

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 **October 22, 2018** at the Warren County Municipal Center, Lake George, NY, the following members were:

PRESENT:

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|------------------|---------------------|
| Matt Simpson | Chairman |
| Dave O'Brien | Vice Chairman |
| Joseph LaFiura | Secretary/Treasurer |
| Craig Leggett | At Large Member |
| Bruce Ferguson | |
| Ginny Sullivan | |
| Nicholas Caimano | |
| Mike Wild | |

ABSENT: None

ALSO PRESENT:

| | |
|----------------------|-----------------------------------|
| Robert Morris, Esq. | FitzGerald Morris Baker Firth, PC |
| Michael Brandi, Esq. | FitzGerald Morris Baker Firth PC |
| Tami Blondo | Office Administrator |
| Michael Bittel | |
| Travis Whitehead | |
| Brian Campbell | |

The minutes of the meeting were taken by Tami Blondo, Office Administrator. The Chairman called the meeting to order at 3:45 p.m. Attendance was taken by roll call and the needed quorum was confirmed by the Chairman.

Approval of minutes:

Mr. O'Brien made a motion to approve the minutes of the August 13, 2018 Board Meeting minutes. Mr. LaFiura seconded the motion and all voted in favor of the motion by voice vote.

Accounts Payable:

Mr. LaFiura moved to approve the accounts payables and Mr. O'Brien seconded the motion. The motion was approved by roll call vote.

Unfinished Business:

Greenwich Preservation Group, LLC: Mr. Morris indicated that the project is underway and Ms. Lais is preparing the closing documents for closing in December. Mr. Morris indicated that there is an Agent Agreement already signed allowing for the sales tax exemption.

Firetek Sprinkler Systems: Mr. Morris indicated that this project is moving towards a closing in December and also has an Agent Agreement allowing for the sales tax exemption.

ABO Operations Review Update: Chairman Simpson provided a brief update indicating that the review is on-going and moving towards a draft report. Mrs. Blondo indicated that the review team had indicated that the process would be a draft of the report would be sent to the Chairman and to the Office Administrator for review. It was suggested that the Executive Committee be given a copy of the report to review separately and then convene a meeting to discuss the draft report. Mr. LaFiura indicated that he felt that the ABO should meet with the Agency prior to drafting the report. Chairman Simpson will follow-up with the ABO contact.

CEO/CFO Position: Chairman Simpson indicated that two candidates had expressed interest in the position and that they were asked to attend the Executive Committee Meeting in September. One of the candidates was unable to make that meeting due to business commitments. The Executive Committee met with Mr. Michael Bittel at that time and made the decision to bring both candidates to the September Board Meeting. However, that meeting was cancelled. Both candidates were asked to attend the October Board meeting and Mr. Griffith withdrew his application at that time. Mr. Michael Bittel was present at the meeting and provided the Board with a brief overview of his background and interest in serving on the IDA and CDC Board as the CEO/CFO. A Motion was made by Mr. Caimano and seconded by Mr. LaFiura to appoint Mr. Bittel to the position. Mr. Bittel was asked to leave while roll call vote was taken and a unanimous decision to approve and appoint Mr. Bittel to the CEO/CFO position was held.

Park Business:

General Update: Mr. O'Brien provided information on the status of the project with Equustock. A meeting will be held on October 29, 2018 with Mr. Jack Kelley, Equustock and Mr. Don Student. Further information on the number of lots and the project will be provided at the next meeting.

Logging Contract Renewal: Chairman Simpson stated that the Agency had been contacted by the Forester to renew the logging contract that was in place previously so that they can finish the logging on the adjoining lands and clean up the IDA lands. The Agency has concerns with the condition that the IDA lands were left in and felt that a bond should be placed to ensure that this work is completed. A Motion by Mr. Caimano and a second by Mr. Leggett that the agreement be extended to April 1, 2019 with the requirement of either a \$15,000 Bond or a \$10,000 cash payment being placed to ensure that the work is completed. A roll call vote was taken and a unanimous approval of this contract renewal extension was granted.

DNG Recycling: Chairman Simpson indicated that there was an interest by DNG Recycling in possibly purchasing lots within the Park. At this time there are no further updates or information.

