

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
SEPTEMBER 8, 2015
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
___ JAMES MRAZ, IDA EXECUTIVE DIRECTOR
___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
___ RON PETERS, PRESIDENT, FULTON COUNTY CRG
___ BILL WALDRON, LIAISON, ECONOMIC DEVELOPMENT COMMITTEE
___ MIKE ANICH, LEADER-HERALD

I. MINUTES FROM JUNE 25, 2015 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. OLD BUSINESS:

A. Tryon Technology Park and Incubator Center Project:

1. Invoice from Tom's Electric:

- Tom's electric was called to Tryon on Sunday, August 2, 2015, to investigate a power outage.
- Upon investigation, it was determined that two (2) fuses in one (1) of the three (3) main electrical panels had blown.
- Tom's Electric removed the blown fuses and replaced them with fuses taken out of the other two (2) electrical panels. (There are three (3) electrical circuits feeding Tryon. One (1) is overhead and two (2) are underground. It was the overhead circuit that had blown fuses.)
- Tom's Electric used repair kits that were found onsite to repair the blown fuses.
- Tom's Electric was asked to purchase three (3) additional repair kits to have onsite in the event additional fuses blow.
- Total invoice for time to restore electric service and purchase three (3) spare repair kits: \$1,151.00.
- This is an IDA expense because the IDA owns the onsite electrical system.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize a payment in the amount of \$1,151 to Tom's Electric.

MADE BY:

SECONDED:

VOTE:

2. New Electrical Service:

a. Background:

- At present, National Grid owns the electrical service feeding Tryon up to the main electrical meter that is mounted on a pole just off CR107.
- All electrical lines, switchgear, panels, fuses and other items past this main electrical meter are owned by the IDA.
- This main electrical feed to Tryon comes to a building adjacent to Building 60, the former Maintenance Building.
- This building houses the main electrical switchgear and emergency generator.
- From here, three (3) electrical circuits leave to feed all of the buildings at Tryon:
 - Two (2) circuits are underground.
 - One (1) circuit is overhead.
- At present, only one (1) of these circuits is operational.
- At present, Empire State Health Solutions' building is being fed off this one (1) operational circuit.

b. New Electrical Service:

- National Grid is in the process of designing a new electrical service for Tryon.
- This new service will be installed around the internal access road.
- Once installed, this new service would be owned and maintained by National Grid. The existing electrical system would then be abandoned.

3. Emergency Generator:

- The IDA has received a couple of inquiries regarding the existing emergency generator.
- The recent power outage resulted in investigations having to be done on the generator.
- It appears that the primary service into Tryon is connected directly into the generator. As such, it would be a potential major project to disconnect and remove the generator.
- As a result, it does not appear that it would be prudent to try and disconnect the generator until after National Grid's new electric service is completed and Tryon's existing electrical system can be disbanded.

IDA DISCUSSION:

4. Wastewater Pump Station:

a. Background:

- Wastewater Pump Station has had new pumps and controls installed as part of the County's Phase I Project.
- Pump Station has been restarted and is now functional.
- IDA needs to operate and maintain this station.
- Fulton County's Facilities Department is willing to provide O & M services to the IDA that would include:
 - Making weekly visits to pump station.
 - Respond to alarms.
 - If repairs are needed, contact contractor to perform work.
- Annual Fee: \$1,500

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize having Fulton County's Department of Highways and Facilities provide O & M services for the Tryon wastewater pump station at an annual cost of \$1,500.

MADE BY:

SECONDED:

VOTE:

5. Northern Borders Regional Commission:

a. Background:

- The IDA Board, at its June 5, 2015 meeting, authorized submitting a grant application to the Northern Borders Regional Commission.
- The grant would be used to:
 - Restart Building 3's HVAC and Plumbing Systems
 - Clean up mold
 - Replace exterior doors
 - Replace ceiling tiles/lights
 - Repair roof leaks
- Application identified a total project cost of \$250,000 with a local share of \$50,000.

IDA DISCUSSION:

6. Tryon Infrastructure Improvements Project: Phase II:

a. Background:

- At present, water coming to Tryon is supplied by the Gloversville Water Department.
- Water service was provided to Tryon when New York State constructed the Hale Creek Correctional Facility on Maloney Road immediately to the west of Tryon.
- Water currently flows from Gloversville to Hale Creek where it's pumped up into an elevated water storage tank.
- From that tank, water flows by gravity into a ground-mounted tank at Tryon.
- Water flows out of that ground-mounted tank into pumps and is pumped into the waterline feeding Tryon.
- Since Tryon is no longer a New York State facility, the State wants Tryon disconnected from Hale Creek's water system.

