COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

5 Warren Street, Suite 210 Glens Falls, New York 12801 Tel. (518) 792-1312

website: www.warren-washingtonida.com

TO:

ALL BOARD MEMBERS

COUNTIES OF WARREN AND WASHINGTON

INDUSTRIAL DEVELOPMENT AGENCY

FROM:

Bud Taylor, Chairman

DATE:

April 12, 2016

The Counties of Warren and Washington Industrial Development Agency will hold its regular monthly Board meeting as follows:

Date:

Monday, April 18, 2016 at 4 pm.

Location:

Warren County Municipal Center, Lake George, NY

The purpose of the meeting will be to discuss new, unfinished and Park business.

Enclosed (or attached with this email) please find:

- → Meeting Agenda and supporting data
- → Monthly Financial Statements

Remember to call or email Debbie at the Agency Office <u>at least 24 hours</u> <u>beforehand if possible</u> if you are unable to attend the meeting.

cc:

Kara Lais, Esq. w/ all enclosures Amanda Allen, Warren Co. Board Clerk w/ agenda Debra Prehoda, Washington Co. Board Clerk w/agenda Scott Donnelly, The Post Star, with agenda

COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

5 Warren Street, Su 210, Giens Fails, NY 12801

Phone (518) 792-1312

Board Meeting Agenda Monday, April 18, 2016

- 1.0 Attendance taken Confirm Quorum
- 1.1 Approval of Board Meeting Minutes of March 21, 2016

3.0 Accounts Payable		
FitzGerald Morris Baker Firth PC	\$	553.50
M0001 General Legal Services March 2016		
P. Hoffman Realty	\$	370.00
Rent - May 2016		
The Archives	\$	30.00
Monthly File Storage		
Time Warner	\$	123.69
Monthly Phone & Internet Service		(4
Town of Kingsbury Water Dept	\$	450.00
Quarterly Water Tax on vacant lots (9)at \$50. each		
Jarrett Engineers	\$	47.50
Professional Services February 2016	œ	240.45
<u>Seeley Office Systems</u> Printer Fusor Box Replacement & Service Call	\$	318.15
Petty Cash	\$	88.21
Reimbursement per receipts Jan-Apr	Ψ	00.21
** EFTPS	\$	578.08
Federal/FICA/MCR Payroll Taxes March 2016	Ψ	070.00
** Promptax	\$	74.70
NYS Payroll Taxes March 2016	*	
** Deborah Mineconzo	\$	1,613.26
Net Payroll - March 2016		
Current Accts Payable	\$	4,247.09
Current Accis Payable	φ	4,247.05
3.2 PILOT Passthrough Project Payments		
Washington Co. Treasurer	\$	100.00
HF Park Properties - Sewer Dist II O & M		
Town of Kingsbury Water Dept	\$	50.00
GF Labels Lot #11 - Quarterly water tax	•	400.50
Town of Kingsbury Water Dept RWS Manufacturing Inc Quarterly water tax	\$	162.50
17440 Manufacturing file Quarterly water tax		
Total 3.2 PILOT Payments	\$	312.50

3.4 Payments to be reimbursed from developer FitzGerald Morris Baker Firth PC

TFC Enterprises Oct 2015-Feb 2016

\$ 2,156.44

Total 3.4 Payments

\$ 2,156.44

Grand Total of All Payables: \$

6,716.03

4. New Business

- a. Financial Statement Presentation YE 2015 by Auditor
- b. New project & approval to schedule Public Hearing
- c. Kenny & Dittrich Amherst Project Cost & Mortgage Changes
 Approval of additional IDA fees

5. Park Business

- a. RWS Manufacturing Resolution for Termination of PILOT
- b. Granger Public Hearing

6. Old/Unfinished Business

a. 354 Broadway/Price Chopper Ft. Edward Update

Adjournment

COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

5 Warren Street, Suite 210 Glens Falls, New York 12801 Telephone: (518) 792-1312

At the Board Meeting of the Counties of Warren and Washington Industrial Development Agency held on **March 21, 2016** at the Washington County Municipal Center in Fort Edward, NY, the following members were:

