

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
AUGUST 13, 2024
8:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM

MEETING NOTES

PRESENT:

MIKE FITZGERALD, CHAIRMAN
SUE COLLINS, VICE CHAIRMAN
DR. GREG TRUCKENMILLER, TREASURER
JOSEPH GILLIS, SECRETARY
DAVID D'AMORE, MEMBER
DAN ROUNDS, MEMBER
KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
SCOTT HENZE, PLANNING DIRECTOR
TOM ROEHL, LIASON ECONOMIC DEVELOPMENT & ENVIRONMENT COMMITTEE
TIM BECKETT, FULTON COUNTY CENTER FOR REGIONAL GROWTH

I. MINUTES FROM JULY 9, 2024 MEETING

MOTION : Accepted as presented
MADE BY : Sue Collins
SECONDED : Dave D'Amore
VOTE : Unanimous

II. BUDGET REPORT:

MOTION : Accepted as presented
MADE BY : Joe Gillis
SECONDED : Mike Fitzgerald
VOTE : Unanimous

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Greg Truckenmiller

IDA DISCUSSION: Greg Truckenmiller noted that the monthly date reconciliation report was in order.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

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

1. FCCRG Report: Tim Beckett (See attached.)

IDA DISCUSSION: Tim Beckett stated that the FCCRG did not hold a meeting in July. Mr. Beckett noted that the FCCRG has received 31 applications to the 2024 Microenterprise Grant. Mr. Beckett noted that the CRG is working on another \$500,000 EPA Brownfield Assessment Grant that will be utilized toward the redevelopment of Brownfield sites throughout Fulton County. Mr. Beckett noted that the CRG had received a similar grant whereby they utilized the dollars associated with County owned property on Van Road (Fashion Tanning) as well as a site in the Village of Northville. Dave D'Amore questioned whether or not the \$500,000 EPA Brownfield Assessment Grant was a bulk grant. Tim Beckett indicated that it was. Mr. Beckett indicated that working with the EPA is much different than working with DEC due to the fact that the EPA is interested in redeveloping the Brownfield sites. Mr. Beckett indicated that there needs to be willing property owners that have an interest in redeveloping their sites as well as having a site control.

2. Fulton County Report: Tom Roehl

IDA DISCUSSION: Mr. Roehl indicated that a report was provided at the last Economic Development and Environment Committee meeting of the Board of Supervisors in regards to the idea of a Shared Tool Box concept. Mr. Roehl indicated that the BOS passed resolutions approving two (2) change orders for the Fulton County Sewer District No. 5: NYS Route 30/30A project totaling \$746,000. Mr. Roehl indicated that those change orders were a direct result in a significant delay by DEC in issuing the construction permit for the sewer project. Mr. Henze explained that the initial submission design plans and reports for the project were provided to DEC on March 1st

of 2023, where by the County did not receive comments back for approximately 6 months. Mr. Henze expressed his frustration in the length of time in the delay that DEC caused on the project.

V. **OLD BUSINESS:**

A. **Nexus Renewables:**

1. **Special Use Permit (SUP):**

- In 2020, Nexus received a Special Use Permit (SUP) from the Town of Johnstown Planning Board for their Solar Project next to Tryon.
- This SUP was good for 1 year.
- Nexus never requested that the Planning Board extend the expiration date of the SUP.
- Nexus recently submitted a request to the Planning Board to extend the expiration date of the SUP.
- Since it has been 3 years since the SUP expired, the Town of Johnstown decided to require Nexus to submit a new application for a SUP.
- This application will be impacted by the current moratorium the Town Board enacted on all solar projects. This moratorium is scheduled to expire on August 26, 2024. The Town Board could extend the moratorium.
- The Town will not accept applications for any SUP's until after the moratorium expires.

IDA DISCUSSION: Scott Henze reviewed the background information as identified within the agenda. Joe Gillis question what would happen if the Town of Johnstown prohibits solar development with in the town. Scott Henze note that the Town of Johnstown is currently developing solar regulations to regulate solar development within the town. Mike Fitzgerald noted that it was his understanding that the Town of Johnstown currently does not have solar regulations. Joe gillis question whether or not the Town of Johnstown was anti solar. Mike Fitzgerald stated that the Town of Johnstown is developing solar regulations to accommodate solar in specific areas in the town in order for it to be orderly and not as haphazard.

