

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
SEPTEMBER 8, 2020
8:00 A.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

AGENDA

PRESENT ON CONFERENCE CALL:

- ___ DAVE D'AMORE, CHAIRMAN
- ___ JOE SEMIONE, VICE CHAIRMAN
- ___ TODD RULISON, TREASURER
- ___ JANE KELLEY, SECRETARY
- ___ TIM MUNN, MEMBER
- ___ JOE GILLIS, MEMBER
- ___ MIKE FITZGERALD, MEMBER
- ___ JAMES MRAZ, EXECUTIVE DIRECTOR
- ___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
- ___ SCOTT HENZE, PLANNING DIRECTOR
- ___ TRAVIS MITCHELL, FULTON COUNTY CENTER FOR REGIONAL GROWTH
- ___ JOHN BLACKMON, LIAISON, ECONOMIC DEVELOPMENT AND ENVIRONMENT COMMITTEE
- ___ MIKE ANICH, LEADER-HERALD

I. ROLL CALL:

	Aye	Nay	Abstain	Absent
Dave D'Amore	___	___	___	___
Joe Semione	___	___	___	___
Todd Rulison	___	___	___	___
Jane Kelley	___	___	___	___
Mike Fitzgerald	___	___	___	___
Joseph Gillis	___	___	___	___
Tim Munn	___	___	___	___

II. MINUTES FROM AUGUST 11, 2020 MEETING:

MOTION :
MADE BY :
SECONDED :
ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Dave D'Amore	—	—	—	—
Joe Semione	—	—	—	—
Todd Rulison	—	—	—	—
Jane Kelley	—	—	—	—
Mike Fitzgerald	—	—	—	—
Joseph Gillis	—	—	—	—
Tim Munn	—	—	—	—

NOTE: A transcript of the August 11, 2020 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:

MOTION :
MADE BY :
SECONDED :
ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Dave D'Amore	—	—	—	—
Joe Semione	—	—	—	—
Todd Rulison	—	—	—	—
Jane Kelley	—	—	—	—
Mike Fitzgerald	—	—	—	—
Joseph Gillis	—	—	—	—
Tim Munn	—	—	—	—

IV. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Reports: Dave D'Amore

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: John Blackmon, Liaison
2. FCCRG Report: Travis Mitchell

VI. **OLD BUSINESS:**

A. **IDA Website:**

1. **Background:**
 - At its November 12, 2019 meeting, IDA Board hired Emery Designs to update IDA's website.
 - Executive Director has been participating in weekly Conference Calls with Emery Designs to discuss various issues.
 - At its January 14, 2020 meeting, the IDA Board agreed to consolidate the information on the Tryon Technology Park website (tryontechnologypark.com) into the IDA's website (fcida.org) but retain the domain name Tryon Technology Park.
2. **Status Report:**
 - In response to the COVID Pandemic, Emery Designs is working on adding narrative/graphics to the Home page emphasizing that Fulton County is a safe, healthy, low-risk place to live/do business.
 - Emery Designs is recommending that the IDA join LinkedIn and advertise on it.
 - Emery Designs is obtaining cost estimates for advertisements.
 - Developing flow chart of Fulton County's Economic Development Program and summary of everyone's roles to put on website.

IDA DISCUSSION:

B. **Cushman Wakefield:**

1. **Background:**
 - At its April 14, 2020 meeting, the IDA Board authorized the Chairman to execute a Listing Agreement with Cushman Wakefield to market Tryon.
 - Listing Agreement has been executed.
2. **Status Report:**
 - Cushman Wakefield has listed Tryon's shovel-ready land and the two (2) buildings onto their website as follows:
 - The land is listed at \$27,500 per acre.
 - The 15,000+/- sf Building 60/the former Maintenance Shop is listed at \$150,000.
 - The 15,000+/- sf portion of Building 3 referred to as the Midas Building is listed at \$350,000.

- Cushman Wakefield has advised that there is a party interested in several existing buildings.

C. Lands on South Side of CR107:

1. Background:

- IDA Board retained Coldwell Banker Arlene M. Sitterly to market the 27+/- acre parcel of land on the south side of CR107.
- The IDA Board received four (4) formal offers to purchase the property. One of the offers was subsequently withdrawn.

2. May 12, 2020 IDA Board Meeting:

- At its May 12, 2020 meeting, the IDA Board unanimously agreed to accept the offer from Squires/McCashion.

3. June 9, 2020 IDA Board Meeting:

- On May 22, 2020, Dave Huckans/Dr. Shri Verma submitted a revised offer to the IDA. Revised offer increased purchase price from \$30,000 to \$90,000 with no contingencies.
- On June 8, 2020, Clayt Sitterly emailed the IDA advising that his clients, Squires/McCashion, had decided to not pursue its project and was therefore withdrawing its offer to purchase the 27+/- acres on the south side of CR107.
- At its June 9, 2020 meeting, the IDA Board agreed to meet with Mr. Huckans and Dr. Verma to discuss their revised proposal.

