

FULTON COUNTY INDUSTRIAL DEVELOPMENT
AGENCY

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

PLANNING DEPARTMENT CONFERENCE ROOM
MINUTES

IDA PRESENT:

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

OTHERS PRESENT:

TOM ROEHL, LIASON ECONOMIC DEVELOPMENT&ENVIRONMENT COMMITTEE
RON PETERS, PRESIDENT & CEO, FCCRG (ZOOM)
ANNE BOLES, EXECUTIVE DIRECTOR, FMRCC
JEFF PERSCH, TOWN OF JOHNSTOWN CODE ENFORCEMENT OFFICER

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.

IDA DISCUSSION: Scott Henze stated that he is including the IDA's Mission Statement at the beginning of the agenda to refresh members as to the Mission of the IDA. Scott Henze stated that the IDA may wish to update the mission statement given the fact that the IDA expanded the UTEP to include both housing and tourism projects. Dave D'Amore suggested that the IDA bold the "make Fulton County a desirable place to live and do business" portion of the Mission Statement.

I. MINUTES FROM JANUARY 14, 2025 MEETING:

** Meeting minutes were emailed to all members on January 21, 2025.*

MOTION: To accept as presented.
MADE BY: Dave D’Amore
SECONDED: Greg Truckenmiller
DISCUSSION: None
VOTE: Unanimous

II. BUDGET REPORT:

➤ Scott Henze presented the Budget Report to the IDA Board.

MOTION: To accept the Budget Report as presented.
MADE BY: Mike Fitzgerald
SECONDED: Joe Gillis
DISCUSSION: Mike Fitzgerald questioned whether the \$5,000 payment made by the Gloversville Water Department was the last payment. Scott Henze stated that he believes that year 5 will be the last payment
VOTE: Unanimous

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Mike Fitzgerald

IDA DISCUSSION: Mike Fitzgerald stated that he reviewed the Monthly Bank Reconciliation report and all was in order.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. FULTON COUNTY/FCCRG/FMRCC REPORTS:

1. County Report: Tom Roehl

IDA DISCUSSION: Scott Henze stated that Tom Roehl was once again appointed by the Economic Development & Environment Committee to serve as the County liaison to the IDA for 2025. Mr. Roehl stated that as he understands it, Mr. Henze is providing IDA Board members with copies of the Economic Development and Environment Committee meeting notes. Tom Roehl indicated that the Board of Supervisor's authorized the advertisement for bids to the I&I removal project as part of the County's Route 30 sewer initiative and that the Board approved a contract with Atlantic Testing for Geotechnical Engineering services be provided as part of the Great Sacandaga Lake Discovery Center project. Tom Roehl indicated that the minutes to the ED&E Committee meetings are quite detailed.

2. FCCRG Report: (See attached.) Geoff Peck

IDA DISCUSSION: It was noted that Mr. Peck was travelling and would not make the meeting. Scott Henze asked Ron Peters if he had a report. Ron Peters stated that the CRG hosted a tour of the Electro Metrics facility in the Johnstown Industrial Park. Ron Peters stated that Delaware Engineering also presented the final report on the Johnstown Commerce Park. He stated that he has applied for a \$435,000 grant through Fast NY for Tract B funding to advance further studies on the site. He stated that he feels as though the site is at the point of the beginning of being shovel ready but that it continues to be a process from one stage to the next. Ron Peters stated that there will be an announcement (Wednesday) at Mohawk Community College that will hopefully announce a grant that was submitted (Empowers) for workforce development.

3. FMRCC Report: Anne Boles

IDA DISCUSSION: Scott Henze stated that one of the goals of the IDA for 2025 was to improve the coordination with the Chamber and to have each IDA member attend at least one Chamber Board meeting. He stated that he has drafted and circulated a proposed IDA member schedule to attend each Chamber Board Meeting. He stated that he extended the opportunity for Anne to participate today and that moving forward would follow a similar process that has been followed with the CRG for meetings.

Anne Boles stated that she knows everyone in the room and appreciates the invitation and looks forward to a continued collaboration with the IDA. She stated that she will coordinate with her Board members to see if they would like to attend a meeting but most likely it would be herself attending.

Anne Boles stated that she is observing today to get a feel for what the IDA may like for her to report on but that the Chamber works a lot in workforce development. She stated that the Chamber also works a lot in education with their Business Education Partnership and coordinate with HFM Boces, SUNY FMCC and PTECH etc. Anne Boles mentioned the Women in the Workforce on March 12, 2025.

