

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
APRIL 13, 2021
8:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM

TRANSCRIPT

PRESENT:

JOSEPH SEMIONE, CHAIRMAN
JANE KELLEY, VICE CHAIRMAN
MIKE FITZGERALD, TREASURER
JOSEPH GILLIS, SECRETARY
DAVID D'AMORE, MEMBER
JAMES MRAZ, EXECUTIVE DIRECTOR
KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
SCOTT HENZE, PLANNING DIRECTOR
WARREN GREENE, LIAISON, ECONOMIC DEVELOPMENT AND ENVIRONMENT COMM.
GREG FAGAN, FULTON COUNTY CENTER FOR REGIONAL GROWTH

I. ROLL CALL:

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

Jim Mraz: We have a quorum.

II. MINUTES FROM MARCH 9, 2021 MEETING:

Jim Mraz: We'll start with the minutes from the March 9th meeting. Everyone received a copy of it. Are there any questions or comments on those minutes?

Joe Semione: I'll make a motion to accept them.

Jim Mraz: Joe makes the motion. Is there a second to that motion?

Jane Kelley: I'll second.

Jim Mraz: Roll call vote to accept the minutes.

MOTION : Accept as presented.
MADE BY : Joe Semione
SECONDED : Jane Kelley
ROLL CALL VOTE :

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

NOTE: A transcript of the March 9, 2021 meeting has been prepared and posted on the IDA's website in compliance with Governor Cuomo's Executive Order suspending the Open Meetings Law.

III. BUDGET REPORT:

Jim Mraz: Okay. Moving onto the Budget Report that is attached to your Agenda. On the revenue side, we received the annual administrative free from CG Roxane. On the expenditure side, regular salary, building insurance, there was progress payment made to the West & Company for work on the Audit. And then there were expenses out at Tryon: electricity. And the payment to Emery Design for ongoing work to the IDA website. All pretty basic straight forward expenditures this past month. Are there any questions on that report? Hearing none, would someone make a motion to accept?

Mike Fitzgerald: I'll make that motion, Jim.

Jim Mraz: Mike. Is there a second?

Jane Kelley: I'll second.

Jim Mraz: Roll call vote to accept the Budget Report.

MOTION : Accept as presented.
MADE BY : Mike Fitzgerald
SECONDED : Jane Kelley
ROLL CALL VOTE :

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

IV. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Mike Fitzgerald

Jim Mraz: Committee Reports. Audit Committee, Monthly Bank Reconciliation. Mike, did you look at those?

Mike Fitzgerald: Yes. I looked at them yesterday. Everything was in order and they reconciled and I returned the signed documents back to Carol.

Jim Mraz: Very good. Thank you, Mike.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

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

1. Fulton County Report: Warren Greene, Liaison
2. FCCRG Report: (See attached.) Greg Fagan

Jim Mraz: Onto Other Reports. We'll start with Fulton County Report. I would like to welcome Warren Greene to the IDA Board meeting. Warren volunteered as the Economic Development and Environment Committee's Liaison to the IDA Board for this year. Welcome, Warren. Anything to report from the County's perspective?

Warren Greene: No, not really. The County's moving along. I think the main thing that I worked on last year as Chairman and what's been going on a lot this year, too, is trying to work out the Coronavirus. That's a huge thing and, hopefully, we will have that under control by the summer I would hope and, hopefully, economic activity will start to bubble up. At least that's our hope. It's tough because with the variants and what's going to happen there and probably some hesitancy on the part of some people to get the vaccine. We are kind of working through all of that. But, hopefully, once the majority of people in Fulton County get a vaccine and/or have already had the virus and have immunity as a result, I think things will start to open up more.

Jim Mraz: I know I can't wait.

Warren Greene: I know. Me, too.

Jim Mraz: Thanks, Warren. CRG Report. Greg Fagan hasn't checked in, so the CRG's report is attached to your Agenda. Please review that and we'll move on.

VI. OLD BUSINESS:

A. Nexus Renewables Solar Project:

1. Background:

- In 2020, Nexus Renewables filed a Project Application with the IDA seeking financial incentives for an 8.1 MW solar project proposed adjacent to the Tryon Technology Park.
- Subsequent to filing their Project Application, Nexus decided to amend its proposed project by dividing it into four (4) components to be developed and operated by Solar 1 LLC, Solar 2 LLC, Solar 3 LLC and Solar 4 LLC.

2. Revised Project:

a. Project Size:

- National Grid de-rated Nexus' solar project from 8.1 MWdc to 3.0 MWdc.
- The project will remain on the same leased area but occupy a smaller footprint.
- The revised sizes of the four (4) individual solar projects are shown below:

	Original	Revised
Solar LLC 1	5.85 MWdc	0.75 MWdc
Solar LLC 2	0.75 MWdc	0.75 MWdc
Solar LLC 3	0.75 MWdc	0.75 MWdc
Solar LLC 4	0.75 MWdc	0.75 MWdc
Total	8.10 MWdc	3.0 MWdc

b. Interconnection Route:

- The revised route would run along the rear property line of the parcel Vireo occupies and then across IDA-owned land between the pond and wastewater pump station and then interconnect into National Grid's overhead lines that exist along the secondary access road.

c. Project Cost:

- Due to the changes to the project, the total project cost has been reduced from \$10.5 million to \$5.6 million.

d. Project Schedule:

- Nexus had originally planned on completing its solar project in the fall of 2021.
- However, National Grid recently advised Nexus that they would not be able to complete the interconnection until the summer of 2022.
- As a result, this solar project will not be completed until the summer of 2022 or whenever National Grid completes the interconnection.

3. Project Application:

- Due to the various changes that have been made to the project, Nexus was asked to revise and resubmit its Project Application to reflect all of these changes.
- The revised Project Application has been received.

4. Resolution:

- On August 11, 2020, the IDA Board adopted a final resolution approving the solar project, authorized granting financial incentives and authorizing the Chairman to execute closing documents.
- Due to the changes made to the project, this resolution needs to be revised and readopted.
- See revised Resolution.

