

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
MAY 14, 2024
8:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM

MEETING NOTES

PRESENT:

MIKE FITZGERALD, CHAIRMAN
SUE COLLINS, VICE CHAIRMAN
DR. GREG TRUCKENMILLER, TREASURER
JOSEPH SEMIONE, MEMBER
DAVID D'AMORE, MEMBER
JAMES MRAZ, EXECUTIVE DIRECTOR
KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
SCOTT HENZE, PLANNING DIRECTOR
KENT KIRCH, FULTON COUNTY CENTER FOR REGIONAL GROWTH
JEFF PERSCH, CODE ENFORCEMENT OFFICER TOWN OF JOHNSTOWN

I. MINUTES FROM APRIL 9, 2024 MEETING:

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

II. BUDGET REPORT:

MOTION : Accept as presented
MADE BY : Greg Truckenmiller
SECONDED : Mike Fitzgerald
VOTE : Unanimous

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Sue Collins

IDA DISCUSSION: Sue Collins approved the Monthly Bank Reconciliation Report.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

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

1. FCCRG Report: Kent Kirch (See attached.)

IDA DISCUSSION: Kent Kich reviewed the FCCRG report that was attached to the agenda. Jim Mraz asked if any IDA Board members had any questions. There were none.

V. OLD BUSINESS:

A. Nexus Renewables:

- Nexus has obtained required easement from Innovative Industrial Properties (IIP).
- Nexus' Option on the lands it desires to develop a solar project on at Tryon expires on June 30, 2024.

B. Winstanley Enterprises:

- No report.

IDA DISCUSSION: Jim Mraz said that the IDA's Option Agreement with Winstanley Enterprises calls for Winstanley Enterprises to conduct two (2) marketing updates with the IDA each year. He stated that Scott Henze and himself participated in the 1st marketing update last week. During the conversation,

Winstanley advised that it is still a very difficult market place right now given high interest rates and high inflation. Winstanley stated that at present, there are no projects in the pipeline at Tryon. Jim Mraz stated that he advised Winstanley Enterprises of the IDA's Board interest in looking at the feasibility of building a new substation on the 115 RV transmission main that crosses County Road 107 about 1 mile East of Tryon. That led to a discussion about the concept of building a cogeneration plant at Tryon to provide more power there. Adam Winstanley agreed to have his company take a look at the cost and feasibility of building either a cogeneration plant or fuel cell at Tryon to bring upwards of 20 megawatts of new power to Tryon. Adam Winstanley stated that upon completion of this evaluation, he would advise the IDA of its findings.

C. T-Bills:

1. Current T-Bills:

T-Bill #	Expiration Date
1	11/2/24
2	4/17/25
3	5/16/2024
4 & 5	8/8/2024

2. T-Bill 3 is coming due and needs to be renewed.
3. Current T-Bill rates are:

	Current	Last Month
3 month	5.00%	4.909%
6 month	5.11%	5.107%
9 month	5.06%	4.940%
12 month	5.06%	4.974%

4. Current CD rate: are 4.55% for 5 months and 4% for 10 months.

IDA DISCUSSION: Jim Mraz reviewed the information on the agenda. Joe Semione suggested renewing the T-bill for 12 months. All other IDA Board members agreed.

IDA ACTION:

MOTION: To renew T-bill #3 for 12 months.

MADE BY: Joe Semione

SECONDED: Sue Collins

VOTE: Unanimous

D. Crossroads Park Housing:

- At the February 13, 2024 meeting, the IDA Board agreed to put up for sale a 25+/- acre parcel in the Crossroads Park.
- Howard Hannah has finalized marketing materials and sign.
- The site has officially been listed for sale.
- Howard Hannah has shown the property a couple of times.

- Howard Hannah contacting house developers directly to let them know about the sites availability.
- City of Gloversville's DPW did a great job sprucing up Kathy's Way

E. Development Strategy

- Board of Supervisors hired the MRB Group to prepare the new Development Strategy.
- The Development Strategy will have 3 main components:
 1. Economic Development
 2. Housing
 3. Tourism
- Survey being has been distributed to Community Stakeholders to obtain input on Fulton County's Strengths, weaknesses, Opportunities and Threats.(SWOT)
- IDA Board members were sent the survey to complete.

VI. NEW BUSINESS:

A. Fulton Montgomery Regional Chamber of Commerce:

- It is suggested that the IDA become a member of the Fulton Montgomery Regional Chamber of Commerce.
- Membership Fee: \$299.00

IDA DISCUSSION: Jim Mraz suggested that the IDA Board become a member of the Fulton Montgomery Regional Chamber of Commerce. All IDA members present agreed to do so.

IDA ACTION:

MOTION: To authorize becoming a member of the Fulton Montgomery Regional Chamber of Commerce.

MADE BY : Dave D'amore
 SECOND : Joe Semione
 VOTE : Unanimous

B. Leasing Lands at Tryon:

- R & R Farms desires to lease approximately 55 acres of land at Tryon to grow corn.
- R & R Farms has offered \$30/acre to do so.

IDA ACTION:

MOTION: To authorize the Chairman to sign a Lease with R & R Farms to lease approximately 55 acres at Tryon to grow corn.