PRESENT:

Bud Taylor Bruce Ferguson

Vice Chairman Chairman

Joseph LaFiura Secretary Treasure
Matt Simpson At Large Member
Lou Tessier

Jim Lindsay John W. Weber Dave O'Brien Brian R. Campbell *

ALSO PRESENT:

Kara Lais, Esq. FitzGerald Morris Baker Firth PC

Chairman

Deborah Mineconzo Office Administrator

The minutes of the meeting were taken by the Office Adamsstrator. The Chairman called the meeting to order at 4:00 pm. After attendance was taken the Chairman determined a quorum was present.

Approval of minutes:

Mr. O'Brien made a notion to approve the January 19, 2016 Board Meeting and February 17, 2016 Board and Annual meeting minutes. Mr. Lindsay seconded the motion and all voted in favor of the motion by voice vote.

Accounts Payable:

Mr. To ster moved to approve the accounts payables as presented with Mr. Weber seconding. The motion was approved by roll call vote

*(Mr. Campbell arrives)

Old Business:

Patti Co./Morris Products Vote on Sales Tax & PILOT 1 yr. extension:

Jeff Schwartz, owner of Latti Co. and Morris Products had requested an extension of one year on his sales tax exemption and PILOT start due to construction delays. At Mr. Taylor's request, Mrs. Mineconzo read an updated email received from Mr. Schwartz on March 18th. With a new contractor in place and subcontractor bids received, construction is finally scheduled to begin shortly after April 1st at the latest. Mr. Simpson moved to approve the extension requested of one year on both the sales tax exemptions and the start of the PILOT. Mr. O'Brien seconded the motion and all voted in favor of the motion by voice vote.

ICC4 West Main St. Update:

Ms. Lais reported the SBA needed documents had been received on Friday and she is currently trying to schedule the closing. She added that M & T Bank approval was received and stated the closing hopefully would be completed by the next Board Meeting.

354 Broadway/Price Chopper (Fort Edward):

Ms. Lais reported that regarding the 354 Broadway/Price Chopper project, everyone is ready to close. She has circulated the IDA documents to them for review. Their lender is out of Connecticut and with others involved at various locations most of the execution of documents will probable be done by mail.

TFC Enterprises (Tree Paad) Update:

At the request of Mr. Taylor and consequently the Executive Committee, Lais had been asked for the legal billing to date on the tabled TFC Enterprise project. The Agency wants to bill the developer now rather than wait until later this year. Ms. Lais said the total was \$2,156.00. She was emailing Mrs. Mineconzo the voucher and detailed breakdown accordingly.

Park Business:

Allen Forestry Update:

Bruce Ferguson reported Tom Jarrett advised the Park Commune last week he had been in touch with Jim Allen of Allen Forestry recently. Mr. Allen plans to obtain bids in May for work to start in July. Mr. Allen also advised Mr. Jarrett the chip market practing is currently down

Other Park Matters:

Mr. Lindsay mentioned as of the end of his (supervisor's) term, there had been no more complaints from neighbors regarding RWS Plant noise.

Other General Matters

Mr. O'Brien asked for the Board to consider having all meeting information including year end financials emailed rather than printed and mailed (USPS) to the members. The exception would be a Board Member who does not have email capabilities. Mr. regusor aggested that a few copies of the meeting agenda be brought each month to those that may not print one. Mr. Taylor asked if everyone would be happy with the new changes and there were no complaints voiced. The new procedure will be implemented with the next meeting.

There being to further business to discuss, I	Mr. Taylor adjourned the meeting at 4:10 pm.
Dated	Joseph LaFiura, Secretary



WWW.ROYALWOODSHAVINGS.COM

March 31, 2016.

