

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
NOVEMBER 12, 2024
8:00 A.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

AGENDA

PRESENT:

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

I. MINUTES FROM OCTOBER 8, 2024 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. FCCRG Report: Terri Easterly (See attached.)
2. Fulton County Report: Tom Roehl

V. OLD BUSINESS:

A. Nexus Renewables:

- Nexus is waiting for Moratorium to expire so it can file an application for a new Special Use Permit (SUP).

IDA DISCUSSION:

B. 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:
 - At the October meeting, IDA Board reviewed the final wetlands Delineation Map prepared by the Environmental Design Partnership (EDP).
 - EDP has applied for an approved Jurisdictional Determination (AJD) from the US Army Corp of Engineers and NYSDEC.
 - Both NYSDEC and Army Corp have conducted their confirmation visits.

- Based upon their inspections of the wetlands, both NYSDEC and Army Corp wetlands permits would be required if wetlands B, C & E would be impacted. If wetlands A & D are impacted, only an Army Corp wetlands permit would be required.
- EDP has been asked to compile a revised wetland delineation map documenting the regulatory jurisdiction over each wetland. EDP will then submit it to both agencies to obtain formal confirmation validation letters from both agencies. Once both letters come in, EDP will amend the wetland report and provide a final version to the IDA. The final report will contain the letters issued in an Appendix.

IDA DISCUSSION:

C. Development Strategy

- MRB is scheduled to present the final Development Strategy to the Board of Supervisors at its November 12, 2024 meeting

IDA DISCUSSION:

D. Website Research Project

a. Scope of Work

- Perform customer Development interviews
- Audit existing websites
- Define Target Audience
- Prepare plan to drive traffic and what users are searching for

b. Proposal

- The Group asked Emery Design for a cost proposal to perform the work tasks shown above for the Website Research Project.
- The four (4) partner agencies were asked to consider making a contribution toward the cost of this Project.
 - FMRC of C & FMS Workforce Solutions advised that they do not have funds to contribute towards the Project.
 - Fulton County Visitors Bureau is willing to make a contribution.
 - FCCRG wants to see the County's New Development Strategy before making a decision, The CRG wants to see if there is anything in the Strategy that may impact the need to conduct the Website Research Project.

IDA DISCUSSION:

E. YMCA Bond Modification

1. Background
 - In January 2008, the IDA issued \$5,450,000 in Civic Facility Bonds for the YMCA to purchase and renovate the former Gates Mills Building on Harrison Street.
 - The Bonds were purchased by NBT Bank.

2. February, 2024 Resolution
 - NBT is proposing to modify the term of the Bonds by agreeing to accept interest only payments on the Bonds for 18 months.
 - The 18 months of unpaid principals payment would become a balloon payment at the end of the term of the Bonds.
 - At the February, 2024 meeting, the IDA Board approved a Resolution authorizing the Director of certain amendments to the 2008 Bonds and authorize the Chairman to execute a certain documents related to this modification.

3. Status
 - Documents are finally being circulated for review. Hopefully, these documents will be finalized and distributed shortly for execution.

4. New YMCA CEO
 - The Fulton County YMCA Board recently appointed Judi Perry as their new CEO.
 - She starts on November 6, 2024.
 - Jesus Soto, the intern CEO, is being retained until November 15th to help with the transition.

IDA DISCUSSION:

F. 2025 Budget

- 2025 Budget has been filed under PARIS and with the Board of Supervisors and County Treasurer's offices

VI. NEW BUSINESS:

A. T-Bill:

- T-Bill 1 will expired on November 29, 2024
- The expiring T-Bill has a rate of 5.126%
- Current T-Bill rates are:
 - 3-month
 - 6-month
 - 9-month
 - 12-month

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

B. Potential New Substation:

- At the October meeting, the IDA Board agreed to pursue developing a distribution level substation that could provide up to two new express feeder circuits into Tyron each providing 12MW+/- that could be split once in the Park and could serve the 4 sites Winstanley has identified on its Site Plan for Tryon. One feed could serve 2 parcels at 6MW each or a variation that would total 12MW. NG would not combine 12+12 to one parcel.
- A Zoom meeting has been scheduled for December 3rd to discuss the details about pursuing the development of a substation.
- National Grid, the IDA and Winstanley Enterprises will participate in the Zoom meeting.

