FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY SEPTEMBER 8, 2020 8:00 A.M. PLANNING DEPARTMENT CONFERENCE ROOM

MEETING NOTES

PRESENT ON CONFERENCE CALL:

DAVE D'AMORE, CHAIRMAN
JOE SEMIONE, VICE CHAIRMAN
TODD RULISON, TREASURER
JANE KELLEY, SECRETARY
TIM MUNN, MEMBER
MIKE FITZGERALD, MEMBER
JAMES MRAZ, EXECUTIVE DIRECTOR
KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
SCOTT HENZE, PLANNING DIRECTOR
TRAVIS MITCHELL, FULTON COUNTY CENTER FOR REGIONAL GROWTH
JOHN BLACKMON, LIAISON, ECONOMIC DEVELOPMENT AND ENVIRONMENT
COMMITTEE

I. ROLL CALL:

	Aye	Nay	Abstain	Absent
Dave D'Amore	<u>X</u>			
Joe Semione	<u>X</u>			
Todd Rulison	<u>X</u>			
Jane Kelley	<u>X</u>			
Mike Fitzgerald	<u>X</u>			
Joseph Gillis				<u>x</u> .
Tim Munn	<u>X</u>			

II. MINUTES FROM AUGUST 11, 2020 MEETING:

MOTION MADE BY SECONDED ROLL CALL VOTE	: Mike I : Todd I	t as presented Fitzgerald Rulison			
Dave D'Amore Joe Semione Todd Rulison Jane Kelley Mike Fitzgerald Joseph Gillis Tim Munn NOTE: A transcript	of the August		_	Abstain ————————————————————————————————————	
III. BUDGET RE MOTION : MADE BY : SECONDED : ROLL CALL VOTE Dave D'Amore Joe Semione	EPORT: Accept as president Jane Kelley Tim Munn	sented. Aye	Nay ——	Abstain	Absent ——
Todd Rulison Jane Kelley Mike Fitzgerald Joseph Gillis Tim Munn		X X X X X X			<u></u>
A. NominatirNo repB. Audit Con			orts: Dave D'A	Amore	

 $IDA\ DISCUSSION:\ Dave\ D'Amore\ approved\ the\ Monthly\ Bank\ Reconciliation\ Reports.$

C. Governance Committee:

• No report.

D. Finance Committee:

• No report.

V. <u>FULTON COUNTY/FULTON COUNTY CENTER FOR REGIONAL GROWTH (FCCRG)</u> <u>REPORTS:</u>

1. Fulton County Report: John Blackmon, Liaison

2. FCCRG Report: Travis Mitchell

IDA DISCUSSION: John Blackmon stated that the County is conducting its budget review. He said no Department Head asked for any increase in expenditures in 2021. He stated FMCC has postponed all projects until 2021. John Blackmon stated that houses in Gloversville are selling quickly. It is a positive sign for the City of Gloversville. Dave D'Amore added that it's part of a trend where people from downstate are looking to get out of the City and are moving into upstate New York.

Travis Mitchell presented the FCCRG's monthly report, a copy of which was attached to the Agenda. Travis Mitchell stated that the FCCRG sent out a constant contact e-mail blast regarding sites available at the Tryon Technology Park. He stated demolition of the building behind the CRG building has been completed and work is currently progressing on the façade. He stated Microenterprise grant checks were recently distributed to Frank's Gun Shop and Austin Glass. He stated there will be a joint Gloversville-Johnstown Town Hall meeting on September 23rd. Travis Mitchell referenced there are several new business leads the CRG is currently pursuing.

VI. <u>OLD BUSINESS:</u>

A. <u>IDA Website:</u>

1. Background:

- At its November 12, 2019 meeting, IDA Board hired Emery Designs to update IDA's website.
- Executive Director has been participating in weekly Conference Calls with Emery Designs to discuss various issues.
- ➤ At its January 14, 2020 meeting, the IDA Board agreed to consolidate the information on the Tryon Technology Park website (tryontechnologypark.com) into the IDA's website (fcida.org) but retain the domain name Tryon Technology Park.