Counties of Warren and Washington Industrial Development Agency 5 Warren Street, Suite 210
Glens Falls, New York 12801
Attention: Mr. Robert Lynch, CEO

Re: RWS Manufacturing Inc./Lease Agreement (Project No. 5202-07-02A)

Dear Mr. Lynch:

The undersigned is the Vice-President of RWS Manufacturing Inc. (the "Company") and an authorized representative of the Company. This letter is being provided to you pursuant to Section 11.1 of that certain Lease Agreement by and between the Counties of Warren and Washington Industrial Development Agency ("Agency") and the Company dated as of February 26, 2008 ("Lease Agreement"). The Company is exercising its option to terminate the Lease Agreement prior to the termination date specified in Section 5.2 and ask that this letter be filed as the Company's notice and certificate by an Authorized Representative providing notice of such early termination as required by Section 11.1 of the Lease Agreement. The Company asks that the Agency approve the termination of the Lease Agreement.

The Company awaits advices from Agency Counsel relative to the executing and recording of the sale and conveyance documents required by Sections 11.2 and 11.3 of the Lease Agreement of the Project Facility from the Agency to the Company.

The Company understands that if the Lease Agreement is terminated that the Agreement for Payment in Lieu of Taxes would be terminated simultaneously.

Thank you for your attention to this matter.

If there are any questions please do not hesitate to contact the undersigned or the Company's counsel, Susanna S. Piller, Esq., who can be reached at 518-561-4400.

Very truly yours,

RWS Manufacturing Inc.

By: Eric Fortin, Vice-President

CC

Robert Morris, Esq. Susanna Piller, Esq.

> LITTINE BOYALING. 2927, BOULEWARD DU VERSANTINORD, SUITE 250 QUÉBEC (DUÉBEC) G1N 402 CAMANO.

T 418 780-3373

NOTICE OF PUBLIC HEARING BEFORE THE KINGSBURY PLANNING BOARD

Pursuant to the provisions of Chapter 280, Article VI, Section 280-25 G District Regulations of the Town of Kingsbury Code, New York, notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kingsbury, County of Washington and State of New York, on the 20th day of April 2016 at 7:00 PM in the Town Hall, 210 Main Street, Hudson Falls, New York on the following matter. Request by BG Lenders LLC, Brian E. Granger, Tax Map # 137.-2-10, commonly known as 100 Park Road, Town of Kingsbury, located in Zoning District, PIC-75 / Commercial District is seeking Site Plan approval to change the use on property to auto / vehicle repossession business. Plans for proposal are available at Kingsbury Town Hall, 210 Main Street, Hudson Falls, New York during regular business hours.

Said Planning Board will at said time and place hear all persons in support of such matters or any objections thereto.

By order of Town Code Enforcement Officer Francis Cortese

COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY (WWIDA)

5 Warren Street, Suite 210 Glens Falls, New York 12801 Telephone/Fax (518) 792-1312 email: info@warren-washingtonida.com

April 11, 2016

Robert Dingman, Chairman Town of Kingsbury Planning Board 210 Main Street Hudson Falls, NY 12839

RE: Brian E. Granger Purchase in Airport Industrial Park

Dear Mr. Dingman:

Mr. Granger presented his plans to our full Board regarding a move to our Park in January 2016.

Please be advised our Board voiced no concerns with Mr. Granger's plans for the site. He advised us he plans to only add security cameras, fencing and LED lighting to the parcel. The additions, in our opinion, will meet with the Covenant and Restrictions in Phase I.