She stated that she has a great partnership with tourism and Scott Henze in the IDA, Planning and Tourism. Anne Boles referenced the Caroga Winter Carnival as being a great success and acknowledged many of the chamber members that really enjoyed the event and benefitted from it. She stated that one of the biggest tourism initiatives is this Saturday being the Walleye Challenge. She stated that there is 1,500 contestants in the Walleye Challenge and that the Great Sacandaga Lake Fisheries Federation has their tournament at the same time. Anne Boles referenced the following week with the Caroga Lake Store fishing tournament. Anne Boles referenced several other tourism related events such as the Outdoorsman Show and Fuel n Food fishing tournament.

Anne Boles mentioned that the Chamber will have their Business Expo on April 3, 2025 and suggested that if the IDA would like to have a table at the event to let her know.

Scott Henze stated that in November of 2025, Jim Mraz presented the County's new Development Strategy focused on Housing, Tourism and Economic Development. He stated that one (1) of the projects that was identified specific to the Chamber was the Good Host Training Program. Scott Henze stated that he has commenced the discussion with Anne Boles on how the Chamber will develop that particular project. He indicated that the concept is to provide an educational tool for businesses to use to educate their employees on having a positive attitude about Fulton County and educating them on what Fulton County has to offer etc.

V. OLD BUSINESS:

A. Nexus Renewables :

- Nexus continues to wait until the Town of Johnstown Moratorium 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 regulations on February 6, 2025 and have forwarded the draft to their counsel for a legal review.
- Executive Director scheduled a virtual meeting with Nexus on February 19, 2025.

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda. Joe Gillis questioned whether or not the Town could ban solar projects completely. Jeff Persch stated that would not happen.

B. Crossroads Park Housing:

- Howard Hannah continues to market the 26 +/- acres for housing.
- Colleen Ioele-DeCristofaro reported that she responded to two (2) requests for property information in the past 30-days.

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda. Mike Fitzgerald questions whether or not the two (2) requests were new requests. Scott Henze stated that they were.

C. 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 proposed 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 principal payments 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 amendments to the 2008 Bonds and authorized the Chairman to execute documents related to the modification. These documents would be prepared by an IDA Bond Counsel.

3. Status

- On January 30, 2025, Executive Director received an email from Geoff Peck, YMCA Board, expressing frustration on the delay of finalizing the amendments.
- Executive Director contacted Kara Lais to request a date for final amendments and documentation to be executed.
- After over a year, the documents are finally being circulated for execution.

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda. Kara Lais stated that the closing is scheduled for February 13. Dave D'Amore questioned whether or not we knew what the delay was. Kara Lais stated that there were many attorneys involved. Mike Fitzgerald indicated that some of the delay was based upon a change in leadership at the YMCA.

D. Website Research Project

Participants: FCIDA, FCCRG, FMRCC, FCVB & FMSWS

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.(* See Proposal dated January 23, 2025).
- The four (4) partner agencies were asked to consider making a contribution toward the cost of this Project.
 - FMRCC & FMS Workforce Solutions advised that they do not have funds to contribute towards the Project.
 - The IDA was informed that the CRG is willing to contribute \$2,000 toward the effort.
 - Fulton County Visitors Bureau is willing to make a contribution but no official decision has been made to date.
 - The total cost of Emery Designs proposal has been broken down by each Scope of Work as follows:

Perform customer Development interviews	\$3,500
Audit existing websites	\$3,500
Define Target Audience	\$2,500
Prepare plan to drive traffic and what users are searching for	\$2,500
Total Cost	\$12,000

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda and provided an overview of the Joint Economic Development Committee that discussed the initiative in 2024 that consisted of the various entities identified. Scott Henze reiterated the fact that this proposal is based upon a Research project only and would not result in the development of any new landing page/website etc.

IDA ACTION:

MOTION: To accept the proposal from Emery Designs dated January 23, 2025 in the amount of \$12,000 with contributions made by the Fulton County Center for Regional Growth and any contribution made by the Fulton County Visitor’s Bureau and to have the IDA take the lead on executing said research project.

