

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
AUGUST 10, 2021
8:00 A.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

AGENDA

PRESENT:

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

I. MINUTES FROM JULY 13, 2021 MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :

II. BUDGET REPORT:

MOTION :
MADE BY :
SECONDED :
VOTE :

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Todd Rulison

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

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

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

V. **OLD BUSINESS:**

A. **Nexus Renewables Solar Project:**

1. Status Report:
 - Kara Lais working with Nexus's attorney on closing documents for providing sales tax exemptions.

IDA DISCUSSION:

B. **Fulton County Site Inventory and Assessment Project:**

1. Status Report:
 - a. Elan Planning/Landscape Architecture/Engineering D.P.C. is working with MVEDD/FCCRG to prepare assessment of potential sites.

IDA DISCUSSION:

C. **Proposed Sale of Former Maintenance Building:**

1. Status Report:

- At the July 13, 2021 meeting, the IDA Board approved extending from July 15th to September 15th the deadline for Lott Holdings to complete its due diligence on buying this building.
- Lott Holdings is still waiting for National Grid (NG) to provide a quote for NG to run a new electric service to the new transformer Lott Holdings must purchase and install.
- Lott Holdings needs to receive that quote before it can commit to purchase the building.

IDA DISCUSSION:

D. Easement with Gloversville Board of Water Commissioners:

1. Status Report:
 - Easement has been executed.

IDA DISCUSSION:

E. Vireo Health's Proposed Expansion Project:

1. Status Report:
 - License Agreement with Vireo and Cordos Construction has been executed.
 - Insurance Certificate from all contractors, engineers and consultants onsite have been filed with the IDA.
 - Demolition work started on July 7, 2021.
 - Town of Perth Planning Board conducted public hearing on proposed Site Plan on July 19, 2021.
 - Following Public Hearing, Planning Board approved Vireo's Site Plan.
 - Site work to begin week of August 9, 2021.
2. Amended Resolution:
 - At the July 13, 2021 meeting, a Resolution was adopted giving final approval to the Vireo Expansion Project.
 - Paragraph D in that Resolution needs to be amended as shown below:
 1. Original:

(D) The Agency hereby approves of the execution of an Agent Agreement authorizing exemptions from the sales and use taxes for purchases and rentals related to the undertaking of the project in an amount not to exceed Two Million Two Hundred Fifty One Thousand Five Hundred Twenty Dollars (\$2,251,520.00), based on eligible project costs of Twenty Two Million One Hundred Forty Four Thousand Dollars (\$22,144,000.00), which exemption will expire on July 31, 2022.

2. Amended:

(D) The Agency hereby approves of the execution of an Agent Agreement authorizing exemptions from the sales and use taxes for purchases and rentals related to the undertaking of the project in an amount not to exceed One Million Seven Hundred Seventy One Thousand Five Hundred Twenty Dollars (\$1,771,520.00), based on eligible project costs of Twenty Two Million One Hundred Forty Four Thousand Dollars (\$22,144,000.00), which exemption will expire on July 31, 2022.

IDA DISCUSSION:

IDA ACTION:

MOTION: To approve the amended Resolution as shown above.

MADE BY:

SECONDED:

VOTE:

F. Proposed Hoffman Carwash Project:

1. Proposed Project:

- Hoffman's purchased, at auction, the former Travers Diner property located at 342 South Kingsboro Avenue, Gloversville, NY.
- SBL: 149.18-6-1
- The property is 3.2 acres in size and has municipal water and sewer available.
- Hoffman is proposing to:
 - 1) Subdivide the parcel into two (2) parcels.
 - 2) Parcel 1 would include the former Travers Diner building and parking.
 - 3) Parcel 2 would be where Hoffman's would construct and operate a new, state-of-the-art carwash.
- The proposed project would include the construction of a 6,400 sf building consisting of masonry, standing seam metal siding and architectural shingles.
- The project will be an upscale state of the art carwash facility with innovative equipment and design. It will include a 160' conveyORIZED tunnel, automated blowers with 2 million BTU heated drying.
- The project will include a leading edge, complete sophisticated water reclamation system, computer controlled systems and high-pressure nozzles and pumps which will minimize the amount of "fresh" water needed to provide quality exterior wash.
- The facility will have three (3) point of sale tellers creating trouble free and timely transactions.