2. Status Report:

- ➤ In response to the COVID Pandemic, Emery Designs is working on adding narrative/graphics to the Home page emphasizing that Fulton County is a safe, healthy, low-risk place to live/do business.
- Emery Designs is recommending that the IDA join LinkedIn and advertise on it.
- > Emery Designs is obtaining cost estimates for advertisements.
- ➤ Developing flow chart of Fulton County's Economic Development Program and summary of everyone's roles to put on website.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He asked Board members if they thought it would be appropriate to have narrative graphics added to the IDA website's Home page emphasizing that Fulton County is a safe, healthy, low-risk place to live and do business. Jane Kelley stated, "yes". She said that this area is both healthy and safe. She added that the Home page should also reference how beautiful the area is and that we're in the foothills of the Adirondacks. Dave D'Amore agreed saying that the terms "safe" and "healthy" were good but did not recommend using the term "low-risk." Dave D'Amore added that using the County's phrase of taking 180 degree turn from a busy lifestyle should also be included as well as the word "quieter." Jim Mraz stated that he would take these suggestions and provide those to Betsy Emery.

With respect to development of a flowchart of Fulton County's Economic Development Program, Dave D'Amore stated that he has reviewed the draft. He stated that the flowchart component needs to be worked on. He stated the narrative looks acceptable. Jim Mraz stated that he would send an e-mail to everyone a copy of the draft flowchart and seek ideas and input on how to improve the flowchart component.

Jim Mraz said Betsy Emery is recommending that the IDA join LinkedIn and begin advertising on it. He said he would discuss this further later in the Agenda.

B. Cushman Wakefield:

1. <u>Background:</u>

- At its April 14, 2020 meeting, the IDA Board authorized the Chairman to execute a Listing Agreement with Cushman Wakefield to market Tryon.
- Listing Agreement has been executed.

2. Status Report:

- Cushman Wakefield has listed Tryon's shovel-ready land and the two (2) buildings onto their website as follows:
 - The land is listed at \$27,500 per acre.
 - The 15,000+/- sf Building 60/the former Maintenance Shop is listed at \$150,000.
 - The 15,000+/- sf portion of Building 3 referred to as the Midas Building is listed at \$350,000.
- > Cushman Wakefield has advised that there is a party interested in several existing buildings.

DISCUSSION: Jim Mraz stated there will be an Executive Session today to discuss this party's interest.

C. Lands on South Side of CR107:

1. <u>Background:</u>

- IDA Board retained Coldwell Banker Arlene M. Sitterly to market the 27+/- acre parcel of land on the south side of CR107.
- The IDA Board received four (4) formal offers to purchase the property. One of the offers was subsequently withdrawn.

2. May 12, 2020 IDA Board Meeting:

• At its May 12, 2020 meeting, the IDA Board unanimously agreed to accept the offer from Squires/McCashion.

3. June 9, 2020 IDA Board Meeting:

- On May 22, 2020, Dave Huckans/Dr. Shri Verma submitted a revised offer to the IDA. Revised offer increased purchase price from \$30,000 to \$90,000 with no contingencies.
- On June 8, 2020, Clayt Sitterly emailed the IDA advising that his clients, Squires/McCashion, had decided to not pursue its project and was therefore withdrawing its offer to purchase the 27+/- acres on the south side of CR107.
- At its June 9, 2020 meeting, the IDA Board agreed to meet with Mr. Huckans and Dr. Verma to discuss their revised proposal.