Jim Mraz: Let's move onto Old Business. Nexus Renewables, our solar project adjacent to Tryon. Because the nature and description of this project has changed from what was originally submitted, it was felt that, in talking with Kara, that the resolution that the Board adopted last fall to approve this project, that we should redo because of the changes in the project. Some of the key changes were the size of the project, it got reduced. The interconnection route, how that route that the wires that were going to be run from the solar projects to National Grid's system changed. Because the project was reduced in size, the project cost was also reduced. The schedule has changed. And a few other things have changed. So, what we did was we asked Nexus to resubmit its Project Application and include into that revised application all of the updated components of the project description. That revised application has been received and, based upon all that, Kara has drafted the new resolution that does the same thing as the resolution that you approved last August. Alright? It just now contains the revised descriptions of the project so that we insure that we are, we have on the record that we took an action to approve the project as it's actually now being described. Kara, is there anything to add to the background?

Kara Lais: I don't think so. This is just a full replacement of the resolution that was previously adopted for clarification purposes, so that when the final project documents are completed and posted to the website and then it all makes sense to what we approved.

Jim Mraz: Okay. The Resolution was attached to the Agenda. And, again, it is taking the same actions that were taken back in August of 2020. Are there any questions on this proposed resolution? Hearing none, would someone make a motion to adopt the resolution as presented?

Joe Semione: I make that motion.

Jim Mraz: Joe.

Joe Semione: Yes.

Jim Mraz: Is there a second to that motion?

Joe Gillis: I second.

Jim Mraz: Joe Gillis. Are there any further questions or comments on the proposed resolution? Hearing none, let's do a roll call vote.

IDA ACTION:

MOTION: To adopt a Resolution amending and restating in its entirety a resolution adopted August 11, 2020 taking preliminary action toward undertaking a certain project, as defined herein, appointing Nexus Renewables U.S. Inc., or an entity to be formed (the “Company”), as agent of the Agency for the purpose of constructing and equipping the project facility (as defined herein) and authorizing the execution and delivery of an Agent Agreement and closing documents by and between the Agency and the Company.

MADE BY : Joseph Semione

SECONDED : Joseph Gillis

ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Joe Semione	<u>X</u>	—	—	—
Jane Kelley	<u>X</u>	—	—	—
Mike Fitzgerald	<u>X</u>	—	—	—
Joseph Gillis	<u>X</u>	—	—	—
Todd Rulison	—	—	—	<u>X</u>
Dave D’Amore	<u>X</u>	—	—	—

Jim Mraz: Very good. The motion is passed.

5. Easement Agreement:

- At the March 9, 2021 meeting, IDA Board endorsed a revised plan for interconnecting the four (4) separate solar projects into National Grid’s electrical system that included:
 - a) The route for interconnecting would run along the rear property line of the parcel Vireo occupies and then cross IDA-owned land between the pond and wastewater pump station and then interconnect into National Grid’s overhead electrical lines that run along the secondary access road that runs between CR107 and CR117.
 - b) The electrical lines would be run overhead.
- An Easement Agreement between the IDA and Solar 1 LLC, Solar 2 LLC, Solar 3 LLC and Solar 4 LLC has been drafted.
- Authorization is needed for the Chairman to execute this Easement Agreement.

Jim Mraz: The second item asking for authorization to sign an Easement Agreement. This Easement Agreement would be granting an easement to the four (4) solar companies that will be operating the four (4) individual solar projects to run electric wires from those projects to the interconnection point into National Grid’s power system out there. This is where, as we talked about at the last meeting, this will come out down between the pond and the wastewater treatment plant and pump station and then go up the hill. It’s in the area where there’s already existing power poles, so they are not going to be adding a new look to this site. It’s way off the road and will probably barely be seen. So, looking for authorization to sign this Easement. The Easement will be 40’ wide, and it will provide a place for these wires and poles to be located within.

Joe Semione: Question. Vireo’s all set. You had said before.

Jim Mraz: Yes. They have worked that out directly with these four (4) companies. This Easement applies to just where it will be crossing IDA land.

Joe Semione: Okay. Very good. I'll make that motion then to accept it.

Jim Mraz: Joe Semione. Is there a second to that motion?

Joe Gillis: I'll second.

Jim Mraz: Joe Gillis. Thank you, Joe. Any further discussion?

IDA ACTION:

MOTION: To authorize the Chairman to execute an Easement Agreement with Solar 1 LLC, Solar 2 LLC, Solar 3 LLC and Solar 4 LLC.

MADE BY: Joseph Semione

SECONDED: Joseph Gillis

ROLL CALL VOTE:

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

Jim Mraz: Okay. I see Greg Fagan has made its way onto the screen today. Greg, welcome. Is there anything you would like to report from the CRG's standpoint?

Greg Fagan: Good morning. I'm sorry I was late. I'm experiencing a little technical difficulty out here for some reason this morning. It always seems to do this when I have to zoom. Yeah, we've got an ongoing training program that's been running very well. We've had between 15 and 20 participants in the last two (2) sessions which has been doing very well. We've been working hard along with you guys to try and market properties at Tryon. It is nice to see interest out there. We did get a letter from Dan Hawkins who is the Chairman/CEO of Benjamin Moore, basically expressing his gratitude and thanks for what CRG did and I think it didn't mention IDA by name but it did mention financial incentives. So, you guys are part of that package, so very appreciative of what we were able to accomplish to help them with their expansion here in Johnstown instead of somewhere else in the northeast. They are a great asset to our community, and I think it's a good sign of not only what CRG is doing but also the IDA is doing here recently, too. So, I'm hoping to keep that relationship going. Joe, did you decide to take that position on our Microenterprise Grant Loan?

Joe Semione: Already did.

Greg Fagan: Beautiful. We felt you would be a good addition to that Board and keeping the IDA in that loop as well. So, unless anybody else had any other questions, because I believe you all have a copy of this, correct?

Greg Fagan: If there are any other questions, I'll take them. Otherwise, I will let you guys get on with your meeting.

Jim Mraz: Any questions for Greg? Very good. Thank you, Greg.

Greg Fagan: You're welcome.

VII. NEW BUSINESS:

A. Leasing Lands at Tryon Technology Park:

1. Background:

- In 2020, R & R Farms paid the IDA \$30/acre to lease approximately 40 acres.
- In 2020, R & R Farms requested to lease an additional 15 acres bringing the total to 55 acres leased.

2. 2021 Lease Agreement:

- R & R Farms desires to lease the same 55 acres of land in 2021 at the \$30/acre rate.

Jim Mraz: Okay, back to the Agenda, under New Business. Asking for authorization for the Chairman to execute the annual agreement with R & R Farms to lease lands at Tryon for them to grow crops on. This has been a number of years that we have done this and they have again requested the opportunity to do that. Are there any questions on this request? Hearing none, would someone be willing to make a motion to authorize the Chairman to execute that Agreement.

Dave D'Amore: I'll make that motion.

Jim Mraz: Dave D'Amore. Is there a second to that motion?

Joe Semione: I'll second.

Jim Mraz: Joe Semione. Any further discussion or comments? Hearing none, let's do a roll call vote to authorize the Chairman to execute this Agreement.

IDA ACTION:

MOTION: To authorize the Chairman to execute an Agreement with R & R Farms to lease approximately 55 acres of land at the Tryon Technology Park for the sum of \$1,650.

MADE BY: Dave D'Amore

SECONDED: Joseph Semione

ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Joe Semione	<u>X</u>	___	___	___
Jane Kelley	<u>X</u>	___	___	___
Mike Fitzgerald	<u>X</u>	___	___	___

Joseph Gillis	<u>X</u>	—	—	—
Todd Rulison	—	—	—	<u>X</u>
Dave D'Amore	<u>X</u>	—	—	—

B. Lawn Mowing Quotes:

- A Request for Quotes (RFQ) was distributed to four (4) companies/individuals to mow lawn at the Tryon Technology Park in 2021.
- Quotes were due by April 7, 2021.
- Quotes based upon performing the following work:
 - Finish Mowing : 7
 - Brush Hog : 3
 - Alternate Brush Hog* : 3

* This alternative bid is to mow around the former Maintenance Building.

- Following quotes were received:

Company	7 Finish Mowing	3 Brush Hog/Flail	3 Alternate	Total without Alternate	Total with Alternate
Evergreen Landscaping	\$ 3,976	\$ 2,352	\$ 300	\$ 6,328.00	\$ 6,628.00
James Esper Landscape	\$ 3,150	\$ 3,600	\$ 900	\$ 6,750.00	\$ 7,650.00
Lawn Jockey	\$ 2,520	\$ 4,950	\$ 495	\$ 7,470.00	\$ 7,965.00
Greenscapes	\$ 4,760	\$ 4,680	\$ 750	\$ 9,440.00	\$10,190.00

- Previous Year Costs:

2014	:	\$5,160	:	Greenscapes
2015	:	\$8,820	:	Evergreen
2016	:	\$7,520	:	Greenscapes
2017	:	\$8,500	:	James Esper
2018	:	\$10,700	:	James Esper
2019	:	\$8,934	:	Evergreen
2020	:	\$6,480	:	Greenscapes

Jim Mraz: Okay. Next item on the Agenda is our annual lawn mowing quotes. We sent out four (4) RFQ's. Quotes came back last week and the lowest quote came from Evergreen Landscaping for a total of \$6,328 for the mowing that was requested in the RFQ. Any questions on those quotes?

Joe Semione: Are we planning on using the three (3) alternative ones or just leaving that in there, alternate ones.

Jim Mraz: I wasn't planning on it, no.

Joe Semione: Okay good.

Jim Mraz: Would someone be willing to make a motion to authorize the Chairman to execute an Agreement with Evergreen Landscaping for mowing this year at Tryon?

Jane Kelley: I'll make the motion, Jim.

Jim Mraz: Jane Kelley. Thank you, Jane. Is there a second to that?

Dave D'Amore: I'll second.

Jim Mraz: Dave D'Amore. Thank you, Dave. Let's do a roll call vote.

IDA ACTION:

MOTION: To authorize the Chairman to sign an Agreement with Evergreen Landscaping in the amount of \$6,328.00 to provide lawn mowing services at the Tryon Technology Park in 2021.

MADE BY: Jane Kelley

SECONDED: Dave D'Amore

ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Joe Semione	X	---	---	---
Jane Kelley	X	---	---	---
Mike Fitzgerald	X	---	---	---
Joseph Gillis	X	---	---	---
Todd Rulison	---	---	---	X
Dave D'Amore	X	---	---	---

C. Lot Sale Fees:

- Cushman Wakefield recently recommended that the lot sale fee in the Tryon Technology Park be increased from \$20,000/acre to \$27,500/acre.
- IDA Board agreed and adjusted the lot sale fee for the Tryon Technology Park.
- It is proposed to adjust the lot sale fees in the Johnstown and Crossroads Industrial Parks as follows:

	<u>Current</u>	<u>Proposed</u>
Johnstown Industrial Park	\$20,000/acre	\$25,000/acre
Crossroads Industrial Park	\$20,000/acre	\$25,000/acre
Crossroads Business Park ¹	\$25,000/acre	\$25,000/acre
Crossroads Business Park ²	\$40,000/acre	\$40,000/acre

¹ For lands not bordering S. Kingsboro Avenue Extension

² For lands bordering S. Kingsboro Avenue Extension

Jim Mraz: Okay. Next item, Lot Sale Fees. We talked about this at your last meeting. Cushman Wakefield, as you know, recommended when they were retained by the IDA last year to increase the lot sale fees at the Tryon Technology Park to \$27,500. The IDA Board agreed with that recommendation and adjusted those fees for that particular park. Because that park's fees were increased, recommending that the fees in the Johnstown and Crossroads Industrial Parks, which are currently at \$20,000/acre, be increased to \$25,000/acre to try and keep them more consistent with the asking price is for lands in the Tryon Technology Park. So, that's what's being proposed. Questions? Comments?

Dave D'Amore: Jim, why is there a difference about the Crossroads Business Park for lands bordering S. Kingsboro Avenue Extension?

Jim Mraz: It was hoped years ago, Dave, that when Walmart came in adjacent to the Park, that there would hopefully be an increase in demand for lands that bordered S. Kingsboro Avenue Extension for potential retail/commercial businesses that typically follow a Walmart. So, the IDA Board, back then, felt that, in the Crossroads Business Park, that those lands that bordered, that had access right off of S. Kingsboro Avenue should be valued a little bit more than the lands off the street.

Dave D'Amore: Okay.

Jim Mraz: That was the basis. Okay? Hearing none, would someone be willing to make a motion to increase the lot sale price fees in those two (2) parks from \$20,000 to \$25,000?

Dave D'Amore: I'll make the motion.

Jim Mraz: Dave D'Amore. Is there a second?

Joe Semione: I second.

Jim Mraz: Joe Semione. Alright. Let's do a roll call vote to increase the lot sale prices in those two (2) parks to \$25,000.