MADE BY : Joe Semione
 SECOND : Mike Fitzgerald
 VOTE : Unanimous

C. Senate Bill S4545 and Assembly Bill A3069:

- Senator Skoufis has sponsored Senate Bill S4545 and Assemblywomen Wallace has sponsored Assembly Bill A3069 to amend General Municipal Law to establish ten (10) regional industrial development agencies and consolidating the 109 local IDA's currently operating in New York State into these 10 regional IDA's.
- The Act's sponsoring memos indicates a reason for these bills regards IDA applicants "shopping around" amongst IDA's with overlapping jurisdiction to attempt to obtain the "best deal."
- The Fulton County IDA is not aware of any company shopping around a project in Fulton County.
- It is recommended that the IDA Board authorize the Chairman to send letters to Senator Walczyk and Assemblyman Smullen expressing the IDA's opposition to Senate Bill S4545 and Assembly Bill A3069

IDA DISCUSSION: Jim Mraz reviewed the information on the agenda. He stated that this regional IDA would have a 15 member Board. The Board would consist of members from six (6) counties. Each county would receive a proportional share of these 15 members based upon its population. Fulton County therefore receive two (2) members on this 15 member board. It was the consensus of all IDA members present that this that the IDA should be opposed to this proposed Bill.

IDA ACTION: To authorize the Chairman to send letters to Senator Walczyk and Assemblyman Smullen expressing the IDA's opposition to this these Bills.

MOTION:

MADE BY : Dave D'Amore
SECOND : Greg Truckermiller
VOTE : Unanimous

VII. OTHER BUSINESS:

A. Board Training: Public Benefit Corporation's:

1. Background:

- The Fulton County Industrial Development Agency (IDA) is a public benefit corporation. It is not a not for profit corporation.
- Public benefit corporations in New York State can only be created by a special act of the State Legislature.
- The IDA was created in 1970 by a special act of the New York State Legislature.
- Boards of Directors for public benefit corporations are appointed by elected officials.
- The seven (7) members of the IDA's Board of Directors are appointed by the Fulton County Board of Supervisors. IDA Board members are reappointed annually. They serve 1 year terms.
- IDA receives no funding from the County. IDA generates its revenue from administrative fees and lot sales.

- IDA employs two (2) part time employees. It has no full time staff.

2. Types:

The New York State Controller's Office lists four types of PBC's (PBC)

- Class A – PBC's have regional or statewide significance.
- Class B – These PBC's are affiliated with a State agency, or entities created by the State that have limited jurisdiction but a majority of Board appointments made by the Governor or State officials; entities that would not exist but for their relationship with the State.
- Class C – These PBC's have local application: IDA's
- Class D – These public benefits corporations have interstate or international jurisdiction.

3. Examples of New York State Public Corporations:

1. Aggregate Trust Fund
2. Agriculture and NYS Horse Breeding Development Fund
3. Albany Convention Center Authority
4. Capital District Transportation Authority (CDTA)
5. Central New York Regional Transportation Authority (CNYRTA)
6. City University of New York (CUNY) – Senior College Supporting Organizations
7. Dormitory Authority of the State of New York (DASNY)
8. Governor Nelson A Rockefeller Empire State Plaza Performing Arts Center Corporation (ESPPACC)
9. Greenway Conservancy for the Hudson River Valley, INC
10. Health Research, Inc.
11. Homeless Housing and Assistance Corporation (HHAC)
12. Housing Trust Fund Corporation (HTFC)
13. Hudson River Black River Regulation District
14. Hugh L Carey Battery Park City Authority (BPCA)
15. Long Island Power Authority (LIPA)
16. Metropolitan Transportation Authority (MTA)
17. MTA Operation Authorities and Affiliates:
18. Long Island Rail Road Company (LIRR)
19. Metro-North Commuter Railroad Company (MNCRC)
20. Staten Island Rapid Transit Operating Authority (SIRTOA)
21. First Mutual Transportation Assurance Company (FMTAC)
22. MTA Construction and Development
23. MTA Bus Company
24. MTA Grand Central Madison Concourse Operating Company
25. New York City Transit Authority (TA)
26. Triborough Bridge and Tunnel Authority (TBTA)
27. Municipal Bond Bank Agency (MBBA)
28. Natural Heritage Trust
29. New York Convention Center Operating Corporation (NYCCOC)
30. New York Job Development Authority (JDA)
31. New York Power Authority (NYPA)
32. New York Racing Authority, Inc. (NYRA)
33. New York State Affordable Housing Corporation (AHO)
34. New York State Bridge Authority
35. New York State Energy Research and Development Authority (NYSERDA)
36. New York State Environmental Facilities Corporation (EFC)
37. New York State Health Foundation
38. New York State Higher Education Services Corporation (HESC)
39. New York State Housing Finance Agency (HFA)
40. New York State OLYMPIC Regional Development Authority (ORDA)
41. New York State Thoroughbred Breeding and Development Fund Corporation (TBDFC)
42. New York State Thruway Authority (NYSTA)
43. Niagara Frontier Transportation Authority (NFTA)
44. Ogdensburg Bridge and Port Authority
45. Port of Oswego Authority

46. Research Foundation for Mental Hygiene, Inc. (RFMH)
47. Rochester-Genesee Regional Transportation Authority (RGRTA)
48. Roosevelt Island Operation Corporation
49. Roswell Park Cancer Institute Corporation (RPCIC)
50. State Insurance Fund (SIF)
51. State of New York Mortgage Agency (SONYMA)
52. State University of New York (SUNY) Foundations and Auxiliary Corporations
53. Urban Development Corporation (UDC)

4. 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 : Greg Truckermiller
 SECOND : Dave D'amore
 VOTE : Unanimous
 TIME : 8:25 am

MOTION : To go out of Executive Session.

MADE BY : Mike Fitzgerald
SECOND : Joe Semione
VOTE : Unanimous
TIME : 9:51 am

B. NEXT MEETING:

Tuesday
June 11, 2024
8:00 a.m.

C. CLOSE MEETING:

MOTION : To close the meeting
MADE BY : Sue Collins
SECONDED : Greg Truckermiller
VOTE : Unanimous
TIME : 9:52 am