60, Wastewater Pump Station, Water Pump Station and Elevated Tank to new electrical system.
- j. Activate new electrical system.

IDA DISCUSSION:

6. National Grid Easement:

- National Grid is requesting an easement from the IDA to place a new electrical pole on the east side of CR117 where it intersects CR107.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman to execute the National Grid easement subject to the final review and approval of said easement by the IDA Attorney.

MADE BY:

SECONDED:

VOTE:

B. Johnstown Renewables:

1. Status Report:

- Concrete foundations are poured.
- Large tanks delivered.
- Steel for building delivered.

IDA DISCUSSION:

V. NEW BUSINESS:

A. Nathan Littauer Hospital’s Perth Primary Care Clinic Project:

1. Background:

- In 2006, the IDA issued \$1.7 million in Civic Facility Bonds to finance the construction of Nathan Littauer Hospital’s Perth Primary Care Clinic.
- The structure of this transaction included the following:

- 1) Nathan Littauer Hospital, which owned the land, leased the land to the Crossroads Incubator Corporation (CIC) through a Ground Lease.
 - 2) The IDA issued bonds. The IDA executed a Bond Purchase and Building Lease Agreement with NBT Bank and CIC.
 - 3) The IDA then executed a Lease Agreement with the CIC under which the land and facility were leased to the IDA.
 - 4) The IDA then executed an Installment Sales Agreement with the CIC. Agreement stated that:
 - a. CIC would cause the Project to be undertaken and completed.
 - b. CIC would be the agent of the IDA and undertake and complete the Project.
 - c. CIC would make certain installment purchase payments for the Project Facility. Said payments included amounts equal to the debt service payments due on the Bond.
 - 5) The CIC and Nathan Littauer Hospital entered into a Lease Agreement whereby the CIC leased the Project Facility to Nathan Littauer Hospital.
 - 6) To secure the Bonds, the IDA executed a pledge and assignment with NBT, which assigned to the NBT certain of the IDA's rights under the Installment Sale Agreement. Pursuant to this Agreement, installment purchase payments made by the CIC under the Installment Sale Agreement were to be paid directly to NBT.
 - 7) To further secure the Bond, the IDA, CIC and NLH executed a Mortgage with NBT which granted NBT a lien on and security interest in the Project Facility. The IDA and CIC also executed an assignment of leases and rents agreement which assigned with NBT to the NBT all interest of the IDA and CIC in all leases affecting the Project Facility and the rents payable thereunder.
 - 8) The CIC's obligation to make all installment purchase payments under the Installment Sale Agreement and to perform all obligations related thereto and IDA's obligation to repay the Bond were also secured by: A corporate guaranty from Fulton County Economic Development Corporation to NBT.
2. Letter from Nathan Littauer Hospital:
- On November 21, 2016, Jim Mraz received a call from NLH to discuss their interest in preparing the 2006 bonds the IDA issued for their project.
 - On November 21, 2016, Jim Mraz e-mailed both Kara Lais and Joe Scott, Hodgson Russ, IDA Bond Counsel, advising them of NLH's inquiry.
 - On November 28, 2016, the IDA received a letter dated November 22, 2016 from NLH expressing their interest in prepaying the balance due on the 2006 Civic Facility Bonds and purchasing the building.
 - On November 28, 2016, Jim Mraz e-mailed Joe Scott, a copy of NLH's letter and asked for guidance on how to proceed.
3. Input Received from IDA Bond Counsel:
- The documents allow for the prepayment of the bonds.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman and Executive Director to execute all documents related to the prepayment of these bonds and the termination of all Agreements related to the Perth Primary Care Clinic Project subject to the approval of IDA Counsel and IDA Bond Counsel.

MADE BY:

SECONDED:

VOTE:

B. Chief Financial Officer (CFO) Invoice:

- The IDA has received an invoice in the amount of \$350 from Carol Ellis, CFO, for services rendered from July 1, 2016 through December 31, 2016.
- The invoice is in accordance with the IDA's Agreement with Carol Ellis.

IDA ACTION:

MOTION: To authorize the payment of \$350 to Carol Ellis, CFO.

MADE BY:

SECONDED:

VOTE:

C. Engineering Services for Tryon Technology Park:

1. Background:

- There are ongoing issues at Tryon that need the services of an engineer.
- For example, the installation of a new electrical service will require projecting potential electrical loads, determining how to feed pump stations, technical assistance when issues develop with the wastewater pump station or the existing electrical system that the IDA owns.

2. Proposal:

- It is proposed that the IDA enter into an Agreement with C.T. Male to provide general engineering services, as needed/requested.
- Total Retainer: \$5,000
- C.T. Male would only bill for services actually provided.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:
SECONDED:
VOTE:

VI. OTHER BUSINESS:

A. NYS Police Presentation:

- Presentation was made at the October 11th Board of Supervisors' meeting by the NYS Police.

VII. NEXT MEETING:

Wednesday
January 11, 2017
5:00 p.m.

- This will be the Annual Meeting of the IDA.
- Nominating Committee shall present a slate of officers for 2017.

VIII. CLOSE MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :
TIME :