- b. Phase II Project:
 - Phase II Project will include the following components:
 - 1) Disconnect waterline servicing Tryon from the elevated water storage tank at the Hale Creek Correctional Facility.
 - 2) Construct a new packaged water pumping station at Tryon.
 - 3) Construct a new 300,000 gallon elevated water storage tank at Tryon.
 - 4) Dismantle existing ground-mounted water storage tank and pumps.
 - Total Project Cost: \$2.0+/- million
 - Project to commence in 2015, shut down for the winter and be completed in 2016.

7. Entry Sign:

- Fulton County is seeking proposals from sign companies to design, construct and install a new entry sign to Tryon.
- Proposals due by September 16, 2015.
- Fulton County has funds available to pay for this new sign.

8. Design Standards:

a. Background:

- At a previous meeting, IDA members requested that the Executive Director draft Design Standards for the Tryon Technology Park.
- Draft Design Standards were e-mailed to IDA Board members on September 3, 2015.

b. Draft Design Standards:

- Review Draft.

IDA DISCUSSION:

B. Empire State Health Solutions' (ESHS) Project:

1. Purchase and Sale Agreement (P&SA):

- ESHS prepared a P&SA for the property they desire to purchase from the IDA.
- Total purchase price was previously agreed to be \$300,000 less the cost of restoring electric service to the building on the lot ESHS is proposing to purchase. Electric service to the building was disrupted by the act of vandalism.
- Total cost to repair electric service was \$16,650.
- As a result, the final purchase price is:

Total Purchase Price	:	\$300,000
(less) Repairs	:	\$ 16,650
Final Purchase Price	:	\$283,350

- IDA is responsible for:
 - Title insurance commitment
 - Property Survey

- UCC Search
- Paying Transfer Tax : \$1,140

- Draft Agreement has been reviewed by Kara Lais.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman to execute the Purchase and Sales Agreement subject to the Agreement being approved by IDA Counsel and the Executive Director.

MADE BY:

SECONDED:

VOTE:

V. NEW BUSINESS:

A. Johnstown Industrial Park Park Covenants:

1. Background:
 - In 1989, the IDA adopted Park Covenants for the Johnstown Industrial Park.
 - The Park Covenants identify uses that are allowed and prohibited in the Park.
 - These lists generally conform with the list of allowed uses identified in the City of Johnstown's Zoning Ordinance.
2. Updated Zoning Ordinance:
 - The City of Johnstown recently updated its Zoning Ordinance and its list of allowable land uses in all Zoning Districts.
3. Updated IDA Park Covenants:
 - It is recommended that the IDA Board update its Park Covenants for the Johnstown Industrial Park.
 - See Handout.
4. Procedure for Updating Park Covenants:
 - a. Provide written notice to all owners of property in the Johnstown Industrial Park of the proposed changes to the Park Covenants.
 - b. Schedule public hearing/meeting to give property owners an opportunity to comment on the proposed changes.
 - c. IDA Board votes to amend Park Covenants.
 - d. Amended Park Covenants are filed and recorded in County Clerk's Office.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Executive Director to contact all property owners in the Johnstown Industrial Park to advise them of the IDA Board's proposed amendments to the Park Covenants and to invite those businesses to offer comments on the proposed changes either at the October 13, 2015 IDA Board meeting or in writing by the end of the day on October 12, 2015.

MADE BY:
SECONDED:
VOTE:

B. YMCA Project:

1. Background:

- In January 2008, the IDA issued \$5,450,000 in Civic Facility Bonds to finance the Fulton County YMCA's acquisition and renovation of a building on Harrison Street to convert into the new Fulton County YMCA.

2. Proposed Modification to the Interest Rate on the Bond:

- The YMCA and NBT Bank, as holder of the original bond, have reached an Agreement to reduce the interest rate on the Bond from 4.75% to 3.25%.
- The IDA must approve this modification to the Bond.
- See attached resolution prepared by Joe Scott, the IDA's Bond Counsel on this project.

IDA DISCUSSION:

IDA ACTION:

MOTION: To adopt a Resolution to amend the terms of the IDA Bonds issued on behalf of the Fulton County YMCA.

MADE BY:
SECONDED:
VOTE:

C. Executive Session:

1. Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:
 - i. matters which will imperil the public safety if disclosed;

- ii. any matter which may disclose the identity of a law enforcement agent or informer;
- iii. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- iv. discussions regarding proposed, pending or current litigation;
- v. collective negotiations pursuant to article fourteen of the civil service law;
- vi. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- vii. the preparation, grading or administration of examinations;
- viii. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.**

MOTION: To go into Executive Session to discuss, **“the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.”**

MADE BY :
 SECOND :
 VOTE :
 TIME :

MOTION : To go out of Executive Session.
 MADE BY :
 SECOND :
 VOTE :
 TIME :

VI. OTHER BUSINESS:

1. Next Meeting:

Tuesday
 October 13, 2015
 8:00 a.m.

VII. CLOSE MEETING:

MOTION : To close the meeting.
 MADE BY :
 SECONDED :
 VOTE :
 TIME :