B. **Winstanley Enterprises:**

- No report.

C. **T-Bills:**

1. **Current T-Bills:**

T-Bill #	Expiration Date
1	11/29/2024
2	4/17/2025
3	5/15/2025
4 & 5	8/8/2024

2. **T-Bills 4 & 5:**

- These two (2) T Bills are set to expire on 8/8/2024.
- Current T Bill Rates are as follows:

Term	Yield to Maturity	Maturity Date
3 Mo	5.11%	10/3/2024
6 Mo	5.136%	1/2/2025
9 Mo	4.968%	4/17/2025
12 Mo	4.944%	6/12/2025

- The IDA discussed renewing T-Bills 4 & 5 at the July 8, 2024 meeting.
- The IDA authorized the renewal of T-Bills 4&5 for a period of 6 months as identified above with the stipulation that if the rates changed by more than a quarter of a point, the Board would be notified and would then decide on whether to change the renewal terms.
- Carol Ellis notified the Board via email on August 7, 2024 that the rates had changed by more than a quarter of a point.
- Current T-Bill rates are as follows:

Tenor	Yield to Maturity	Maturity Date
3 Mo	4.907%	11/12/2024
6 Mo	4.771%	2/6/2025
9 Mo	4.465%	5/15/2025
12 Mo	4.351%	8/7/2025

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda. Scott Henze stated that the majority of IDA Members responded to Ms. Ellis’ email recommending 3-month extension where by Chairman Fitzgerald recommended a 6 month. Scott Henze stated that this discussion was placed back on the agenda for further consideration. Mike Fitzgerald noted that he is recommending the 6-month term given the fact that rates are expected to continue to fall and this would lock in 3 additional months in comparison to 3 months. Dan Rounds questioned why the IDA would not consider 12 months given the fact that interest rates could continue to fall locking in those rates for even a longer period of time. Mike Fitzgerald noted that the IDA had invested in the T-bills on the premise that they would do so in consecutive 3-year terms. The consensus of the IDA was to lock in T-bills #4 & 5 at the 6-month rate.

IDA ACTION:

- MOTION : Authorize the renewal of T-bills 4 & 5 for 6-months.
 MADE BY : Dave D’Amore
 SECOND : Dan Rounds
 VOTE : Unanimous

D. Crossroads Park Housing:

1. Status:
 - Howard Hannah has shown the parcel to several parties.
 - Howard Hannah continues to distribute marketing materials on the site to housing developers in the Region.

2. Wetlands Investigation:

- In May 1997 a wetlands investigation was conducted on the lands that were being proposed to develop into the Crossroads Business Park.
- Federal Army Corp of Engineers wetlands were identified and mapped.
- New wetlands mapping needs to be conducted if the lands the IDA has for sale are to be developed.
- IDA has received a proposal from Environmental Design Partnership to conduct a wetlands investigation on the 26+/- acres the IDA has for sale for housing.
- Total Cost: \$

IDA DISCUSSION: Scott Henze reviewed the background information as identified within the agenda. Mr. Henze indicated that the wetlands that were delineated in 1997 are no longer valid. He indicated that wetland delineation are typically acceptable for 5 year time periods. Scott Henze reviewed the proposal tasks included in EDP proposal. Sue Collins whether or not this is the standard process for a jurisdictional determination. Dave D'Amore indicated that in his experience NYS DEC will respond to the jurisdictional determination request however the US Army Corp of Engineers will not due to staffing storages. Sue Collins stated that DEC using some form of technology to identify wetland areas. Scott Henze stated that the DEC may be using infra-red imagery that would high light vegetation. Joe Gillis questioned why the IDA would spend dollars on a wetland delineation at this time. Dave D'Amore stated that any developer interested in the property would want the information prior to the purchase of the property. Scott Henze suggested that the IDA consider an additional amount above and beyond the proposed \$8,000 cost given the fact the EDP may need to make multiple site visits. Mike Fitzgerald indicated that he would make a motion to authorize a cost not to exceed \$10,000.