IDA ACTION:

MOTION: To approve increasing the lot sale fees in the Johnstown and Crossroads Industrial Parks from \$20,000/acre to \$25,000/acre.

MADE BY: Dave D'Amore

SECONDED: Joseph Semione

ROLL CALL VOTE :

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

D. PARIS Reports:

- The following reports were successfully entered into PARIS on March 15, 2021:
 1. Certified Financial Audit
 2. Investment Report
 3. Procurement Report
 4. Annual Report

Jim Mraz: Okay. Just wanted to report to everyone that the required reports were successfully entered into PARIS a couple of weeks ago. That includes our Certified Financial Audit, Investment Report, Procurement Report and Annual Report. I e-mailed you all a copy of that just so you can see the level of detail that we have to submit each year for those and just to let you know that we have completed that work and those all have been accepted. As typically happens, we received some comments back from the

Comptroller's Office. They had some follow-up questions. It's good that we see those because it shows that they are actually reviewing our reports. We have responded to those comments, and those comments have been addressed successfully. Does anyone have any comments on what that PARIS report, the details that you saw?

Joe Semione: Just a quick question. What sort of questions? Were they looking for a slight change or was it just wording that they wanted or more information?

Jim Mraz: They looked at the figures from previous year to the current year. One of the projects and wanted to know why there was a difference in numbers. And, so, we explained that to them. They had a couple of other questions. Nothing significant. We provided some simple answers to and they accepted them all and said "Thank you very much."

Joe Semione: As you said, it's good that someone is actually looking instead of just putting it on some file cabinet.

Jim Mraz: Correct.

Joe Semione: Good.

E. Fulton County Site Inventory and Assessment Project:

1. Background:

- a. The Mohawk Valley Economic Development District (MVEDD) and Fulton County Center for Regional Growth (FCCRG) have secured funding to undertake a Site Inventory and Assessment Project in Fulton County.
- b. Funding is coming from a CARES Act COVID-19 Recovery and Resiliency Planning Grant and a grant from National Grid.

2. Request for Proposals:

- a. In February 2021, MVEDD issued a Request for Proposals (RFP) to certain consultants.
- b. The project goals stated in the RFP were to:
 - 1) Create a master list of Greenfield, vacant lots, and potential building sites available for development and redevelopment that can be marketed to site selectors to bring investors to Fulton County. The list should be a maximum of 25 Greenfield Sites, up to 10 vacant sites (urban) and up to 10 buildings.
 - 2) Diversify the options for site development, by including various types of site categories within the list.
 - 3) Assess what infrastructure is available to each site on the master list.
 - 4) Determine what needs to be done to the sites selected in order to make them shovel-ready.
 - 5) Create a map of the sites.
 - 6) Develop spec sheets for each site or a number of sites to be negotiated.

3. Proposals:

- a. MVEDD and FCCRG received two (2) proposals from:
 - 1) Elan Planning/Landscape Architecture/Engineering, D.P.C.
 - 2) MRB Group
- b. MVEDD and FCCRG are reviewing both proposals to determine which firm to hire.

4. Schedule:

- a. All work on this project is supposed to be completed in August 2021.

Jim Mraz: Moving on. The next item, just an FYI, Fulton County Site Inventory and Assessment Project. Mohawk Valley Economic Development District and CRG have secured funding to undertake the Site Inventory and Assessment Project here in the County. The MVEDD has received a couple of proposals. They and the CRG are currently reviewing those and, hopefully, they will be selecting a firm to start this work. They are hoping to have this work done later this summer. The intent is to try and find potential development sites here in Fulton County and looking forward to having an opportunity to work with those two (2) groups with that project. So, I will keep you updated as that work progresses. Any questions or comments on this item? Very good.

Joe Semione: I have a quick question for Greg. Do you know the two (2) proposals, have they come in now and you are just deciding on them. Is that's what's happening?

Greg Fagan: I don't know. At the last meeting, I don't think we had them back yet. I think they are in process. But, from what Ron said, it should be an excellent product when we get done.

Joe Semione: Good. We thank you for your help.

Jim Mraz: Okay.

F. Board Training:

1. Fulton County's Economic Development Program:

a. History:

- Prior to 1985, economic development efforts in Fulton County were decentralized. Several groups were involved:
 1. Montgomery-Fulton Economic Development Corporation
 2. Fulton County Community Development Corporation
 3. Mohawk Valley Economic Development District
 4. Fulton County Chamber of Commerce
 5. Fulton County Industrial Development Agency

- From 1983-84, the Board of Supervisors identified and evaluated various models for revising the County's economic development program. Based upon that evaluation, the Board of Supervisors determined that:
 - 1) Fulton County's economic development program should focus on marketing and be centralized.
 - 2) In 1984, Fulton County executed an Agreement with the Fulton County Community Development Corporation to market Fulton County. The Fulton County Community Development Corporation then changed its name to the Fulton County Economic Development Corporation (EDC).

- In 1988, the EDC created the Crossroads Incubator Corporation (CIC).

- Between 1988-2012, Fulton County, EDC, CIC and FCIDA worked together on economic development initiatives in Fulton County.
 - In 2009, a scandal developed with the EDC and CIC that created financial hardship on those two (2) Agencies.
 - In March 2012, the EDC decided to create the Fulton County Center for Regional Growth (FCCRG).
 - In October of 2012, the Board of Supervisors and FCCRG jointly announced a new “Business Development Marketing Plan for Fulton County”.
 - The purpose of this Plan was to realign the County’s economic development priorities by re-establishing “marketing” as the primary focus of Fulton County’s economic development program.
 - The Plan had several key components:
 - a) The FCCRG would remain as the primary economic development agency in Fulton County.
 - b) The FCCRG would dissolve the EDC and CIC.
 - c) The FCCRG’s primary mission shall be marketing Fulton County. The FCCRG would no longer be involved in the management of real estate.
 - d) Starting January 1, 2013, the Board of Supervisors shall have an increased role in the governance of the FCCRG by:
 - 1) Appointing up to four (4) members of the FCCRG Board of Directors.
 - 2) Requiring the FCCRG to annually file its audited financial statements with the Chairman of the Board of Supervisors.
 - e) Fulton County executed a new and strengthened Marketing Agreement with the FCCRG that included the following requirements:
 - 1) Fulton County’s contribution to the FCCRG shall be utilized for marketing Fulton County and not to fund general operations of the FCCRG.
 - 2) The FCCRG shall submit an annual Marketing Plan and associated budget to the Board of Supervisors for review and approval.
 - 3) The Marketing Plan shall identify specific marketing goals and objectives.
 - 4) The Plan shall allow for the Board of Supervisors to assess the FCCRG’s success in achieving goals and objectives.
 - 5) Payments to the FCCRG shall be based upon the submission of monthly vouchers that document FCCRG expenses directly related to implementing the marketing goals and objectives specified in the Marketing Agreement.
 - f) Fulton County agreed to increase funding to the FCCRG.
 - g) The FCCRG shall assume responsibility for administering all loan pools previously administered by the EDC.
 - The FCCRG Board of Directors agreed to all of these requirements.
- b. 2021:
- Today, there are four (4) entities involved with Fulton County’s Economic Development Program:
 1. Fulton County:
 - Provides funding to FCCRG.
 - Market Fulton County.
 2. FCCRG:
 - Market Fulton County.
 - Market shovel-ready sites.

