

# **COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY**

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The **Executive/Nominating/Park Committee** meeting of the Counties of Warren and Washington Industrial Development Agency was held on **Tuesday, February 10, 2015** at FitzGerald Morris Baker Firth PC, 16 Pearl Street, Glens Falls, NY. The following were:

<b>Present:</b>	Bud Taylor Bruce Ferguson Joseph LaFiura	Chairman Vice Chairman, Park Chairman Secretary/Treasurer
<b>Also Present:</b>	Kara I. Lais, Esquire Tom Jarrett John Millett, Sr. Jon Lapper, Esquire Dave Kenny Jeff Schwartz Deborah Mineconzo	FitzGerald Morris Baker Firth, PC Jarrett Engineers PLLC WWIDA Board Member Attorney for Kenny-Dittrich LLC Partner Kenny-Dittrich LLC Morris Products Office Administrator

The minutes were taken by Deborah Mineconzo, Office Administrator.

**Call to Order:** Bud Taylor called the meeting to order at 8:30 am.

**Minutes of Prior Meeting:** Upon motion by Mr. LaFiura, seconded by Mr. Ferguson, the minutes of the January 13, 2015 Executive/Nominating/Park Committee Meeting were unanimously approved.

## **PARK COMMITTEE:**

### **Foresters for Timber Maintenance:**

Mr. Jarrett reported Mr. Allen hadn't completed walking the Park parcels as engaged due to the snow, etc. Mr. Jarrett said Mr. Allen plans to complete things in the next couple weeks and hopes to have a report for the Agency by the March Park Meeting. Any tree cutting wouldn't be started until summer in any case.

### **ROW in Phase I to Galusha and Lewis Crane parcels:**

Ms. Lais informed the Committee she has unsuccessfully attempted to call Jim Lindsay. She did receive a call from Paul Pontiff who is interested in resolving the ROW in Phase I near Galusha & Sons because his client is interested in purchasing an adjacent parcel. Ms. Lais will attempt to talk with Jim Lindsay at the upcoming Board Meeting.

### **RWS Manufacturing, Inc.**

Mr. Ferguson brought up his outstanding site plan concerns with RWS Manufacturing. He was interested in the viewpoint of Tom Jarrett regarding complete site approval. Mr. Ferguson is anxious to have the Agency give its formal final approval when all is done. Mr. Jarrett has been asked to talk with Ross Cortese to see what the status is with the Town of Kingsbury on the subject.

### **EXECUTIVE COMMITTEE:**

#### **Officer Nominations:**

Mr. Taylor confirmed the slate for officer elections at the upcoming Annual Meeting is the same at this point. He mentioned he plans to appoint John Millett as the at large member to replace Matt Montesi who resigned from the Board. Mr. Taylor mentioned a list of possible interested replacements for Mr. Montesi for Warren County to consider for appointment which the Committee supported.

#### **ICC 4 West Main Street Project Update:**

Ms. Lais reported Mr. Scala, developer for the prospective ICC 4 West Main Street project, advised Mrs. Mineconzo last week they had received a term sheet from M & T on their financing. Mr. Scala also asked for a copy of the draft PILOT to negotiate with the Town. Ms. Lais then received a call from their Attorney, Ron DeVito. Mr. DeVito was inquiring about the terms of the proposed PILOT and Ms. Lais explained the abatement would only be on the improvements. Mr. DeVito feels the property is currently over assessed and will be talking with the Town on the subject.

#### **Morris Products:**

Jeff Schwartz, owner of Morris Products, wanted to follow up his letter of February 5<sup>th</sup> by attending this meeting in case there were any questions on his requests. He advised everyone the state and town environmental construction requirements have increased substantially over the years since the original building was completed. Consequently, construction has been delayed from the original April 2014 starting date. After explaining the "roadblocks" in detail, he stated the final plans are now ready for submission to the Queensbury Planning Director and Building Department. Also, he mentioned his contractor has had some difficulty with the new requirements. Mr. Schwartz is asking for a sales tax extension from the April 2015 end date given in the original ST-60. As a result of the delay, he is also asking for a change in the PILOT starting time which is currently to commence with the School Taxes in the fall of 2015. The current plan is to start construction in April 2015 and it will not be done by this fall. Mr. Ferguson moved to have the full Board consider an extension of one year for the sales tax to April 2016 and to delay the start of the PILOT also by one year. The PILOT would start with the school taxes due 2016. Mr. LaFiura seconded the motion and all approved the motion.

