

FULTON COUNTY INDUSTRIAL DEVELOPMENT
AGENCY

TUESDAY
MARCH 11, 2025
8:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM
MEETING AGENDA

IDA PRESENT:

___ SUE COLLINS, CHAIRMAN
___ DR. GREG TRUCKENMILLER, VICE CHAIRMAN
___ MIKE FITZGERALD, TREASURER
___ JOE GILLIS, SECRETARY
___ JOSEPH SEMIONE, MEMBER
___ DAVID D'AMORE, MEMBER
___ DAN ROUNDS, MEMBER
___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC (VIA ZOOM)
___ SCOTT HENZE, EXECUTIVE DIRECTOR

OTHERS PRESENT:

___ TOM ROEHL, LIASON ECONOMIC DEVELOPMENT&ENVIRONMENT COMMITTEE
___ RON PETERS, PRESIDENT & CEO, FCCRG (ZOOM)
___ TERRI EASTERLY, FCCRG
___ ASHLEY CAPOBIANCO, FMRCC

IDA'S MISSION:

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.

I. MINUTES FROM FEBRUARY 11, 2025 MEETING:

** Meeting minutes were emailed to all members on February 19, 2025.*

MOTION:

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

“WE INCENTIVIZE DEVELOPMENT OPPORTUNITIES.”

II. **BUDGET REPORT:**

MOTION:

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

III. **COMMITTEE REPORTS:**

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Sue Collins

IDA DISCUSSION:

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. **FULTON COUNTY/FCCRG/FMRCC REPORTS:**

1. County Report: Tom Roehl

IDA DISCUSSION:

2. FCCRG Report: (See attached.) Terri Easterly

IDA DISCUSSION:

3. FMRCC Report: Ashley Capobianco

IDA DISCUSSION:

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V. **OLD BUSINESS:**

A. **Nexus Renewables :**

- Nexus continues to wait until the Town of Johnstown Moratorium on Solar and Battery Storage Energy Facilities expires so it can file an application for a new Special Use Permit.
- The Town of Johnstown held their last committee meeting on the new Solar and Battery Storage regulations on February 6, 2025 and have forwarded the draft to their counsel for a legal review.
- The Town of Johnstown issued a second 6-month extension to their moratorium that will not end on August 26, 2025.
- Executive Director participated in a virtual meeting with Nexus on February 19, 2025 to provide a status report.

IDA DISCUSSION:

B. **T-Bills:**

- Current T-Bills:

T-BILL #	TERM	RATE %	EXPIRATION DATE
1	12 month	4.15%	11/28/25
2	12 month	5.09%	4/17/25
3	12 month	5.01%	5/15/25
4	6 month	4.11%	8/14/25

IDA DISCUSSION:

C. **Website Research Project**

- Emery Designs contract has been executed.
- Executive Director attended a kickoff Zoom meeting with Betsy Emory on March 5, 2025 to discuss the execution of the project and to establish milestone dates.
- Emery Designs commenced the audit of IDA, CRG, FMRCC & FMSWS websites on Monday March 10, 2025.
- Expected to complete the audit of websites by May 31, 2025.
- Emery Designs and Executive Director commencing the development of a questionnaire for the Customer Development Interviews (CDI) along with a list of ten (10) potential interviewees per category (Economic Development, Workforce, Housing and Tourism).

IDA DISCUSSION:

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VI. NEW BUSINESS:

A. Review Audit of IDA's 2024 Financial Statements:

1. Key Finding:
 - West and Company has completed its audit of the IDA 2024 financial statements.
 - Based upon West & Company's review West & Company has issued an "unmodified opinion."
 - This is the best opinion the IDA can receive.
 - The IDA has consistently received unmodified opinions on its audits.
 - Draft Audit was emailed to IDA Board members on March 3, 2025.

2. Review Audit: West & Company: Amy Pedrick
 - See Handout

IDA DISCUSSION:

IDA ACTION:

MOTION: To approve the 2024 Audit as submitted by the West & Company and authorize West & Company and the Executive Director to file the Audit in PARIS and with Fulton County Treasurer, Commissioner of Department of Economic Development, NYS Comptroller and to post it on the IDA's website.

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

B. IDA's 2024 Annual Report:

- IDA's 2024 Annual Report has been prepared in accordance with the ABO's requirements.
- Report was emailed to IDA Board members on March 3, 2025.

IDA DISCUSSION:

IDA ACTION:

MOTION: To approve the 2024 Annual Report and authorize and direct the Executive Director to file the Annual Report under PARIS and with the Board of Supervisors and post the report on the IDA's website

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MADE BY:
SECONDED:
DISCUSSION:
VOTE:

C. ST-62:

1. IDA's are to annually, required to file an ST-62 Form titled "IDA Annual Compliance report State Sales Tax Recapture."
2. The ST-62 asks if an IDA:
 - Granted any new sales tax exemption in the previous calendar year.
 - Amended any sales tax exemptions in the previous calendar year.
 - Moved to recapture sales tax benefits given to a company in the previous calendar year.
3. In 2024, the IDA:
 - Did not amend any project sales tax exemptions.
 - Did not move to recapture any sales tax benefits.
 - Did not approve any new sales tax exemptions.
4. IDA Chairman needs to be authorized to sign and submit this ST-62 for the fiscal year ending December 31, 2024.
5. ST-62 must be filed by March 31, 2025.
6. See attached.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman to sign and submit an ST-62 Form for fiscal year ending December 31, 2024.