- Community development.
- Provide financing.
- Other.

3. FCIDA:

- Provide financial incentives.
- Prepare shovel-ready sites.
- Sell land to prospective companies.

4. Fulton Montgomery Regional Chamber of Commerce:

- Business promotion.
- Tourism promotion.

2. FCIDA Mission Statement:

- The FCIDA’s Mission Statement, which was approved in August 2012, reads as follows:

“The IDA’s mission is to create and promote economic growth and prosperity for both residents and entrepreneurs in Fulton County. The IDA’s role in Fulton County’s Economic Development Program is to develop and maintain an inventory of shovel-ready sites for new and expanding businesses, offer financial incentives, as may be required, to encourage the creation of new and retention of existing jobs and expand the County’s tax base. In doing so, the IDA strives to make Fulton County a desirable place to live and do business.”

3. Industrial Parks:

- The FCIDA has been involved in the development of shovel-ready sites in four (4) industrial /business parks:
 1. Crossroads Industrial Park : 1987
 2. Johnstown Industrial Park : 1990
 3. Crossroads Business Park : 1999
 4. Tryon Technology Park : 2014
- The FCIDA owns the land in each Park. How the IDA acquired the land in each Park differs:

Crossroads Industrial Park	The IDA bought the land itself for the Park. Fulton County provided the local share of the EDA Grant obtained to build the Park.
Crossroads Business Park	The IDA bought the land itself for the Park. Six (6) local agencies contributed to the local share of the EDA Grant obtained to build the Park. IDA executed an Agreement with those local agencies on how lot sale revenues would be distributed.
Johnstown Industrial Park	The City of Johnstown bought the land, deeded it over to the IDA and executed an Agreement with the IDA on how the proceeds from lot sales would be handled.
Tryon Technology Park	Empire State Development (ESD) deeded the land/buildings to the IDA. Fulton County provided the local shares for the two (2) ESD Grants obtained to develop the Park.

- When the FCIDA sells a parcel of land, the proceeds from the lot sale are distributed as follows:

Crossroads Industrial Park	:	100% of lot sale goes to FCIDA
Johnstown Industrial Park	:	7% of lot sale goes to FCIDA 93% of lot sale goes to City of Johnstown
		½ of that 93% goes directly to City ½ of that 93% goes to a City Account held by FCIDA
Crossroads Business Park	:	The proceeds of all lot sales are distributed as follows:
		FCIDA 22.6%
		City of Groversville 22.5%
		Fulton County Economic Development Corporation 22.5%
		Board of Water Commissioners 13.4%
		Community Development Agency 11.5%
		Promote Groversville Development Agency 7.5%
Tryon Technology Park	:	100% of lot sale goes to IDA

- Roads:
 - The roads in each Park are municipally owned.
 - The IDA deeded to each municipality ownership of the land upon which the Park’s roads were built on.
- Water and Sewer Infrastructure:
 - Crossroads Industrial and Crossroads Business Park: This infrastructure is owned and maintained by the City of Groversville.
 - Johnstown Industrial Park: This infrastructure is owned and maintained by the City of Johnstown.
 - Tryon Technology Park: The water infrastructure is owned by the Groversville Water Department. The sewer infrastructure is currently owned by the IDA but will be transferred to Fulton County Sewer District No. 4 once it is created.
- Electric and Gas Infrastructure:
 - The electrical and gas lines in all four (4) Parks are owned and maintained by National Grid.

4. IDA-Owned Properties:

LOCATION	SBL	ACRES
1. Tryon Technology Park:		
Tryon Technology Park	164.-5-1	200+/-
Tryon Development Area	164.-5-1	45+/-
Other	164.-5-1	250+/-
2. Johnstown Industrial Park:		
North Side Opportunity	185.6-1-2.1	19.75
West Side NYS Route 30A	174.18-1-19	6.42

West Side NYS Route 30A	185.6-1-1	3.78
East Side Clermont Street	174.18-1-14	1.45
3. Crossroads Industrial Park:		
North side of Balzano Road		6.4
4. Crossroads Business Park:		
E. Side S. Kingsboro Avenue, Johnstown	163.10-2-1	41.51
S. Kingsboro Avenue, Johnstown	163.10-2-2	33.30
5. Other:		
Triangular Piece: Glove Cities Park	163.5-3-2	0.88
East Side NYS Route 30A, Town of Johnstown	174.-2-66	0.26
East Side NYS Route 30A, Town of Johnstown	174.-2-65	1.82
TOTAL:		608.75

5. IDA Shovel-Ready Sites:

- The IDA has the following shovel-ready sites available for sale:

Tryon Technology Park:

Lot 1	:	22+/- acres
Lot 2	:	23+/- acres
Lot 3	:	16+/- acres
Lot 4	:	70+/- acres
Lot 5	:	26+/- acres
Lot 6	:	25+/- acres
Lot 7	:	18+/- acres
Total	:	200+/- acres

Johnstown Industrial Park:

Lot 20	:	19.75+/- acres
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Crossroads Industrial Park:

Lot 13	:	3.3 acres
Lot 14	:	3.1 acres

Crossroads Business Park:

21 lots	:	75+/- acres (Average Lot Size: 3.3+/- acres: Lots targeted for small, white collar companies.)
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Jim Mraz: Board Training. There's again a lot of information in here. I just wanted to go back for the sake of some of our newer members and trace a little bit of the history of our County economic development program. We go way back to the mid 80's. Economic development was very decentralized here in Fulton County. In the mid-80's, the Board of Supervisors decided to make a change. They contracted with, back then, the Community Development Corporation, which changed its name to the Economic Development Corporation and centralized all economic development activities into that organization. It stayed that way until about 10 years ago when the CRG was created to replace the EDC and also the CIC. And, the CRG remains the central point of economic development here today in Fulton County. Obviously, the IDA is a part of the economic development program. But the Board of Supervisors contracts now with the CRG to provide the majority of the economic development services that are provided here in Fulton County. More information is in the Agenda for you to review. But that was a quick background on where we've been.

