

COUNTIES OF WARREN AND WASHINGTON
INDUSTRIAL DEVELOPMENT AGENCY

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At the Board Meeting of the Counties of Warren and Washington Industrial Development Agency held on **January 19, 2016** at the Washington County Municipal Center in Fort Edward, NY, the following members were:

PRESENT:

| | |
|-------------------|-----------------------------|
| Bud Taylor | Chairman |
| Bruce Ferguson | Vice Chairman/Park Chairman |
| Joseph LaFiura | Secretary/Treasurer |
| Matt Simpson | At Large Member |
| Lou Tessier | |
| Jim Lindsay | |
| John W. Weber | |
| Dave O'Brien | |
| Brian R. Campbell | |

ALSO PRESENT:

| | |
|-------------------|----------------------------------|
| Kara Lais, Esq. | FitzGerald Morris Baker Firth PC |
| Deborah Mineconzo | Office Administrator |

The minutes of the meeting were taken by the Office Administrator. The Chairman called the meeting to order at 4:01 pm. After attendance was taken the Chairman declared a quorum was present.

Approval of minutes:

Mr. Weber made a motion to approve the December 21, 2015 meeting minutes. Mr. O'Brien seconded the motion and all voted in favor of the motion by voice vote.

Accounts Payable:

Mr. LaFiura moved to approve the accounts payables as presented with Mr. Tessier seconding. The motion was approved by roll call vote. Mrs. Mineconzo informed the Board the Park's Special District taxes were about \$4,000 less than last year due to the reduction in Sewer District #1 taxes.

(Mr. Ferguson arrives)

Old Business:

TFC Enterprises (Tree Paad) Update:

Ms. Lais informed everyone there is nothing new to report on the TFC Enterprises (Tree Paad) project at this time.

Innovative Concepts Update:

Ms. Lais reviewed the history of the two affiliated projects (ICC4 West Main and Innovative Concepts) to date. Our Agency offered and approved benefits to ICC4 West Main St. for sales tax and mortgage tax along with a PILOT Agreement. The mortgage at that time was through BBL Construction with the understanding ICC4 West Main would obtain a traditional financing from M & T Bank. Ms. Lais advised the Board the developers have decided to remove their application for their Union Street project at this

time. The developers of ICC4 West Main Street, however, are asking for a mortgage tax exemption on the new mortgage they are obtaining from M & T Bank. Given the Agency gave the Mortgage Tax exemption on the BBL Construction mortgage for the project, the question of concern is whether another mortgage tax exemption can be given on the same project. The Agency's signature is needed for the M & T Bank mortgage whether the exemption is given or not. There was lengthy discussion among the members. Mr. Taylor suggesting the developers attend the upcoming February Executive Committee Meeting which met with member approval.

New Board Member:

Mr. Taylor introduced Brian R. Campbell, Supervisor for the Town of Hebron, as the new Washington County Board Member. He replaces John Millett.

Park Business:

BG Lenders – Brian Granger:

Mr. Taylor introduced Brian Granger of BG Lenders to give his presentation regarding his business and plans to relocate into a Park Road building for sale in Phase I of our Park. Should Mr. Granger purchase the parcel, he plans to add fencing, security cameras and LED lighting. No criticism from the Board Members was voiced during his talk. However, Mr. Ferguson mentioned post presentation that he had hoped the future businesses that bought parcels in Phase I were of manufacturing types. No other opposing comments were voiced.

Lot #2 – Resolution of Completion:

Mr. Taylor addressed the draft resolution everyone received that was for Lot #2 in the Park. Ms. Lais informed everyone a Certificate of Completion was needed by the developer stating the Agency formally approved a Certificate of Completion for the original 2007 development of the Lot. In this case, the owner of the lot and building, DKB Enterprises, is thinking of conveying the property out and realized a Certificate of Completion hadn't been executed. Mr. O'Brien moved to approve the presented resolution with Mr. Lindsay seconding. All voted in favor of the resolution by voice vote.

