

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

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The July Executive Park Meeting for Warren Washington Industrial Development Agency was held on Wednesday, July 8, 2020 at 68 Warren Street in Glens Falls and also via Zoom from 9:10- 10:15 am. The following were:

PRESENT:

Dave O'Brien	Chairman
Craig Leggett	Vice Chair
Michael Bittel	Secretary/Treasurer
Brian Campbell	Park Chair

ABSENT: Mike Wild At-Large Member

The following were also present:

Kara Lais, Esq.	FitzGerald Morris Baker Firth, PC
Jack Kelley	Coldwell Banker Commercial
Nick Caimano	Member (Zoom)
Tom Jarrett	Jarrett Engineers (Zoom)
Minutes were taken by: Alie Weaver	Office Administrator

Roll call was taken and a quorum was confirmed.

Park - Potential Project Updates:

Mr. Kelley stated that Mr. Kenyon's interest in three lots in Industrial Park is still on hold.

Mr. Kelley also stated there is a new prospect interested in Lot 3 in the Industrial Park. This potential client would qualify for PILOT as well as sales and mortgage exemptions.

Mr. O'Brien stated the Chazen Group requested an extension on the RFP for delineation as they had received their copy late due to an address correction.

After discussion, Mr. Bittel made a motion to extend the RFP deadline until the end of day on July 14th and that all ten companies would receive the revised RFP. Mr. Leggett seconded and the motion was carried with the following roll call vote:

VOTING:	AYES	NAYS	ABSTAIN	ABSENT
Dave O'Brien		X		
Michael Bittel	X			
Craig Leggett	X			
Mike Wild				X
Brian Campbell	X			
TOTALS	3	1		1

IDA Executive Committee:

June Minutes: Mr. Bittel made a motion to accept the June 3rd, 2020 minutes for the WWIDA Executive Park Meeting and Mr. O'Brien seconded. All voice-voted in favor.

Dewatering Land/Road Purchase Update: Mr. O'Brien stated that tonight is the Fort Edward planning board meeting with WL Plastics. There will be the zoning board of appeals next week and site plan approval either on the 16th or 22nd of July.

Ms. Lais stated that WL Plastics' counsel recommended following the thirty-day statute of limitations window starting August 5th and after variance and site plan approval.

Mr. O'Brien stated WL Plastics would like to revisit the PILOT, citing the delays and added expenses thus far and noted an attorney-client meeting will be held after the board meeting.

Recaptures: Mrs. Weaver stated that the \$95 payment to Taxation and Finance from Firetek Sprinkler LLC has been received and is pending approval from the full board to submit the ST65 and payment to the New York State Taxation and Finance Department.

Ms. Lais stated Morris Products has submitted amended ST340's to Taxation and Finance and has asked them for the transmittal of such documentation, which she has not received yet.

Ms. Lais stated LG Plaza's attorney asked for the documentation the IDA received to reach the numbers noted and is currently reviewing them.

Solar PILOTs: Ms. Lais stated there is not a specific statute that authorizes IDAs to offer solar PILOTs as economic development. A new policy would need to be drafted and an amendment made to the uniform tax-exempt policy. She contacted Mr. Morris, who recalled the IDA put the tax-exempt policy out to all the Warren and Washington County towns for approval or opt out ability back in 1999. Six towns had opted out and there was question as to whether or not they can opt out at any time.

Ms. Lais suggested the IDA could make any amendments that they wanted to their uniform tax-exempt policy and indicate there would no longer be an opt-out policy.

Mr. O'Brien stated the IDAs charter comes from the state and not the county and the only role that the counties have is to appoint members for the IDA. He also stated it was strongly recommended by the Washington County Economic Development Corp to do a PILOT across the county. (NOTE: Mr. O'Brien notes that after reading the draft he misspoke and that he will correct that statement in an official meeting).

Mr. Kelley stated the enabling legislation was when creating a standard policy or deviating from it, the only obligation is to send specific notifications to each taxing entity. He also stated the time to reconsider readopting the standard policy while adding renewable energy to it is due.

Solar arrays in the Adirondack Park and three phase energy was discussed.

Mr. O'Brien stated the fees for the IDA are standard and are posted on the website. They pay for operations and community investments. With this size PILOT, it would be a banner year for the IDA that they haven't had in ten years.

Mr. Kelley stated the fees have never been waived.

Project Annual Fee: Mr. O'Brien suggested creating an annual fee for projects to cover the admin costs for each year.

Mr. Bittel stated the admin costs for the life of the project should be covered in initial fee.

Ms. Lais stated some IDAs charge for every service; giving examples of refinancing, additional collateral and sales tax extensions. She also stated penalties for projects that are late on their PILOT payments go directly to the taxing jurisdictions whereas fees can be charged to the IDA should the annual documentation be late.

Mr. Leggett suggested that at the beginning of a project, establishing an escrow to cover the maintenance of the account for the duration of the project.

There was discussion on if the annual fee should start only on new projects and going forward or be incorporated into the current projects, if all the projects should incur this fee or only the projects that require excessive administration, whether this fee should be a flat rate or a percentage, what kind of criteria would need to exist to create these fees, etc.

Mr. Leggett suggested a blurb within the agreement stating that if the IDA has to go above and beyond to receive what had been agreed upon that there will be a stated flat fee and that this would apply to any projects going forward.

That suggestion was agreed upon and Mr. O'Brien noted there would be language of that nature to be reviewed at the next Executive Park meeting.

Bridge Insurance: Mr. O'Brien stated that he received a quote to insure the bridge, it was for \$8,000 but does not cover flood or earthquake; it covers uninsured vehicles damaging the bridge. He noted the IDAs umbrella liability coverage is in place but this property damage policy is just for any damage to the bridge.

Mr. Kelley asked if a smaller policy was available and Mr. O'Brien stated that he would check with the insurance company.

Adjournment: There being no new business Mr. Campbell made a motion to adjourn and Mr. Bittel seconded. The motion was carried by voice vote.