#### **LG Plaza:**

Ms. Lais advised the Committee it appears LG Plaza went over the sales tax exemption amount on their year end report amounts recently received by Mrs. Mineconzo. Ms. Lais contacted Joyce McEvoy (LG Plaza) and is awaiting the breakdown in the agent numbers used. Ms. Lais advised Ms. McEvoy she needs the information before the upcoming February meeting for the Agency to give consideration to amending the sales tax form.

**New Application – Marriott Lake George:**

Mr. Ferguson voiced concerns over the type of project we would be considering with the new application received for the Marriott Lake George from Dave Kenny. Mr. Taylor stated the project offers more meeting space that the area doesn't have presently in Lake George. The project will also be a year round spot bringing in year round jobs (per the application). Dave Kenny and Jon Lapper gave an extensive overview of the project. They plan to close with the bank in about a month and are asking for a tight timetable for Agency approval. The developer is seeking relief from sales tax and the mortgage recording tax only. They are not seeking a PILOT. After several questions were answered for the Committee Mr. Ferguson moved to have the full Board consider passing the scheduling of the needed Public Hearing tentatively for March 2<sup>nd</sup> at their upcoming meeting. Mr. LaFiura seconded and all approved the motion.

It was also decided that the Board should hold a special Board Meeting to consider the Inducement Resolution needed *before* the scheduled March 16<sup>th</sup> meeting. After much discussion it was decided a special Board Meeting would be held on Tuesday, March 10<sup>th</sup> at 8:30 am, preceding the planned Executive meeting. If the resolutions were passed by the Board and all moved along as expected, the closing resolution could be considered for approval at the March 16<sup>th</sup> regular Board Meeting in Washington County.

**Annual Review of Internal Controls, Procurement and Investment Policies:**

As required by the NYS ABO annually, the Executive Committee, acting also as the Governance Committee, reviewed the copies of the Internal Controls Procedures in place along with the Procurement and Investment Policies. Wording was recommended and added by Mrs. Mineconzo to the current Internal Controls Procedures about the three internal financial reports being given each month to all the Board Members. Mr. LaFiura moved to approve the Procedures and Policies presented for review. Mr. Ferguson seconded and all approved the motion.

**Ted Berndt:**

Mr. Taylor informed everyone a former member, Ted Berndt, has called and asked the Agency to pass a resolution showing support of the upcoming NY Compassionate Care Act Bill. After discussion it was decided that there could be potential problems with an IDA showing support for this type of facility. The Committee asked Chairman Taylor to call Mr. Berndt and advise him the members don't feel the IDA wants to take a public stand on this subject.

**Letters to Senators & Assemblymen:**

Mr. Taylor stated an email was received from the NYS EDC asking for letters of opposition to Part W of the Governor's revenue budget bill relating to restrictions and new requirements for IDAs. Mrs. Mineconzo prepared letters for Mr. Taylor and Mr. Kvocka at their request for mailing to the recommended NYS Senators and Assemblymen. Mr. Ferguson and Mr. Millett requested letters also be prepared for their signature. Mr. Ferguson asked that one be prepared from him for his representative, Carrie Woerner also.

**Article for Paper:**

At the request of the Committee last month, Mrs. Mineconzo prepared a draft “press release” for review concerning the PILOT revenue brought in last year and the many renovation projects we’ve assisted with in our counties in vacant and/or distressed buildings. The Committee asked her to send the release to The Post Star, The Chronicle and the papers serving Washington County for consideration.

There being no further business, the Chairman adjourned the IDA meeting at 10:19 am.

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**DATE**

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**Joseph LaFiura, Sec/Treasurer**