The Board of Supervisors is the umbrella entity and oversees economic development activities in the County today. The CRG is the central point. The County contracts with the CRG to provide a host of economic development services here in the County. The IDA is a key part. What does the IDA do? Provide shovel-ready sites, provide financial incentives and we sell land to perspective companies, and that's an important tool. We own most of the land and, as such, we have a say in what goes onto your land. Because if a company comes in and wants to come into this County for whatever reasons. If the IDA doesn't like that company, or doesn't want that company here, you can simply say, "No." You don't have to sell them the land. So, that's an important role that the IDA plays here. And the Chamber of Commerce is also an integral part of economic development through their business promotion and tourist promotion here in the County. So, those are the four (4) main entities that are part of today's economic development program here in Fulton County. Our mission statement which is listed on the bottom of page 9 of your Agenda is what is suppose to be our guiding light in terms of the things that we do as an agency and I think that is something that we should be constantly looking at to make sure we stay focused on what our mission statement is.

Moving on, the IDA has a long history of developing shovel-ready sites. There are four (4) parks in Fulton County: the Crossroads Industrial Park, the Johnstown Industrial Park, the Crossroads Business Park and the Tryon Technology Park. The IDA has had a direct role in the development of all of those parks. How the land for the parks was acquired is important and it's all listed there in your Agenda because how the land was acquired directly relates to how revenues that are generated from lot sales are distributed. For example, the Crossroads Industrial Park. The IDA bought the land for that Park way back when. As a result, when the IDA sells land in that Park, all the revenue comes directly to the IDA. Conversely, the Johnstown Industrial Park, the City of Johnstown bought the land for that Park. But what the City of Johnstown did back then, was it deeded the land over to the IDA to market itself. But when it did that, the City and IDA entered into an agreement that said whenever land is sold in the Johnstown Industrial Park, for every dollar of revenue that is generated, the IDA can keep 7 cents, 7%, administrative fee. The other 93% goes back to the City. So, again, it varies from Park to Park how revenues from lot sales are distributed. And the rest of the Agenda also provides some more information about the Parks and how many acres we own, things of that nature. I'm going to leave that all of you to review on your own.

Greg Fagan: As a follow-up to that discussion, over a year ago, before everything got locked down, we were in the process of planning a meeting between the CRG, IDA, the County and the Chamber so that we can streamline the process for when folks call here looking for a site or looking to move their business here, I know there's been some discussion about getting that meeting going again. Have you heard anything? I haven't lately as to if we are close to that because it's something we really need to do. I know we've made a lot of progress in the past couple of years in all of us working together and kind of pulling in the same direction. Whereas, in the past, I think we were kind of scattered a little bit. You have anything on that?

Jim Mraz: I spoke with Jon recently about that, Greg. It's on the radar screen. I just think once there is a better level of getting people together for an in-person meeting, that will happen. So, it's probably still a couple of months off going back to what the Board was talking about earlier. Once we get higher degrees of vaccination and there's a comfort level of having in-person meetings, that will happen. So, it's there, it's on the radar screen. We all want it to happen. Just, when the time is right, it will.

Warren Greene: Jim, if I could follow-up on that. I was actually the person who was pushing that when I took over as Chairman last year. Jon and I had sat down and came up with the whole Agenda, and we were ready to move on it. And, then, unfortunately, hell broke loose. I'm sure that's still there. I'm sure the outline is there and everything is ready to go as soon as everything can meet in person.

Jim Mraz: Okay. Is there any other discussion today for open session.

Mike Fitzgerald: Jim, just a question on looking at this breakdown here. If there was a major opportunity, are these sites big enough. I know we are constantly looking for additional lands that consume a home-run candidate. Do we need to identify a larger site if something like that would be an opportunity?

Jim Mraz: Listen. It's always good to have a bigger inventory of shovel-ready sites than a smaller inventory. Alright? One of the strengths of our economic development program over the years is that we've had a strong inventory. That's part of the reason the Johnstown Industrial Park was so successful was that we had the ability to provide a site for a 20,000 sq. ft. building up to a 1.2 million sq. ft. distribution center for Walmart. So, the Tryon Technology Park, Mike, has the ability to provide a 100-acre site. It can also provide a 5-acre site. So, there is flexibility out there with the amount of land that's there, but that's the only place that we have where somebody, a large company, was looking for a large site. Right now that's the only one. So, trying to find others is something that I think would be in everybody's best interest. So, we had some options to be able to offer a potential company that's looking for a large site. So, we have that ability now. But it's always nice to have options to present to companies. For example, if a company that wants to come here but they don't like the Tryon site for whatever the case may be, we are not going to be able to accommodate them. So, part of what, hopefully, the MVEDD/CRG site assessment will come up with is some other options for large sites.

Greg Fagan: I think one of the criteria that that study is actually going to look at is trying to find one (1) 500-acre site as well. That's one of the things that was identified in their RFP. So, that will be interesting.

Mike Fitzgerald: Personally, I think the drawback at Tryon if you've got a large company that's got a lot of traffic.

Jim Mraz: Correct. So, hopefully, we can find something like that that has access to utilities, has access to good transportation network, has access to gas and electric but they are harder and harder to find these days. Okay? Alrighty.

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.**

Jim: I would like to request a motion to go into Executive Session to discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities held by such public body. Would someone be willing to make that motion?

Jane Kelley: I'll make that motion.

Dave D'Amore: I'll make that motion.

Jim Mraz: Jane Kelley, Dave D'Amore. Let's do a roll call vote on that motion.

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 : Jane Kelley
 SECOND : Dave D'Amore
 ROLL CALL VOTE :

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

TIME : 8:38 a.m.

Jim Mraz: Okay. We are going into Executive Session. Warren and Greg thank you for participating.