Sincerely,

Harold Taylor, Chairman WWNDA

Cc: Ross Cortese, Office of Code Enforcement _ e maile d

04/12/16

WWIDA

Balance Sheet As of March 31, 2016

	Mar 31, 16	Mar 31, 15
ASSETS Current Assets Checking/Savings 200 • Cash	490 420 07	200 500 00
200	480,136.87	386,526.69
Total Checking/Savings	480,136.87	386,526.69
Accounts Receivable 380A - Accounts Receivable	2,756.44	135.00
Total Accounts Receivable	2,756.44	135.00
Other Current Assets 210 · Petty Cash 380D · Due from attorney-escrow deposi 380F · Installment Sale-GF Labels 480 · Prepaid Insurance	100.60 25,000.00 25,500.00 2,392.60	100.60 47,025.00 34,000.00 2,741.22
Total Other Current Assets	52,993.20	83,866.82
Total Current Assets	535,886.51	470,528.51
Fixed Assets 101 - Land 104 - Machinery and Equipment 114 - Accumulated Depreciation Total Fixed Assets	519,262.59 10,434.48 -9,788.91	519,262.59 10,434.48 -9,484.11
I dual Fixed Assets	519,908.16	520,212.96
TOTAL ASSETS	1,055,794.67	990,741.47
LIABILITIES & EQUITY Liabilities Current Liabilities Accounts Payable 600 - Accounts Payable	2,156.44	0.00
Total Accounts Payable	2,156.44	0.00
Other Current Liabilities 602 - Payroli Liabilities 616 - Customers' Deposit	0.00 25,000.00	559.57 47,025.00
Total Other Current Liabilities	25,000.00	47,584.57
Total Current Liabilities	27,156.44	47,584.57
Total Liabilities	27,156.44	47,584.57
Equity 924 - Net Assets - Unrestricted Net Income	1,061,686.34 -33,048.11	976,846.43 -33,689.53
Total Equity	1,028,638.23	943,156.90
TOTAL LIABILITIES & EQUITY	1,056,794.67	990,741.47

WWIDA

04/12/16 Accrual Basis

Profit & Loss March 2016

	Mar 16	
Ordinary Income/Expense Income		_
Nonoperating revenue		
Investment Earnings 2401 • Interest Income	41.20	
Total investment Earnings	41.20	
Other nonoperating revenue Misc income - Nonoperating	0.01	
Total Other nonoperating revenue	0.01	
Total Nonoperating revenue	41.2	21
Operating Revenue		
Charges for Services 2116.1 • Project Fees - Existing	600.00	
Total Charges for Services	600.00	
Other Operating Revenue 2770 · Project - Legal Reimb 3.4	2,156.44	
Total Other Operating Revenue	2,156.44	
Total Operating Revenue	2,758.4	4
Total Income	2,797.6	15
Gross Profit	2,797.6	15
Expense Operating Expenses Other operating expenses 1910.4 • Insurance		
Public Officials Liability	1,486.95	
Total 1910.4 - Insurance	1,486.95	
6460.4 · Contractual Services Computer & Website Related Exp Rent	250.00 370.00	
. Telephone and internet	123.72	
Total 6460.4 · Contractual Services	743.72	
Total Other operating expenses	2,230.67	
Professional service contracts	8,500.00	
Accounting Engineering-Phase II & Wetids Legal	166.25	
Fees for Project 3.4 billing	2,156.44	
General	715.50	
Total Legal	2,871.94	
Total Professional service contracts	11,538.19	
8460.45 · Staff Payroli - WWIDA	2,105.00	
6460.5 · Supplies and Materials File Storage	30.00	
Total 6460.5 · Supplies and Materials	30.00	
9000 · Employee Benefits		
Medicare - Company	30.53	
Social Security - Company	130.51	
Total 9000 · Employee Benefits	161.04	

WWIDA

04/12/16 Accrual Basis

Profit & Loss March 2016

	Mar 16	
Total Operating Expenses	16,064.90	
Total Expense	16,064.90	
Net Ordinary Income	-13,267.25	
Net income	-13,267.26	

WWIDA Profit & Loss Budget vs. Actual Year to Date

	Jan - Mar 16	Budget	\$ Over Budget
Ordinary income/Expense			
Income Nonoperating revenue Investment Earnings			
2401 - Interest Income	123.28	500.00	(376.72)
Total Investment Earnings	123.28	500.00	(376.72)
Other nonoperating revenue Grant Funds from CDC Misc Income - Nonoperating	0.00 0.01	10,000.00	(10,000.00) (99.99)
Total Other nonoperating revenue	0.01	10,100.00	(10,099.99)
2675 · Lot Sales Legal Reimbursement-Lot Sales Sale of Land	0.00	5,000.00 44,250.00	(5,000.00) (44,250.00)
Total 2676 · Lot Sales	0.00	49,250.00	(49,250.00)
Total Nonoperating revenue	123.29	59,850.00	(59,726.71)
Operating Revenue Charges for Services	0.00	4 000 00	
2116 · Application Fees 2116.1 · Project Fees - Existing	0.00 60 0.00	1,000.00 600.00	(1,000.00) 0.00
2116.2 · Project Fees - New	0.00	50,000.00	(50,000.00)
Total Charges for Services	600.00	51,600.00	(51,000.00)
Other Operating Revenue 2770 - Project - Legal Relmb 3.4 2770.2 - Misc Income - operating	2,156.44 0.00	25,000.00 100.00	(22,843.56) (100.00)
Total Other Operating Revenue	.2,156.44	25,100.00	(22,943.56)
Total Operating Revenue	2,756.44	76,700.00	(73,943.56)
Total income	2,879.73	136,550.00	(133,670.27)
Gross Profit	2,879.73	136,550.00	(133,570.27)
Expense Nonoperating Expenses			
107 · Airport Industrial Park	40.040.00	47 000 00	.40 027 AT
Property/Sewer/Water Taxes AIP	10,942.33	17,000.00	(6,057.67)
Total 107 · Airport Industrial Park	10,942.33	17,000.00	(6,057.67)
Total Nonoperating Expenses	10,942.33	17,000.00	(6,057.67)
Operating Expenses Other operating expenses Miscellaneous	0.00	200.00	(200.00)
1910.4 · insurance Disability Insurance Liability/Commercial Insurance Public Officials Liability Workers' Comp Insurance	0.00 165.00 1,486.95 0.00	125.00 1,500.00 1,500.00 400.00	(125.00) (1,335.00) (13.05) (400.00)
Total 1910.4 · Insurance	1,651.95	3,525.00	(1,873.05)
2675.1 · Sale of Lots Legal Exp. for Lot Sales 3.4	0.00	5,000.00	(5,000.00)
Total 2875.1 · Sale of Lots	0.00	5,000.00	(5,000.00)
6460.4 · Contractual Services	control of the second of the s		
Advertising Airport Park - Misc Services Computer & Webelte Related Exp	0.00 0.00 364.82 750.00	1,000.00 1,700.00 1,000.00 1,200.00	(1,000.00) (1,700.00) (635.18) (450.00)
Dues	750.00	1,200.00	(450.00)

WWIDA Profit & Loss Budget vs. Actual Year to Date

	Jan - Mar 16	Budget	\$ Over Budget
Rent	1,110.00	4.800.00	(3,690.00)
Subscriptions	0.00	275.00	(275.00)
Telephone and Internet	371.16	1,500.00	(1,128.84)
Total 6460.4 - Contractual Services	2,595.98	11,475.00	(8,879.02)
Total Other operating expenses	4,247.93	20,200.00	(15,952.07)
Professional service contracts	228 - 5844622500 - 1422505		
Accounting	8,500.00	15,000.00	(6,500.00)
Engineering-Phase II & Wetlds	166.25	3,000.00	(2,833.75)
Engineering - Phase I & General Legal	0.00	100.00	(100.00)
Fees for Project 3.4 billing	2,156.44	25,000.00	(22,843.56)
General	2,065.50	17,000.00	(14,934.50)
Total Legal	4,221.94	42,000.00	(37,778.06)
Total Professional service contracts	12,888.19	. 60,100.00	(47,211.81)
6460.45 · Staff Payroli - WWIDA 6460.5 · Supplies and Materials	6,740.00	27,000.00	(20,260.00)
File Storage	90.00	425.00	(335.00)
Misc Office Expenses	17.96	100.00	(82.04)
Office Supplies	312.34	600.00	(287.66)
Postage	173.46	625.00	(451.54)
Total 6460.5 - Supplies and Materials	593.76	1,750.00	(1,156.24)
9000 · Employee Benefits	07.74	391.50	(000 76)
Medicare - Company	97.74 417.89	1.674.00	(293.76)
Social Security - Company Unemployment Insurance	0.00	475.00	(1,256.11) (475.00)
Total 9000 · Employee Benefits	515.63	2,540.50	(2,024.87)
Total Operating Expenses	24,985.51	111,590.50	(86,604.99)
Total Expense	35,927.84	128,590.50	(92,662.66)
Net Ordinary Income	(33,048.11)	7,959.50	(41,007.61)
Other Income/Expense			
Other Expense 9100 · Contingency	0.00	1,000.00	(1,000.00)
Total Other Expense	0.00	1,000.00	(1,000.00)
Net Other Income	0.00	(1,000.00)	1,000.00
Net Income	(33,048.11)	6,969.50	(40,007.61)