New Business:

PILOT Billing Update: Mrs. Blondo indicated that all but one project has paid their school taxes. TRIBALS has not yet paid their School Taxes and a second bill was sent out with the 1% late fee added. The Board suggested that if the payment was not received by October 31, 2018 that Mrs. Blondo should reach out by telephone and certified mail to inquire on the status of the payment.

Preliminary Budget for 2019: Mr. LaFiura presented the preliminary budget for 2019 to the Board indicating that it has stayed the same as last year with few changes. The line item for the Commissions on Lot Sales needed to reflect \$3000 instead of the \$12,000 as presented to the Board due to a calculation error. A Motion was made by Mr. LaFiura and seconded by Mr. Caimano to approve the Preliminary Budget for 2019 with the aforementioned change. Roll call vote was taken and unanimously passed the Preliminary Budget for 2019.

RFP for Audit and Accounting Services: Mr. LaFiura presented the decision from the Audit and Finance Committee that the matter be adjourned until the November meeting for further research and clarification.

Review of Procurement Policy: Mr. O'Brien presented the current Procurement Policy and after discussion the

decision was made to make a change in the policy to include a change under Article II, Subsection 3 a provision for the Purchase of Goods over \$10,000 that an RFP be obtained for consideration and approval. Also, that a change in the policy under Article II, Subsection 4 a provision for the Purchase of Public Works or Services over \$20,000 be sent out for bid. Once those changes have been made the Policy should be returned to the Board for review and approval at the November 2018 meeting.

Insurance Coverage: Chairman Simpson indicated that the renewal policies for the Commercial Package and Auto Insurance were received and that they both will be going up over ten percent. This is due to rate increases and not due to any claims. The Package Policy will be at a cost of \$903 and the auto policy will be at a cost of \$218. Mrs. Blondo indicated that she has a meeting schedule with the Agency's agent, Joe Place from Associates of Glens Falls on November 13, 2018 to review the policies. Mr. Bittel will also attend that meeting. Mr. LaFiura indicated that we review for next year to see if the Agency is able to obtain the same coverage at a better rate. A Motion was made by Mr. Leggett and seconded by Mr. Caimano to approve the renewal of the insurance policies for this year. A roll call vote was taken and unanimously approved the renewal of the insurance policies.

Time Warner/Spectrum: Chairman Simpson explained that there was a need to increase the internet speed at the office as it was no longer supported and was causing delays in work being processed. There will be an approximate increase of \$45 per month in the current services, raising the total bill to approximately \$170.

Cost Benefit Analysis Concerns and Suggestions: Mr. Morris stated that when the Agency is performing a review of an application and the cost benefit analysis of the project, especially if it is a hotel, that the occupancy tax benefit should be considered. Also, the cost benefit is a ten-year picture, but after the ten-year period the benefit continues and is not calculated into the cost benefit analysis.

Sexual Harassment Training and Policy: Chairman Simpson stated that due to new regulations regarding Sexual Harassment in the Workplace that the Agency's policy needs to be reviewed and updated, as well as training by all members of the Board and office staff. Mr. Brandi will draft a copy of the policy for review by the Chairman and said draft will be provided to the Board members for review at the November Board meeting. Mrs. Blondo shared a letter from Associates of Glens Falls whereby they indicate they are available to assist with the training. Mrs. Blondo will look into the details on this. Mr. Leggett also shared that the Agency may be able to have access to the training through the County and will let the Board know if this is also a possibility.

Educational Topic: Mike Brandi, Esq., presented to the Board a general overview on the Application Process. Mr. Morris suggested that the Agency review their Tax Abatement policy as it is twenty years old. Chairman Simpson should appoint a committee to review and update the policy. Mr. Wild, Mr. Bittel, Mr. Whitehead and Mr. Campbell stated that would work on that policy review.

Other Business: Mr. Wild asked for clarification as to the perceived competition between the EDC and the IDA and how best we can continue to compete. Further discussion needs to be had on this matter and was adjourned until the November meeting.

Adjournment: There being no further business, a motion was made by Mr. Ferguson and seconded by Mr. Caimano to adjourn the meeting. The Chairman adjourned the meeting at 5:40 p.m.

Date

Joseph LaFiura, Secretary/Treasurer