MOTION : To go out of Executive Session.

MADE BY : Dave D'Amore
 SECOND : Joseph Semione

ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Joe Semione	<u>X</u>	—	—	—
Jane Kelley	<u>X</u>	—	—	—
Mike Fitzgerald	<u>X</u>	—	—	—
Joseph Gillis	<u>X</u>	—	—	—
Todd Rulison	—	—	—	<u>X</u>
Dave D’Amore	<u>X</u>	—	—	—

TIME : 9:10 a.m.

IX. PROPOSED SALE OF BUILDING 60 AT THE TRYON TECHNOLOGY PARK:

A. Background:

- The IDA owns Building 60 in the Tryon Technology Park.
- This building has been listed for sale by Cushman Wakefield.
- The building contains approximately 15,000+/- sf of space and sits on a 6+/- acre parcel of land.
- The 2020 appraised value of the building was \$110,000.
- The building has been vacant since 2011.
- To be put back into use, the following work is needed:
 1. Install new electric service to building.
 2. Install new water service to building.
 3. Install new heating system in building.
 4. Enclose openings in west wall where freezers were removed.
 5. Sprinkler system needs to be repaired. Pipes broken in several areas.
 6. Several overhead doors need to be replaced.
 7. The entire building must be brought into compliance with the NYS Uniform Fire Prevention and Building Code.

B. Purchase Offer:

- The IDA has received a Purchase Offer from Lott Holdings Corporation, P.O. Box 651, Amsterdam, NY.
- The offer is for \$75,000.
- The offer shall expire on April 15, 2021.
- Lott Holdings says it will use the property for commercial, industrial and office uses.
- All uses proposed for this building must comply with the requirements of the Town of Perth’s Zoning Ordinance.
- The offer says:
 - 1) The Abstract of Title or title insurance shall be obtained at Purchaser’s expense.
 - 2) The Purchaser shall have until July 15, 2021 to perform its due diligence on the property.
 - 3) The Purchaser may assign the Purchase Offer to a different entity owned by Purchaser.

C. Waiver of Conflict:

- Lott Holdings has advised that Kara Lais has represented the company in the past and desires to use her on this transaction.
- Since Kara Lais also represents the IDA, both Lott Holdings and the IDA Board would have to consent to Kara Lais representing both parties.

- The IDA Board would need to authorize the Chairman to execute a Waiver of Conflict letter.

Jim Mraz: I would like to discuss the proposed sale of Building 60 at the Tryon Technology Park. As you know, the IDA owns this building. It has been listed for sale by Cushman Wakefield. It has an appraised value of about \$110,000. It's been vacant since 2011, and it needs a significant amount of work in order to be put back into service. The IDA has received a Purchase Offer from Lott Holdings of Amsterdam, NY in the amount of \$75,000. Lott Holdings says it will use the property for commercial, industrial and office uses. And so, to pursue this proposed sale, Lott Holdings has advised that they would be using Kara Lais to represent them in this transaction. Since Kara represents the IDA, both Lott Holdings and the IDA Board would need to consent to having Kara representing both parties, and so a Waiver of Conflict letter would need to be executed. So, I'm asking for a motion to authorize the Chairman to execute a Waiver of Conflict letter. Would someone be willing to make that motion?

Dave D'Amore: I'll make that motion.

Jim Mraz: Dave D'Amore. Is there a second to that motion?

Jane Kelley: I'll second.

Jim Mraz: Jane Kelley. Let's do a roll call vote.

IDA ACTION:

MOTION: To authorize the Chairman to execute a Waiver of Conflict letter.

MADE BY: Dave D'Amore

SECONDED: Jane Kelley

ROLL CALL VOTE:

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

D. IDA Policy 06: Property Disposition:

1. Background:

- IDA Policy 06 establishes procedures for how the IDA is to dispose of property.
- Section 3(c) of the Policy states:
 - Unless otherwise permitted, the Agency shall dispose of property for not less than its fair market value by sale, exchange, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions as the Agency and/or contracting officer deems proper.
 - No disposition of real property, any interest in real property, shall be made unless an appraisal of the value of such property has been made by an independent appraiser and included in the record of the transaction.

➤ Section 3(E)(4) of the Policy deals with disposal of property for less than fair market value. Subparagraph (a) states:

(a) No asset owned, leased or otherwise in the control of a public authority may be sold for less than its fair market value except if:

1. The transferee is a government or other public entity, and the terms and conditions of the transfer require that the ownership and use of the asset will remain with the government or any other public entity;
2. The purpose of the transfer is within the purpose, mission or governing statute of the public authority; or other than a governmental entity, which disposal would not be consistent with the authority's mission, purpose or governing statutes:
 - Such authority shall provide written notification thereof to the governor, the speaker of the assembly, and the temporary president of the senate, and such proposed transfer shall be subject to denial by the governor, the senate, or the assembly. Denial by the governor shall take the form of a signed certification by the governor. Denial by either house of the legislature shall take the form of a resolution by such house.
 - If no such resolution or certification is performed within sixty days of such notification of the proposed transfer to the governor, senate, and assembly, the public authority may effectuate such transfer.

➤ Subparagraph (b) states:

(b) In the event a below fair market value asset transfer is proposed, the following information must be provided to the authority board and the public:

1. A full description of the asset.
2. An appraisal of the fair market value of the asset and any other information establishing the fair market value sought by the board;
3. A description of the purpose of the transfer, and a reasonable statement of the kind of the benefit to the public resulting from the transfer;
4. A statement of the value to be received compared to the fair market value;
5. The names of any private parties participating in the transfer;
6. The names of other private parties who have made an offer for such asset, the value offered, and the purpose for which the asset was sought to be used.

(c) Before approving the disposal of any property for less than fair market value, the board of authority shall make a written determination that there is no reasonable alternative to the proposed below market transfer that would achieve the same purpose of such transfer.

E. Written Notification to Governor and Legislature:

- Per the Public Authorities Law and Policy 06, written notification must be sent to the Governor and Legislature advising that the IDA is proposing to sell personal property for less than fair market value.
- Authorization is needed to send this letter.
- See attached letter.

Jim Mraz: With respect to the IDA's policy and the Public Authorities Law, since this proposed sale will be for an amount less than fair market value, written notification must be submitted to the State advising them of such and explaining the basis for doing so. So, I'm asking for a motion to authorize IDA Counsel

to send the written notification to State representatives regarding the proposed sale of Building 60. Would someone make that motion.