IDA DISCUSSION:

C. EPA Cleanup Grant

- EPA has determined that the IDA is currently not eligible to apply for an EPA Cleanup Grant.
- EPA wants a letter from NYS stating that it has reviewed the Phase I Environmental Site Assessment and agrees with the reports findings that there is no soil or ground water contamination at the site.
- Kara Lais contacted NYSDEC's Region 5 attorney about obtaining such a letter. NYSDEC has advised that they would not be able to provide such a letter.
- Unfortunately, the IDA will not be able to apply for an EPA Cleanup Grant this year. If NY State agrees to issue that letter, the IDA could apply at the next round of funding next year.

IDA DISCUSSION:

VII. OTHER BUSINESS:

A. Board Training: 2024 IDA Board Performance Questionnaire

a. Background:

- The 2009 Public Authorities Reform Act requires that board members of every state and local public authority conduct an annual evaluation of its performance. The IDA's Policy 10-5 also requires Board members to complete this annual evaluation.

- Board member comments are protected from disclosure under Article 6 of Public Officers Law, but the results of the assessment are to be provided to the ABO.
- This annual assessment is a reminder to each board member of their duties, why those responsibilities are important, and whether they are performing those duties appropriately. The evaluation provides an opportunity for board members to measure their individual and collective effectiveness, determine if they are following their own policies and procedures, identify areas for board improvement, and to compare how their evaluation of the board's performance compares to that of other board members.
- If the evaluation demonstrates the need for the board to improve its performance, amend its practices or procedures, or clarify its expectations of board members, the board is expected to implement suitable corrective actions immediately.

b. 2024 Board Performance Questionnaire:

- See Handout.

2. Executive Session:

- a. 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 :

B. NEXT MEETING:

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

C. CLOSE MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :
TIME :

Fulton County Center for Regional Growth

November 2024

Business Marketing / Business Leads / Business Inquires

1. 2024 - \$300,000 Microenterprise Grant: The Microenterprise Grant Committee met last week to discuss current grant requests and evaluate current program allocations. CRG is working on several new forms the state is requiring for each Microenterprise grant.
2. No RFPs were received for sites this month. However, CRG had a site tour request from an Asian company. We offered three sites, Tryon, Johnstown Commerce Park, and an existing facility. They decided to tour the existing facility and Johnstown Commerce Park.
3. CRG applied for another grant for Johnstown Commerce Park that would aid in the development of additional site studies.
4. CRG was one of the session presenters at the recent New York Association of Training and Employment Professionals (NYATEP) Workforce and Economic Development Conference. We invited the Fulton-Montgomery Chamber of Commerce, SUNY Fulton-Montgomery College, and the Fulton, Montgomery, Schoharie County Workforce Development Board to participate on the panel.
5. CRG's RFP for an EPA engineering consultant will go out in the next two weeks.
6. The Gloversville Downtown Development Specialist continues to meet with DRI project awardees and is currently working on the capital stacking process for each project.
7. The Gloversville DDS continues to work with downtown related activities including the Local Waterfront Revitalization Program and the city's Brownfield Opportunity Area (BOA).

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Policy No. 10-05

2024 IDA Board Performance Questionnaire

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members understand the mission and purpose of the IDA.				
The policies, practices and decisions of the IDA are consistent with this mission.				
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these responsibilities.				
The Board has adopted policies, by-laws, and practices for the effective governance, management and operation of the IDA and reviews these annually.				
The Board sets goals to accomplish its mission.				
Board decisions are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.				
Board members communicate effectively with the Executive Director and are well informed of all important issues.				
Board members are knowledgeable of IDA programs, financial statements, reporting requirements, and other transactions.				
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.				
The Board knows the statutory obligations of the IDA and if the IDA is in compliance with state law.				
Board and Committee meetings facilitate open, deliberate and thorough discussions and the active participation of members.				
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.				
Board members feel empowered to delay votes, defer agenda items or table actions if they feel additional information or discussion is required.				
The Board exercises appropriate oversight of Executive Director and CFO, including setting performance expectations and reviewing performance annually.				
The Board has identified the areas of most risk to the IDA and works with management to implement risk mitigation strategies before problems occur.				
Board members demonstrate leadership and vision and work respectfully with each other.				