2. Project Application:

- HDC2 Realty Gloversville, LLC has submitted a Project Application to the IDA.
- The Application Fee has been submitted.
- The Project Application requests the following IDA benefits:
 - 1) Real Property Tax Exemption
 - 2) Sales Tax Exemption
 - 3) Mortgage Recording Tax Exemption
- The estimated value of the requested exemptions are as follows:
 - 1) Real Property Tax Exemptions : \$121,910

- 2) Sales Tax Exemptions : \$296,000
- 3) Mortgage Recording Tax Exemption : \$ 60,000

- Since the estimated total benefits requested exceed \$100,000, a public hearing must be held.
- A Public Hearing was held on July 27, 2021 at 10:00 a.m. at the FCCRG office.
- There was one (1) speaker at the Public Hearing who spoke in favor of the proposed project.

3. Project Structure:

- HDC2 Company, LLC will lease the property to the IDA.
- The IDA will lease the property back to HDC2 Company, LLC.

4. Retail Project:

- The Project Application classifies this project as a Retail Project.
- Section 862 of General Municipal Law (GML) places certain restrictions on how IDA's can provide financial assistance to "retail" projects.
- Financial assistance may be provided to a retail project if the project meets one or both of the following criteria:
 - 1) The project is located in a highly distressed area.
 - 2) The predominant purpose of the project would be to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the city, town, or village within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services; or
- The Project Application indicates that:
 - 1) The project will be located in a highly distressed area.
 - 2) The project would make available goods or services which would not, but for the project, be reasonably accessible to the residents of the City of Gloversville and/or Fulton County.
- The IDA Board must make two (2) findings in order to provide the requested financial incentives:
 - 1) The proposed project meets one (1) or both of the criteria listed above and therefore qualifies for financial incentives.
 - 2) The proposed project will increase overall employment in the area.
- At the July 13th meeting, Marty Andrews, Hoffman's Director of Development, identified the following services that this project would make available that are not currently available in the area:
 - 1) The equipment to be used here is different than equipment used in current facilities.
 - 2) It uses a touchless washing system that is not used elsewhere.
 - 3) The heating system at the end to dry the cars is different.
 - 4) Hoffman's offers free vacuum service which other facilities do not.
 - 5) The water reclamation system used to reclaim some processed water is unique.
- The proposed project will create new full and part-time jobs.

5. Resolution:

- Kara Lais has drafted a Resolution that:
 - 1) Makes the findings required by Section 862 of GML.
 - 2) Approves granting the requested financial benefits for the proposed Hoffman Carwash Project.
- See attached.

IDA DISCUSSION:

IDA ACTION:

MOTION: Resolution approving a certain project, as defined herein, appointing HDC2 Company LLC or its permitted assign, agent of the Agency for the purpose of construction and equipping the Project Facility and authorizing the execution and delivery of closing documents.

MADE BY:

SECONDED:

VOTE:

G. Waterline Project at Tryon Technology Park:

1. Background:

- At the July 13, 2021 meeting, the IDA Board authorized an expenditure of up to \$85,000 to replace a section of the waterline running from CR117 to the Elevated Tank at Tryon.
- The IDA Board also agreed to ask the Gloversville Water Department for a contribution towards the cost of replacing this waterline.

2. Gloversville Water Department:

- The Gloversville Water Department has agreed to contribute 25%, or \$21,250, towards the cost of replacing this waterline.
- This amount would be spread out over five (5) annual payments of \$4,250.

3. Revised Cost Estimate:

- Cordos Construction recently advised that their site contractor has revised its estimate to complete this work.
- Revised Estimate: \$110,000+/-

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

VI. NEW BUSINESS:

A. Board Training:

1. Tryon Technology Park:

a. Background:

