

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 21, 2019** at the Warren County Municipal Center, Lake George, NY, the following members were:

PRESENT:

Dave O'Brien	Chair
Craig Leggett	Vice Chair
Michael Bittel	Sec/Treasurer
Brian Campbell	Member At-Large/Park Chair/Contracting Officer
Bruce Ferguson	WWIDA/WWCDC Member
Matt Simpson	WWIDA/WWCDC Member
Nick Caimano	WWIDA/WWCDC Member
Mike Wild	WWIDA/WWCDC Member

ABSENT:

Ginny Sullivan	WWIDA/WWCDC Member
Travis Whitehead	WWIDA/WWCDC Member

ALSO PRESENT:

Alie White	Office Administrator
Kara Lais, Esq.	FitzGerald Morris Baker Firth PC
Jack Kelley	Coldwell Banker Commercial
Colin Combs, CPA, CFE	Whittemore, Downen & Ricciardelli, LLP

The minutes of the meeting were taken by Alie White, Office Administrator. Dave O'Brien, the Acting Chair, called the meeting to order at 4:00 p.m. Attendance was taken by roll call and the needed quorum was confirmed. Ms. Lais led election proceedings for the Chair position as the last meeting did not meet a majority vote. Mr. Caimano made the motion to nominate Mr. O'Brien as Chair and Mr. Wild seconded. The motion carried as follows:

VOTING:	AYES	NAYS	ABSTAIN	ABSENT
Matt Simpson	X			
Dave O'Brien			X	
Michael Bittel	X			
Craig Leggett	X			
Bruce Ferguson	X			
Ginny Sullivan				X
Nick Caimano	X			
Mike Wild	X			
Travis Whitehead				X
Brian Campbell	X			
TOTALS	7		1	2

Approval of minutes:

Mr. Caimano made a motion to approve the minutes of the September 16, 2019 Board Meeting. Mr. Campbell seconded the motion and all voted in favor of the motion by voice vote.

Accounts Payable:

Chair O'Brien presented the payables. Mr. Campbell made a motion to approve the September Accounts Payable and Mr. Simpson seconded the motion. Motion was carried and approved by roll call vote unanimously.

New Business:

Colin Combs Finalized Audit – Mr. Combs provided booklets to all the board members of the 2018 Financial Statements and Supplementary Information and verbally presented the highlights.

Mr. Bittel made a motion to accept the 2018 Independent Auditor's Report for the IDA/CDC, Mr. Simpson seconded and was carried unanimously by roll call vote.

Park Business –

Mr. O'Brien introduced Mr. Jack Kelley to present updated information on the potential sale of some IDA lots to John Kubricky and Son's. Mr. Kelley stated the contract had been reviewed by IDA counsel, which had some additional information for input to tighten up the agreement.

Mr. Kelley went through these proposed modifications to the contract of sale, also provided in the meeting packets. First was stating a 60-day lease agreement would be in place to give the project managers time for governmental approvals.

Mr. Simpson questioned what the fair market value would be for the amount of land Mr. Kubricky wishes to lease prior to purchase to determine an appropriate lease payment.

Mr. Kelley suggested providing the Board with his broker's opinion of value in writing as a representative of the seller (IDA). Mr. Ferguson made a motion to accept that suggestion and Mr. Caimano seconded and the motion was carried unanimously.

Mr. Wild voiced concern over any land modifications Mr. Kubricky could make during the lease. Ms. Lais suggested adding a provision in the contract stating modifications will need to be pre-approved by the Board and the Board would not be responsible for reimbursements of such modifications should the purchase not go through.

Ms. Lais reiterated the covenants and restrictions filed for this land requires the IDA allowance of any variances specified, as well as park business's approval.

Mr. Caimano made a motion to approve the resolution to approve and authorize the sale of property to Kubricky and Son's. Mr. Campbell seconded and the motion carried unanimously by roll call vote.