4. July 14, 2020 Meeting:

- On June 12, 2020, IDA representatives met with Dave Huckans, Dr. Verma and Baljit Verma to discuss their revised offer.
- Their plan for the property includes the following:
 - Create a business to manufacture and distribute probiotics.
 - Promote organic farming and use the site as a hub for selling organic farm-to-table products.
 - Relocate an existing business to the site.
- On June 15, 2020, a request was made to Dave Huckans and Dr. Verma to prepare and submit to the IDA a more detailed business plan.
- On June 15, 2020, several questions were asked of the IDA about the property. Responses were provided on June 16, 2020.
- National Grid came to the site on June 23, 2020 to mark the location of their gas mains.
- On June 24, 2020, Dave Huckans called to ask that the utility rooms to the existing buildings be opened so he and Gloversville Water Department could see where water lines entered each building. Those utility rooms were opened the same day.
- On July 7, 2020, Dave Huckans submitted a revised business plan summarizing how they intend to develop the site. Revised plan was submitted and reviewed at July 14, 2020 meeting.
- At July 14, 2020 meeting, IDA Board authorized its Chairman to execute a Purchase Contract for the sale of these 27+/- acres to Huckans/Verma.

5. August 11, 2020 Meeting:

- Purchase Contract has yet to be signed by Verma/Huckans.
- Responded to series of questions submitted by Dave Huckans.
- Conducted conference call on August 3, 2020 with Dave Huckans and Paul Kolodziej, his attorney.
- Mr. Huckans is seeking additional information on three (3) items:
 1. Estimated IDA legal fees that Mr. Huckans will be responsible for paying.
 2. Verification that the Town of Perth or Fulton County will take over ownership of access driveway.
 3. Verification that this parcel will be included in proposed Fulton County Sewer District No. 4.
- Mr. Huckans advised that these issues need to be addressed in order for them to execute the Purchase Contract.
- IDA Board agreed to ask Verma/Huckans to submit a signed Purchase Contract to the IDA by August 18, 2020.

6. Update:

- Executed Purchase Contract was received on August 18, 2020.
- Chairman D'Amore executed the Purchase Contract and it was returned on August 21, 2020.
- Deposit check has been received and is being held by Coldwell Banker.
- Purchase Contract included three (3) conditions:
 1. Estimated IDA legal fees that Mr. Huckans will be responsible for paying.
 2. Verification that this parcel will be included in proposed Fulton County Sewer District No. 4.
 3. Verification that the Town of Perth or Fulton County will take over ownership of access driveway.
- Item #1 has been addressed. Kara Lais sent an estimate to Paul Kolodziej, the Purchaser's attorney.
- Item #2 has been addressed. On August 18, 2020, Jim Mraz e-mailed Dave Huckans a map showing that the parcel was included in proposed Fulton County Sewer District No. 4.
- Item #3 still needs to be addressed by the Buyers prior to closing.
- Purchase Contract stipulates that the closing shall be on or before September 30, 2020.
- Purchase Contract says the attorneys for Seller and Buyer had to agree to all matters by September 1, 2020. On September 1, 2020, Kara Lais sent e-mail to Paul Kolodziej, the Buyer's Attorney, identifying several modifications to Purchase Contract.
- Purchase Contract says the Seller shall cooperate in providing any survey to the Purchaser and that the Purchaser shall pay for the cost of updating any such survey or the cost of a new survey. On September 2, 2020, Jim Mraz sent Dave Huckans a copy of the Boundary Survey Map Ferguson & Foss prepared when the IDA took title to property from New York State showing the parcel on the south side of CR107 as well as a written description.
- Dave Huckans met with David Dopp, Town of Perth Highway Superintendent, to discuss having Town take over road.
- David Dopp said owner of road must request Town take over.
- As current owner, IDA must submit request to Town of Perth.

IDA DISCUSSION:

D. Proposed Nexus Renewables Solar Project:

1. Status Report:

- Nexus Renewables still working with Town Planning Board to obtain local approvals.
- Jim Mraz e-mailed proposed Site Plan, Decommissioning Plan and Decommissioning Cost Estimate to IDA Board members on September 4, 2020 to review.

IDA DISCUSSION:

VII. NEW BUSINESS:

A. Fulton County YMCA Project:

1. Background:

- In 2008, the IDA issued \$5,450,000 in Civic Facilities Bonds to the Fulton County YMCA to construct their new facility on Harrison Street.
- The Bonds were purchased by NBT Bank.
- The Bonds are scheduled to mature on July 1, 2030.

2. COVID-19 Pandemic:

a. Initial Bond Payment Deferral:

- As a result of the COVID-19 Pandemic, the YMCA has been closed.
- On May 4, 2020, Chris Defibaugh, CEO of the YMCA, contacted Jim Mraz to advise that the YMCA applied to NBT Bank for a 3-month deferral of its principal and interest payment due NBT.
- The deferral would be for a 3-month period of April 1 – June 30.
- The deferral would result in the maturity date of the bonds being changed from July 1, 2030 to October 1, 2030.
- The IDA Board, at its May meeting, authorized having a letter sent to NBT Bank stating it supported this 3-month deferral.

b. 2nd Bond Payment Deferral:

- On August 14, 2020, Chris Defibaugh contacted Jim Mraz advising that the YMCA had applied to NBT Bank for a 2nd bond deferral payment.
- The deferral would be for a 3-month period of July 1 – September 30.
- The deferral would result in the maturity date of the bonds being changed from October 1, 2030 to January 1, 2031.
- NBT Bank would like another letter from the IDA advising if it supports this 2nd deferral.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

ROLL CALL VOTE:

	Aye	Nay	Abstain	Absent
Dave D’Amore	—	—	—	—
Joe Semione	—	—	—	—
Todd Rulison	—	—	—	—
Jane Kelley	—	—	—	—
Mike Fitzgerald	—	—	—	—
Joseph Gillis	—	—	—	—
Tim Munn	—	—	—	—

B. Site Selectors Guild Survey Finds Shifting Corporate Location Preferences;

1. Survey Findings:

a. Suburbs, Mid-Size Cities and Rural Areas Will be the Next Winners for Corporate Location Projects

- The pandemic has brought suburban areas and mid-size cities into the forefront of consideration for future site selection projects.
- Rural areas are now well ahead of large urban areas.
- Consultants indicated that New York would be hit especially hard among the nation’s largest cities.
- Of the consultants who agreed that large urban centers are “not at all” or “unlikely” to be considered for future projects, 100% said that New York City would be among the least likely locations to be considered for future projects in the next 12 months.

b. Consultants Report 61% of Site Selection Projects are Moving Forward

- Office projects will remain on hold until there is a clearer understanding on what the “office of the future” will look like and footprint requirements.
- Manufacturing will continue to be driven by the need to de-risk the global supply chain.
- There will be an accelerated rate of reshoring as well as more, smaller regional facilities to mitigate risk.

c. Food and Beverage Processing Emerges as Hot Industry, Biotech and Manufacturing Activity Continue to Hold Strong

- In June, the food and beverage processing industry saw the largest increase in project activity when compared to the April survey.
- The top five most active industries – with comparisons to Guild member selections in April – are listed below:
 1. Biotech and Life Sciences – 67% (down from 68%)
 2. Advanced Manufacturing – 51% (up from 29%)
 3. Food and Beverage Processing – 47% (up from 16%)
 4. Transportation and Logistics – 44% (down from 48%)
 5. Software and IT – 31% (up from 19%)

d. Economic Developers Should Begin Shifting Focus Back to Business Attraction

- Guild members believe an economic development organization’s (EDO) priority focus in the COVID-19 environment should be on:
 1. Business retention
 2. Workforce development/talent attraction
 3. Business attraction

C. Proposed 2021 IDA Budget:

1. Background:
 - IDA must adopt and file with PARIS a 2021 Budget by October 31, 2020.
2. Proposed 2021 Budget:
 - See attached.
3. Potential 2021 IDA Initiatives:
 1. Advertising on LinkedIn.
 2. Purchasing data from Statebook.
 3. Preparing buildings at Tryon for demolition.
 4. Site cleanup at Tryon.
 5. Marketing material for Tryon Development Area.
 6. Identifying sites for development.
 7. Food Site Certification.

IDA DISCUSSION:

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.**

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 :
ROLL CALL VOTE :

	Aye	Nay	Abstain	Absent
Dave D'Amore	___	___	___	___
Joe Semione	___	___	___	___
Todd Rulison	___	___	___	___
Jane Kelley	___	___	___	___
Mike Fitzgerald	___	___	___	___
Joseph Gillis	___	___	___	___
Tim Munn	___	___	___	___

TIME :

MOTION : To go out of Executive Session.

MADE BY :

SECOND :

ROLL CALL VOTE :

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

TIME :

IX. NEXT MEETING:

Tuesday
October 13, 2020
8:00 a.m.

X. CLOSE MEETING:

MOTION : To close the meeting

MADE BY :

SECONDED :

ROLL CALL VOTE :

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

TIME :