MADE BY: Dave D’Amore
 SECONDED: Greg Truckenmiller

DISCUSSION: Joe Gillis questioned the maximum contribution to this project being \$10,000. Dave D’Amore confirmed. Scott Henze stated that for reference, the IDA included \$14,000 in the 2025 budget to conduct said research project. Dave D’Amore stated that he believes that it is important for us to determine what we need to have for an economic development platform in the County and that he has made the argument for years that there has been a fractured approach to economic development and that this would be a way to pull the pieces together to

have a unified voice. Mike Fitzgerald questioned whether or not a part of this effort would identify what group would be responsible as being the host for any new website to include maintaining it etc. Scott Henze reiterated that this current initiative is a research project and if it determines that a new site is needed, then that would need to be determined. Scott Henze indicated that Betsy Emory is looking for a single point of contact and that he assumed that it would be himself. Dave D'Amore indicated that it appears as though if the IDA does not take the stop forward to this work then it most likely would not be done and that the IDA should take the lead. Joe Gillis questioned what was the yearly cost of the IDA's website as well as the CRG's website. Scott Henze stated \$10,000-\$15,000. Mike Fitzgerald indicated that however there were additional tasks that the IDA asked of Emory Designs in the past. Ron Peters indicated that the CRG's website maintenance cost is similar to the IDA's. Sue Collins indicated that the idea was not to replace any one entities website and that each would continue to maintain their sites.

VOTE: Unanimous

VI. NEW BUSINESS:

A. T-Bills:

- T-Bill #4 will expire on February 13, 2025.
- The expiring T-Bill has a rate of 4.72% and had a term of 6 months.
- Current T-Bill rates are:

TERM	RATE %
3-month	
6-month	
9-month	
12-month	

IDA DISCUSSION: Scott Henze stated that NBT did not provide the updated T-Bill rates as of this am. He stated that Carol Ellis contacted NBT late last week to provide the updated rates. He indicated that they were supposed to be provided as of last night however, as of this morning they had not been. He suggested that once he does receive them, that he would email those rates to all IDA Board members to consider.

IDA ACTION:
 MOTION:
 MADE BY:
 SECONDED:
 DISCUSSION:
 VOTE:

B. Mohawk Valley Brownfields Developer Summit:

- Summit to be held on April 29-30, 2025 at Herkimer College.
- Sue Collins, Mike Fitzgerald and Scott Henze attended the summit in 2024.
- IDA Members can attend at no cost utilizing a PUBLIC access code.
- In 2024, the IDA agreed to be a breakfast sponsor in the amount of \$1,500.
- Participating as a breakfast sponsor includes the following:
 1. Logo/branding prominently displayed at the start of the breakfast table.
 2. One (1) dedicated exhibitor table for the IDA.
 3. Prominent name/logo recognition as a Sponsor in all promotional and program material leading up to the event and on-site.
 4. Endorsements and promotions in digital, electronic, and social media communications.

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda. He stated that he plans on attending. Sue Collins stated that she has already registered.

IDA ACTION:

MOTION: To approve a \$1,500 Breakfast sponsorship to the Mohawk Valley Brownfield Developers Summit

MADE BY: Sue Collins

SECONDED: Mike Fitzgerald

DISCUSSION: Mike Fitzgerald stated that this would be year four (4) or five (5) and that every year the attendance has grown. Sue Collins stated that the information is good and encouraged IDA members to attend any part of the conference that their schedules may allow for. Mike Fitzgerald stated that there is a lot of information on state and federal funding as well as project capital stacking.

VOTE: Unanimous

VII. OTHER BUSINESS:

A. Board Training:

1. Duties and Responsibilities of IDA Board Members per Section 2824 of Public Authorities Law and IDA Bylaws:

- (a) Execute direct oversight of the Agency’s Executive Director, Chief Financial Officer, Legal Counsel, Auditor and other staff in the effective and ethical management of the Agency.
- (b) Understand, review and monitor the implementation of fundamental financial and management controls and operational decisions of the Agency.
- (c) Establish policies regarding the payment of salary, compensation and reimbursements to, and establish rules for the time and attendance of, the Executive Director and management. **[NOTE: All adopted.]**
- (d) Adopt a code of ethics applicable to each officer, director and employee that, at a minimum, includes the standards established in section seventy-four of the public officers law. **[NOTE: Adopted]**
- (e) Establish written policies and procedures on personnel including policies protecting employees from retaliation for disclosing information concerning acts of wrongdoing, misconduct, malfeasance, or other inappropriate behavior by an employee or board member of the Agency, investments, travel, the acquisition of real property and the disposition of real and personal property and the procurement of goods and services. **[NOTE: The IDA Board has adopted the following policies]:**

<u>Policy</u>	<u>Date Adopted/Amended</u>
01. Compensation and Reimbursement	9/30/2008
02. Attendance	9/30/2008
03. Travel	9/30/2008
04. Ethics	6/14/2022
05. Procurement	9/30/2008
06. Property Disposition	4/12/2022
07. Whistleblower Protection	9/30/2008
08. Extension of Credit to Board Members and Staff	9/30/2008
09. Check Writing	1/31/2013
10. Credit Card	9/3/2010
11. Annual Assessment of the Effectiveness of Internal Controls	1/14/2020
12. Approval of Subleases	2/11/2011
13. Discretionary Funds Policy	6/6/2013
14. Uniform Tax Exemption Policy	10/10/2023
15. Investment Policy	7/12/2022
16. Sexual Harassment Prevention Policy	11/14/2018

