

**FULTON COUNTY INDUSTRIAL DEVELOPMENT**  
**AGENCY**

**TUESDAY**  
**FEBRUARY 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 (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)
- \_\_\_ GEOFF PECK, FCCRG
- \_\_\_ ANNE BOLES, EXECUTIVE DIRECTOR, 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 JANUARY 14, 2025 MEETING:**

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

MOTION:

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

**II. BUDGET REPORT:**

MOTION:

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

**III. COMMITTEE REPORTS:**

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report: Mike Fitzgerald

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.) Geoff Peck

IDA DISCUSSION:

3. FMRCC Report: Anne Boles

IDA DISCUSSION:

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:

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:

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:

**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
<b>Total Cost</b>	<b>\$12,000</b>

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

**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:

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 breakfast Exhibitor table at the summit.
  2. Prominent name/logo recognition as a Sponsor in all promotional and program material leading up to the event and on-site.
  3. Endorsements and promotions in digital, electronic, and social media communications.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

DISCUSSION:

VOTE:

**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:



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:

SECOND:

VOTE :

DISCUSSION:  
TIME :

MOTION: To go out of Executive Session.

MADE BY:  
SECOND:  
DISCUSSION:  
VOTE:  
TIME:

**VIII. NEXT MEETING:**

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

**IX. CLOSE MEETING:**

MOTION:  
MADE BY:  
SECONDED:  
DISCUSSION:  
VOTE: