

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

5 Warren Street, Suite 210, Glens Falls, NY 12801

Tel. (518) 792-1312

Agenda for October 20th, 2025 @ 4:00 PM

To be held at:

Warren County Municipal Building, 1340 State Route 9 in Lake George

- 1 Call to Order, Roll Call and Quorum Confirmation
- 2 Approval of the September 15th IDA Board Mtg minutes Pages 3-6
- 3 Treasurer
 - Accounts Payable Approval Page 2
 - YTD Financial Reports Pages 7-13
- 4 Reports of Committees
 - Park Chair Update
 - Canalside Project Updates
 - East St. Entrance Environmental Svcs Proposal Pages 14-30
 - Canalside Maintenance Updates
 - Technical Service Change Order #3 Pages 31-36
 - Canalside Tenant Activity
 - CHPE/TDI soil storage lease termination update
 - Airport Industrial Park Updates
- 5 Ongoing Business
- 6 New Business
 - Alternative Bond Counsel Pages 37-67
 - 2026 Budget Pages 68-70
 - Brownfield Redevelopment Overview Pages 71-74
 - 2026 Meeting/Holiday Schedules Pages 75-77
 - Holiday Party
- 7 Staff Report
 - CEO
 - Administrator
- 8 Public Comments
- 9 Adjourn

**COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY
INDUSTRIAL DEVELOPMENT AGENCY - CURRENT ACCOUNTS PAYABLE**

<u>FitzGerald Morris Baker Firth, P.C.</u>		
General Services		\$480.00
FAST NY (reimbursable)		\$448.00
North Creek NY Resort OpCo (reimbursable)		\$400.00 =1328.00
<u>P. Hoffman Realty</u>		
Office Rent -November 2025		\$1,000.00
* <u>Spectrum</u>		
Monthly Phone and Internet Service		\$185.00
* <u>Payroll</u>		
Net Payroll - September	Barton	\$7,595.24
Net Payroll - September	Weaver	\$2,833.08
Net Payroll - September	Scully	\$359.07
Net Payroll - September	Fox	\$43.07
* <u>CDPHP</u>		
October Employee Health Insurance		\$4,088.59
* <u>First National Bank of Omaha</u>		
credit card charges -Chuck		\$472.62
* <u>First National Bank of Omaha</u>		
credit card charges -office		\$119.51
* <u>National Grid</u>		
Traffic Light Electricity		\$39.05
Pumpstation (shared expense)		\$24.96
Substation (partially reimbursable)		\$3,860.76
* <u>EFTPS</u>		
September Fed Withholding Tax		\$4,386.17
* <u>Promptax</u>		
Q3 State withholding tax		\$811.45
<u>ADK Techs</u>		
Agreement IT Managed Services		\$850.00
<u>CBRE</u>		
Monthly commission on Kiewitt laydown		\$576.00
<u>Sunbelt Rentals</u>		
Additional month for tractor		\$4,778.26
<u>Village of Fort Edward</u>		
Q3 Canalside water bill (split with WCC)		\$125.00
<u>BlackDog</u>		
Website Service -requested removal of certain countries		\$360.00
<u>Mannix Marketing</u>		
Nicole's WWIDA email with G-Suite License		\$152.50
<u>LaBella</u>		
July-Aug Engineering Svcs. (reimbursable)		\$34,823.75
Aug-Sept Engineering Svcs. (reimbursable)		\$22,278.82
* <u>Chuck Barton</u>		
reimbursement for hotel @ Brownfield Conference		\$264.42
* <u>Central Insurance</u>		
Q3 Canalside Insurance		\$4,981.25
<u>Town of Kingsbury Water Dept.</u>		
Q3 water bill - AIP		\$100.00
<u>North Country Ecological Services</u>		
September Services		\$460.00
		\$96,896.57

* *notates payment has already been made*

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

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

The September Board Meeting for Warren Washington Industrial Development Agency was held on Monday, September 15th, 2025 at the Washington County Municipal Building in Fort Edward at 4:00 pm. The following were:

PRESENT:	Juan Gonzales	Chair
	John Taflan	Vice Chair
	Dan Bruno	Park Chair
	Tricia Rogers	Secretary
	Tim Robinson	Treasurer
	Nick Caimano	Member
	Brian Campbell	Member
	Jim Nolan	Member
	Ginny Sullivan	Member
	Chuck Barton	CEO

ABSENT:	Kevin Mahoney	Member
----------------	---------------	--------

The following were also present:

Kara Lais, Esq.	Fitzgerald Morris Baker Firth, PC
Chris Patten	Owner, Patten Property Management LLC
Charlie Tall	Supervisor of Dresden
Connor McCoy	Commercial Relationship Manager, NBT

Minutes were taken by: Alie Weaver Office Administrator

Attendance was taken by roll call, and quorum was confirmed.

Approval of August 18th Board Meeting Minutes: Mr. Gonzales entertained a motion to accept the August 18th Board Meeting minutes. Mr. Nolan motioned to approve the minutes as presented, Mr. Robinson seconded, and all voted in favor by voice vote.

Accounts Payables and Financial Analysis: Mr. Robinson presented and reviewed the September Accounts Payables, noting the additional payments of \$1,907 for FMBF, with \$1,071 of the total reimbursable, and \$370.00 for Canal Corp. With no other questions or concerns, Mr. Caimano made a motion to approve the payables, and Mr. Campbell seconded. All voted in favor by roll call vote.

Mr. Robinson presented and reviewed the year-to-date financial reports. Mr. Gonzales noted that the Canalside land asset value does not reflect the current appraisal value, and an adjustment will be made upon the sale of the land. With no comments or concerns, Ms. Sullivan motioned to approve the financial reports as presented, and Mr. Caimano seconded. All approved the September financial reports by roll call vote.

Transfer of Funds to Money Market: Mr. Robinson stated that \$200,000 was transferred from the checking account to the Money Market account. This movement will be reflected in the October financial reports. Mr. Nolan made a motion to approve the transfer, and Mr. Campbell seconded. All voted in favor by roll call vote.

Patten Property Management, Washington Square Application Acceptance Resolution: Mr. Barton reminded the Board that this project's application was accepted at the August Board meeting. The Public Hearing was held earlier today, with no public opposition. He introduced Chris Patten, owner of Patten Property Management LLC, to discuss the project.

Mr. Patten stated that the Washington Square project consists of fifty-four one-bedroom apartments, with twenty-four units located on Glen Street and thirty units on Harlem Street. Phase 1, which consisted of demolition, has been completed. Phase 2 will begin in Spring 2026 to complete the complex on Harlem Street. Phase 3 will complete the complex on Washington Street. There will be a shared parking area with the office building at 1 Washington Street. Rent rates will be approximately \$1,400 - \$1,500 with heat/air conditioning included. Mr. Patten noted the restrictions on quality and time without WWIDA incentives.

Mr. Barton stated that the property tax exemptions consist of a 485b Payment in Lieu of Taxes, as well as state and county sales tax exemptions.

- The PILOT payments will be made for ten years, with a 50% exemption on real property taxes on the value of the improvements in year 1, with a 5% annual increase in years 2-10, occurring in two phases. The estimated property tax incentive is \$489,136 over a ten-year period.
- The 7% state and county tax abatement during construction is estimated at \$289,126 based on \$4.1M in purchases subject to sales tax.
- The 1% mortgage tax abatement based on \$10,225,945, occurring in two phases, is an estimated total of \$102,259.

The proposed total gross incentives are estimated at \$880,521 before fees. The WWIDA administrative fee is \$91,469 to service the incentives, and the estimated legal fee is \$15,000. The estimated total net investment incentive is \$774,053 over a 10-year period.

Mr. Barton listed the community and economic benefits of the proposed project as:

- Create 54 new one-bedroom housing units
- Generation of an estimated 120+ local construction jobs valued at \$4.1M
- Generate construction material sales of an estimated \$4.1M with 56% sourced in Warren County and 95% sourced within New York State
- Complements the Glens Falls Downtown Revitalization Initiative

Mr. Gonzales entertained a motion to approve the resolution to accept the Patten Property Management LLC Washington Square application for assistance.

Mr. Caimano made a motion to approve this resolution, and Mr. Nolan seconded. With Mr. Robinson abstaining, all others voted in favor by roll call vote.

Canalside Project Updates:

Water: Mr. Barton stated that the Fort Edward Water District responded favorably to WWIDA's Will Serve letter and engineering assessment, specifying a particular diversion rate. LaBella has updated the Map Plan Report for the Town and Village of Fort Edward's formal acceptance process associated with the water district.

COUNTIES OF WARREN AND WASHINGTON
INDUSTRIAL DEVELOPMENT AGENCY

Mr. Barton also stated that LaBella is engaging with the Railroad Authority regarding the East Street railroad crossing near the Amtrak Station, where the installation of the new water line will be placed under the tracks. LaBella has also proposed a technical service change order with an increase in additional engineering costs. Once review is complete, the TSCO will be presented at the next Board meeting.

Tenant Activity: Mr. Barton stated that the soil storage agreement will be terminated upon receipt of the DEC permit termination letter.

Mr. Barton stated Berkshire Hathaway Blake Realty continues to generate interest in the site. Interested parties are currently performing due diligence and developing preliminary conceptual plans.

Wastewater: Mr. Barton stated that LaBella is exploring outflow possibilities with DEC for the onsite wastewater treatment option. They are working with Fort Edward, the Canal Corporation, and the DEC to focus on various specifics for the discharge into Bond Creek.

Mr. Barton also noted that Washington County representatives are discussing H1F1A stormwater offset funding with New York State officials. If this funding is awarded, Canalside Energy Park would have the option to connect to the sewer district.

Natural Gas: Mr. Barton stated that the natural gas supply and conceptual engineering application were submitted and accepted by National Grid last month. It was determined that specific requirements of the future owner will be needed before advancing services.

Maintenance: Mr. Barton stated that the purchase of a new tractor has been delayed until spring 2026.

Bridge: Mr. Barton stated that Canal Corp is currently reviewing Mr. Holmes' concept drawing of the detour road modifications. Upon approval, the formal permitting process with Canal Corp will begin.

Industrial Park Airport: Mr. Bruno noted that a party is interested in purchasing the Furguson Lane lots. Mr. Barton noted that WWIDA will be working with DEC on behalf of this potential buyer regarding the wetlands.

Mr. Barton noted that the Glens Falls Rotary is planning to meet with the Town of Kingsbury to review its concept for a tree farm and wildlife education center to be located on the heavily impacted wetland lots.

Weekender Hotel Sales Tax Exemption Extension: Ms. Lais stated that North Creek, NY Resort OpCo LLC's current sales tax exemption status expires on September 30, 2025. They have requested an extension to December 31, 2025. The project cost and exemption amount remain the same.

Mr. Campbell made a motion to approve the extension of the North Creek, NY Resort OpCo LLC project's sales tax exemption, and Mr. Bruno seconded. All others voted in favor by roll call vote.

CEO Staff Report—Mr. Barton reported that he has had thirty-nine engagements year to date. Twelve have been in manufacturing/distribution, five related to tourism/recreation, two in hotel/resort, seven related to

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

housing, three in mixed-use, three in food and beverage, one related to energy, one related to medical, and five in “other” fields.

Regarding the project pipeline: one application has been accepted, two are working to advance their applications for submission, five are potential applicants, nine businesses are undecided or exploring options at this time, and over fifteen projects have become inactive within the past year.

Mr. Barton listed his recent activities, which included:

- Attended a NY Bio-Connect Resource Hub webinar
- Met with a housing project owner who is exploring further investment
- Toured the facility of a manufacturing business that is considering expansion
- Met with representatives of the West Mountain development project and the Warren County EDC to evaluate the economic impact of the investment
- Attended the Regional Strategic Alliance with Warren County EDC and other entities
- Met with the prospective buyer of Airport Industrial Park lots
- Had a conference call with Herkimer County IDA to discuss their involvement with brownfield redevelopment

Administrator Staff Report: She noted that the 2025-26 School Tax bills were mailed on September 2nd. Five payments have been received thus far.

She and Mr. Barton have been drafting the 2026 budget for review by the Audit and Finance Committee. The draft will be included in the October Board meeting packet.

Public Comments: There were no public comments.

Adjournment: With no other business to discuss, Mr. Caimano moved to adjourn, and Mr. Bruno seconded, with all others voting in favor by voice vote. The September IDA Board meeting was adjourned at 4:46 pm.

WWIDA
Balance Sheet Prev Year Comparison
As of September 30, 2025

10/06/25

	Sep 30, 25	Sep 30, 24	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
GFNB Debit Card	0	0	0
200 · Cash			
- ICS Money Market Acct @ 3.91%	2,306,590	1,823,876	482,714
Checking - NOW-10459405	264,977	230,869	34,107
Escrow - PILOTS 3528097	3,277	14,222	-10,945
Total 200 · Cash	2,574,843	2,068,967	505,876
220 · Checking CHPE 0736	5,880	2,921	2,959
Total Checking/Savings	2,580,724	2,071,889	508,835
Accounts Receivable			
379 · Accounts Receivable NBRC	-500	8,591	-9,090
380A · Accounts Receivable	-20,092	89,381	-109,473
380B · Accounts Receivable - PILOTS	-552	-698	146
Total Accounts Receivable	-21,144	97,273	-118,417
Other Current Assets			
Lease Receivable	132,962	370,441	-237,479
Prepaid Retirement	734	3,009	-2,276
210 · Petty Cash	55	55	0
380C · Due from Other Governments	0	22,400	-22,400
380G · Receivable-Grant Reimbursement	111,376	0	111,376
480 · Prepaid Insurance	4,265	4,265	0
481 · FE Water Escrow	5,063	0	5,063
Total Other Current Assets	254,454	400,170	-145,716
Total Current Assets	2,814,034	2,569,332	244,702
Fixed Assets			
101 · Land	209,914	244,099	-34,185
102 · Land-Canalside Energy Park	11,769,482	11,769,482	0
104 · Machinery and Equipment			
Furniture and Equipment	357	357	0
Office Equipment	1,614	1,614	0
Signs & Mailboxes	7,584	7,584	0
104 · Machinery and Equipment - Other	-357	-357	0
Total 104 · Machinery and Equipment	9,198	9,198	0
114 · Accumulated Depreciation	-9,198	-9,198	0
Total Fixed Assets	11,979,396	12,013,581	-34,185
Other Assets			
Deferred Outflows - Pension	58,016	0	58,016
Total Other Assets	58,016	0	58,016
TOTAL ASSETS	14,851,446	14,582,913	268,533
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
600 · Accounts Payable	40,859	0	40,859
Total Accounts Payable	40,859	0	40,859
Other Current Liabilities			
602 · Payroll Liabilities			
Federal W/H	336	174	162
Medicare - Employee	389	412	-24

10/06/25

WWIDA
Balance Sheet Prev Year Comparison
As of September 30, 2025

	Sep 30, 25	Sep 30, 24	\$ Change
Social Security - Employee	946	1,047	-101
State W/H	-310	996	-1,305
602 · Payroll Liabilities - Other	242	242	0
Total 602 · Payroll Liabilities	1,603	2,871	-1,268
631 · Due To Other Governments	0	15,770	-15,770
Total Other Current Liabilities	1,603	18,642	-17,038
Total Current Liabilities	42,463	18,642	23,821
Long Term Liabilities			
Deferred Inflows - Pension	23,690	0	23,690
Deferred Inflows of Resources	139,425	331,572	-192,147
IDA Net Pension Liability	45,706	0	45,706
Total Long Term Liabilities	208,821	331,572	-122,751
Total Liabilities	251,284	350,214	-98,930
Equity			
924 · Net Assets - Unrestricted	14,112,502	14,234,696	-122,194
Net Income	487,660	-1,997	489,657
Total Equity	14,600,162	14,232,699	367,463
TOTAL LIABILITIES & EQUITY	14,851,446	14,582,913	268,533

WWIDA
Profit & Loss Prev Year Comparison
January 1 through September 30 2025

10/06/25

	Jan - Sep 25	Jan - Sep 24	% Change
Ordinary Income/Expense			
Income			
Non-Operating Revenue			
Investment Earnings			
2401 · Interest Income			
2401.2 · Interest Income - Money Market @ 3.91%	61,089	67,425	-9%
2401 · Interest Income - Other	284	146	95%
Total 2401 · Interest Income	<u>61,374</u>	<u>67,571</u>	<u>-9%</u>
Total Investment Earnings	61,374	67,571	-9%
2675 · Lot Sales			
Legal Reimbursement-Lot Sales	0	0	0%
Sale of Land	-32,190	34,850	-192%
2675 · Lot Sales - Other	0	-96,499	100%
Total 2675 · Lot Sales	<u>-32,190</u>	<u>-61,649</u>	<u>48%</u>
Total Non-Operating Revenue	29,184	5,921	393%
Operating Revenue			
Canalside Lease Income	260,753	307,369	-15%
Charges For Services			
2116.1 · Project Fees - Existing	600	8,700	-93%
2116.2 · Project Fees - New	245,233	21,535	1,039%
2116.4 · Application Fees	9,000	6,000	50%
2116.5 · Rail Usage Fees Recieved			
2116.6 · WCC Share	-45,134	-25,033	-80%
2116.5 · Rail Usage Fees Recieved - Other	167,652	62,627	168%
Total 2116.5 · Rail Usage Fees Recieved	<u>122,517</u>	<u>37,594</u>	<u>226%</u>
2770 · Project - Legal Reimbursable	-400	400	-200%
Total Charges For Services	<u>376,950</u>	<u>74,230</u>	<u>408%</u>
Total Operating Revenue	637,703	381,598	67%
2770.2 · Misc Income - Operating	0	120	-100%
Total Income	<u>666,888</u>	<u>387,640</u>	<u>72%</u>
Gross Profit	666,888	387,640	72%
Expense			
Nonoperating Expenses			
Other Nonoperating Expenses			
PILOT Penalties	176	1,639	-89%
Total Other Nonoperating Expenses	176	1,639	-89%
107 · Airport Industrial Park			
Property/Sewer/Water Taxes AIP	5,313	5,697	-7%
107 · Airport Industrial Park - Other	3,900	4,000	-3%
Total 107 · Airport Industrial Park	<u>9,213</u>	<u>9,697</u>	<u>-5%</u>
Total Nonoperating Expenses	9,389	11,337	-17%
Operating Expenses			
Other Operating Expenses			
Interest	183	0	100%
1910.4 · Insurance			
Liability/Commercial Insurance	605	5,167	-88%
Public Officials Liability	1,669	1,669	0%
Workers' Comp Insurance	245	90	173%
Total 1910.4 · Insurance	<u>2,519</u>	<u>6,925</u>	<u>-64%</u>
2675.1 · Sale of Lots			
Legal Exp. for Lot Sales 3.4	0	1,200	-100%
Total 2675.1 · Sale of Lots	<u>0</u>	<u>1,200</u>	<u>-100%</u>
6460.4 · Contractual Services			
Computer Related	4,100	2,147	91%
Dues	3,503	2,747	28%
Marketing/PR	5,711	2,234	156%
Rent	9,000	9,000	0%
Subscriptions	3,147	1,197	163%
Telephone and Internet	1,859	1,869	-1%
6460.4 · Contractual Services - Other	<u>1,667</u>	<u>0</u>	<u>100%</u>
Total 6460.4 · Contractual Services	<u>28,987</u>	<u>19,193</u>	<u>51%</u>
Total Other Operating Expenses	31,689	27,318	16%
Professional Service Contracts			
Accounting	15,170	14,558	4%

WWIDA
Profit & Loss Prev Year Comparison
January 1 through September 30 2025

10/06/25

	Jan - Sep 25	Jan - Sep 24	% Change
Engineering-Phase II & Wetlids	5,074	2,819	80%
Legal			
Fees for Project	0	10,979	-100%
General	7,169	0	100%
Total Legal	7,169	10,979	-35%
Total Professional Service Contracts	27,413	28,356	-3%
6460.45 · Staff Payroll - WWIDA	140,252	136,913	2%
6460.5 · Supplies and Materials			
Misc Office Expenses			
Institution Fees	16	33	-51%
Total Misc Office Expenses	16	33	-51%
Office Supplies	2,108	2,570	-18%
Postage	502	292	72%
Total 6460.5 · Supplies and Materials	2,627	2,896	-9%
7000 · Canalside Energy Park			
7001 · Canalside Expenses			
7002 · Realtor & Appraisal Fees	17,780	9,136	95%
7003 · Insurance	16,807	11,316	49%
7005 · Land & Building Maintenance	23,014	8,831	161%
7006 · Special District Taxes	14,702	14,837	-1%
7007 · Electric			
7007.1 · Canalside Utility Reimbursement	-72,024	-36,344	-98%
7007 · Electric - Other	77,510	41,172	88%
Total 7007 · Electric	5,486	4,828	14%
7008 · Legal	0	1,904	-100%
7009 · Engineering			
7009.1 · Reimbursables	-123,146	11,516	-1,169%
7009.2 · CHPE Soil Storage	1,138	-2,921	139%
7009 · Engineering - Other	0	2,332	-100%
Total 7009 · Engineering	-122,008	10,926	-1,217%
7012 · FASTNY Nonreimbursables	0	47,593	-100%
7013 · FAST NY Reimbursable	20,776	17,876	16%
Total 7001 · Canalside Expenses	-23,443	127,246	-118%
Total 7000 · Canalside Energy Park	-23,443	127,246	-118%
9000 · Employee Benefits			
Employee Benefit - Retirement	312	16,526	-98%
Medicare - Company	1,832	1,749	5%
Social Security - Company	7,902	7,503	5%
Unemployment Insurance	771	603	28%
Vehicle Allowance	4,750	0	100%
9010 · Employee Net Health Insurance	30,477	28,666	6%
Total 9000 · Employee Benefits	46,044	55,047	-16%
Total Operating Expenses	224,581	377,777	-41%
66900 · Reconciliation Discrepancies: Adj. of overstatement from 2024 audit	-54,743	524	-10,549%
Total Expense	179,227	389,637	-54%
Net Ordinary Income	487,660	-1,997	24,517%
Net Income	487,660	-1,997	24,517%

10/06/25

WWIDA
Profit & Loss
September 2025

	Sep 25
Ordinary Income/Expense	
Income	
Non-Operating Revenue	
Investment Earnings	
2401 · Interest Income	
2401.2 · Interest Income - Money Market @ 3.91%	7,179.72
2401 · Interest Income - Other	91.53
Total 2401 · Interest Income	7,271.25
Total Investment Earnings	7,271.25
Total Non-Operating Revenue	7,271.25
Operating Revenue	
Canalside Lease Income	25,900.00
Charges For Services	
2116.5 · Rail Usage Fees Recieved	32,679.61
2770 · Project - Legal Reimbursable	0.00
Total Charges For Services	32,679.61
Total Operating Revenue	58,579.61
Total Income	65,850.86
Gross Profit	65,850.86
Expense	
Nonoperating Expenses	
107 · Airport Industrial Park	1,800.00
Total Nonoperating Expenses	1,800.00
Operating Expenses	
Other Operating Expenses	
Interest	8.52
6460.4 · Contractual Services	
Computer Related	970.26
Dues	574.42
Marketing/PR	739.99
Rent	1,000.00
Subscriptions	75.78
Telephone and Internet	185.00
Total 6460.4 · Contractual Services	3,545.45

10/06/25

WWIDA
Profit & Loss
September 2025

	Sep 25
Total Other Operating Expenses	3,553.97
Professional Service Contracts	
Engineering-Phase II & Wetlds	1,925.00
Legal	
General	736.00
Total Legal	736.00
Total Professional Service Contracts	2,661.00
6460.45 · Staff Payroll - WWIDA	14,081.30
6460.5 · Supplies and Materials	
Misc Office Expenses	
Institution Fees	-53.55
Total Misc Office Expenses	-53.55
Office Supplies	17.78
Postage	180.05
Total 6460.5 · Supplies and Materials	144.28
7000 · Canalside Energy Park	
7001 · Canalside Expenses	
7002 · Realtor & Appraisal Fees	576.00
7005 · Land & Building Maintenance	5,435.41
7007 · Electric	
7007.1 · Canalside Utility Reimburse...	-3,308.38
7007 · Electric - Other	3,920.69
Total 7007 · Electric	612.31
7013 · FAST NY Reimbursable	256.00
Total 7001 · Canalside Expenses	6,879.72
Total 7000 · Canalside Energy Park	6,879.72
9000 · Employee Benefits	
Employee Benefit - Retirement	192.24
Medicare - Company	155.04
Social Security - Company	-236.81
Unemployment Insurance	0.00
Vehicle Allowance	500.00
9010 · Employee Net Health Insurance	3,442.49
Total 9000 · Employee Benefits	4,052.96

10/06/25

WWIDA
Profit & Loss
September 2025

	Sep 25
Total Operating Expenses	<u>31,373.23</u>
Total Expense	<u>33,173.23</u>
Net Ordinary Income	<u>32,677.63</u>
Net Income	<u><u>32,677.63</u></u>

Professional Services Agreement

Agreement made the ____ day of October, 2025
between

LaBella Associates, D.P.C.
(“LaBella”)

and

Warren Washington IDA
(“Client”)

for services related to the following Project:

Canalside East Street Entrance Environmental Permitting
Village of Fort Edward, Washington County, New York
(“Project”)

LaBella and Client hereby agree as follows:

Description of Services: LaBella shall perform the services set forth and described in LaBella’s proposal, dated October 9, 2025, a copy of which is attached as *Exhibit A*, in accordance with the terms and conditions of this contract attached as *Exhibit B*.

Compensation for Services: Client shall compensate LaBella for its professional services as set forth in LaBella’s proposal. LaBella shall submit invoices for services rendered monthly. Client shall make payment to LaBella no later than thirty (30) days after the date of each invoice.

Term: LaBella shall commence performing its services when Client gives notice to proceed. This Agreement shall terminate when LaBella’s services are completed and final payment has been received from Client, or as otherwise provided in this Agreement.

Insurance: LaBella shall maintain, at its own expense, throughout the term of this Agreement and until the expiration of all applicable statutes of limitation, the following insurance coverages:

- Comprehensive general liability insurance with policy limits of not less than \$1,000,000 each occurrence and \$2,000,000 in the aggregate for bodily injury and property damage;
- Automobile liability insurance covering owned, non-owned, rented and hired vehicles operated by LaBella with policy limits of not less than \$1,000,000 combined single limit and aggregate for bodily injury and property damage;
- Umbrella liability insurance with policy limits of not less than \$10,000,000 each occurrence and \$10,000,000 in the aggregate;

- Worker’s compensation insurance at statutory limits and employer’s liability insurance with a policy limit of not less than \$1,000,000 for all employees engaged in the rendering of professional services under this Agreement;
- Cyber insurance with policy limits of not less than \$5,000,000 and excess Cyber insurance with policy limits of not less than \$5,000,000;
- Professional liability insurance with policy limits of not less than \$5,000,000 per claim and \$7,500,000 in the aggregate; and
- Pollution liability insurance with policy limits of not less than \$5,000,000 per claim and \$7,500,000 in the aggregate. Pollution liability coverage is only provided for professional services.

Client shall be named as an additional insured on a primary and non-contributory basis under the CGL, Automobile and Umbrella insurance policies. LaBella shall provide to the Client certificates of insurance evidencing compliance with the requirements of this Agreement. The certificates shall contain a provision that at least thirty (30) days prior written notice shall be given to Client in the event of cancellation, non-renewal, or reduction of the insurance.

Indemnification: To the fullest extent permitted by law, LaBella shall indemnify and hold the Client and its officers and employees harmless from and against liabilities, damages, losses and judgments, including reasonable attorneys’ fees and expenses recoverable under applicable law, but only to the extent they are caused by the negligent acts, errors or omissions of LaBella, its employees and its consultants in the performance of professional services under this Agreement.

In recognition of the relative risks and benefits of the Project to both Client and LaBella, the risks have been allocated such that Client agrees, to the fullest extent permitted by law, to limit the liability of LaBella and LaBella’s consultants for any and all claims, liabilities, damages, losses, costs, and judgments of any nature whatsoever or claims expenses from any cause or causes, so that the total aggregate liability of LaBella and LaBella’s consultants shall not exceed \$50,000 or LaBella’s total fee for services rendered on this Project, whichever is greater.

LaBella Associates, D.P.C.

Client Name

By: _____

By: _____

Name _____

Name _____

Title _____

Title _____

Date: _____

Date _____

Exhibit A
LaBella's Proposal



October 9, 2025

Chuck Barton
Chief Executive Officer
Warren Washington IDA
5 Warren Street, Suite 210
Glens Falls, NY 12801
via email: chuckbarton@warren-washingtonida.com

**RE: Proposal for Professional Services
East Street Entrance Environmental Permitting Services
Canalside Energy Park
Village of Fort Edward, Washington County, New York
LaBella Proposal No. P2506169**

Dear Mr. Barton,

Labella Associates is pleased to provide this proposal associated with performing wetland delineation and environmental permitting services associated with proposed improvements to the Canalside East Street entrance. Please find our current project understanding, scope of services, and associated fee schedule below.

Project Understanding

The WWIDA is seeking to make improvements to the existing driveway entrance into the Canalside site from East Street, located immediately adjacent to the bridge over the Champlain Canal. Wetland and environmental permitting services are required prior to these proposed improvements being constructed.

Scope of Services

Task 01 – Wetland/Stream Delineation Field Work and Report

Scope

LaBella will perform a wetland and stream background review prior to visiting the Site, including United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) mapping; New York Department of Environmental Conservation (NYSDEC) freshwater wetland informational mapping; NYSDEC Environmental Resource Mapper; United States Geological Survey (USGS) 7.5-minute Topographic Quadrangles; the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Washington County Soil Survey; USDA NRCS mapped soils data; NYSDEC stream classification shapefiles; aerial photography; and other resources.

The LaBella wetland delineation team will visit the Site during the growing season to perform the wetland delineation. The wetland delineation will be carried out in accordance with criteria presented in the 1987 Corps of Engineers Wetland Delineation Manual, as supplemented by the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0 and current Environmental Protection Agency (EPA) Clean Water Act regulations. All delineated wetland boundaries will be defined in the field with sequentially-numbered pink surveyor's flagging or pink pin flags. Wetland boundary flags will be located using a sub-foot GPS with real-time correction or based on topography compiled from aerial photogrammetry. Data collected during fieldwork will include United States Army Corps of Engineers (USACE) Routine Wetland Data Forms, and will include information on Site soils, hydrology, and the vegetative community. In addition, LaBella will photograph all delineated wetlands and streams, and other notable site features relevant to the wetland delineation.

Deliverables

- LaBella will prepare a Wetland Delineation Map for the Site. The map will include any wetland and/or stream boundaries and locations of applicable data points taken in the field.

- A Wetland and Stream Delineation Report will be prepared for the Site. The report will include all required documentation, including photographs, wetland data forms, and required mapping to support a USACE and/or NYSDEC Jurisdictional Determination or Joint Permit Application. LaBella will complete the Wetland and Stream Delineation Report within one (1) month of completing the wetland and stream delineation or from Client approval to proceed with the Report. It should be noted that a Wetland Delineation Report is required to submit a Jurisdictional Determination request.

Assumptions and Limitations

- Please note that New York State freshwater wetland regulations changed on January 1, 2025. There may be aquatic features onsite that come under the jurisdiction of NYSDEC which would need to be determined through a jurisdictional determination (JD) review with NYSDEC. Additionally, aquatic features onsite may come under the jurisdiction of the United States Army Corps of Engineers (USACE) and would need to be determined through a USACE JD review. JD reviews are not covered under this phase.
- LaBella reserves the right to postpone fieldwork given significant precipitation the prior 24 hours to allow the Site to drain. In the event of snow, LaBella reserves the right to postpone the delineation fieldwork until the snow cover has melted, and the vegetation on the ground is clearly visible at the Site. The ground cannot be frozen.
- Completing wetland delineations outside of the growing season (generally from April to October) is at risk of not being accepted by applicable agencies. If a full Wetland Delineation is performed outside of growing season per Client's request, and regulatory agencies determine that fieldwork was completed outside of growing season, additional costs for a second site visit to collect necessary data will be provided.
- LaBella is not responsible for any regulatory actions taken as a result of the findings of the Wetland Delineation.
- This scope includes a site visit to perform the wetland delineation based on project scope and study area provided by the Client. If project scope or study area should change, requiring additional fieldwork, it will be considered an extra service and additional cost will be provided.



Task 02 – NYSDEC Parcel JD “Consultant Option” Request

Scope

LaBella will review each of the wetlands delineated for the Study Area following the NYSDEC Parcel JD Consultant Option requirements and the NYSDEC Standard Operating Procedures (SOP) for Remote JDs and Classification of Freshwater Wetlands Pursuant to 6 NYCRR Part 664. Each wetland will be evaluated for the criteria of Unusual Importance, size, and other miscellaneous provisions, along with a review of 100-feet from the Study Area, as outlined in the NYSDEC SOP. Each potentially jurisdictional wetland will be reviewed for a proposed wetland classification. Please note that a Wetland Delineation Report will need to be submitted with the request.

LaBella will attend one (1) on-Site JD review meeting if requested by NYSDEC for their JD review. It should be noted that any agency site visits, if requested, are typically scheduled by the agencies during growing season (generally April to October).

Deliverables

- LaBella will provide a brief memo on the screening for Client review and will submit to the NYSDEC regional office for review.

Assumptions and Limitations

- The Client will need to provide landowner contact information, if the parcel is not owned by the Client.
- This assessment is completed via a desktop review and no fieldwork is included in this task.
- JD site visits, if requested, will be scheduled by USACE and/or NYSDEC during growing season (generally May to October). Additional JD site visits will require a Change Order.
- JD site visits and receipt are subject to USACE and/or NYSDEC timelines and not determined or controlled by LaBella.



Task 03 – Wetland Regulatory Permitting Services

Scope

LaBella will assist in Joint Permit Application (JPA) or Pre-Construction Notification (PCN) preparation and submittal to pertinent agencies for regulatory permit authorizations required by NYSDEC and/or USACE in support of the Project, if required. Permit authorizations may include, but are not limited to the following:

- New York State Department of Conservation (NYSDEC): If any project components will be located within a State wetland and/or a NYSDEC 100-foot wetland adjacent area, a NYSDEC Article 24 wetland permit will be required. If any project components will be located within/disturb the bed or bank of a state protected stream, a NYSDEC Article 15 protection of waters permit will be required.
- The JPA PCN will also include the Wetland Delineation Report, coordination with United States Fish and Wildlife Service (USFWS) and NYSDEC for protected species, State Historic Preservation Office (SHPO) consultation, State Environmental Quality Review Act (SEQRA) documentation, Project Site Plans, and the Project SWPPP if applicable.

LaBella will respond to regulatory agency comments on the wetland permit application (one round of comment responses are included in this scope). LaBella will coordinate, prepare for, attend, participate, and represent the Client as necessary for required agency negotiations concerning the wetland permit application task for the proposed Project.

Deliverables

- None.

Assumptions and Limitations

- The Scope excludes: State Environmental Quality Review Act (SEQRA) reviews; historic or archaeological reviews with the State Historic Preservation Office (SHPO); Rare, Threatened and Endangered (RTE) species habitat assessments or presence/absence surveys, permitting associated with RTE species; Stormwater Pollution Prevention Plans and inspections; USACE Jurisdictional Determination



(JD) requests and/or USACE Wetland Regulatory Permitting Services (i.e. Joint Permit Applications).

- It is assumed USACE permitting is not required, thus the NYSDEC will not need to review the permit application for applicability of coverage under a Water Quality Certification (WQC).
- Based on the current site plans (by others) it is assumed there will be no USACE wetland and/or stream impacts. Thus, USACE permitting is not included in this scope.
- This proposal includes addressing one round of comments from the agencies.
- Wetland Permitting: Wetland permitting assumes coordination for one round of written responses for requests for additional information of notice of incomplete applications to USACE/NYSDEC and does not include engineering redesign. Assumes no permit required by the USACE. Assumes no mitigation is required.
- It is assumed wetland mitigation is not required. Mitigation design is not included in this proposal.
- It is assumed no town/local wetland permitting is required. Representation at Municipal meetings is not included in this proposal.
- All fees, including permit application fees, will be the responsibility of the client.

Task 04 – Initial SHPO Coordination

Scope

LaBella will take steps to achieve compliance with Section 106 of the National Historic Preservation Act and NYS Historic Preservation Act. LaBella will submit the Project to the State Historic Preservation Office (SHPO) for review via the online Cultural Resource Information System (CRIS), and coordinate with SHPO to address any concerns they may have.

The results of the SHPO review will be included in the wetland permit package.

Deliverables

- None.



Assumptions and Limitations

- At this time we do not anticipate that archeological survey services will be required for this project. If the need for an archeological survey (or a historic structure survey) arises, LaBella can coordinate with a sub-consultant to perform the work under a separate contract.
- Items which may be requested by SHPO (viewshed analysis, architectural resources survey, etc.) are not included in this scope.

Task 05 – SEQRA Support Services

Scope

Part 1 of the Environmental Assessment Form (EAF) will be completed in compliance with the State Environmental Quality Review Act (SEQRA). LaBella will prepare Part 1 of the short EAF for submission during site plan approval, as well as an attachment to the wetlands permit and similar permit submissions, if any.

Deliverables

- Completed Part 1 of the Short Form EAF.

Assumptions and Limitations

- It should be noted that there may be regulations related to wetlands and streams administered by the local municipality for this project. Municipal code review or approvals are not included within this proposal. If such regulations exist with the municipality, they would be covered under the SEQRA or Town Site Approval process for the Project.

Fees and Anticipated Schedule

LaBella proposes to bill each task as indicated in the following table. Invoices will be issued monthly for all services performed during that month and are payable upon receipt.

Table 1: Fees and Schedule

Task No.	Task Description	Fees			Anticipated Schedule ⁽⁴⁾
		Lump Sum ⁽¹⁾	Time and Materials Estimate ⁽²⁾	Sub-consultant ⁽³⁾	
01	Wetland/Stream Delineation Field Work and Report	---	\$8,790	---	Start: upon authorization Duration: 6 weeks
02	NYSDEC Parcel JD "Consultant Option" Request	---	\$3,550	---	Start: upon authorization Duration: 6 weeks
03	Wetland Regulatory Permitting Services	---	\$12,840	---	Start: upon authorization Duration: 12 weeks
04	Initial SHPO Coordination	---	\$2,900	---	Start: upon authorization Duration: 6 weeks
05	SEQRA Support Services	---	\$2,360	---	Start: upon authorization Duration: 12 weeks
	SUBTOTALS	---	\$30,440	---	
	TOTAL		\$30,440		

- (1) Lump Sum tasks will be billed commensurately with the percentage of the task which has been completed.
- (2) Time and Materials fees are estimates only. LaBella will bill for actual hours worked and will make its best effort to complete each of these tasks within the estimated amounts, although it is possible that it will be necessary to exceed these amounts to complete the scope of services for each task. LaBella will not exceed any estimated fee amounts without written authorization from you.
- (3) The sub-consultant fees shown include a 15% markup to cover LaBella's administrative efforts/costs.

- (4) Projected start and end dates are subject to change and are based on date from authorization to proceed. Because certain aspects of the project are outside of LaBella's control (e.g., review agency schedules, actions, and approvals), LaBella cannot guarantee completion of the project within these proposed schedules.

Please feel free to contact me at 518-824-1943 if you have any questions or require clarification of the proposed scope of services. We would be glad to meet with you to further discuss our approach if you desire.

If you find this proposal acceptable, please sign and date the agreement attached as a cover to this proposal. This will serve as our authorization to proceed.

Sincerely,

LaBella Associates



Paul Guillet, PE
Senior Civil Engineer

Attachments:

none

CC:

none

Exhibit B

Terms and Conditions

Terms and Conditions

LaBella's Responsibilities: LaBella shall designate a representative authorized to act on its behalf with respect to the Project. All notices required under this Agreement shall be given to that representative.

LaBella shall perform its services consistent with the professional skill and care ordinarily provided by members of the same profession practicing in the same or similar locality under the same or similar circumstances. LaBella shall perform its services as expeditiously as is consistent with such professional skill and care, and the orderly progress of the Project.

LaBella shall not at any time supervise, direct, control or have authority over any contractor or subcontractor's work, nor shall LaBella have authority over, or be responsible for, the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor or subcontractor, or the safety precautions and programs incident thereto, for safety or security at the Project location, nor for any failure of a contractor or subcontractor to comply with laws and regulations applicable to the performance of their work and the furnishing of materials on the Project. LaBella shall not be responsible for the acts or omissions of any contractor or subcontractor.

Client's Responsibilities: Client shall designate a representative authorized to act on its behalf with respect to the Project. All notices required under this Agreement shall be given to that representative.

Client shall provide LaBella with all available information regarding, and site access to, the Project necessary for LaBella to perform its professional services, including Client's requirements for the Project. Client also shall provide information regarding the Project site and any existing facilities, including destructive testing and investigation of concealed conditions and hazardous substances or injurious conditions. If Client does not perform destructive testing or investigation, nor provide information beyond that which is apparent by non-intrusive observations, or in the event documentation or information furnished by Client is inaccurate or incomplete, then any resulting damages, losses and expenses, including the cost of LaBella's changes in service or additional services, shall be borne by Client.

Client shall examine documents submitted by LaBella and render decisions pertaining thereto promptly to avoid unreasonable delay in the progress of LaBella's services.

Additional Services: LaBella may provide additional services after execution of this Agreement without invalidating the Agreement. LaBella shall not proceed to provide any additional services, unless and until LaBella receives written direction from Client. Client shall compensate LaBella for additional services as set forth in LaBella's proposal, or any supplemental proposal or contract modification, or as agreed upon in writing signed by both parties.

Assignment: Neither party may assign any benefit or obligation under this Agreement without the prior written consent of the other party, except LaBella may use the services of persons and entities not in LaBella's employ when appropriate and customary to do so.

Confidentiality: During the Project, confidential and/or proprietary information of the Client might be furnished to LaBella. LaBella shall use such information for the purpose of providing its professional services on the Project, and for no other purpose. LaBella shall hold such information in strict confidence and shall not disclose such information to any person or entity, except sub-consultants engaged on the Project or as required by law. Upon completion of its services, LaBella shall return or destroy all confidential and/or proprietary information to the Client.

Instruments of Service: All documents prepared or furnished by LaBella pursuant to this Agreement are instruments of professional service, and LaBella shall retain its ownership and property interest therein, including all copyrights and the right to reuse the documents. Upon payment in full for services rendered, LaBella grants Client a license to use the instruments of service for the purposes of constructing, occupying and maintaining the Project. Reuse or modification of any documents by Client without LaBella's written permission shall be at Client's sole risk, and Client agrees to defend, indemnify, and hold LaBella harmless from all claims, damages and expenses, including attorneys' fees, arising out of such reuse by Client or by others acting through Client.

Client and Client's contractors and other consultants may rely only upon printed copies (also known as hard copies) of documents that are signed and sealed by a licensed professional employed by LaBella. If there is any discrepancy between printed copies and any electronic copies, the most recent version of the printed and certified copies shall govern. Any electronic copies (files) provided by LaBella will be provided solely as a convenience and shall not be considered "Contract Documents," "Construction Documents" or any type of certified document. All documents considered "Contract Documents," "Construction Documents" or any type of certified document shall consist only of printed copies having an original signature and seal of a licensed professional employed by LaBella. Client is advised that electronic copies of documents can deteriorate or be inadvertently modified without LaBella's consent or may otherwise be corrupted or defective. Accordingly, Client and Client's contractors or other consultants may not rely upon the accuracy of any electronic copies of documents.

Escalation: In the event the term of this Agreement is extended beyond the period of service set forth in LaBella's proposal, then compensation for professional services is subject to review and escalation by LaBella upon thirty (30) days written notice to Client.

Suspension: Client may suspend this Agreement in whole or in part at any time for convenience upon seven (7) days written notice. Upon receipt of notice, LaBella shall immediately discontinue all services. LaBella shall be entitled to compensation for all services rendered up to the date of suspension. If the suspension exceeds three (3) months, an equitable adjustment in compensation shall be negotiated to compensate LaBella for all reasonable costs incurred by LaBella on account of the suspension of the Project.

LaBella may suspend its performance under this Agreement if any delinquent amounts due for services and expenses have not been paid. LaBella may refuse to release drawings, plans, specifications, reports, maps, materials and any other instruments of service prepared by LaBella

for Client until all arrearages are paid in full. LaBella shall not be liable to Client for delay or any other damages due to any such suspension of services.

Termination: Either party may terminate this Agreement for cause upon seven (7) days written notice with an opportunity to cure any default during that period. In any event, without regard to the party terminating the Agreement, Client shall remit payment of all amounts that are not in dispute no later than thirty (30) days after the date of each invoice.

Disputes: The parties agree that mediation before a mutually agreeable neutral third party shall be a condition precedent to any legal action arising out of this Agreement, unless waived in writing by the parties. The cost of the mediation shall be borne equally by the parties. The mediation shall be conducted in accordance with the Construction Industry Mediation Rules of the American Arbitration Association, unless the parties agree otherwise. No demand for mediation shall be made after the date that the applicable statute of limitations would bar a legal or equitable action based on the claim or dispute.

Venue and Jurisdiction: Any legal suit, action or proceeding arising out of or relating to this agreement shall be instituted in a court of competent jurisdiction located in the state and county where the project is located. The parties hereby waive any objection which they may have now or hereafter to the venue of any such suit, action or proceeding, and hereby irrevocably consent to the personal jurisdiction of any such court in any such suit, action or proceeding.

Choice of Law: This Agreement shall be interpreted, construed and enforced in accordance with the laws of the state where the project is located without giving effect or reference to any conflict of laws provisions.

Consequential Damages: In any suit, action or proceeding, the parties shall be entitled to recover compensatory damages incurred as a result of the breach of this Agreement, but, to the fullest extent permitted by law, neither party shall be liable to the other for any special, incidental, indirect, or consequential damages.

Late Fees, Costs and Attorneys' Fees: An additional charge of 1.5% of an invoice will be imposed each month on all past due accounts. Imposition of such charges does not constitute an extension of the payment due date. If LaBella must bring suit to collect payment of any invoices, then Client agrees to pay LaBella's costs and expenses, including reasonable attorneys' fees.

Remedies Cumulative: The rights and remedies available to a party under this Agreement are cumulative and in addition to, not exclusive of, or in substitution for, any other rights or remedies either party may have at law, or in equity, or under this Agreement. Nothing contained in this Agreement shall be deemed to preclude either party from seeking injunctive relief, if necessary, to prevent the other party from willfully or intentionally breaching its obligations under this Agreement or to compel the other party to perform its obligations hereunder.

Non-Waiver: Failure by either party at any time to require performance by the other party or to claim a breach of any provision of this Agreement will not be construed as a waiver of any right

accruing under this Agreement, nor affect any subsequent breach, nor affect the effectiveness of this Agreement or any part hereof, nor prejudice either party as regards any subsequent action.

Force Majeure: Neither party to this Agreement shall be liable to the other for delays in performing the obligations called for by this Agreement, or the direct and indirect costs resulting from such delays, that are caused by labor strikes, riots, war, acts of government authorities other than the Client (if a governmental authority), extraordinary weather conditions, epidemics, pandemics or other natural catastrophe, or any other cause beyond the reasonable control or contemplation of either party.

Severability: The provisions of this Agreement are hereby agreed and declared to be severable. Any term or provision of this Agreement which is held to be unenforceable by a court of competent jurisdiction shall be deemed to have been stricken from this Agreement, and the remaining terms and provisions of this Agreement shall be construed and enforced without such terms or provisions.

Counterparts: This Agreement may be executed in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Scope of Agreement: This Agreement represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations or agreements, either written or oral, except that terms specific to future projects shall be set forth in LaBella's proposals. This Agreement may be amended only by written instrument signed by both parties.

September 29, 2025

Mr. Chuck Barton
Chief Executive Officer,
Warren Washington Industrial Development Agency
5 Warren Street, Suite 210
Glens Falls, NY 12801
via email: chuckbarton@warren-washingtonida.com

RE: Technical Services Change Order (TSCO) #3
Water Design
Canalside Energy Park
Village of Fort Edward, Washington County, New York
LaBella Project No. 2243016

Dear Mr. Barton,

LaBella Associates D.P.C. (LaBella) is pleased to submit this Technical Services Change Order (TSCO) related to advancing the design and permitting of water infrastructure improvements in support of the Canalside Energy Park (Canalside) development project. This change order reflects adjustments in scope and fees for water-related design, permitting, railroad crossing coordination, and project management tasks necessary to advance the project toward bidding and construction readiness. Wastewater-related services will be addressed in separate future change orders.

Phase 106 – Environmental Permitting

LaBella will perform additional permitting activities related to the extended water main (excluding the railroad crossing), consistent with the memo submitted to the IDA dated August 7, 2025.

This scope includes coordination of cultural resources with Hudson Cultural Services regarding archeological concerns, preparation of permitting documentation, and confirmation of aquatic resource conditions. During delineation fieldwork, the area within 100 feet of the water line was reviewed, and no aquatic resources were observed. LaBella's Environmental Permitting and Compliance staff will conduct additional fieldwork to check for possible milkweed presence along the water line corridor.



Meetings included under this task cover coordination with the IDA, LaBella staff, and other parties to address project planning, SEQRA issues, and permitting strategies.

Phase 201 – Update Plans and Technical Specifications (Water)

This phase advances the water system design to a construction-ready package for the extended water main replacement on East Street. LaBella will develop technical specifications and contract documents suitable for bidding and permitting.

This work includes limited topographic and utility surveying, as well as the preparation of Contract Drawings (including details like traffic maintenance plan, erosion and sediment control plans, and system schematics). Designs will consider 10 States Standards and New York State Department of Health (NYSDOH) requirements.

We will prepare Contract Specifications for a single, unit-price bid and coordinate agency submissions with the NYSDOH. The final step involves revising the documents based on feedback from the IDA, Village, and regulatory agencies to produce the Final Contract Documents suitable for bidding.

LaBella will provide bi-weekly reports of hours billed to this task.

Phase 203 – Railroad Permitting (New)

This new phase of work is dedicated to securing all necessary permits and approvals for the water main crossing beneath the Canadian Pacific Kansas City (CPKC) railroad. LaBella will manage all aspects of this process, including ongoing coordination with CPKC and their consultant, JLL, to prepare and submit the initial Right of Entry permit and the Utility License Agreement application package.

The application package will include all required supporting documents. Key components include CPKC-specific detailed drawings and specifications (e.g., profiles, cross-sections, casing design, abandoned pipeline requirements). It also includes a geotechnical interpretation report based upon on-site probing to understand subsurface conditions, ground movement estimates, and settlement monitoring. LaBella will also coordinate revisions and resubmissions in response to CPKC's review comments. Our team will assist with the final execution of the Utility License Agreement, ensuring all necessary steps are completed to advance the



project toward construction readiness. Note that the proposed budget does not include application or license fees and will be the responsibility of the IDA.

LaBella will provide bi-weekly reports of hours billed to this task.

Phase 801 – Project Management, Meetings, and Conferences

LaBella will attend and prepare for design phase meetings with the IDA, Village, and applicable regulatory agencies. Meeting minutes will be provided as necessary.

Anticipated Future Change Orders

In addition to this scope of services, please note that LaBella anticipates preparing future technical services change orders related to wastewater infrastructure, specifically for:

1. Analysis and permitting associated with outfall discharge; and
2. Design of a new wastewater treatment plant (WWTP) after completion of the Preliminary Engineering Report.

Summary and Conclusion

Please see the attached budget adjustment worksheet for a detailed breakdown of the proposed fee changes. Note that the net proposed fee increase is \$197,500, increasing the total contract amount to \$915,200, for all phases to be billed on a time and materials basis. Services will be provided under the standard terms and conditions of our original agreement with WWIDA dated June 25, 2024.

Please feel free to contact me at 518-824-1943 if you have any questions or require clarification of the proposed scope of services offered. We would be glad to meet with you to further discuss our approach if you desire.

If you find this TSCO acceptable, please sign and date below; and return to our office.



LaBella Associates D.P.C.

WWIDA

Paul Guillet

Signature: _____

Paul Guillet, PE

Senior Civil Engineer / Project Manager

Printed Name: _____

Date: _____

C: File



OVERALL BUDGET WORKSHEET (TSCO #3 WATER DESIGN)										
		Water			Wastewater			Total / Overall		
Phase	Phase Description	Previously Approved Budget (LaBella and Subconsultants)	Proposed Increase	Proposed Budget	Previously Approved Budget (LaBella and Subconsultants)	Proposed Increase	Proposed Budget	Previously Approved Budget (LaBella and Subconsultants)	Proposed Increase	Proposed Budget
101	Coordination with NYS Canal Corporation				\$ 8,000.00		\$ 8,000.00	\$ 8,000		\$ 8,000
102	Easement Document Preparation	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00		\$ 10,000.00	\$ 20,000		\$ 20,000
103	Coordinate DOH and DEC Reviews	\$ 20,000.00		\$ 20,000.00	\$ 40,000.00		\$ 40,000.00	\$ 60,000		\$ 60,000
104	Sewer District Extension				\$ 6,200.00		\$ 6,200.00	\$ 6,200		\$ 6,200
105	Water District Formation	\$ 6,200.00		\$ 6,200.00				\$ 6,200		\$ 6,200
106	Environmental Permitting	\$ 2,500.00	\$ 7,500.00	\$ 10,000.00	\$ 2,500.00		\$ 2,500.00	\$ 5,000	\$ 7,500	\$ 12,500
107	Geotechnical Investigation	\$ 9,500.00		\$ 9,500.00				\$ 9,500		\$ 9,500
108	NEPA Update	\$ 2,500.00		\$ 2,500.00	\$ 2,500.00		\$ 2,500.00	\$ 5,000		\$ 5,000
109	WWTP PER				\$ 32,000.00		\$ 32,000.00	\$ 32,000		\$ 32,000
201	Update Plans and Technical Specs (Water)	\$ 75,000.00	\$ 105,000.00	\$ 180,000.00				\$ 75,000	\$ 105,000	\$ 180,000
202	Electrical & Controls Design (Water)	\$ -								\$ -
203	Railroad Permitting	\$ -	\$ 70,000.00	\$ 70,000.00					\$ 70,000	\$ 70,000
301	Update Plans and Technical Specs (Wastewater)				\$ 23,000.00		\$ 23,000.00	\$ 23,000		\$ 23,000
302	Electrical & Controls Design (Wastewater)				\$ 35,000.00		\$ 35,000.00	\$ 35,000		\$ 35,000
401	Cost Estimating (Water)	\$ 10,000.00		\$ 10,000.00				\$ 10,000		\$ 10,000
402	Bidding Support Services (Water)	\$ 12,000.00		\$ 12,000.00				\$ 12,000		\$ 12,000
501	Cost Estimating (Wastewater)				\$ 5,000.00		\$ 5,000.00	\$ 5,000		\$ 5,000
502	Bidding Support Services (Wastewater)				\$ 12,000.00		\$ 12,000.00	\$ 12,000		\$ 12,000
601	Construction Administration (Water)	\$ 12,000.00		\$ 12,000.00				\$ 12,000		\$ 12,000
602	General Construction Observation (Water)	\$ 90,000.00		\$ 90,000.00				\$ 90,000		\$ 90,000
603	Special Inspections and Testing (Water)	\$ 60,000.00		\$ 60,000.00				\$ 60,000		\$ 60,000
604	Start-up and Commissioning (Water)	\$ 8,400.00		\$ 8,400.00				\$ 8,400		\$ 8,400
605	Project Close-out (Water)	\$ 4,000.00		\$ 4,000.00				\$ 4,000		\$ 4,000
701	Construction Administration (Wastewater)				\$ 12,000.00		\$ 12,000.00	\$ 12,000		\$ 12,000
702	General Construction Observation (Wastewater)				\$ 90,000.00		\$ 90,000.00	\$ 90,000		\$ 90,000
703	Special Inspections and Testing (Wastewater)				\$ 40,000.00		\$ 40,000.00	\$ 40,000		\$ 40,000
704	Start-up and Commissioning (Wastewater)				\$ 8,400.00		\$ 8,400.00	\$ 8,400		\$ 8,400
705	Project Close-out (Wastewater)				\$ 4,000.00		\$ 4,000.00	\$ 4,000		\$ 4,000
801	Project Management, Meetings, and Conferences	\$ 32,500.00	\$ 15,000.00	\$ 47,500.00	\$ 32,500.00		\$ 32,500.00	\$ 65,000	\$ 15,000	\$ 80,000
	Total	\$ 354,600.00	\$ 197,500.00	\$ 552,100.00	\$ 363,100.00	\$ -	\$ 363,100.00	\$ 717,700	\$ 197,500	\$ 915,200



**ESTIMATED HOURS OF PROPOSED PHASE 201 AND 203 FOR TSCO #3
(September 25, 2025)**

Phase	Sub-Tasks	Sub-Task Description	John Szarowski	Paul Guillet	Ted Donner	Liz DaBramo	Junior Engineer	Drafter	Survey / Geotech
Phase 201	Limited Topographic and Utility Survey	Supplemental surveying and utility locating for water and sewer lines.	0	0	0	0	0	0	40
	Contract Documents Ready for Agency Review	Drawing sheets include: title sheet, notes and legends, maintenance and protection of traffic plans, water main plans and profiles, erosion and sediment control details, water system details, and site and restoration details. All improvements will comply with 10 States Standards and DCH. Contract specifications include: admin and contractual requirements, technical specification, and general conditions documents. Project will be bid as a single unit-price contract.	12	0	40	20	180	160	0
	Agency Submission & Coordination	Will submit draft and final drawings to IDA, DCH, and EPC. Does NOT include railroad per	4	12	20		32	0	0
	Final Contract Documents Ready for Bid	Revisions and finalization of bid ready documents after incorporating comments from IDA, DCH, and EPC comments.	4	12	40	20	140	80	0
	Phase 201 Subtotal		20	24	100	40	352	240	40
Phase 203	Coordination With CPKC and JLL	Ongoing communication and coordination with CPKC and their permitting consultant (JLL) throughout the application process.	0	32	0	32	0	0	0
	Right of Entry Permit Procurement	Preparation and submittal of Right of Entry request to secure access for survey and geotechnical investigations.	0	8	0	8	16	0	0
	Initial Utility License Agreement Application Sub	Preparation and filing of application package for CPKC Utility License Agreement.	0	16	0	16	40	0	4
	Preparation of CPKC specific plan/profile/cross	Plans, drawings, reports, necessary.	4	0	32	0	12	60	0
	Submit Supporting Engineering Documents	Submittal of required supporting information, including insurance certificates, drawings.	2	16	0	16	16	0	0
	Submit Geotechnical Support Documents	Submittal of required supporting Geotechnical information, including probing, geotechnical report and settlement monitoring log.	0	16	0	16	0	0	80
	Response to CPKC comments	Preparation of revisions and resubmittals to address CPKC's review comments.	0	8	40	8	8	40	8
	Execute Utility License Agreement	Final execution of the agreement within 30 days of construction start, ensuring insurance coverage and safety arrangements are current.	0	8	0	8	4	0	0
Phase 203 Subtotal		6	104	72	104	96	100	92	

BARCLAY DAMON LLP

Presented to

**Counties of Warren and Washington
Industrial Development Agency**

October 2025

Executive Summary

Thank you for the opportunity to present Barclay Damon's credentials to provide legal services to the Counties of Warren and Washington Industrial Development Agency (Warren Washington IDA). We hope our deep experience working with industrial development agencies (IDAs) and local development corporations (LDCs) across New York State and this proposal convince you to engage us to provide legal services to the Warren Washington IDA.

Barclay Damon will ensure the Warren Washington IDA receives high-quality legal services and significant value along with practical experience, service excellence, and strategic staffing from our dedicated Public Finance Practice Area, which is supported by our diverse group of nearly 300 attorneys who practice in virtually all areas of law needed by our IDA and LDC clients.

We have great familiarity with, and decades of experience assisting, IDAs and LDCs and a wide variety of other public and quasi-public entities. All our attorneys that would be designated for your matters are familiar with the legal and policy constraints of IDAs and LDCs, and we fully understand the unique challenges that the boards and staff of IDAs and LDCs confront. We have worked with IDAs and LDCs in a variety of contexts and understand they must operate in a transparent manner consistent with their authorizing statutes and mission as well as within the oversight of local and state politicians, the State Authorities Budget Office (ABO), and the State Comptroller's Office (OSC).

Our team is familiar with the Warren Washington IDA's important mission and operations, and we have the depth and breadth of experience and specific knowledge required to provide optimal services to support your mission and objectives. Our proposal includes detailed descriptions of our firm and team's capabilities, and we would be happy to provide any additional information you require.

Again, we appreciate this opportunity to present our credentials. Thank you for your consideration.

Experience Providing Legal Services to Industrial Development Agencies and Local Development Corporations

About Barclay Damon

Barclay Damon attorneys team across offices and practices to provide customized, targeted solutions grounded in industry knowledge and a deep understanding of our clients' businesses. With nearly 300 attorneys, Barclay Damon is a leading regional law firm that operates from a strategic platform of offices in Albany, Boston, Buffalo, New Haven, New York City, Rochester, Syracuse, Washington DC, and Toronto. The firm was founded in 1855 and has been pursuing a disciplined lateral-recruitment strategy throughout its platform. A combination with Damon Morey LLP in 2015 resulted in the firm's name change from Hiscock & Barclay, LLP to Barclay Damon LLP.

Representation of IDAs and LDCs

The representation of governmental entities and quasi-governmental entities in New York State has been an important part of our practice at Barclay Damon since the 1980s. Throughout this period, our attorneys have regularly served as counsel to entities that include IDAs; LDCs; other public authorities and public benefit corporations; New York State authorities; counties; cities; towns; villages; school districts; water, sewer, and other special districts; and municipal utilities. Chambers & Partners ranks our Public Finance Practice Area among the top public finance practices in New York State, noting, "Barclay Damon LLP is highly capable across a wide range of public finance transactions. The team is regularly engaged to act as bond and underwriter's counsel, including in education, health care, and housing sector financings."

Chambers added that the firm also has extensive experience “advising on the tax issues arising from tax-exempt bond financings.”

Our attorneys advise IDAs and LDCs in all areas of law, including providing general legal counsel; preparing public hearing notices and inducement, final, and other resolutions; assisting with straight-lease transactions and, where an IDA or LDC is interested in purchasing or selling real property, deeds; structuring payment-in-lieu-of-tax agreements (PILOTs); handling mortgage recording and sales tax exemptions; advising on the State Environmental Quality Review Act (SEQRA) and compliance with other state and local regulations; compliance with federal and state laws and regulations governing IDA and LDC operations and projects, including the Public Authorities Accountability Act of 2005 (PAAA), the Public Authorities Reform Act of 2009 (PARA), and Public Authorities Reporting Information System (PARIS); attending meetings; providing representation in negligence claims and other litigation; reviewing contracts; and providing board and staff training and orientations.

As noted earlier, we are very familiar with the legal and policy constraints faced by IDAs and LDCs and the complex challenges that IDA and LDC boards and staff confront, and we understand their need to operate in a transparent manner consistent with the public policy objectives and statutes applicable to them. This deep and broad experience speaks to the immersion we have in the local, municipal, state, and federal laws, rules, and regulations that govern these entities.

We currently represent IDAs and LDCs across New York State. We serve as general counsel, transaction counsel, and/or special counsel to IDAs in the Counties of Lewis, Onondaga, Oswego, Rensselaer, Schenectady, and Suffolk; the Cities of Schenectady, Albany and Hudson; the Town of Babylon; and the Village of Green Island.

Details of the types of services we provide and relevant experience of our team members follow.

General Legal Counsel

We provide legal and business counsel in a wide range of general legal areas that affect IDAs and LDCs, including tax incentives, SEQRA, real estate development, the New York State Public Authorities Accountability Act (PAAA), Freedom of Information Law (FOIL) requests, strategic planning, operations, and evolving business relationships for public-sector entities. We bring many years of experience advising public-sector clients on a wide range of corporate governance issues and best practices that include conflict of interest policies, fiduciary law, directors' and officers' liability, indemnification, and more. We have substantial experience with the Open Meetings Law and Freedom of Information Law. We regularly attend and participate in board and committee meetings.

Public Hearing Notices and Inducement, Final, and Other Resolutions

We draft all resolutions and documents required by our IDA and LDC clients, including all public hearing, inducement, and approving resolutions and public hearing notices, abandonment letters, and PILOT deviation letters. To reduce the burden on our clients, we also arrange for publication of legal notices and circulation of such notices and letters to the affected tax jurisdictions when required by applicable law.

Straight-Lease Transactions and PILOTs, Mortgage Recording, and Sales Tax Exemptions

We have years of extensive experience representing IDAs across New York State in straight-lease transactions that permit an IDA to grant financial assistance in the form of mortgage recording tax and sales and use tax exemption benefits and real property tax abatements to economic development projects. We regularly work on a broad spectrum of project types and sizes. Just since 2022, the team members we propose for the Warren Washington IDA have closed approximately 60 straight-lease transactions, plus numerous assignments, terminations and other project modifications. Given the scrutiny that all IDAs face from the NYS Department of Taxation and Finance, the ABO, OSC, and the NYS Legislature, including the Senate Investigations and Government Operations Committee, we strive to ensure that every straight-lease transaction is thoroughly vetted, satisfies all legal requirements, and is fully documented. We have developed documents that are simple enough for the project developer and its counsel to review quickly yet complex enough to satisfy the requirements of the General Municipal Law and protect our IDA clients. We have also developed detailed internal systems to track projects to ensure all requirements are met and

to keep projects on schedule. In recent years, we have focused on insurance requirements contained in the straight-lease documents to ensure that our IDA clients have the required insurance coverage needed in this very litigious world. We have an experienced insurance coverage team that reviews the insurance certificates and policies provided by project developers to confirm that the policies contain all required terms and are in the proper amounts. We also regularly handle straight-lease transactions that involve a range of lenders, from local banks to Freddie Mac and Fannie Mae.

Following are examples of straight-lease transactions we have handled in recent years:

- Transaction counsel to a town IDA in connection with a multi-phase project on a single tax lot to construct industrial, manufacturing and warehousing space over a five- to seven-year period with phase-in of PILOT benefits on a building-by-building basis.
- Transaction counsel to a town IDA in connection with a straight-lease transaction for two related operating companies at three locations, two owned by related real estate holding companies and the third leased from an unrelated landlord (such leased facility being a portion of the landlord's building).
- Transaction counsel to a county IDA in connection with a straight-lease transaction for a senior living facility involving multiple corporate layers and requiring complex document structuring and significant mortgage negotiations.
- Transaction counsel to a county IDA in connection with a straight-lease transaction for a mixed-use project involving creation of residential apartment units and a brewery, involving properly documenting the retail exception to GML and documenting a complex ownership structure as part of the straight-lease documents.
- Transaction counsel to a town IDA in connection with the new construction of an affordable housing project in conjunction with low-income housing tax credits and a third-party lender.
- Transaction counsel to a city IDA in connection with the new construction of a 60-unit affordable housing project with multiple lenders and significant mortgage negotiations.
- Transaction counsel to a city IDA in connection with the acquisition and rehabilitation of an existing 151-unit affordable housing project, including various iterations of the transaction over a multiple year period (first as a bond financing, then as a financing with Freddie Mac and NYS Housing Financing Agency loans, and ultimately as a financing with Fannie Mae and NYS Housing Financing Agency loans).
- Transaction counsel to a county IDA in connection with a bond redemption on existing bonds, conversion of bond documentation to standard straight-lease documentation and subsequent sale of the property to a third-party real estate holding company and related assignment and assumption of the straight-lease transaction to the operating company.

Compliance With PAAA, PARA, PARIS, and Other Relevant Laws

In an area where there is increasing scrutiny and calls for transparency, we provide day-to-day advice to our IDA and LDC clients on compliance with the PAAA and PARA (collectively the Public Authorities Act) as well as the latest pronouncements and audit findings of the ABO. We also have extensive experience with Open Meetings Law, Freedom of Information Law (FOIL), and all other laws and regulations that affect IDAs and LDCs. We have assisted many of our IDA and LDC clients in the development of policies and procedures to comply with the Public Authorities Act, Open Meetings Law, FOIL, and state ethics laws. Our attorneys have prepared Public Authorities Act compliance handbooks and checklists for IDA and LDC clients. We meet regularly with public authority directors, officers, and support personnel to guide and assist them with a program to comply with the Public Authorities Act, notably preparation and filing of annual and other reports through PARIS, development of mission statements, performance measurement reports, debt schedules, reports on personal and property transactions, and assessments of internal controls. We also have assisted several of our IDA and LDC clients during audits conducted by the ABO and in preparing responses to such audits.

Bond Counsel

We act as bond counsel for bond issues ranging from simple to extremely complex, serving the needs of conduit issuers. We currently serve or have recently served as bond counsel to IDAs and LDCs in the Counties of Onondaga, Oswego, Schenectady, and Suffolk, the Cities of Hudson and Schenectady, and the Town of Colonie. In addition to our bond counsel work for IDAs and LDCs, we are also approved bond counsel to the Dormitory Authority of the State of New York (DASNY), New York State Environmental Facilities Corporation (EFC), New York State Housing Finance Agency (HFA), New York State Empire State Development (ESD) and New York State Municipal Bond Bank Agency (MBBA), which greatly enhances our bond counsel work for local issuers.

For over 35 years, the firm has been listed in the *Bond Buyer's Municipal Marketplace* ("Red Book"). Throughout this period, our attorneys have regularly served as bond counsel to entities that include industrial development agencies (IDAs); local development corporations (LDCs); other public authorities and public benefit corporations; New York State authorities; counties; cities; towns; villages; school districts; water, sewer, and other special districts; and municipal utilities. We have been instrumental in facilitating the issuance of billions of dollars of bonds. We take pride in assisting public finance professionals in developing and implementing concepts and programs that effectively deal with public needs and meet the changing demands of the financial markets.

As bond counsel, we have a deep understanding of conduit financing structures and documents, the governmental issuer approval process, and the requirements under the Internal Revenue Code for interest on tax-exempt bonds to be and remain excludable from gross income of the holders for federal income tax purposes.

We maintain an active federal tax practice in the public finance area. As bond counsel for tax-exempt obligations financing projects for section 501(c)(3) organizations, qualified small issue manufacturing, housing and other exempt facilities, we routinely analyze the elements common to tax-exempt financings, including (i) establishing the bona fide governmental purposes of the issue, (ii) analyzing project scope and funding sources to allow issuers and conduit borrowers to maximize flexibility under the allocation rules, (iii) following and accounting for the proceeds and other sources to confirm that uses avoid arbitrage and private use issues, and (iv) where foreseeable circumstances create the possibility of arbitrage or other issues, creating mechanisms to address those issues. We also assist with development and administration of post-issuance compliance procedures, arbitrage and rebate compliance, change in use and remedial actions, and IRS examination and audit inquiries.

Following are brief descriptions of some of our recent representative transactions in which we served as bond counsel to IDAs and LDCs for the issuance of tax-exempt bonds to finance commercial, manufacturing, and not-for-profit corporation projects:

- We served as bond counsel to the Schenectady County Capital Resource Corporation for the issuance of its \$22,055,000 Tax-Exempt Revenue Bonds (Union College Project), Series 2024A and its \$24,880,000 Taxable Revenue Bonds (Union College Project), Series 2024B (collectively, the "Bonds"), which closed in June 2024. The special limited obligation revenue bonds refunded and defeased existing bonds, financed certain capital improvements for Union College and funded initial lease payments due in connection with the financing of a local arena and entertainment center. The bonds were publicly offered pursuant to an official statement. The transaction involved a lengthy and detailed analysis of the tax and financial implications of refunding and defeasing prior bonds.
- We served as bond counsel to Town of Colonie Local Development Corporation for the issuance of its \$19,890,000 Tax-Exempt Revenue Bond (King Thiel II Senior Community LLC Project), Series 2023, which closed in March 2023 and financed about 99 units of senior housing for persons aged 55 and older. These bonds were issued concurrently with a Town of Colonie Industrial Development Agency straight-lease transaction, which provided financial assistance in the form of a 30-year payment in lieu of tax agreement. The PILOT agreement included rent-restrictions provisions in furtherance of the not-for-profit mission of the borrower's sole member. The bonds were purchased by a local bank.

- We served as bond counsel to the Schenectady County Capital Resource Corporation in connection with its \$32,485,000 Tax-Exempt Revenue Bonds (Union College Project), Series 2022, which closed in June 2022. The special limited obligation revenue bonds refinanced existing bonds and also provided new money for campus-wide improvements. The project involved an in-depth analysis of the redemption structure for the existing bonds in order to achieve debt service savings. The bonds were publicly offered pursuant to an official statement.
- We served as bond counsel to Oswego County Civic Facilities Corporation for its \$3,450,000 Refunding Revenue Bonds, Series 2021A (Oswego School District Public Library Project) and \$490,000 Taxable Refunding Revenue Bonds, Series 2021B (Oswego School District Public Library Project), which closed in December 2021. The bonds refinanced prior bonds that had financed the construction of an addition for a public library, and the bonds were secured by a pledge by the library of monies levied as real property tax by the City School District of the City of Oswego on behalf of the library and paid directly by the School District to a fiscal agent. The bonds were publicly offered pursuant to an official statement and were secured by a bond insurance policy.
- We served as bond counsel to Suffolk County Economic Development Corporation in connection with the issuance of its \$35,655,000 Suffolk County Economic Development Corporation Revenue Bonds, Series 2021 (St. Johnland Assisted Living, Inc. Project), which closed in February 2021. The bonds financed the construction of an assisted living facility consisting of 80 assisted living units for 100 beds, such project being undertaken by a real estate holding company of a not-for-profit corporation. We were heavily involved in structuring the complex waterfall structure within the revenue fund and related bond security in the form of a liquidity support agreement and several mortgages. Numerous real estate and title issues arose with respect to the mortgages, which our real estate team was instrumental in resolving. The bonds were offered to sophisticated investors pursuant to a limited offering memorandum.

Our attorneys have extensive experience as bond counsel in dealing with a wide variety of financing structures, including fixed-rate bonds, variable-rate demand bonds, new money bonds, refunding bonds (including tax-exempt forward delivery bonds), draw-down bonds, tax-exempt and taxable bonds. We are experienced with various multi-modal arrangements that allow for conversions among various rate modes. We also have represented issuers and conduit borrowers in numerous financings involving interest-rate hedging products.

We regularly serve as bond counsel to DASNY, HFA and EFC on a variety of financing programs. We have experience with a wide variety of public bond financing programs, including the following:

- Housing revenue bonds secured by housing project revenues and involving various governmental subsidies or credit enhancement, including FHA insurance, Fannie Mae and Freddie Mac credit enhancement instruments, SONYMA mortgage insurance, low-income housing tax credits, U.S. Department of Housing and Urban Development (HUD) Section 236 decouplings, HUD project-based HAP contracts, and HOPE VI grant funds
- Revenue bonds issued on behalf of school districts and various not-for-profit entities and secured by a pledge of state aid (with the benefit of direct and indirect state statutory aid intercepts)
- Revenue bonds payable from payments made by various charitable, health-related, and educational institutions and foundations; owners of solid waste disposal facilities; and manufacturing entities both with and without credit enhancement
- Water and airport authority bonds
- Bonds for state facilities backed by state appropriations
- Revenue bonds payable from payments in lieu of real property taxes
- Bonds backed solely by payments under the 1998 master settlement agreement entered into by the major cigarette manufacturers and 46 states

In addition, our attorneys have a comprehensive understanding and extensive experience in all facets of bond transactions. We have demonstrated our skills when serving clients in a wide variety of financings as underwriter's counsel, bond counsel, issuer's counsel, letter of credit bank counsel, counsel for profit and

not-for-profit conduit borrowers, and trustee's counsel. We represent underwriters and placement agents, as well as large and small banks purchasing tax-exempt bonds. We also represent not-for-profit corporations operating colleges, universities and health care facilities, and not-for-profit and for-profit developers of affordable housing projects. These various roles on all sides of a public finance transaction provide a depth of experience that we draw on as bond counsel.

In our capacity as bond counsel, we are committed to becoming integrally involved in the bond-issuance process, including meeting personally with officials of the issuer, attending public meetings, and working with the issuer's staff, financial advisors, underwriters or bank purchasers, underwriter's or bank purchaser's counsel and other members of the financing team.

For the Warren Washington IDA, we would be involved from start to finish in the process, from initial application review and structuring analysis; to preparation of resolutions, required filings, publications and notices, SEQRA matters, volume cap allocation and regulatory approvals; and concluding with preparation of financing documents, issuance of an opinion on the tax-exempt status of the bonds and on the validity of proceedings in connection with the issuance of the bonds. We would draft all required resolutions and financing documents, including all public hearing, inducement, and approving resolutions and public hearing notices, abandonment letters, and PILOT deviation letters. We can also arrange for publication of legal notices and circulation of such resolutions and notices to the affected tax jurisdictions when required by applicable law.

We are committed to being readily available to all members of the financing team at any time. We believe that our commitment to personalized and reliable service and to accomplishing financings on behalf of our clients correctly, effectively, and on time sets us apart from other firms in this very important and highly specialized area of law. Our commitment to developing proactive client relationships that deliver sound advice and innovative solutions has contributed significantly to our success. In today's environment of sophisticated financial structures, increasingly complex disclosure and tax issues, and increasing scrutiny by the IRS, the Securities and Exchange Commission, the Municipal Securities Rulemaking Board, and other regulatory agencies, issuers, underwriters, and borrowers have learned that they need to work with a firm like ours. Our clients have the advantage of our formidable experience, tax and disclosure capabilities, depth of resources, reliability, innovation, and reputation.

Training and Orientations

We provide training and new-member orientations to IDAs and LDCs, among a variety of other public-sector clients. Our trainings are tailored to the needs of the individual client and frequently include an overview of the General Municipal Law applicable to IDAs, Section 1411 of Not-for-Profit Corporation Law applicable to LDCs, the requirements of the Public Authorities Act, SEQRA, the Open Meetings Law and FOIL, and applicable conflict of interest rules.

Environmental Law, Particularly Related to SEQRA

We have a substantial environmental law practice. Our environmental clients include IDAs, LDCs, Fortune 500 companies, diversified energy companies, petroleum companies, public utilities, financial institutions, telecommunications companies, pharmaceutical companies, municipalities, real estate companies, manufacturers, and a wide variety of commercial businesses. We also oversee environmental site assessments and environmental audits in connection with financing and business transactions and assist our clients in environmental risk and compliance management.

Our environmental attorneys have broad practical knowledge and include the former general counsel of the State Department of Environmental Conservation as well as experienced litigators who represent our clients in a broad range of environmental litigation before administrative agencies and state and federal courts.

Our environmental group advises public benefit corporations and other clients on every phase of the environmental review process under SEQRA. We have substantial SEQRA litigation capabilities and a demonstrated record of success in representing clients in SEQRA reviews for large multi-phased projects ranging from Destiny USA, a shopping and entertainment complex in Syracuse, to an ethanol manufacturing facility. We recently served as counsel to one of our IDA clients on a significant economic development project, coordinating and assisting the board in its capacity as lead agency in conducting a

hard look SEQRA review and issuing a SEQRA negative declaration for a 3.7 million square foot distribution facility.

Commercial and Industrial Real Estate Transactions

We maintain an active and established real estate practice with attorneys handling a variety of real property matters for clients ranging from large regional and national corporations to local homebuyers. We have experience in concession arrangements, management contracts, leasing, commercial and industrial property sales and acquisitions, development, financing, and property management.

We represent numerous IDAs as well as other clients in strategic commercial and industrial real estate transactions.

Our real estate attorneys work closely with other attorneys in the firm to provide guidance on interrelated issues that can affect such transactions, such as environmental compliance.

Our municipal and land use attorneys routinely provide zoning and land use counsel to agencies and municipalities across the state. Our public clients rely upon us to draft, enforce, or ensure compliance with applicable land use laws and regulations. We are often asked to develop or modify proposed ordinances, local laws, comprehensive planning documents, and opinion letters for municipal action. We have substantial experience in defending municipalities and IDAs in Article 78 special proceedings challenging the determinations made by their public boards and officers.

Our eminent domain attorneys have represented numerous public-sector entities for several years (pre- and post-Kelo) in the exercise of their eminent domain powers.

Litigation

Barclay Damon's commercial litigation team represents governmental and quasi-governmental agencies and many other types of clients in contested matters in federal and state courts, agencies, arbitration, and in other dispute-resolution settings, such as mediation. Our commercial litigation team of over 70 experienced trial and appellate attorneys includes former judicial law clerks from trial and appellate courts in both the state and federal systems, former state and federal prosecutors, former regulatory agency counsel, and individuals with extensive backgrounds in business, politics, and public service. We manage disputes to avoid litigation where possible and vigorously protect our clients' interests when adversarial proceedings are required. We use the latest litigation technologies and resources and pride ourselves on proactive client communication, creating early and accurate case budgets, and our deep understanding of the operational issues, interests, and needs of our clients.

Contract Matters

We have extensive experience working with governmental clients in drafting contracts and supporting negotiations. We draft and negotiate often-complex documents accompanying the construction of public facilities and the acquisition, sale, financing, development, and leasing of real property interests. In addition, we have extensive experience analyzing existing contracts, achieving contract resolution, and enforcing rights.

We regularly provide advice in structuring and documenting property transactions. We explore ways to reduce the risk of liability to our clients with appropriate defense and indemnification provisions, insurance, releases, and hold-harmless covenants. In construction cases, we have extensive experience with surety bonds, performance bonds, and maintenance and bid bonds. When construction contracts have turned into disputes, we have successfully negotiated with contractors and on takeover agreements with sureties and other respective parties.

We also have negotiated and developed unique management agreements, public-private partnership agreements, and other inter-governmental and mutual service agreements that have assisted our public-sector clients in improving their management, reducing duplication, and obtaining the expertise of private business and professional services.

Tax Credits

With the goal of creating optimal legal structures to maximize the economic benefits available to clients while also contributing to community development, Barclay Damon advises on appropriate incentives and supports clients entering into qualified opportunity zone investments; historic tax credit projects; low-income housing tax credit (LIHTC), affordable housing projects, and senior housing projects; investments that produce energy-related tax credits; brownfield cleanup program projects; large community development projects, including infrastructure, that utilize tax credits; qualified active low-income community business (QALICB) projects; and community development entity projects.

Representative Engagements

Brief descriptions of some of our representative engagements follow.

County of Oswego Industrial Development Agency (COIDA). We have served as primary bond counsel and special agency counsel to COIDA since 1989, regularly handling straight-lease transactions as well as various projects qualifying for tax-exempt and taxable bond financing.

City of Schenectady Industrial Development Agency (City of Schenectady IDA). We have served as agency counsel and transaction counsel to the City of Schenectady IDA since 2006. We attend all meetings of the City of Schenectady IDA, regularly handle straight-lease transactions, and provide day-to-day advice on all matters of governance and compliance.

Schenectady County Industrial Development Agency (Schenectady County IDA) and Schenectady County Capital Resource Corporation (Schenectady County CRC). We have served as agency counsel and bond counsel to the Schenectady County IDA and the Schenectady County CRC since 2012. We attend all meetings of the Schenectady County IDA and the Schenectady County CRC, regularly handle straight-lease transactions and tax-exempt and taxable bond transactions, and provide day-to-day advice on all matters of governance and compliance.

Suffolk County Industrial Development Agency (Suffolk County IDA) and Suffolk County Economic Development Corporation (Suffolk County EDC). We have served as transaction counsel and bond counsel to the Suffolk County IDA and the Suffolk County EDC since 2012. We attend all meetings of the Suffolk County IDA and the Suffolk County EDC, regularly handle straight-lease transactions, and provide day-to-day advice on all matters of governance and compliance. We also serve as bond counsel from time to time.

Town of Babylon Industrial Development Agency (Town of Babylon IDA). We have served as transaction counsel to the Town of Babylon IDA since 2016, regularly handling straight-lease transactions. We also provide day-to-day advice on matters of governance and compliance.

Onondaga County Industrial Development Agency (Onondaga County IDA). We have served as agency counsel and transaction counsel to the Onondaga County IDA since 2017, regularly handling straight-lease transactions, providing significant day-to-day advice on all matters of governance and compliance, and providing counsel on all aspects of its economic development projects, including the development of Micron.

Lewis County Industrial Development Agency (Lewis County IDA). We have served as special counsel to the Lewis County IDA since 2018 for day-to-day advice on matters of governance and compliance.

Rensselaer County Industrial Development Agency (Rensselaer County IDA). We have served as special transaction counsel to the Rensselaer County IDA from time to time since 2018 for select straight-lease transactions.

Village of Green Island Industrial Development Agency (Green Island IDA). We have served as special transaction counsel to the Green Island IDA since 2019 for select straight-lease transactions and as special counsel with respect to the RFP and SEQRA review process with respect to sale of IDA property.

City of Hudson Industrial Development Agency (City of Hudson IDA). We have served as special bond/transaction counsel to the City of Hudson IDA since 2023 for a select bond transaction and straight-lease transaction.

City of Albany Industrial Development Agency (City of Albany IDA). We were recently selected as conflict counsel (special counsel) to the City of Albany IDA following a rigorous Request-for-Proposals process.

Key Personnel

Melissa Bennett would be the lead partner for the team assigned to the Warren Washington IDA's matters. Melissa is co-chair of Barclay Damon's Public Finance Practice Area and serves as the day-to-day lead partner in our representation of numerous IDAs and LDCs across the state as transaction counsel and bond counsel. In addition to Melissa, other team members who would be assigned to work on your matters are Sharon Brown, partner and co-chair of Barclay Damon's Public Finance Practice Area; Amanda Fitzgerald, partner; Connie Cahill, Managing Partner of the firm; Carolyn Trespasz, associate; Jo-Ann Kilmer, municipal finance administrator; and Erin Kayser, senior legal assistant.

Biographies for the proposed team members are attached as Appendix A. Biographies for other Barclay Damon attorneys are available at www.barclaydamon.com/talent.

Appendix A—Attorney Profiles



Melissa Bennett

She | Her | Hers

Partner

Albany

P: 518.429.4219

mbennett@barclaydamon.com

Education

- University at Buffalo School of Law, *Magna Cum Laude*, JD
- State University of New York at Geneseo, *Cum Laude*, BA

Practices & Industries

- Public Finance

Admitted to Practice

- New York
- Massachusetts

Biography

Melissa is co-chair of the Public Finance Practice Area. Melissa serves as agency counsel to several industrial development agencies and local development corporations in connection with straight-lease transactions and tax-exempt and taxable revenue bond issuances and provides day-to-day advice to IDA and LDC clients on compliance and governance.

She has extensive experience as bond counsel, underwriter's counsel, and borrower's counsel on a variety of general obligation and revenue bond transactions for municipalities, school districts, higher education institutions, health care providers, solid waste facilities, clean water and drinking water facilities, senior housing projects, and affordable housing projects. Her experience includes public offerings, private placements, and direct purchases.

She serves as the lead bond partner in our representation of state authorities, including Dormitory Authority of the State of New York, New York State Housing Finance Agency, and New York State Environmental Facilities Corporation.

Bar Associations

- New York State Bar Association

Selected Memberships & Affiliations

- National Association of Bond Lawyers
- New York State Economic Development Council
- New York State Association of School Business Officials
- New York State Government Finance Officers' Association

Representative Experience

- Lead partner for general/transaction/bond and special counsel services for Suffolk County Industrial Development Agency and Economic Development Corporation, Town of Babylon Industrial Development Agency, City of Hudson Industrial Development Agency, Lewis County Industrial Development Agency and Village of Green Island Industrial Development Agency and transaction counsel for select Onondaga County Industrial Development Agency straight-lease transactions; closed approximately 30 straight-lease transactions since 2022.
- Regularly serves as bond counsel to the Dormitory Authority of the State of New York for its School Districts Revenue Bond Financing Program, including most recently for its \$1,028,685,000 School Districts Revenue Bond Financing Program Revenue Bonds, Series 2025A-C.
- Regularly serves as bond counsel to the NYS Housing Finance Agency for its Affordable Housing Revenue Bond financing program, including most recently for its \$113,695,000 Affordable Housing Revenue Bonds, 2025 Series A.
- Regularly serves as bond counsel to the NYS Environmental Facilities Corporation, including most recently for its \$127,940,000 State Revolving Funds Revenue Bonds 2010 Master Financing Program, Series 2025 A (Tax-Exempt) and Series 2025 B (Federally Taxable).
- Regularly serves as bond counsel for the Dormitory Authority of the State of New York's InterAgency Council Pooled Loan Program, including most recently for the issuance of \$7,470,000 InterAgency Council Pooled Loan Program Revenue Bonds, Series 2025A.
- Served as underwriters' counsel for the County of Erie, New York's \$29,020,000 Public Improvement Serial Bonds, Series 2023A and \$360,000 Sewer District Serial Bonds, Series 2023B.
- Served as bond counsel for the Town of Colonie Local Development Corporation's \$19,890,000 Tax-Exempt Revenue Bond (King Thiel II Senior Community LLC Project), Series 2023.
- Served as bond counsel for the Dormitory Authority of the State of New York's \$16,120,000 Raise the Age Revenue Bond Financing Program Revenue Bonds, Series 2022.
- Served as bond counsel for the Dormitory Authority of the State of New York's \$109,155,000 Rochester Institute of Technology Revenue Bonds, Series 2022A.
- Served as bond counsel for the Schenectady County Capital Resource Corporation's \$32,485,000 Tax-Exempt Revenue Bonds (Union College Project), Series 2022.
- Served as bond counsel for the Dormitory Authority of the State of New York's \$110,000,000 Wagner College Revenue Bonds, Series 2022.

- Served as bond counsel for the Oswego County Civic Facilities Corporation's \$3,450,000 Refunding Revenue Bonds, Series 2021A (Oswego School District Public Library) and \$490,000 Taxable Refunding Revenue Bonds, Series 2021B (Oswego School District Public Library).
- Served as bond counsel for the Suffolk County Economic Development Corporation's \$35,655,000 Revenue Bonds, Series 2021 (St. Johnland Assisted Living, Inc. Project).
- Served as underwriters' counsel for the County of Monroe Industrial Development Agency's \$44,685,000 School Facility Revenue Bonds, Series 2020 (Rochester Schools Modernization Project).
- Served as underwriters' counsel for Golden State Tobacco Securitization Corporation's \$1,674,650,000 Tobacco Settlement Asset-Backed Bonds, Series 2018A-1.
- Serves as general counsel, transaction counsel and bond counsel to industrial development agencies and local development corporations, advising on the Public Authorities Accountability Act, the Public Authorities Reform Act, and guidance issues by the NYS Authorities Budget Office.
- Serves as underwriter's counsel to all major underwriting firms active in New York State.

Prior Experience

- Preservation of Affordable Housing, Inc., Legal Intern
- University at Buffalo School of Law Affordable Housing Clinic, Student Attorney
- Hiscock & Barclay, LLP, Legal Assistant

Selected Honors

- *The Best Lawyers in America*®: Public Finance Law, 2023–2026
- *Chambers USA*, New York State: Public Finance, 2025
- *City & State New York*, Albany 40 Under 40, 2022; Upstate Power 100 List, 2024
- Legal Aid Society of Northeastern New York, Justice For All Award (Individual), 2024
- *The Bond Buyer*, Rising Stars, 2022
- Selected to *Super Lawyers* Upstate New York Rising Stars: Government Finance, 2019–2021

Selected Community Activities

- United Way of the Greater Capital Region, Chair-Elect

Selected Speaking Engagements

- NYS Economic Development Council, Fall 2024 IDA Academy, "IDA Case Studies and Best Practices – Part II – Adaptive Re-Use Projects" Panel
- NYS Economic Development Council, Fall 2023 IDA Academy, "IDA Best Practices – Application and Project Evaluation Process" Panel
- NYS Economic Development Council, "Legal Compliance for IDA Loans and Grants" Webinar
- NYS Economic Development Council, Fall 2019 IDA Academy, "New Legislation and the Impact on IDAs" Panel

Selected Alerts & Blog Posts

- New Notification Requirements for Industrial Development Agencies
- Amendment to Open Meetings Law Permits Remote Meetings by Public Bodies During COVID-19 State of Emergency
- NYS Governor Hochul Signs Amendment to Open Meetings Law
- Expanded Prevailing Wage Requirements in NYS FY2020-21 Enacted Budget
- Executive Order Allows Remote Attendance at NYS Public Meetings



Sharon Brown

Partner

New York

P: 212.784.5809

slbrown@barclaydamon.com

Education

- New York Law School, LLM, Taxation
- Long Island University, *With Distinction*, MS, Taxation
- Suffolk University Law School, *Cum Laude*; *Suffolk Transnational Law Review*, Executive Board Member and Chief Note Editor, JD
- Northeastern University, BS

Practices & Industries

- Public Finance
- Tax
- Tax Credits

Admitted to Practice

- New York
- District of Columbia
- US Tax Court

Biography

Sharon serves as a co-chair of Barclay Damon's Public Finance Practice Area. With over 25 years of legal experience, her practice features a particular emphasis on the federal tax treatment of tax-exempt bond financings. In these matters, Sharon assists her clients in the tax structuring of governmental and private activity bond transactions. Sharon has served as bond counsel, underwriters' counsel, special-tax counsel, and borrower's counsel on a wide variety of public finance transactions, including single-family and multifamily housing; power and energy; 501(c)(3) financings for higher education, health care, assisted living, and cultural institutions; and general obligation bond and note issues for infrastructure projects for cities, towns, villages, and school districts across New York State. Moreover, she has extensive transactional experience with multifamily housing financings involving low-income housing tax credits, historical tax credits, and a variety of issuer and government subsidies and incentives.

She counsels state and local governmental entities, financial institutions, and not-for-profit organizations on a variety of public finance tax issues. She has worked on transactions involving multi-modal structures, complex refundings, derivative products, multiple-year tranches, draw-down bonds, recycled volume cap bonds, pooled financings, private placements, limited public offerings, general-obligation bonds, and revenue bonds.

Sharon additionally advises issuers and borrowers on IRS examinations of tax-exempt bond transactions and post-issuance tax compliance.

Sharon's experience as a tax attorney has given her the ability to simplify complex tax concepts, making her an essential resource for her clients. Additionally, Sharon's pleasant demeanor is a distinctive element of her client relationships.

In addition to her practice, Sharon serves as the firm's opportunity, inclusion, and belonging partner and as chair of the Opportunity, Inclusion & Belonging Partner Committee. In her role, she leads

the firm's opportunity, inclusion & belonging initiative, authoring innovative policies and advising firm leadership on effectively recruiting and using the productive talents, energy, and creativity of a varied workforce for maximum organizational effectiveness and the best use of intellectual capital.

Outside Barclay Damon, Sharon is a federal income tax adjunct professor at New York Law School.

Bar Associations

- American Bar Association
- American Bar Foundation, Fellow
- New York State Bar Association Committee on Diversity, Equity, and Inclusion Member and Events Subcommittee Chair; Task Force on Racism, Social Equity, and the Law Member and Housing Committee Co-Chair; Women in Law Section Executive Board Member and Awards Committee Co-Chair

Selected Memberships & Affiliations

- Barclay Damon's Women's Forum
- National Association of Bond Lawyers
- New York State Association for Affordable Housing
- New York State Government Finance Officers Association
- National Association of Women Lawyers
- Women in Housing and Finance, Inc.

Representative Experience

- Regularly serves as tax counsel to the Dormitory Authority of the State of New York for its School Districts Revenue Bond Financing Program, including most recently for its \$1,028,685,000 School Districts Revenue Bond Financing Program Revenue Bonds, Series 2025A-C.
- Regularly serves as tax counsel to the NYS Housing Finance Agency for its Affordable Housing Revenue Bond financing program, including most recently for its \$113,695,000 Affordable Housing Revenue Bonds, 2025 Series A.
- Regularly serves as tax counsel to the NYS Environmental Facilities Corporation, including most recently for its \$127,940,000 State Revolving Funds Revenue Bonds 2010 Master Financing Program, Series 2025 A (Tax-Exempt) and Series 2025 B (Federally Taxable).
- Regularly serves as tax counsel for the Dormitory Authority of the State of New York's InterAgency Council Pooled Loan Program, including most recently for the issuance of

\$7,470,000 InterAgency Council Pooled Loan Program Revenue Bonds, Series 2025A.

- Served as tax counsel for the Oswego County Civic Facilities Corporation issuance of \$6,794,653 Revenue Bond, Series 2024 (Northern Oswego County Health Services, Inc., D/B/A ConnexCare Project).
- Served as bond counsel for the Schenectady County Capital Resource Corporation's issuance of \$46,935,000 Revenue Bonds, Series 2024A and B (Union College Project).
- Served as tax counsel for Town of Colonie Local Development Corporation's \$19,890,000 Tax-Exempt Revenue Bond (King Thiel II Senior Community LLC Project), Series 2023.
- Served as tax counsel for the Schenectady County Capital Resource Corporation's \$32,485,000 Tax-Exempt Revenue Bonds (Union College Project), Series 2022.
- Served as tax counsel for the Dormitory Authority of the State of New York's \$110,000,000 Wagner College Revenue Bonds, Series 2022.
- Served as tax counsel for the Oswego County Civic Facilities Corporation's \$3,450,000 Refunding Revenue Bonds, Series 2021A (Oswego School District Public Library) and \$490,000 Taxable Refunding Revenue Bonds, Series 2021B (Oswego School District Public Library).
- Served as tax counsel for the Suffolk County Economic Development Corporation's issuance of \$35,655,000 Revenue Bonds, Series 2021 (St. Johnland Assisted Living, Inc. Project).
- Serves as tax counsel in connection with the development and preservation of thousands of affordable-housing units in mixed-use and mixed-income developments across the United States that are financed with tax-exempt bonds and 4 percent low-income-housing tax credits; backed by traditional-bank letters of credit; or involve Fannie Mae and Freddie Mac credit enhancement, HUD risk-sharing program insurance, derivative products through public offerings, and the direct loan or purchase of bonds.
- Served as lead tax counsel to a state and local housing-finance agency in connection with the creation of a multi-family tax-exempt warehousing facility that provides recycling and bond-volume cap preservation.
- Serves as lead tax counsel to not-for-profit sponsors, managing members, and owner entities in the development, preservation, and financing of affordable residential rental projects containing units for supportive housing, involving 9 percent low-income tax credits and various other subsidies.
- Serves as lead tax counsel to state and local governments in the issuance of tax-exempt bonds for capital projects.

- Serves as lead tax counsel to issuers and borrowers in financings for 501(c)(3) educational, health care, and cultural institutions.
- Serves as lead tax counsel on pooled bond programs for state financing authorities.
- Serves as lead tax counsel in connection with IRS audits.
- Serves as pro bono tax counsel in connection with business formation and application for 501(c)(3) status.

Prior Experience

- Hawkins Delafield & Wood LLP, Tax Group

Selected Community Activities

- New York Law School, Adjunct Professor
- Saint Saviour Catholic Academy, Board of Trustees
- The Episcopal Diocese of Long Island, Convention Committee Chair
- The Church Pension Fund, Board of Trustees

Selected Honors

- *The Best Lawyers in America*®: Public Finance Law, 2023-2026
- *Chambers USA*, New York State: Public Finance, 2025
- New York State Bar Association, Attorney Professionalism Award, 2025
- *Power of Diversity*: Women 100, 2024; Black Trailblazers, 2025
- *City & State New York*, Who's Who in Budgeting and Finance, 2024
- Northeast Black Law Student Association, 57 Most Influential Black Attorneys, 2025
- Selected to Super Lawyers New York Metro: Government Finance, 2024
- Crain's New York Business, Notable Black Leaders, 2024
- New York Legal Awards, Diversity Initiative, Finalist, 2024
- The National Black Lawyers Top 100, 2020-2025
- Law360, Influential Women in Tax Law, 2019
- *The Bond Buyer*, Trailblazing Women in Public Finance Award, 2018

Selected Speaking Engagements

- New York Law School 16th Annual Tax Lawyering Workshop, "Tax Opinions: Best Practices for Establishing the Factual Basis"
- New York Law School, "Diversity in Tax Practice"
- Bonadio Group's College & University Educational Breakfast Series at Clarkson University, "Qualified 501(c)(3) Bonds: Post-Issuance Tax Compliance"
- New York State Association for Affordable Housing Annual New York City Conference, "Tax-Exempt Bonds"
- New York Law School Summer International Tax Program, "Introduction to Sales and Use Taxes in the United States, VAT in France, and the European Union and Sales and Excises Taxes in the United States: A Comparative Tax Law Discussion"

Selected Alerts & Blog Posts

- IRS Publishes Final Regulations on the Retirement of Tax-Exempt Bonds
- New York City Council Passes Resolution No. 689 Approving "City of Yes" Zoning Reforms
- IRS Guidance Excludes VA Service-Connected Disability Benefits From Certain Income Determinations for Qualified Residential Rental Projects
- IRS Allows Telephonic TEFRA Hearings Indefinitely
- Revised IRS Form 8038-CP



Connie Cahill

She | Her | Hers

Managing Partner

Albany, ~~New York~~

P: 518.429.4296

mcahill@barclaydamon.com

Education

- New York University School of Law, LLM
- Albany Law School, *Cum Laude*, JD
- Siena College, BBA, *Magna Cum Laude*

Practices & Industries

- Higher Education
- Hotels, Hospitality & Food Service
- Public Finance
- Tax
- Tax Credits

Admitted to Practice

- New York

Biography

Connie is Barclay Damon's managing partner. She has been a member of the firm's Management Committee since 2010.

With more than 35 years of public finance experience, she serves as bond counsel, underwriter's counsel, borrower counsel, and bank counsel in public finance transactions involving NYS agencies and authorities, industrial development agencies, local development corporations, municipalities, and school districts. Her extensive financing experience involves college and university projects, hospitals, assisted-living facilities, affordable multi-family housing projects, and infrastructure projects.

As bond counsel to more than 115 school districts and municipalities, Connie represents general-obligation clients in the issuance of tax-exempt bonds and notes to finance capital projects, pension obligations, tax certiorari settlements and judgments, the issuance of revenue and tax anticipation notes to finance cash-flow deficits, and the issuance of current refunding bonds to achieve debt-service savings. She represents general-obligation issuers in connection with financings through the Dormitory Authority of the State of New York and the NYS Environmental Facilities Corporation, capital projects financed with energy performance contracts, and non-recourse borrowings through the NYS Municipal Bond Bank Agency.

Connie also develops creative financing solutions and offers advice on disclosure obligations for major underwriting firms active in New York State.

Selected Memberships & Affiliations

- National Association of Bond Lawyers
- New York State Economic Development Council

Representative Experience

- Serves as bond counsel to the Dormitory Authority of the State of New York, the NYS Housing Finance Agency, and the NYS Environmental Facilities Corporation.
- Serves as general counsel and bond counsel to industrial development agencies and local development corporations, advising on the Public Authorities Accountability Act, the Public Authorities Reform Act, and guidance issued by the NYS Authorities Budget Office; including Oswego County Industrial Development Agency, City of Schenectady Industrial Development Agency, Schenectady County Industrial Development Agency
- Represents municipalities on water and sewer projects financed by the NYS Environmental Facilities Corporation.
- Represents school districts on capital projects financed by the Dormitory Authority of the State of New York.
- Serves as underwriter's counsel to all major underwriting firms active in New York State.
- Serves as bank counsel to banks purchasing tax-exempt bonds and providing credit support in tax-exempt bond transactions.

Prior Experience

- Barclay Damon LLP, Deputy Managing Partner
- Hiscock & Barclay, LLP, Partner
- State University of New York at Albany School of Business, Accounting Program, Assistant Professor of Graduate-Level Tax Courses

Selected Honors

- *The Best Lawyers in America*®: Public Finance Law, 2022–2026
- *Chambers USA*, New York State: Public Finance, 2025
- *City & State New York*, Above & Beyond Award, 2021; Western New York Power 100 List, 2021; Law Power 100 List, 2023; Upstate Power 100 List, 2022-2024
- *Albany Business Review*, Power 50 List, 2024; Power 50 Duos List, 2025
- *The Best Lawyers in America*®: Albany "Lawyer of the Year": Public Finance Law, 2024, 2026
- Martindale-Hubbell AV Preeminent Peer Review Rated for Very High to Preeminent Ethical Standards and Legal Ability

Selected Alerts & Blog Posts

- Expanded Prevailing Wage Requirements in NYS FY2020-21 Enacted Budget
- Executive Order Allows Remote Attendance at NYS Public Meetings
- 2015-2016 Governor's Executive Budget: Proposed Legislation Impacting IDAs
- NYS Authorities Budget Office Releases Policy Guidance on Grants and Loans by State and Local Authorities
- New Procedures for Documenting Sales and Use Tax Exemptions Granted by Industrial Development Agencies



Amanda Fitzgerald

Partner

Albany

P: 518.429.4283

afitzgerald@barclaydamon.com

Education

- Suffolk University Law School, *Magna Cum Laude*, JD
- Boston University, BS

Practices & Industries

- Public Finance
- Project Development
- Tax Credits

Admitted to Practice

- New York

Biography

Amanda devotes a significant portion of her practice to represent industrial development agencies (IDA) and local development corporations (LDC) in connection with straight-lease transactions. She drafts documents to accommodate the many different permutations these deals can have, and, as a result, Amanda has a keen sense of the many intricacies that appear, allowing her to identify and solve problems early on in the transaction process. Amanda also advises her IDA and LDC clients on day-to-day compliance issues. She stays up to date on the ever-changing regulatory landscape to quickly inform and assist her clients when a new statute or regulation is announced.

Amanda also works with state and local issuers in connection with tax-exempt bond financings, routinely handling the tax due diligence process. In this realm, Amanda advises issuers and borrowers on use of tax-exempt funded projects and post-issuance tax compliance.

Amanda's practice also includes commercial real estate, where she has participated in deals including the acquisition of hundreds of parcels of land for both large commercial developers and large solar energy development companies. She uses her business background to strategically negotiate deal terms on behalf of her client and to provide a business client with the desired information and end result.

Bar Associations

- New York State Bar Association

Selected Memberships & Affiliations

- Barclay Damon's Women's Forum

Representative Experience

- Serves as IDA general/transaction/special counsel for multiple industrial development agencies across New York State, including Onondaga County Industrial Development Agency, Oswego County Industrial Development Agency, City of Schenectady Industrial Development Agency, Schenectady County Industrial Development Agency and Schenectady County Capital Resource Corporation; closed approximately 25 straight-lease transactions since 2022.
- Served as underwriters' counsel for the Clinton County Capital Resource Corporation's issuance of \$57,015,000 Lease Revenue Bonds 2025 (CVES BOCES Project).
- Served as underwriters' counsel for the Albany County Capital Resource Corporation's issuance of \$15,938,729 Revenue Bonds, Series 2024A and B (CIDC Colonie IV, LLC Project).
- Served as bond counsel for the Oswego County Civic Facilities Corporation issuance of \$6,794,653 Revenue Bond, Series 2024 (Northern Oswego County Health Services, Inc., D/B/A ConnexCare Project).
- Served as bond counsel for the Schenectady County Capital Resource Corporation's issuance of \$46,935,000 Revenue Bonds, Series 2024A and B (Union College Project).
- Regularly assists as bond/tax counsel for the Dormitory Authority of the State of New York's School Districts Revenue Bond Financing Program, including most recently for the issuance of \$1,028,685,000 School Districts Revenue Bond Financing Program Revenue Bonds, Series 2025A-C.
- Assisted as tax counsel for the Suffolk County Economic Development Corporation's issuance of \$35,655,000 Revenue Bonds, Series 2021 (St. Johnland Assisted Living, Inc. Project).
- Served as special counsel to a borrower for a low-income-housing tax-credit transaction to build a senior-living facility in Western New York.
- Served as bank counsel for Citizens Bank, N.A. in connection with its \$50.52 million mortgage to Jewish Home of Rochester in connection with its \$7.45 million loan to Jewish Home of Rochester Senior Housing, Inc.
- Served as underwriter's counsel to RBC Capital Markets as the underwriter for the issuance of the Albany County Airport Authority's \$22.54 million Airport Revenue Bonds, Series 2018.
- Served as purchaser's counsel for the purchase of student housing projects in Utica, New York.
- Served as purchaser's counsel to a NY private-equity firm in its purchase of a multi-million solar facility.
- Served as general outside counsel to a hydroelectric power project owner and developer regarding the \$80 million acquisition of several hydroelectric facilities located on Maine's Kennebec River. Handled real property title issues, obtaining

necessary approvals of the assignment of US Federal Energy Regulatory Commission (FERC) and state regulatory licenses, and labor union issues as well as the pre-closing investigatory process with regard to potential environmental and regulatory issues and post-closing issues with management companies.