- In 2014, Empire State Development deeded to the IDA the former Tryon Youth Detention Facility.
 - The following items were deeded to the IDA:
 - 515+/- acres of land
 - 50+/- buildings
 - Water and sewer infrastructure
 - Wastewater pump station
 - Ground-mounted 200,000 gallon water tank
 - Electrical system
- b. Creation of Tryon Technology Park:
- An assessment of the 515 acres of land acquired determined that approximately 220 acres were developable into shovel-ready sites for new businesses.
- c. Work Completed to Date:
1. IDA:
 - Timber Harvest
 - 2 auctions to sell off items left by New York State
 - Deeded land for CR117 to Fulton County
 - Developed logo
 2. Fulton County:
 - Reconstructed internal access road which became CR117
 - Constructed new water/sewer lines
 - Constructed new water booster station
 - Constructed new elevated water tank
 - Completed Building Demolition Project
 - Installed entry sign and banners
 - Deeded waterlines, booster station and tank to City of Gloversville Water Department
 - Conducted a Targeted Industry Analysis
 - Prepared Marketing Brochure
- d. Building Demolition:
- When FCIDA took title to Tryon, the lands identified as shovel ready had 22 existing buildings located there.
 - One (1) existing building was sold to Vireo Health.
 - Four (4) existing buildings were demolished as part of building the new access road.
 - Eight (8) existing buildings were demolished in 2017 by Fulton County.
 - At present, nine (9) existing buildings remain:
 - 3 large dormitories
 - 2 small dormitories
 - 3 small storage/office/laundry buildings
 - 1 gymnasium
 - These nine (9) buildings all lie on Lots 1 and 2 and are being demolished by Vireo Health.
 - The only original buildings remaining at Tryon include:
 - Building 3/Midas Building : 75,000 sf
 - Administrative Building : 6,000 sf
- e. Gas and Electric Service:

- In 2020, National Grid completed the installation of a new underground 13.2 kv primary electric service.
- This new electric service only services a portion of the Park.
- This new electric service is owned and maintained by National Grid.
- National Grid owns and maintains the natural gas service at Tryon.
- National Grid has a 6” gas service with 99 psi which is a high pressure gas main.

f. Tryon Development Area:

- Fulton County’s Development Strategy identified three (3) Primary Development Areas (PDA).
- Each PDA is envisioned to be a vibrant, walkable neighborhood in a picturesque environment.
- The Tryon Development Area is located on a 35+/- acre tract of land at the north end of Tryon.
- The Development Strategy included the following recommendations regarding the Tryon PDA:
 - 1) Fulton County should prepare a one-page “sell sheet” that focuses specifically on the market demand for executive-level housing. The sheet should include information on growth in households with incomes over \$100,000 and the lack of executive level housing in the County. This sheet should be used as part of the developer recruitment effort.
 - 2) Fulton County should market the residential plan in conjunction with the Technology Park as “Tryon Technology Park and Village.” The vision for an upscale residential village adjacent to the Technology Park can help support tenant recruitment efforts for the Park. This, in turn, will help induce demand for housing in the village as new businesses move into the Park.
 - 3) Fulton County should market the Tryon Development Area to neighborhood-serving retail like a coffee house, bar or restaurant. Potential uses should be carefully designed to be contemporary and fresh to complement the housing that should be targeted to professionals and executives. In the near term, it may be more feasible to recruit a small café or similar business to locate on the Tryon Campus. As housing is built, new retail development may become feasible in the “village” area.
 - 4) Fulton County should consider partnering with a developer on a “Phase I” project. The type of housing envisioned in Tryon Village represents a largely unproven market, which may deter developers. The County should be prepared to engage in a partnership to entice a developer, such as putting in a small portion of the new road. The purpose of this will be to demonstrate a market for the types of homes included in the vision, which will attract additional private investment. Alternatively, it may demonstrate a need to shift the vision for Tryon Village, such as towards more workforce-level housing.

g. Land Sold/Leased to Date:

1. Land Sold:

- 20+/- acres and one (1) 15,000 sf existing building were sold to Vireo Health in 2015.
- 43+/- acres of shovel-ready land and ten (10) building were sold to Vireo Health in 2021.
- 49+/- acres of excess land were sold to Vireo in 2021.
- 27+/- acres on south side of CR107 were sold to Tryon Enterprises, LLC.
- 6.2+/- acres and one (1) 15,000 sf existing building is under contract to be sold to Lott Holdings.

Total Sold: 145.2 acres

2. Land Leased:

- 30+/- acres leased to Nexus Renewables for a solar project.

Total Leased: 30 acres

3. Summary:

- In total, approximately 175 acres of land have been put to use to date.

h. What's Left:

1. Land:

- Shovel-ready Land : 157 acres
- Tryon Development Area : 35 acres
- Other Land : 148 acres

2. Buildings:

- Building 3 : 75,000 sf
- Administration Building : 6,000 sf

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

MADE BY :
SECOND :
VOTE :

TIME :

MOTION : To go out of Executive Session.

MADE BY :

SECOND :

VOTE :

TIME :

VIII. NEXT MEETING:

Tuesday
September 14, 2021
8:00 a.m.

IX. CLOSE MEETING:

MOTION :

MADE BY :

SECONDED :

VOTE :

TIME :