4. July 14, 2020 Meeting:

- On June 12, 2020, IDA representatives met with Dave Huckans, Dr. Verma and Baljit Verma to discuss their revised offer.
- Their plan for the property includes the following:
 - > Create a business to manufacture and distribute probiotics.
 - > Promote organic farming and use the site as a hub for selling organic farm-to-table products.
 - > Relocate an existing business to the site.
- On June 15, 2020, a request was made to Dave Huckans and Dr. Verma to prepare and submit to the IDA a more detailed business plan.
- On June 15, 2020, several questions were asked of the IDA about the property. Responses were provided on June 16, 2020.
- National Grid came to the site on June 23, 2020 to mark the location of their gas mains.
- On June 24, 2020, Dave Huckans called to ask that the utility rooms to the existing buildings be opened so he and Gloversville Water Department could see where water lines entered each building. Those utility rooms were opened the same day.
- On July 7, 2020, Dave Huckans submitted a revised business plan summarizing how they intend to develop the site. Revised plan was submitted and reviewed at July 14, 2020 meeting.
- At July 14, 2020 meeting, IDA Board authorized its Chairman to execute a Purchase Contract for the sale of these 27+/- acres to Huckans/Verma.

5. August 11, 2020 Meeting:

- Purchase Contract has yet to be signed by Verma/Huckans.
- Responded to series of questions submitted by Dave Huckans.
- Conducted conference call on August 3, 2020 with Dave Huckans and Paul Kolodziej, his attorney.
- Mr. Huckans is seeking additional information on three (3) items:
 - 1. Estimated IDA legal fees that Mr. Huckans will be responsible for paying.
 - 2. Verification that the Town of Perth or Fulton County will take over ownership of access driveway.
 - 3. Verification that this parcel will be included in proposed Fulton County Sewer District No. 4.
- Mr. Huckans advised that these issues need to be addressed in order for them to execute the Purchase Contract.

• IDA Board agreed to ask Verma/Huckans to submit a signed Purchase Contract to the IDA by August 18, 2020.

6. <u>Update:</u>

- Executed Purchase Contract was received on August 18, 2020.
- Chairman D'Amore executed the Purchase Contract and it was returned on August 21, 2020.
- Deposit check has been received and is being held by Coldwell Banker.
- Purchase Contract included three (3) conditions:
 - 1. Estimated IDA legal fees that Mr. Huckans will be responsible for paying.
 - 2. Verification that this parcel will be included in proposed Fulton County Sewer District No. 4.
 - 3. Verification that the Town of Perth or Fulton County will take over ownership of access driveway.
- Item #1 has been addressed. Kara Lais sent an estimate to Paul Kolodziej, the Purchaser's attorney.
- Item #2 has been addressed. On August 18, 2020, Jim Mraz e-mailed Dave Huckans a map showing that the parcel was included in proposed Fulton County Sewer District No. 4.
- Item #3 still needs to be addressed by the Buyers prior to closing.
- Purchase Contract stipulates that the closing shall be on or before September 30, 2020.
- Purchase Contract says the attorneys for Seller and Buyer had to agree to all matters by September 1, 2020. On September 1, 2020, Kara Lais sent e-mail to Paul Kolodziej, the Buyer's Attorney, identifying several modifications to Purchase Contract.
- Purchase Contract says the Seller shall cooperate in providing any survey to the Purchaser and that the Purchaser shall pay for the cost of updating any such survey or the cost of a new survey. On September 2, 2020, Jim Mraz sent Dave Huckans a copy of the Boundary Survey Map Ferguson & Foss prepared when the IDA took title to property from New York State showing the parcel on the south side of CR107 as well as a written description.
- Dave Huckans met with David Dopp, Town of Perth Highway Superintendent, to discuss having Town take over road.
- David Dopp said owner of road must request Town take over.
- As current owner, IDA must submit request to Town of Perth.

IDA DISCUSSION: Jim Mraz reviewed the updated information included in the Agenda. He asked if there were any questions regarding the Town of Perth's request to have the IDA ask the Town of Perth to take over the Town road? Mike Fitzgerald asked if having the IDA ask for the road to be taken over, will it still result in the buyers paying for improving the road to Town standards? Jim Mraz stated, "yes." Tim Munn asked what the condition of the road was. Jim Mraz stated it needs some work. He stated that the improvements that the Town would ask for were supposedly provided to Mr. Huckans during his meeting with Mr. Dopp. Jim Mraz said he would contact Dave Huckans to see if Tryon Organics Enterprises is willing to pay for improving the road. He said if they are, the letter to the Town will be sent. If they are not going to pay to improve the road, there would be no sense in sending the letter. All IDA Board members agreed.