Prior Experience

- Hiscock & Barclay, LLP, Associate
- Coughlin & Gerhart, LLP, Associate
- New Leaf Legal, Intern
- Greater Boston Legal Services, Intern and CORI Advocate
- Harlem and Jervis Law Office, Intern

Selected Honors

- *Best Lawyers: Ones to Watch in America*®: Banking and Finance Law, 2024-2025; Public Finance Law, 2023–2025; Real Estate Law, 2024-2025; Tax Law, 2024-2025
- *City & State New York*, Albany 40 under 40, 2024
- Selected to *Super Lawyers* Upstate New York Rising Stars: Government Finance, 2019–2024

Selected Speaking Engagements

- NYS Economic Development Council, 2024 Fall IDA Academy, "IDA Case Studies and Best Practices – Part I – Housing," Moderator and Presenter
- NYS Economic Development Council, Virtual Fall IDA Academy, "Active Legislation Update and Review"

Selected Alerts & Blog Posts

- Expanded Prevailing Wage Requirements in NYS FY2020-21 Enacted Budget
- Executive Order Allows Remote Attendance at NYS Public Meetings
- Appellate Division Overturns Lower Court Decision in Article 78 Proceeding and Finds Rational Basis for Industrial Development Agency's Denial of Financial Assistance for Retail Project



Carolyn Trespasz

Associate

New York

P: 212.784.5815

ctrespasz@barclaydamon.com

Education

- Wake Forest University School of Law, JD
- Lehigh University, BA, *Magna Cum Laude*

Practices & Industries

- Public Finance

Admitted to Practice

- New York
- Georgia

Biography

Carolyn assists in serving as general/transaction/special counsel to local industrial development agencies in straight-lease transactions. Carolyn also assists in serving as bond counsel to state issuers in the tax-exempt financing of school district facilities, affordable housing, water and sewer infrastructure, college and university facilities, senior housing, and independent living facilities.

Bar Associations

- New York State Bar Association, State and Local Government Law Section

Selected Memberships & Affiliations

- National Association of Bond Lawyers
- New York State Economic Development Council

Prior Experience

- Greenberg, Trager & Herbst, Construction Contracts Associate
- Troutman Sanders, LLP, Construction Associate and Summer Associate
- United States District Court Judge Glenn T. Suddaby, Summer Law Clerk
- Trespasz & Marquardt, LLP, Public Finance Summer Intern

Selected Honors

- *Best Lawyers: Ones to Watch in America*®: Public Finance Law, 2025
- Selected to *Super Lawyers* New York Metro Rising Stars: Government Finance, 2024

Selected Alerts & Blog Posts

- IRS Publishes Final Regulations on the Retirement of Tax-Exempt Bonds
- New York City Council Passes Resolution No. 689 Approving "City of Yes" Zoning Reforms
- IRS Guidance Excludes VA Service-Connected Disability Benefits From Certain Income Determinations for Qualified Residential Rental Projects
- IRS Allows Telephonic TEFRA Hearings Indefinitely
- Revised IRS Form 8038-CP



Jo-Ann Kilmer

She | Her | Hers

Municipal Finance Administrator

Albany

P: 518.429.4259

jkilmer@barclaydamon.com

Education

- State University of New York at Empire State College, BS, *Magna Cum Laude*

Practices & Industries

- Public Finance

Biography

With over 25 years of public finance experience, Jo-Ann has extensive experience handling public finance transactions involving NYS agencies and authorities, industrial development agencies, and local development corporations. She also documents both bond and straight-lease transactions, working closely with clients and other parties involved in the transaction to facilitate the client's desired timeframe for closing.

Jo-Ann also coordinates the firm's general obligation bond practice with school districts, cities, towns, villages, fire districts, and other local government entities in connection with issuing bonds and notes to finance capital projects and issuing tax and revenue anticipation notes to finance working capital needs. She also works with municipalities in connection with projects financed by the NYS Environmental Facilities Corporation and works with school districts in connection with projects financed by the Dormitory Authority of the State of New York.

Selected Memberships & Affiliations

- National Association of Bond Lawyers
- New York State Association of School Business Officials
- New York State Government Finance Officers Association
- New York State Economic Development Council

Representative Experience

- Assists industrial development agencies in straight-lease transactions with respect to obtaining exemptions from real-property taxes, mortgage-recording taxes, and sales and use taxes in compliance with NYS legislation.
- Assists in establishing local development corporations for various purposes, including issuing tax-exempt bonds, operating

regional economic development programs, and facilitating specific projects.

- Assists over 115 school districts and municipalities with financing serial bonds, refunding bonds, bond-anticipation notes, tax-anticipation notes, and revenue-anticipation notes for various capital projects and other financings.
- Assists school districts on capital projects financed by the Dormitory Authority of the State of New York.
- Assists municipalities on water and sewer projects financed by the NYS Environmental Facilities Corporation and the US Department of Agriculture: Rural Development.
- Assists the Dormitory Authority of the State of New York, the NYS Housing Finance Agency, and the NYS Environmental Facilities Corporation.
- Assists bond underwriters of all major underwriting firms active in New York State.
- Assists banks with purchasing tax-exempt bonds and provides credit support in tax-exempt bond transactions.

Prior Experience

- Girvin & Ferlazzo, PC, Paralegal
- Hodgson Russ LLP, Legal Assistant/Paralegal



Erin Kayser

She | Her | Hers

Senior Legal Assistant

Albany

P: 518.429.4288

ekayser@barclaydamon.com

Education

- State University of New York at Albany, BA, *Cum Laude*

Practices & Industries

- Public Finance

Biography

With a decade of experience with Barclay Damon's Public Finance Practice Area, Erin assists in the closing process for a range of public finance transactions involving NYS agencies and authorities, industrial development agencies, and local development corporations, ensuring a user-friendly and streamlined closing process.

In addition, Erin assists with coordinating the firm's general obligation bond practice with school districts, cities, towns, villages, fire districts, and other local government entities in connection with issuing bonds and notes to finance capital projects and issuing tax- and revenue-anticipation notes to finance working capital needs. Erin also works with municipalities in connection with projects financed by the NYS Environmental Facilities Corporation and the US Department of Agriculture, and she works with school districts in connection with projects financed by the Dormitory Authority of the State of New York.

WWIDA
2026 Draft Budget

	2025 Forecast	2026 Budget	Comments
Ordinary Income/Expense			
Income			
Non-Operating Revenue			
Investment Earnings			
2401 · Interest Income			
2401.2 · Interest Income - Money Market	81,910	84,000	2.4M @ 3.5%
2401 · Interest Income - Other	265	300	
Total 2401 · Interest Income	82,175	84,300	
Total Investment Earnings	82,175	84,300	
Other nonoperating revenue			
Grant Funds from CDC	0	525,000	potential grant for bridge detour & brownfield costs
Total Other nonoperating revenue	0	0	
Total Non-Operating Revenue	82,175	609,300	
Operating Revenue			
Canalside Lease Income	338,453	109,200	CHPE 3 months, Hr Elec 12 months
Charges for Services			
2116.1 · Project Fees - Existing	900	1,200	
2116.2 · Project Fees - New	314,451	300,000	Close two 2025 projects + new projects
2116.4 · Application Fees	10,500	6,000	
2116.5 · Rail Usage Fees Recieved			
2116.6 · WCC Share	(80,134)	(60,000)	
2116.5 · Rail Usage Fees Recieved - Other	154,972	120,000	
Total 2116.5 · Rail Usage Fees Recieved	74,838	60,000	
2770 · Project - Legal Reimbursable	0	0	
Total Charges for Services	400,689	367,200	
Total Operating Revenue	739,142	476,400	
Total Income	821,317	1,085,700	
Gross Profit	821,317	1,085,700	
Expense			
Nonoperating Expenses			
107 · Airport Industrial Park			
Property/Sewer/Water Taxes AIP	5,513	8,000	
107 · Airport Industrial Park - Other	2,100	2,500	
Total 107 · Airport Industrial Park	7,613	10,500	
108 - Brownfield Development		25,000	
Total - Brownfield Development		25,000	
Total Nonoperating Expenses	7,613	35,500	
Operating Expenses			
Other operating expenses			
Interest	0	0	
1910.4 · Insurance			
Disability Insurance	620	700	
Liability/Commercial Insurance	605	700	
Public Officials Liability	1,669	2,800	
Workers' Comp Insurance	1,020	1,100	
Total 1910.4 · Insurance	3,914	5,300	
2675.1 · Sale of Lots			
Legal Exp. for Lot Sales	1,500	1,500	

2026 Draft Budget

	2025 Forecast	2026 Budget	Comments
Total 2675.1 · Sale of Lots	1,500	1,500	
6460.4 · Contractual Services			
Computer Related	6,730	15,200	ADK Techs + other
Dues	3,429	4,000	
Marketing/PR	5,221	12,000	To include more sponsorships
Rent	12,000	12,000	
Subscriptions	3,571	5,000	
Telephone and Internet	2,424	2,500	
Total 6460.4 · Contractual Services	33,375	50,700	
Total Other operating expenses	38,789	57,500	
Professional service contracts			
Accounting	16,670	22,500	Auditor, BusyBee, QB Payroll Svcs
Engineering-Phase II & Wetlids	7,149	3,000	
Legal			
Fees for Project	0	0	
General	9,933	10,000	
Total Legal	9,933	10,000	
Professional service contracts - Other	0	0	
Total Professional service contracts	33,752	35,500	
Reimbursable Prof. Svc Contract	0	0	
6460.45 · Staff Payroll - WWIDA	198,170	211,000	Rounded 4% increase
6460.5 · Supplies and Materials			
Misc Office Expenses			
Institution Fees	120	100	
Total Misc Office Expenses			
Office Supplies	3,090	3,500	
Postage	422	450	
Total 6460.5 · Supplies and Materials	3,632	4,050	
7000 · Canalside Energy Park			
7001 · Canalside Expenses			
7002 · Realtor Fees	27,008	1,728	CBRE for Jan-March
7003 · Insurance	21,800	24,000	
7005 · Land & Building Maintenance	18,747	60,000	Tractor mower and outside services
7006 · Special District Taxes	14,702	16,000	
7007 · Electric			
7007.1 · Canalside Utility Reimbursement	(87,616)	(56,000)	80% of costs to be allocated
7007 · Electric - Other	94,590	70,000	2025 less CHPE April onward
Total 7007 · Electric	6,974	14,000	
7008 · Legal	0	0	reimbursable
7009 · Engineering	0	0	reimbursable
7010 · Bridge and Detour	0	500,000	Detour road widening, preliminary estimate
7011 · Sewer	0	0	
Total 7001 · Canalside Expenses	89,231	615,728	
Total 7000 · Canalside Energy Park	89,231	615,728	
9000 · Employee Benefits			
Employee Benefit - Retirement	15,120	10,000	To reflect changes in CRB tier
Medicare - Company	2,677	3,000	
Social Security - Company	13,639	14,000	
Vehicle Allowance	6,000	6,000	
9001 · Unemployment Insurance -Company	1,071	1,200	
9010 · Employee Net Health Insurance	43,387	49,000	To reflect 13% increase

2026 Draft Budget

	2025 Forecast	2026 Budget	Comments
Total 9000 · Employee Benefits	81,894	83,200	
Total Operating Expenses	445,468	1,006,978	
66900 · Reconciliation Discrepancies	(54,743)	0	
Total Expense	398,338	1,042,478	
Net Ordinary Income	422,979	43,222	
Net Income	422,979	43,222	

Why Brownfield Redevelopment?

- **WWIDA Mission Alignment:** Economic growth and site renewal for community revitalization.
- **Regional Fit:** Underutilized industrial parcels near workforce and infrastructure.
- **Extended NYS Incentives:** Brownfield Cleanup Program (BCP) tax credits through 2036.
- **New Federal Dollars:** EPA brownfield grants (Assessment, Cleanup, & Revolving Loan Fund).

WWIDA's Potential Role

- **Convener and Facilitator** – Organize for planning and grants.
- **Catalyst** – Attract developers into DEC's Brownfield Cleanup Program with reduced risk and Federal, State, and Local investment incentives.

Risks and Mitigation

- **Long Timelines** → **Manage Expectations.**
- **Liability** → **Use Tools** - options/Special Purpose Vehicle to avoid direct site ownership; establish partnerships, etc.

Exploratory Action Items

- 1) **Develop Working Expert Team** - environmental specialist, attorney, engineer, etc.
- 2) **Adopt Site Ranking System** - size, eligibility, risk, infrastructure, potential uses, etc.
- 3) **Pre-Screen Potential Sites**
- 4) **Explore Planning Grants**
 - EPA Assessment Grant
 - NYS Brownfield Opportunity Area Corridor Plan
- 5) **Informally Engage Stakeholders** – town, village, county, state officials/staff, and developers.

Board Concurrence To Explore?

- Fund \$25,000 in 2026 Budget for professional resources.
- Proceed with Exploratory Actions.
- Review status by mid-2026.

COUNTIES OF WARREN & WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING SCHEDULE 2026

*Unless otherwise specified, all IDA Board Meetings will take place on the **third Monday*** of each month at **4:00 p.m.** in either:*

Warren County - Committee Room 2nd Floor

Washington County- Board of Supervisors' Chambers Bldg B

CDC (Civic Development Corporation) Board Meetings will be held on an "as needed" basis. When needed, they will be scheduled to immediately follow the IDA meetings on the same dates below.

January 20, 2026 (Tuesday) *	Washington County
February 17, 2026 (Tuesday) **	Warren County
March 16, 2026	Washington County
April 20, 2026	Warren County
May 18, 2026	Washington County
June 15, 2026	Warren County
July 20, 2026	Washington County
August 17, 2026	Warren County
September 21, 2026	Washington County
October 19, 2026	Warren County
November 16, 2026	Washington County
December 21, 2026	Warren County

*Exceptions in January & February meetings being held on Tuesday due to federal holidays on Monday

** February Meeting –**Includes Annual Meeting**

COUNTIES OF WARREN & WASHINGTON
Industrial Development Agency and
Civic Development Corporation

EXECUTIVE and PARK COMMITTEE MEETING SCHEDULE

2026

Date	Location
January 7	FMBF
February 4	FMBF
March 4	FMBF
April 1	FMBF
May 6	FMBF
June 3	FMBF
July 1	FMBF
August 5	FMBF
September 2	FMBF
October 7	FMBF
November 4	FMBF
December 2	FMBF

Unless otherwise specified, all IDA Executive/Park Committee Meetings will take place on Wednesday at 9:00 a.m. at FitzGerald Morris Baker Firth, PC (FMBF) at 68 Warren Street, Glens Falls, New York.

Executive Committee Meetings of the Civic Development Corporation will be held on an as-needed basis. When held, they will be on the same date and will immediately follow the IDA's Committee meeting.

COUNTIES OF WARREN & WASHINGTON
Industrial Development Agency and
Civic Development Corporation

Office will be closed on these days

2026 Holiday Schedule

January 1 New Year's Day

January 19 Martin Luther King Jr. Day

February 16 President's Day

May 25 Memorial Day

June 19 Juneteenth Day

July 3 Independence Day

September 7 Labor Day

October 12 Columbus Day

November 11 Veterans' Day

November 26 and 27 Thanksgiving Day

December 25 Christmas Day



September 29, 2025

Supervisor Kevin Bean
Town of Johnsburg
217 Main Street
North Creek, NY 12853

RE: Support for Town of Johnsburg “Restore Our Park”

Dear Supervisor Bean:

On behalf of the Warren-Washington Industrial Development Agency (WWIDA), I am pleased to support the Town of Johnsburg’s “Restore Our Park” funding application. With the Ski Bowl sand quarry approaching depletion and ORDA’s Ski Bowl investments catalyzing nearby commercial activity, the Town has a timely opportunity to transition this strategic site from extraction to public benefit.

The proposed plan advances two essential goals: (1) responsible reclamation of the site, and (2) a “smart repurposing” that complements recreation, tourism, and local business activity identified in the Town’s new Comprehensive Plan. This alignment promises environmental stewardship, quality-of-life benefits for residents, and durable economic value.

WWIDA respectfully urges full and favorable consideration of this proposal. Thank you for your work to advance this important project forward.

Kind Regards,

Chuck Barton
Chief Executive Officer