- (f) Adopt a defense and indemnification policy and disclose such plan to any and all prospective board members. **[NOTE: The IDA Board and staff are covered under the County’s Public Officer Liability Policy provided by the New York Municipal Insurance Reciprocal]**
- (g) Perform each of their duties as board members, including but not limited to those imposed by this section, in good faith and with that degree of diligence, care and skill which an ordinarily prudent person in like position would use under similar circumstances, and may take into consideration the views and policies of any elected official or body, or other person and ultimately apply independent judgment in the best interest of the authority, its mission and the public.
- (h) At the time that each members takes and subscribes his or her oath of office, execute an acknowledgment, in the form prescribed by the Authorities Budget Office after consultation with the Attorney General, in which the board member acknowledges that he or she understands his or her role, and fiduciary responsibilities and acknowledges that he or she understands his or her duty of loyalty and care to the organization and commitment to the Agency’s mission and the public interest. **[NOTE: All members have signed this Acknowledgement Form]**

2. 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
 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

- The IDA’s current UTEP includes five (5) of the eleven (11) specific items listed in GML Section 874(4)(a) identified above.
- The five (5) specific items within the IDA’s UTEP are those highlighted in yellow.
- NYS Assembly Bill 2025-A1098 amended item ten (10).
- The IDA’s current UTEP includes additional provisions to be considered that are not included within GML Section 874(4)(a).
- The additional provisions within the IDA’s current UTEP include:
 1. The nature of the project (e.g. manufacturing, commercial, tourism, high tech, etc.).
 2. The nature of the property before the project begins (e.g. vacant land, vacant building, brownfield site, blight, adaptive reuse, etc.).
 3. The economic condition of the area at the time of application and the economic multiplying effect the project will have on the community.
 4. The estimated value of tax exemptions to be provided.
 5. The economic impact of the project and the proposed tax exemptions on affected taxing jurisdictions.
 6. The extent to which the project will provide a benefit (economic or otherwise) to the municipality in which the project is located.
 7. The extent to which the project enhances the quality of life of people in the community (recreation, removal of blight, brownfield redevelopment).
- Based upon the review of GML Section 874 and the IDA’s current UTEP, the board should consider taking one of the following actions:
 - a. Update the IDA’s UTEP provisions to include all specific provisions listed in GML Section 874(4)(a) or
 - b. Update the IDA’s UTEP to include language that references the provisions in GML Section 874 shall be considered plus the additional provisions included within the IDA’s current UTEP.

IDA DISCUSSION: Scott Henze reviewed the background information as identified in the agenda. Scott Henze stated that in his opinion it is better to have more considerations identified within the UTEP than less indicating that the specific language identified within the GML Section 874 should be included as a minimum. Greg Truckenmiller stated that he is inclined to agree with option b given that the law could change at any one time. Sue Collins questioned how the IDA’s current policies were developed. Dave D’Amore indicated that it was most likely a holdover from previous years and never updated. Dave D’Amore indicated that there may be more specific GML Section 874 language identified within the current UTEP referencing item No. 2 “the estimated value of any tax exemptions provided” as being included. He continued to state that there is similar working between the two (2) as well.

IDA ACTION:

MOTION: To add direct reference to GML 874 to the IDA's UTEP and to fine tune other remaining language within the Policy.

MADE BY: Dave D'Amore

SECONDED: Joe Gillis

DISCUSSION: No further discussion.

VOTE: Unanimous

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: Sue Collins

SECOND: Mike Fitzgerald

DISCUSSION: None

VOTE : Unanimous

TIME : 8:45am

MOTION: To go out of Executive Session.
MADE BY: Mike Fitzgerald
SECOND: Dave D'Amore
DISCUSSION: None
VOTE: Unanimous
TIME: 9:50am

MOTION: To authorize an appraisal to be performed on property located within the City of Johnstown along Prindle Avenue at a cost not to exceed \$3,000.00

MADE BY: Dave D' Amore
SECONDED: Greg Truckenmiller
DISCUSSION:None
VOTE: Unanimous

VIII. NEXT MEETING:

Tuesday
March 11, 2025
8:00 a.m.

IX. CLOSE MEETING:

MOTION: To adjourn at 9:51am
MADE BY: Dave D'Amore
SECONDED: Sue Collins
DISCUSSION: None
VOTE: Unanimous