Mike Fitzgerald: I'll make that motion.

Joe Semione: I'll make that motion.

Jim Mraz: Mike and Joe Semione. Let's do a roll call vote to authorize IDA Counsel to send this letter.

IDA ACTION:

MOTION: To authorize IDA Counsel to send the attached written notification to State representatives regarding the proposed sale of Building 60.

MADE BY: Mike Fitzgerald

SECONDED: Joseph Semione

ROLL CALL VOTE:

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

F. SEQR:

1. Background:
 - The proposed sale of Building 60 is an Unlisted Action under SEQR.
 - A short form EAF has been prepared and distributed to IDA Board members.
2. Part 2 EAF:
 - The IDA has completed a Part 2 EAF.
 - See attached.
 - Review Part 2 EAF.
3. Determination of Significance:
 - Based upon its review of the Part 1 and 2 EAF and all project information, the IDA Board now needs to issue a Determination of Significance under SEQR.
 - Two (2) options exist:
 - 1) Positive Declaration: If the IDA Board determines that the proposed project may create one (1) or more significant environmental impacts, it must issue a Positive Declaration which means a Draft Environmental Impact Statement (DEIS) must be prepared.
 - 2) Negative Declaration: If the IDA Board determines that the proposed project will not create any significant environmental impacts, it must issue a Negative Declaration which means a Draft Environmental Impact Statement (DEIS) does not have to be prepared and the SEQR process has been completed.

Jim Mraz: We have to do a SEQR review on this proposed sale. We completed Part 2 EAF which is attached to your Agenda. What the Part 2 showed is that this project, proposed sale, would not have any moderate to large impacts that would necessitate having to prepare a Draft Environmental Impact Statement (DEIS) and so the Board now has to make a determination of significance which would mean issuing a positive declaration or a negative declaration and it's recommended that a motion be proposed to designate the IDA as SEQR Lead Agency to issue a negative declaration based upon the information contained in the Part 1 and Part 2. Would someone be willing to make that motion?

Dave D'Amore: I'll make that motion, Jim.

Jim Mraz: Dave D'Amore. Is there a second to that motion?

Jane Kelley: Second.

Jim Mraz: Jane Kelley. Thank you, Jane. Let's do a roll call vote.

IDA ACTION:

MOTION: To designate the IDA as SEQR Lead Agency, to issue a Negative Declaration on the proposed sale of Building 60 and to authorize the filing of said Negative Declaration in accordance with the SEQR Regulations.

MADE BY: Dave D'Amore

SECONDED: Jane Kelley

ROLL CALL VOTE:

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

G. Written Determination for Selling Property at Less than Fair Market Value:

1. The following determinations justify the IDA selling the former Maintenance Building for less than fair market value:
 - a. The building has been for sale for years now and this is the only qualified offer received.
 - b. The building needs a lot of work including:
 - 1) Install new electric service to building.
 - 2) Install new water service to building.
 - 3) Install new heating system in building.
 - 4) Enclose openings in west wall where freezers were removed.
 - 5) Sprinkler system needs to be repaired. Pipes broken in several areas.
 - 6) Several overhead doors need to be replaced.

- 7) The entire building must be brought into compliance with the NYS Uniform Fire Prevention and Building Code.

2. See attached Resolution.

Jim Mraz: Next is to approve a Resolution to authorize the sale of this real property and to identify the reasons why we're selling it for less than fair market value and that's because of the fact that the building needs a new electric service, a new water service, a new heating system and miscellaneous other work that's going to require substantial investments on the part of the purchaser to allow this building back into use. So, asking for authorization to approve the Resolution that's attached titled "Resolution of the Fulton County Industrial Development Agency approving and authorizing the sale of real property. Would someone be willing to make that motion to approve this sale?"

Joe Semione: I'll make that motion.

Jim Mraz: Joe Semione. Is there a second to this motion?

Mike Fitzgerald: Mike Fitzgerald.

Jim Mraz: Mike Fitzgerald. Thank you, Mike. Roll call vote.

IDA ACTION:

MOTION: To approve Resolution of the Fulton County Industrial Development Agency approving and authorizing sale of real property.

MADE BY: Joseph Semione

SECONDED: Mike Fitzgerald

ROLL CALL VOTE:

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

H. Distribution of Revenue from Sale:

- On April 14, 2020, the IDA Board agreed to distribute revenues from lot sales as follows:

- Cushman Wakefield	:	7%
- Fulton County	:	6%
- Fulton County Center for Regional Growth	:	6%

- Given the sale price of \$75,000 for this parcel, the following payments will be made:

- Cushman Wakefield	:	\$5,250
- Fulton County	:	\$4,500

- Fulton County Center for Regional Growth : \$4,500

Jim Mraz: Lastly, last year, the IDA Board agreed to distribute revenues from sales as follows:

- Cushman Wakefield : 7%
- Fulton County : 6%
- Fulton County Center for Regional Growth : 6%

Given this lot sale price, the following payments would be made per that agreement:

- Cushman Wakefield : \$5,250
- Fulton County : \$4,500
- Fulton County Center for Regional Growth : \$4,500

Would someone be willing to make a motion to authorize those payments to be made if and when this gets to closing?

Dave D'Amore: I'll make the motion.

Jim Mraz: Dave D'Amore. Is there a second to that motion?

Joe Semione: Aye.

Jim Mraz: Joe Semione. Roll call vote. Very good. That is all I have for that item.

IDA ACTION:

MOTION: To authorize the distribution of revenue from the sale of this Building 60 as presented above.

MADE BY: Dave D'Amore

SECONDED: Joseph Semione

ROLL CALL VOTE:

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

X. NEXT MEETING:

Tuesday
May 11, 2021
8:00 a.m.

Jim Mraz: Next meeting will be Tuesday, May 11th. We will notify everybody about that meeting.

XI. CLOSE MEETING:

MOTION : To close the meeting.

MADE BY : Jane Kelley

SECONDED : Joseph Semione

ROLL CALL VOTE :

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

TIME : 9:18 a.m.

Jim Mraz: Looking for now a motion to close today's meeting.

Joe Semione: I'll make that motion.

Jane Kelley: I'll make that motion.

Jim Mraz: Jane and Joe. We'll do a roll call vote to close the meeting. Meeting is adjourned at 9:18 a.m.