IDA ACTION:

MOTION:

To authorize the Chairman to send a letter to the Town of Perth asking that the Town take over ownership of the road on the parcel of land on the south side of CR107 across from the entrance to the Tryon Technology Park that the IDA has received an offer on to purchase.

MADE BY: Joseph Semione SECONDED: Todd Rulison

ROLL CALL VOTE:

ROLL CALL VOIE.				
	Aye	Nay	Abstain	Absent
Dave D'Amore	<u>X</u>			
Joe Semione	<u>X</u>			
Todd Rulison	<u>X</u>			
Jane Kelley	<u>X</u>			
Mike Fitzgerald	<u>X</u>			
Joseph Gillis				<u>x</u> .
Tim Munn	<u>X</u>			

D. Proposed Nexus Renewables Solar Project:

1. Status Report:

- Nexus Renewables still working with Town Planning Board to obtain local approvals.
- Jim Mraz e-mailed proposed Site Plan, Decommissioning Plan and Decommissioning Cost Estimate to IDA Board members on September 4, 2020 to review.
- Review Decommissioning Plan.

IDA DISCUSSION: Jim Mraz asked IDA members if they had any comments regarding the draft Decommissioning Plan? Mike Fitzgerald stated that the IDA should be listed as a beneficiary. Jim Mraz stated that he had a number of comments on the Plan that he would be submitting to the Town Planning Board for their consideration at their meeting tonight. Jim Mraz asked Kara Lais if the IDA should approve this Decommissioning Plan? Kara Lais stated, "yes." Jim Mraz stated that he would work with the Town Planning Board to develop a final Decommissioning Plan that both the Town Planning Board and IDA Board can approve. Once ready, it would be presented to the IDA Board for their approval.

VII. <u>NEW BUSINESS:</u>

A. Fulton County YMCA Project:

1. Background:

- In 2008, the IDA issued \$5,450,000 in Civic Facilities Bonds to the Fulton County YMCA to construct their new facility on Harrison Street.
- The Bonds were purchased by NBT Bank.
- The Bonds are scheduled to mature on July 1, 2030.

2. COVID-19 Pandemic:

a. Initial Bond Payment Deferral:

- As a result of the COVID-19 Pandemic, the YMCA has been closed.
- ➤ On May 4, 2020, Chris Defibaugh, CEO of the YMCA, contacted Jim Mraz to advise that the YMCA applied to NBT Bank for a 3-month deferral of its principal and interest payment due NBT.
- ➤ The deferral would be for a 3-month period of April 1 June 30.
- ➤ The deferral would result in the maturity date of the bonds being changed from July 1, 2030 to October 1, 2030.
- ➤ The IDA Board, at its May meeting, authorized having a letter sent to NBT Bank stating it supported this 3-month deferral.

b. 2nd Bond Payment Deferral:

- ➤ On August 14, 2020, Chris Defibaugh contacted Jim Mraz advising that the YMCA had applied to NBT Bank for a 2nd bond deferral payment.
- ➤ The deferral would be for a 3-month period of July 1 September 30.
- ➤ The deferral would result in the maturity date of the bonds being changed from October 1, 2030 to January 1, 2031.
- ➤ NBT Bank would like another letter from the IDA advising if it supports this 2nd deferral.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He asked if there were any questions. There were none.

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MOTION: To authorize the Executive Director to send a letter to NBT Bank advising that the IDA Board supports this second deferral.