04/12/16 Accrual Basis

WWCDC Balance Sheet As of March 31, 2016

	Mar 31, 16	Mar 31, 15
ASSETS Current Assets Checking/Savings	17,990.68	60,995.96
Checking Account	17,330.00	00,335.30
Total Checking/Savings	17,990.68	60,995.96
Total Current Assets	17,990.68	60,995.96
Fixed Assets Organizational costs Accumulated amortization Organizational costs - Other	-2,067.10 7,756.00	-1,550.03 7,756.00
Total Organizational costs	5,688.90	6,205.97
Total Fixed Assets	5,688.90	6,205.97
TOTAL ASSETS	23,679.58	67,201.93
LIABILITIES & EQUITY Equity		
Unrestricted Net Assets	24,627.07	67,201.93
Net Income	-947.49	0.00
Total Equity	23,679.58	67,201.93
TOTAL LIABILITIES & EQUITY	23,679.58	67,201.93

04/12/16 Accrual Basis

WWCDC Profit & Loss

January through March 2016

	Jan - Mar 16	
Ordinary Income/Expense		
Expense		
Operating Expenditures		
Insurance - Liability, D and O	172.49	
Professional Services Contracts		
Accounting Fees	775.00	
Total Professional Services Contracts	775.00	
Total Operating Expenditures	947.49	
Total Expense	947.49	
Net Ordinary Income	-947.49	
Net Income	-947.49	

9:56 AM 04/12/16 Accrual Basis

WWCDC Profit & Loss Budget vs. Actual Year to Date

	Jan - Mar 16	Budget	\$ Over Budget
Ordinary Income/Expense Income Operating Revenues Charges for Services			
Administrative Fees - New Proj Application Fees	0.00 0.00	22,500.00 500.00	-22,500.00 -500.00
Total Charges for Services	0.00	23,000.00	-23,000.00
Other Operating Revenues Legal reimb. from developer 3.4	0.00	15,000.00	-15,000.00
Total Other Operating Revenues	0.00	15,000.00	-15,000.00
Total Operating Revenues	0.00	38,000.00	-38,000.00
Total Income	0.00	38,000.00	-38,000.00
Expense Nonoperating Expenditures Grant Funds to WWIDA	0.00	10,000.00	-10,000.00
Total Nonoperating Expenditures	0.00	10,000.00	-10,000.00
Operating Expenditures Insurance - Liability, D and O Misc Business Expenses Professional Services Contracts Accounting Fees Legal Fees	172.49 0.00 775.00	200.00 100.00 2,500.00	-27.51 -100.00 -1,725.00
Legal - 3.4 reimb. by developer Legal - General	0.00 0.00	15,000.00 1,500.00	-15,000.00 -1,500.00
Total Legal Fees	0.00	16,500.00	-16,500.00
Total Professional Services Contracts	775.00	19,000.00	-18,225.00
Total Operating Expenditures	947.49	19,300.00	-18,352.51
Total Expense	947.49	29,300.00	-28,352.51
Net Ordinary Income	-947.49	8,700.00	-9,647.49
Net Income	-947.49	8,700.00	-9,647.49