Old Business –

Records Retention Policy – Mr. Caimano stated the second item on the records retention policy is unclear as written, causing interpretation of the word "sufficient" value to merit retention. It was decided to remove just word "sufficient" from the second item on the records retention policy.

Mr. Bittel made a motion to accept the records retention policy with the remove of the word "sufficient". Mr. Wild seconded and the motion was carried by voice vote.

PILOT Billing Update – Ms. White stated there were three remaining projects that have not paid the 2019-2020 School Taxes. She stated these three projects have been in contact and noted payment should be expected by the end of October.

Priority List Update – Mr. O'Brien stated the same three items are still in progress so no changes/updates to be made at this time.

Recapture Policy – Mr. O'Brien stated this agenda item was listed at the request of Mr. Whitehead who was not in attendance so this item was skipped until the next Board meeting.

Sexual Harassment/Violence in the workplace training – Ms. White stated the member training list has been included in the meeting packets as some updates had been made.

Proposed 2020 Budget – The proposed IDA budget for 2020 was included in the meeting packets. After member review and a brief discussion for clarification, Mr. Bittel made a motion to accept the 2020 budget proposal and Mr. Wild seconded. The motion was carried by unanimous roll call vote.

WWIDA costs and fees/application amendments follow up – Mr. O'Brien stated the one outstanding issue after previous Board meeting discussions was the application fee. It had been concluded previously to change the application fee to \$1,500 with a \$750 credit toward project closing costs.

Mr. Caimano made a motion to approve this change and Mr. Ferguson seconded. The roll call was unanimous and the motion was carried.

Marketing & Direction, Executive Director – Mr. O'Brien stated more discussion is needed to attach a commission to the Executive Director position.

Mr. Kelley and Mr. O'Brien suggested having a marketing white board meeting with all the Board members and including members of the EDC as well as supervisors from Warren and Washington Counties to discuss marketing and sales.

It was decided this special meeting is to be held on November 7th at 4:00 p.m. at the Warren County Municipal Center.

New Business (continued) –

RFP Attorneys – Mr. O'Brien stated it was recommended at the October Executive Park meeting that the IDA/CDC did not do an RFP for attorneys this year and continue with FMBF due all the changes/transitions the IDA has had in 2019. All members were in agreement. It was noted Mr. Brandi was no longer with FMBF in order to pursue other avenues and Mr. Simpson wanted to be sure Ms. Lais extended the IDA/CDC's appreciation for his efforts while at FMBF.

Livestream Meetings – Mr. O'Brien stated the ABO is now requiring livestream meetings. One quote he received was for \$5,000-\$6,000. He stated more information should be available to share at the November Executive Park meeting.

Independent Audit 3-year RFP – Ms. White stated the list of businesses that were contacted for the RFP as well as the responses were included in the meeting packet for review.

Mr. O'Brien stated WDR has done the independent audit for the past two or three years.

Mr. Simpson made a motion to continue with WDR and Mr. Wild seconded. And the motion was unanimously carried by roll call vote.

PARIS approval – Mr. O'Brien stated the IDA PARIS report was previously sent to the board members via email for review and was requesting approval to submit the report to the ABO.

Mr. Campbell made a motion to approve and Mr. Simpson seconded. The motion was unanimously carried by voice vote.

Dec 16th Christmas Party after the Board meeting at the Docksider – Ms. Lais stated FMBF historically has held a holiday gathering after the December meeting and this year will be held at the Docksider.

Misc. – A card to be passed among the board members to sign in appreciation to Jim Girard Landscaping Maintenance for the landscape upkeep of the Industrial Development Park sign.

Adjournment: There being no further business, a motion was made by Mr. Wild and seconded by Mr. Simpson to adjourn the IDA Board Meeting and move into the CDC Board Meeting. All voted in favor of the motion by voice vote.

Chair O'Brien adjourned the meeting at 5:17 p.m.

Date _____

_____ Sec/Treasurer