MADE BY:	Todd Rulison
SECONDED:	Jane Kelley
ROLL CALL VOTE:	

	Aye	Nay	Abstain	Absent
Dave D'Amore	<u>X</u>			
Joe Semione	<u>X</u>			
Todd Rulison	<u>X</u>			
Jane Kelley	<u>X</u>			
Mike Fitzgerald	X			<u></u>
Joseph Gillis				 .
Tim Munn	X			

B. Site Selectors Guild Survey Finds Shifting Corporate Location Preferences;

1. Survey Findings:

a. Suburbs, Mid-Size Cities and Rural Areas Will be the Next Winners for Corporate Location Projects

- The pandemic has brought suburban areas and mid-size cities into the forefront of consideration for future site selection projects.
- Rural areas are now well ahead of large urban areas.
- Consultants indicated that New York would be hit especially hard among the nation's largest cities.
- Of the consultants who agreed that large urban centers are "not at all" or "unlikely" to be considered for future projects, 100% said that New York City would be among the least likely locations to be considered for future projects in the next 12 months.

b. Consultants Report 61% of Site Selection Projects are Moving Forward

- Office projects will remain on hold until there is a clearer understanding on what the "office of the future" will look like and footprint requirements.
- Manufacturing will continue to be driven by the need to de-risk the global supply chain.
- There will be an accelerated rate of reshoring as well as more, smaller regional facilities to mitigate risk.

c. Food and Beverage Processing Emerges as Hot Industry, Biotech and Manufacturing Activity Continue to Hold Strong

- In June, the food and beverage processing industry saw the largest increase in project activity when compared to the April survey.
- The top five most active industries with comparisons to Guild member selections in April are listed below:
 - 1. Biotech and Life Sciences 67% (down from 68%)
 - 2. Advanced Manufacturing 51% (up from 29%)
 - 3. Food and Beverage Processing 47% (up from 16%)
 - 4. Transportation and Logistics 44% (down from 48%)
 - 5. Software and IT 31% (up from 19%)

d. Economic Developers Should Begin Shifting Focus Back to Business Attraction\

- Guild members believe an economic development organization's (EDO) priority focus in the COVID-19 environment should be on:
 - 1. Business retention
 - 2. Workforce development/talent attraction
 - 3. Business attraction

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He stated that the survey provides a couple of interesting points. The first is that rural areas, like Fulton County, will be the next winners for corporate location projects. The other one is that the Food and Beverage Industry Cluster is one of the fastest growing Industry Clusters according to the Site Selectors. The Food and Beverage Industry was identified in the Targeted Industry Analysis as one of the Industry Clusters that would do well at the Tryon Technology Park.

C. Proposed 2021 IDA Budget:

- 1. Background:
 - IDA must adopt and file with PARIS a 2021 Budget by October 31, 2020.

2. Proposed 2021 Budget:

• See attached.

3. Potential 2021 IDA Initiatives:

- 1. Advertising on LinkedIn.
- 2. Purchasing data from Statebook.
- 3. Preparing buildings at Tryon for demolition.
- 4. Site cleanup at Tryon.
- 5. Marketing material for Tryon Development Area.
- 6. Identifying sites for development.
- 7. Food Site Certification.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He stated that he wanted to present a first draft of the budget to the Board today and obtain input from IDA Board members on other potential projects and initiatives to undertake in 2021. He would then come back at the October meeting and present a final budget for approval and adoption.

Jim Mraz reviewed the proposed 2021 Budget for the IDA. The 2020 Budget was \$277,810. The proposed 2021 Budget, at present, stands at \$97,660. He stated the big difference is the removal of the revenue and expenditures associated with Vireo Health's electricity bill.

Jim Mraz reviewed several line items in the proposed budget. The first was the \$10,000 line item for Desktop Environmental Assessments. This was also included in the current year's budget. He stated there is also a \$12,000 budget item for the IDA's website. This would include three (3) items:

- 1. \$5,000 contract with Emery Designs to perform monthly updates.
- 2. \$5,000 to advertise on LinkedIn.
- 3. \$2,000 to purchase data from Statebook.

He stated the purchasing of data would be a joint effort with Fulton County and the Fulton County Center for Regional Growth.

