

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
OCTOBER 12, 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
___ SCOTT HENZE, PLANNING DIRECTOR
___ WARREN GREENE, LIAISON, ECONOMIC DEVELOPMENT AND ENVIRONMENT COMM.
___ RON PETERS, FULTON COUNTY CENTER FOR REGIONAL GROWTH

I. MINUTES FROM SEPTEMBER 14, 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: Dave D'Amore

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.) Ron Peters

IDA DISCUSSION:

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.
- Construction work to start this fall on access road.

IDA DISCUSSION:

B. Fulton County Site Inventory and Assessment Project:

1. Status Report:

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

- Waiting for report to be finalized.

IDA DISCUSSION:

C. Proposed Sale of Former Maintenance Building:

1. Status Report:

- At the September 14, 2021 meeting, the IDA Board approved extending from September 15th to November 15th the deadline for Lott Holdings to complete its due diligence on buying this building.

IDA DISCUSSION:

D. Vireo Health's Expansion Project:

1. Status Report:

- Site work in northwest quadrant of site complete.
- Footing and foundation walls in northwest quadrant complete.
- Crane to erect steel arrived during week of October 4th.
- Steel being erected in northwest quadrant.
- Working on grading and excavating for footers in southwest quadrant.

2. Lot Sale:

- Closing occurred on September 27, 2021.
- All funds were wired to IDA.

3. Underground Tank:

a. Background:

- Cordos Construction uncovered an old, underground tank adjacent to where former Building 24 stood.
- Cordos worked directly with NYSDEC to get this tank removed.
- NYSDEC confirmed that the State, which installed this 5,000-gallon steel tank, never registered it with NYSDEC.

b. Action Taken:

- Jim Mraz spoke with Steve Paszko, Assistant Engineer (Environmental) Bulk Storage, Spill Response, RCRA, Division of Environmental Remediation, New York State Department of Environmental Conservation.
- Jim Mraz advised Mr. Paszko:
 - 1) At the time the tank was discovered, the IDA owned the site but would be deeding it over to Vireo Health of NY.

- 2) Several years ago, NYSDEC updated the list of tanks registered at Tryon. One 2 tanks remained. One was a 1,000 gallon and other was 50 gallons. Both tanks were part of the former emergency generator. Since the combined capacity of all tanks at Tryon was under 1,100 gallons, Tryon became an unregulated site.
 - 3) Cordos Construction removed this tank under NYSDEC's guidance.
- Mr. Paszko advised the IDA to do the following:
 - 1) Since at the time the tank was discovered the IDA was the owner of the site, Mr. Paszko advised that the IDA must submit a Petroleum Bulk Storage Application to NYSDEC to register this 5,000 tank so it can be added to the list of tanks registered at Tryon. By registering this tank, it would bring to 3 the number of tanks registered and the total capacity of the 3 tanks would be 6,150 gallons. This would make Tryon a regulated site.
 - 2) Once the tank is removed, the IDA must submit a 2nd Petroleum Bulk Storage Application to NYSDEC to unregister this 5,000 tank and take it off the list of registered tanks. This would return Tryon to having only 2 tanks with a capacity of 1,050 gallons. Therefore, Tryon would return to being an unregulated site.
 - 3) Submit a \$500 fee with the 1st Petroleum Bulk Storage Application to NYSDEC to register this 5,000 tank.
 - The tank was removed by Cordos on September 15, 2021.
 - The 1st application and fee was mailed out on September 15, 2021.
 - The 2nd application was mailed out on October 5, 2021.

IDA DISCUSSION:

IDA ACTION:

MOTION: To retroactively authorize a payment of \$500 to NYSDEC to register the 5,000 gallon tank discovered at Tryon.

MADE BY:

SECONDED:

VOTE:

E. Hoffman Carwash Project:

1. Status Report:
 - Construction has started.
 - Construction is expected to take approximately 10 months to complete.
 - Closing took place on Sales Tax Exemption.
 - Sales Tax Exemption shall be available to Hoffman's through August 31, 2022.
2. Public Hearing:
 - The IDA conducted an initial public hearing on Hoffman's request for financial incentives. The public hearing was held in Gloversville since that is where the project is being developed.
 - A second public hearing was held on October 5, 2021 at Town of Johnstown Town Hall.
 - One (1) person spoke at the public hearing in support of the proposed project.

3. Resolution:
 - See attached Resolution.

IDA DISCUSSION:

IDA ACTION:

MOTION: To adopt a Resolution ratifying and reapproving a certain project, as amended and as defined herein, appointing HDC2 Company LLC or its permitted assign, agent of the Agency for the purpose of constructing and equipping the Project Facility (as defined herein) and authorizing the execution and delivery of closing documents.

MADE BY:
SECONDED:
VOTE:

F. IDA Website:

1. Presentation by Betsy Emery on:
 - Google Analytics
 - Google Business

IDA DISCUSSION:

VI. NEW BUSINESS:

A. Proposed 2022 IDA Budget:

- IDA Board must adopt a 2022 Budget by November 1, 2021.
- Draft Budget reviewed at September 14th Board meeting. Key details include:
 - Proposed 2022 IDA Budget totals \$206,140, a decrease of \$29,020 or 12.3% from 2021.
 - Proposed 2022 Tryon Technology Park budget totals \$78,000, a decrease of \$34,400, or 30.6% from 2021.
 - Funds are allocated to work on preparing shovel-ready sites and to market these sites.
 - No subsidy from Fulton County.
- Revisions made to proposed budget at September 14th meeting:
 - 1) Changed title of Marketing to Site Development Planning and increased amount to \$30,000 to cover:
 - Phase I ESA
 - Geotechnical Investigation
 - Topo
 - 2) Added revenue from Gloversville Board of Water Commissioners.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

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
November 9, 2021
8:00 a.m.

IX. CLOSE MEETING:

MOTION :

MADE BY :

SECONDED :

VOTE :

TIME :