

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
SEPTEMBER 8, 2015
8:00 A.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

MEETING NOTES

PRESENT:

TODD RULISON, CHAIRMAN
JOSEPH SEMIONE, VICE CHAIRMAN
JOE GILLIS, SECRETARY
DIANA PUTNAM, MEMBER
DAVE D'AMORE, MEMBER
JAMES MRAZ, IDA EXECUTIVE DIRECTOR
BILL WALDRON, LIAISON, ECONOMIC DEVELOPMENT COMMITTEE

I. MINUTES FROM JUNE 25, 2015 MEETING:

MOTION : Accept as presented.
MADE BY : Joe Gillis
SECONDED : Diana Putnam
VOTE : Unanimous

II. BUDGET REPORT:

MOTION : Accept as presented.
MADE BY : Joe Semione
SECONDED : Dave D'Amore
VOTE : Unanimous

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: Jim Mraz reviewed the information on the Agenda. He stated that the invoice included time spent by Tom's Electric at the site, as well as purchasing three (3) additional repair kits. He asked if there were any questions. There were none.

IDA ACTION:

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

MADE BY: Joe Gillis

SECONDED: Diana Putnam

VOTE: Unanimous

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 disbandoned.

IDA DISCUSSION: Jim Mraz stated that, as part of the power outage that occurred at the Tryon recently, additional information was learned about how the emergency generator is connected into the electrical system. He stated it's been determined that it would be very difficult/expensive to remove the emergency generator now while the existing electrical service is operational. He stated that the cost of the rewiring of the electrical system would be expensive. He stated that once National Grid installs its new electrical system along County Road 107, the existing electrical system can be abandoned. At that time, the generator could be removed.

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: Jim Mraz stated that he was approached by Ralph Ottuso, Chairman of the Board of Supervisors, about having Fulton County's Department of Highways and Facilities provide O & M services for the Tryon Wastewater Pump Station. He stated he discussed this matter with Mark Yost, Superintendent of Highways and Facilities. The concept would be to have Highways and Facilities' staff make routine visits to the Pump Station to observe and troubleshoot as necessary. In addition, any alarms that would go off at the Pump Station are being routed to the County's 911 Center. The 911 Center would then contact the County's Facilities' staff who would go to the Pump Station to see what the issue was. If it was a simple matter that the Facilities' staff could handle, they would address the problem. If it was a matter that they could not handle, they would contact a local contractor to make the repairs. The cost of hiring this contractor and any parts would then be charged to the IDA.

Jim Mraz stated that it was important for the IDA to have someone brought on board immediately to begin servicing this Wastewater Pump Station since it is now operational. A question was raised on what other options the IDA may have. Jim Mraz stated that the only other option would be to hire a private contractor to perform this work. It was the consensus of all IDA members present that the cost of hiring a private contractor would be greater than what this proposal is from the County to provide these services. Jim Mraz asked if there were any further questions. There were none.

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: Dave D'Amore
SECONDED: Joe Semione
VOTE: Unanimous

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: Jim Mraz stated that he was contacted late last week by a representative of the Northern Borders Regional Commission. He stated that the conversation was as such that he believes the IDA would be awarded a grant for the Building 3 project. He stated he's expecting to hear final word on this grant within the next week or two (2). He stated that the Fulton County Board of Supervisors is also appropriating dollars in its 2016 Budget for this Building 3 Renovation Project. He stated the grant, coupled with the \$50,000 IDA share and Fulton County funds, will generate a significant pool of funds that could be used to renovate this existing building.

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.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He stated this project represents a significant financial commitment on the part of Fulton County to Tryon. He stated this investment reinforces the County's partnership with the IDA in developing the Tryon Project.

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.

IDA DISCUSSION: Jim Mraz stated that Fulton County has funds in its 2015 Budget to implement certain marketing initiatives for Tryon. One initiative being pursued is the construction of a new entry sign at Tryon. He reviewed the scope of work that is contained in the Request for Proposals (RFP) that the County sent out recently to companies to design, construct and install a new entry sign to Tryon. He stated that the RFP asked sign companies to give consideration to developing some form of an acronym or logo for Tryon. Joe Gillis asked if the County's branding initiative resulted in any potential name change for Tryon. Jim Mraz stated, "No." He stated that the only recommendation that was made was to shorten the name of the Tryon Technology Park and Incubator Center to just Tryon Technology Park. He stated the RFP asks sign companies to develop a logo or acronym for Tryon Technology Park such as T-T-P, T²P, etc. The thought is to potentially have this acronym or logo utilized on signage and banners to be located throughout the Park to better market and promote the Park.