Resolution No. 16-01

Adopted January 19, 2016

**RESOLUTION AUTHORIZING CERTIFICATE
OF COMPLETION OF IMPROVEMENTS**
(Complete resolution may be found at the end of this document)

Conveyance of Road to Town:

Ms. Lais reported the transfer of the roadway near Galusha to the Town of Kingsbury was finally completed.

New Business:

Meeting Schedules for 2016:

Mr. Taylor said the Executive Committee moved the 2016 meeting schedules for the Board and Executive Park Committee meetings to the Board for approval. Mr. Taylor advised the members the February Board and Annual meeting originally scheduled for February 16th is moved on the schedule to Wednesday, February 17th so Ms. Lais can be present. The Board saw no problem with the Wednesday move and Mr. Weber made a motion to approve the complete 2016 meeting schedules for the IDA and CDC. Mr.

Simpson seconded the motion and all voted in favor of the meeting schedules by voice vote.

Officer Nominations for Annual Meeting:

Mr. Taylor advised the Board Members that Mr. Ferguson has agreed to run again for Vice Chairman of the IDA. Therefore, Mr. Taylor said the Nominating Committee is offering the following slate of officers for the elections at the February Annual Meeting:

- Chairman – Bud Taylor
- Vice Chairman – Bruce Ferguson
- Secretary/Treasurer – Joseph LaFiura

Mr. Weber moved to accept the presented slate of officers for election at the Annual Meeting with Mr. Simpson seconding. All voted in favor of the motion by voice vote.

Letter to United States EPA:

Mr. Taylor read his composed Agency letter of support for a Job Training Grant Application being submitted by the City of Glens Falls. Ed Bartholomew seeked our Agency’s support via Mr. Taylor. Mr. Taylor stated the City has found high employment rates for those that took the training. Mr. Lindsay moved to support the Board’s formal approval of the letter sent with Mr. Simpson seconding. All voted in favor or the support letter by voice vote.

PILOT Invoices:

Mrs. Mineconzo sent copies of the recent Town and County PILOT invoice summary to the Board. There were no questions from the Board on the list.

There being no further business to discuss, Mr. O’Brien moved to adjourn the meeting with Mr. Simpson seconding. The Chairman adjourned the IDA meeting at 4:13 pm.

Dated

Joseph LaFiura, Secretary

Resolution No. 16-01
Adopted January 19, 2016

Introduced by Dave O'Brien
who moved its adoption

Seconded by James Lindsay

**RESOLUTION AUTHORIZING CERTIFICATE
OF COMPLETION OF IMPROVEMENTS**

WHEREAS, the Counties of Warren and Washington Industrial Development Agency (the "Agency") did, on or about June 22, 2007, enter into a Contract of Sale of (the "Contract") with Thomas Bushey d/b/a Protube Extrusion which was assigned to DKB Enterprises, LLC of Hudson Falls, New York 12839, hereinafter referred to as the Developer, with respect to the development of Lot #2, Phase IIA of the Agency's Airport Industrial Park located in the Town of Kingsbury, New York, 12839 (Tax Map Parcel #137.-2-1.3); and

WHEREAS, Paragraph 16 of said Contract provides that after completion of the improvements in accordance with the provisions of the Contract, the Agency will furnish the Developer with an appropriate instrument certifying to the completion of the improvements on all or individual parts of the property;

WHEREAS, the improvements required by the Contract between the parties have been properly completed for the parcel described in said contract and the Developer has presented to the Agency a Certificate of Occupancy duly issued by the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Agency does hereby approve a Certificate of Completion for the development of Lot #2, Phase IIA, Airport Industrial Park, Town of Kingsbury, New York described above and the Chairman of the Agency is hereby authorized to execute the same, subject to the approval of the Agency's legal counsel as to form and content.

This Resolution shall take effect immediately.

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| AYES: | <u>9</u> |
| NAYS: | <u>0</u> |
| ABSENT: | <u>0</u> |
| ABSTAIN: | <u>0</u> |