IDA ACTION: To authorized an agreement with Environmental Design Partnership to provide Environmental Consulting services to the Crossroads Business Park at a cost not to exceed \$10,000.

MADE BY : Mike Fitzgerald
SECOND : Dave D'amore
VOTE : Unanimous

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
- A Stakeholder Workshop was held on June 28th at FMCC.
- MRB Group working to identify 5 projects in 3 main component area.

IDA DISCUSSION: Scott Henze stated the MRB and the County advisory committee continue to meet to identify 5 projects in the 3 main component areas of Economic development Housing and Tourism. Mr. Henze stated that another county advisory committee will be held this afternoon.

VI. NEW BUSINESS:

A. Shared Tool Box:

1. Background:

- Representatives from the FCCRG, FMRCC, Fulton County and IDA been meeting to discuss ways the three (3) entities could work together more efficiently. Shared Toolbox was identified as the one initiative to pursue.

2. Shared Toolbox:

- A Shared Toolbox is a compilation of all service and programs currently offered and provided by:
 - a. FCCRG
 - b. FMRCC
 - c. FMS workforce Solutions
 - d. IDA
 - e. County Planning
 - f. Fulton County Visitor Bureau
- The Shared Toolbox will organize into three component areas.
 - 1) Economic Development
 - 2) Workforce
 - 3) Tourism
- The goal is for someone looking for information about either of these three (3) categories would click on one of those categories which would lead to a drop down showing approximately 12 services/programs. If that user then clicked on any of those 12 services/programs, it would show:
 - 1) Take the user to one of the entities websites where additional information would be available.
 - 2) The name, title, organization and contact information of the person who could be contacted for more information.
- Review Draft

IDA DISCUSSION: Scott Henze reviewed the background information as identified within the agenda. Mr. Henze showed a landing page provided by Emery Designs to IDA Members. Mr. Henze stated that the landing is simply a concept at this time and will continue to be restructured. Dave D'Amore indicated that this is something that he and Tim Beckett from the FCCRG had talked about 6 or 7 years ago. Mr. D'Amore indicated that they 3 components areas should be placed higher up on the web page itself.

VII. OTHER BUSINESS:

A. Board Training: Section 859-a of General Municipal Law

1. Prior to providing any financial assistance of more than \$100,000 to any project, the IDA must comply with the following requirements:
 - a. The IDA must adopt a resolution describing the project and the financial assistance that the IDA is contemplating with respect to such project. Such assistance shall be consistent with IDA Uniform Tax Exemption Policy (UTEP)

- b. The IDA must hold a public hearing with respect to the project and the proposed financial assistance being contemplated by the agency. Said public hearing shall be held in a city, town or village where the project proposes to locate. At said public hearing, interested parties shall be provided reasonable opportunity, both orally and in writing, to present their views with respect to the project.
- c. The agency must give at least ten days published notice of said public hearing and shall, at the same time, provide notice of such hearing to the chief executive officer of each affected tax jurisdiction with which the project is located. The notice of hearing must state the time and place of the hearing, contain a general, functional description of the project, describe the prospective location of the project, identify the initial owner, operator or manager of the project and generally describe the financial assistance contemplated by the agency with respect to the project.

IDA DISCUSSION: Scott Henze reviewed the information as identified within the agenda and also noted that the IDA also establishes a zoom link on the IDA website for anyone that would like to watch the public hearing as well as having it being recorded and added to the IDA website for further viewing. Scott Henze asked Carol whether or not this was a requirement. Carol Lais stated that it is a requirement for the public hearing to be live streamed however it is not a requirement for questions and answers to be provided via the live stream.

3. 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 : Dan Round
SECOND : Mike Fitzgerald
VOTE : Unanimous
TIME : 8:45 AM

MOTION : To go out of Executive Session.

MADE BY : Dave D'Amore
SECOND : Dan Rounds
VOTE : Unanimous
TIME : 9:36AM

B. NEXT MEETING:

Tuesday
September 10, 2024
8:00 a.m.

C. CLOSE MEETING:

MOTION : To close the meeting
MADE BY : Sue Collins
SECONDED : Dan Rounds
VOTE : Unanimous
TIME : 9:37AM