Jim Mraz then reviewed the information on the Agenda regarding potential 2021 IDA Initiatives. He stated monies are in the proposed budget for Items 1 and 2. He then reviewed Items 3-7 on the Agenda. With respect to the Food Site Certification, he referenced the information attached to the Agenda. He

stated that Jay Garner from Garner Economics, who was one of the Site Selectors who came to Fulton County a couple of years ago, is now offering this Food Site Certification. He stated, given that the Targeted Industry Analysis for the Tryon Technology Park identified the Food and Beverage Industry Cluster as one that would succeed and the fact that, according to the Corporate Site Selectors' survey, the Food and Beverage Cluster is growing rapidly, he thought it would be worth taking a look at obtaining this certification for a site at the Tryon Technology Park. He stated it's not a cheap process, but one that could proceed if funding partners could be obtained.

Joe Semione stated that he wants to see Tryon move forward. He stated that the IDA will hopefully be generating revenue shortly from the sale of property at Tryon that he would like to see reinvested into Tryon. He thinks that preparing certain buildings for demolition by cleaning them up and doing asbestos abatement is something that the IDA should consider for 2021. He suggested putting \$100,000 into next year's budget for this cleanup work. He stated that if the money is put in, it doesn't mean that it has to be spent. He, again, emphasized that this work would only proceed if the IDA generates revenues from the sale of buildings and lands that they are currently contemplating.

Joe Semione stated that with respect to the Food Site Certification, if funding partners could be obtained and the IDA's cost be up to \$7,500, it's something that he thinks the IDA Board should consider.

Todd Rulison agreed stating that if the IDA generates the revenues from the sale of buildings and lands and funding partners can be obtained, doing the Food Site Certification would be a good initiative for next year. He stated that identifying the sites for future shovel-ready sites should also be pursued. He stated it takes so long now to develop a shovel-ready site that the IDA needs to be looking ahead.

Mike Fitzgerald stated that the Food Site Certification seems like a good idea. He stated there's already a base of food manufacturers in the two (2) County region. In addition, there are three (3) main distribution centers nearby. He stated the availability of these distribution centers maybe attractive to food manufacturers.

Tim Munn stated that the Food Site Certification is expensive. He stated that, in order for the IDA to pursue this, there would need to be a cost sharing with other partners. He stated it does seem like a good opportunity to pursue if funding partners could be obtained.

Joe Semione stated that he would suggest that the 2021 Budget also include \$75,000+/- for site acquisition.

There was a brief discussion about putting together marketing materials for the Tryon Development Area.

Jim Mraz stated that, based upon the input received, he would revise the 2021 Budget accordingly and present it for approval at next month's meeting.

VIII. OTHER BUSINESS:

A. 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:

MADE BY

TIME

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.

SECOND :	Dave D'Amore			
ROLL CALL VOT	E :			
	Aye	Nay	Abstain	Absent
Dave D'Amore	<u>X</u>			
Joe Semione	<u>X</u> X X			
Todd Rulison	<u>X</u>			
Jane Kelley	<u>X</u>			
Mike Fitzgerald	<u>X</u>			
Joseph Gillis				<u>X .</u>
Tim Munn	<u>X</u>			

Joseph Semione

9:13 a.m.

12

MOTION :	To go out of Executive Session.	
MADE BY: SECOND: ROLL CALL VOTE	Dave D'Amore Tim Munn E : Aye Nay Absta	ain Absent
Dave D'Amore Joe Semione Todd Rulison Jane Kelley Mike Fitzgerald Joseph Gillis Tim Munn	X X X X X X	<u></u>
TIME :	9:31 a.m.	
Tuesday October 13, 2 8:00 a.m.	2020	
X. <u>CLOSE MEI</u>	ETING:	
MOTION: MADE BY: SECONDED: ROLL CALL VOTE	To close the meeting Joseph Semione Mike Fitzgerald	
Dave D'Amore Joe Semione Todd Rulison Jane Kelley Mike Fitzgerald Joseph Gillis Tim Munn	Aye Nay Absta X	Absent ————————————————————————————————————
TIME :	9:32 a.m.	