MADE BY:
SECONDED:
DISCUSSION:
VOTE:

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VII. OTHER BUSINESS:

A. Board Training:

1. IDA Policy 14 – Uniform Tax Exemption Policy

- During the IDA’s Annual Meeting held on January 14, 2025, the Board asked that the Executive Director review the IDA’s Policies (older) and recommend any changes.
- During that time, notice was given via NYS Assembly Bill 2025-A1098 to an amendment to General Municipal Law (GML) Section 874 – Tax Exemptions.
- The amendment is specific to Section 874(4)(a) that states that the agency (IDA) shall establish a uniform tax exemption policy that shall provide guidelines for the claiming of real property, mortgage recording and sales tax exemptions and that such guidelines shall include, but not limited to: period of exemption; percentage of exemption; types of projects for which exemptions can be claimed; procedures for payments in lieu of taxes and instances in which real property appraisals are to be performed as part of an application for tax exemption; in addition, agencies shall in adopting such policy consider such issues as:
 1. The extent to which a project will create or retain permanent, private sector jobs
 2. The estimated value of any tax exemptions to be provided
 3. Whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which an exemption was provided
 4. The impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity
 5. The amount of private sector investment generated or likely to be generated by the proposed project
 6. The demonstrated public support for the proposed project
 7. The likelihood of accomplishing the proposed project in a timely fashion
 8. The effect of the proposed project on the environment
 9. The extent to which the project will utilize, the fullest extent practicable and economically feasible, resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures
 10. The extent to which the project will provide onsite child [daycare facilities] CARE SERVICES or OTHERWISE FACILITATE NEW CHILD CARE SERVICES

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11. The extent to which the proposed project will require the provision of additional services, including, but not limited to additional educational, transportation, police, emergency medical or fire services; and the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts

1. During the February 11, 2025 meeting, the IDA compared the language within Section 874(4)(a) with the language specific to the IDA’s current UTEP.
2. Based upon that review, the IDA agreed to add a general statement to the IDA’s UTEP referencing GML’s Section 874 plus fine-tuning the remaining language accordingly.
3. *See below:

GML SECTION 874	IDA CURRENT	IDA PROPOSED
	The nature of the project (e.g. manufacturing, commercial, tourism, high tech, etc.).	
	The nature of the property before the project begins (e.g. vacant land, vacant building, brownfield site, blight, adaptive reuse, etc.).	
	The economic condition of the area at the time of application and the economic multiplying effect the project will have on the community.	
The extent to which a project will create or retain permanent, private sector jobs.	The extent to which the project will create or retain permanent, private sector jobs, the number of jobs to be created/retained, and the level of wages paid.	
The estimated value of any tax exemptions to be provided.	The estimated value of tax exemptions to be provided.	
	The economic impact of the project and the proposed tax exemptions on affected taxing jurisdictions.	
The impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity.	The impact of the project on existing businesses in the community.	
The amount of private sector investment generated or likely to be generated by the proposed project.	The amount of private investment generated by the project.	

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GML SECTION 874	IDA CURRENT	IDA PROPOSED
The effect of the proposed project on the environment.	The effect of the project on the environment.	
The extent to which the proposed project will require the provision of additional services, including, but not limited to additional educational, transportation, police, emergency medical or fire services.	The extent to which the project will require additional services including but not limited to infrastructure, roads, transportation, education, fire protection, police protection, etc.	
	The extent to which the project will provide a benefit (economic or otherwise) to the municipality in which the project is located.	
The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts.	The extent to which the project will provide additional sources of revenue for municipalities and school districts in which the project is located.	
	The extent to which the project enhances the quality of life of people in the community (recreation, removal of blight, brownfield redevelopment).	
Whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which an exemption was provided.		
The demonstrated public support for the proposed project.		
The likelihood of accomplishing the proposed project in a timely fashion.		
The extent to which the project will utilize, the fullest extent practicable and economically feasible, resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures.		
The extent to which the project will provide onsite child care services or otherwise facilitate new child care services.		

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IDA DISCUSSION:
IDA ACTION:

MOTION:
MADE BY:
SECONDED:
DISCUSSION:
VOTE:

B. 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.**

IDA ACTION:
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:
SECONDED:
DISCUSSION:

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VOTE :
TIME :

MOTION: To go out of Executive Session.

MADE BY:
SECONDED:
DISCUSSION:
VOTE:
TIME:

VIII. NEXT MEETING:

Tuesday
April 8, 2025
8:00 a.m.

IX. CLOSE MEETING:

MOTION: To close the meeting at _____ a.m.
MADE BY:
SECONDED:
DISCUSSION:
VOTE: