

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

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The July Board Meeting for Warren Washington Industrial Development Agency was held on Monday, July 19, 2021 at the Washington County Municipal Center: The following were:

<b><i>PRESENT:</i></b>	Dave O'Brien	Chairman
	Ginny Sullivan	Member
	Dan Bruno	Member
	Nick Caimano	Member
	Michael Bittel	Sec/Treasurer
	Craig Leggett	Vice Chairman
	Brian Campbell	Park Chair
	Mary King	Member

<b><i>ABSENT:</i></b>	Mike Wild	At-Large Member
	Mike Grasso	Member
	Alie Weaver	Office Administrator

***The following were also present:***

	Bruce Ferguson	CEO
	Mike Ostrander	Executive Director
	Kara Lais, Esq.	FitzGerald Morris Baker

Firth PC

Minutes were recorded by: Dave O'Brien, Chairman

**June Minutes:** Mr. Caimano made a motion to accept the June 14, 2021 meeting minutes and Mr. Bruno seconded. All voted in favor by voice vote.

**Accounts Payable:** Mr. O'Brien noted that the June and April invoices for Weston & Sampson are listed as the wrong amounts were paid in April. It was noted that rent is now \$1,000 as the IDA is moving to a bigger space, it was noted that the rent used to be \$600. Mr. Caimano made a motion to approve the accounts payable and Mr. Leggett seconded. All voted in favor by roll call vote.

**Park Business:** Mr. O'Brien reported on the status of the lot sales in the park and noted that the Army Corp will allow the sales of upland properties to proceed. Mr. O'Brien

asked Bob Holmes to provide an update on the delineation for the Army Corp of Engineers. He stated that the meeting held on July 1, 2021 was productive. He reported that one outstanding item was the restrictive covenant language which we are waiting on ACOE to provide feedback. He explained that there will be a need to have a metes and bounds description prepared of the wetland areas that will be retained as wetlands in perpetuity. A discussion was had concerning the mapping and the use of lots.

Next, Mr. O'Brien presented a proposal of Dennis Kelly to brush hog Phase 2 of the Park (approximately 20 acres) at the cost of \$1,800.00 per year for a 3 year term. Mr. Campbell made a motion to approve the contract with Dennis Kelly for \$1,800 per year for a 3 year term and Mr. Bruno seconded. All voted in favor by roll call vote.

Next, Mr. O'Brien indicated that the logging that had been done in the Park has created issues with ACOE and he asked the Board to consider a resolution to prohibit logging in the future.

**Executive Director Report:** Mr. Ostrander addressed the members and stated that he has been in communication with other neighboring IDAs and has been working on outreach to area attorneys, real estate agents, bankers, etc who may have clients and contacts who could benefit from IDA benefits.

### **Old Business:**

Weston & Sampson Update. It was reported that a draft report is intended to be circulated mid-August.

TDI. Mr. O'Brien reported that the term sheet for the CHPE/TDI project was included in the meeting materials. He explained that the involved taxing jurisdictions are in the process of approving the term sheet. He stated that he expects the IDA to be able to take action on the project at the August meeting. Mr. Bittel thanks and acknowledged Mr. O'Brien for the considerable amount of work he has done in negotiating this project.

Uniform Tax Abatement Policy. Mr. O'Brien explained that Mr. Ostrander has been analyzing the fee structure and PILOT formulas of neighboring IDAs. The findings were circulated in the meeting materials. Mr. O'Brien discussed the IDA's fee structure and alternatives for projects going forward.

Office Move. Mr. O'Brien stated that the plan is to move this week.

### **New Business:**

Mr. O'Brien explained that Mary King has been appointed to the IDA Board by both counties and he then asked for a motion to approve of the appointment. Mr. Caimano made a motion to appoint Mary King to the IDA Board and Mr. Bruno seconded. All

voted in favor by voice vote.

Next, Mr. O'Brien asked for a motion to go into executive session for the purpose of discussing salary and benefits of employees. Mr. Bittel made a motion to go into executive session and Mr. Caimano seconded. All voted in favor by voice vote.

Mr. Caimano made a motion to exit executive session and Mr. Bruno seconded. All voted in favor by voice vote. It was noted for the record that no action was taken during the executive session.

Next, Mr. Campbell made a motion to take the necessary steps for the IDA to join the NYS Retirement System and Mr. Bittel seconded. All voted in favor by roll call vote.

Next, Mr. O'Brien presented the engagement letters of Hodgson Russ for special counsel services and asked for a motion to approve and authorize him to sign the letters. Mr. Caimano made a motion and Mr. Bittel seconded. All voted in favor by roll call vote, with the exception of Mr. O'Brien who abstained.

Next, Mr. O'Brien recessed the meeting to enter into a closed attorney client privileged session.

Mr. O'Brien called for a motion concerning the Town of Queensbury's denial of the Fowler Square LLC PILOT. Mr. Caimano made a motion to authorize and direct FitzGerald Morris Baker Firth to commence NYS Article 7 and Article 78 proceedings against the Town of Queensbury and the Town of Queensbury Assessor in connection with the Fowler Square LLC project located on Bay Road in the Town of Queensbury and Mr. Bruno seconded. All voted in favor by roll call vote.

Next, Mr. O'Brien discussed the pending petition of the Fort Edward Local Property Development Corporation with the AG's office. Bill Nikas, counsel to the FELPDC, advised that the AG's office has asked for confirmation that the IDA will take the property of the FELPDC subject to the outstanding tax lien, which is approximately \$950,000. Mr. Campbell made a motion to confirm that the IDA will take the FELPDC property subject to the existing tax lien and Mr. Bruno seconded. All voted in favor by roll call vote.

There being no further business Mr. O'Brien called for a motion to adjourn. Mr. Campbell made a motion to adjourn and Mr. Caimano seconded. All voted in favor by voice vote.