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: Jim Mraz stated that IDA members had asked his office to draft some design standards for future projects at the Tryon Technology Park. He stated Planning Department staff reviewed design standards from several other Technology and Business Parks. Based upon those reviews, a draft set of Design Standards were put together for Tryon. IDA members went through the draft Design Standards and offered numerous comments. Based upon those comments, Jim Mraz stated that he would revise the Design Standards and send those back to IDA members for an additional review. It was agreed that the Design Standards would be reviewed again at the IDA's October Board meeting.

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

[NOTE: After the meeting, the IDA received notification from ESHS that the final cost for the repairs was \$16,268 or \$382 less than the \$16,650 estimate. As a result, the final purchase price will be \$283,732 instead of \$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: Jim Mraz reviewed the information on the Agenda. He stated that Kara Lais had advised that the draft Purchase and Sale Agreement appears to be a standard agreement used in the real estate industry. She advised that she does not have a problem with the overall format of the draft Agreement. Jim Mraz stated that Kara Lais provided him with a number of comments that she wanted to have made to the draft Agreement. Those comments have been forwarded to ESHS. He stated that authorization is being sought today to have the Chairman sign this Agreement once its wording and content is acceptable to both Kara Lais and the Executive Director.

Joe Gillis asked what the sale price of land at Tryon is. Jim Mraz stated the IDA Board has set the price at \$20,000/acre. He advised that the IDA agreed to sell the 19.899 parcel to ESHS at a reduced rate of \$300,000.

Jim Mraz stated that he had recently advised IDA members, through an e-mail, about ESHS' potential need to acquire a small additional parcel of land along the southern border of the parcel it wants to acquire from the IDA. He reviewed a map showing this additional .78+/- acre parcel that ESHS is interested in purchasing. He stated that the reason they are interested in this additional parcel is to allow for a stormwater retention pond to go there as part of the Stormwater Management Plan being developed for the parcel. He stated this parcel would be sold at the \$20,000/acre rate that the IDA Board has set for land in the Tryon Park. The total sale price would therefore be \$15,600. Jim Mraz said a new survey and description would be needed if this additional acreage was sold to ESHS. Jim Mraz asked if there were any concerns or comments regarding this potential sale of an additional .78 acre parcel. There were none. All present expressed their support for selling this additional acreage to ESHS.

IDA ACTION:

MOTION: To approve the sale of an additional .78+/- acre parcel of land to ESHS at the sale price of \$20,000/acre and to have that additional acreage included into the Purchase and Sale Agreement and to authorize having Ferguson & Foss Surveyors to prepare a revised survey map and description of the lot that includes this additional parcel.

MADE BY: Joe Semione
SECONDED: Joe Gillis
VOTE: Unanimous

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: Joe Gillis
SECONDED: Dave D'Amore
VOTE: Unanimous

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 by:
 - Adding several new allowable uses.
 - Deleting several prohibited uses.
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: Jim Mraz reviewed the information on the Agenda. He stated that the amendments being proposed would involve adding several permitted uses to the Park Covenants and deleting certain uses that are listed as prohibited.

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 Friday, October 9, 2015.

MADE BY: Joe Semione
SECONDED: Diana Putnam
VOTE: Unanimous

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: Prior to the start of any discussion on this Agenda item, Dave D'Amore advised that he must recuse himself from any discussion regarding this Agenda item and will abstain from voting on this matter since he is a member of the YMCA Board of Directors.

Jim Mraz reviewed the information on the Agenda. Jim Mraz reviewed the resolution that was handed out to all Board members with their Agenda. The Resolution was prepared by Joe Scott, the IDA's Bond Counsel on this project. He asked if there were any questions on this proposal and the proposed resolution. There were none.

IDA ACTION:

MOTION: To adopt a Resolution authorizing the execution by the Fulton County Industrial Development Agency of certain agreements in connection with the Fulton County YMCA Project as presented.

MADE BY: Joe Gillis
SECONDED: Joe Semione
VOTE: 4 in favor, 0 opposed, 1 abstained (D'Amore)

VI. OTHER BUSINESS:

1. Next Meeting:

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

VII. CLOSE MEETING:

MOTION : To close the meeting.
MADE BY : Joe Gillis
SECONDED : Joe Semione
VOTE : Unanimous
TIME : 9:45 a.m.