

SARATOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY MEETING
November 10, 2020 – 8:15 a.m.

WITH REGARD TO THIS MEETING THERE WILL NOT BE A PUBLIC MEETING LOCATION AT WHICH THE PUBLIC MAY ATTEND IN PERSON.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the general meeting scheduled for [November 10, 2020](#) being held by [Saratoga County Industrial Development Agency](#) (the Agency") in accordance with the provisions of Article 18-A of the New York General Municipal Law will be held electronically via [conference call](#) instead of in a public setting open for the public to attend. Members of the public may listen to the meeting and comment during it by [Dialing: \(605\)-475-4069 and entering Access Code 445131#](#). Pre-meeting comments may also be submitted to the Agency in writing or electronically (mvalentine@saratogacountyny.gov). Comments may be made during the meeting following presentation of the agenda item by the speaker. Please provide your name clearly prior to the question or comment. Minutes of the preceding Public Hearing and general meeting will be transcribed and posted on the Agency's website.

PRESENT: Members: Chairman Rod Sutton, Michael Mooney, Walter Wintsch, Patrick Greene, Kevin Tollisen, Tom Lewis, and Andrea DiDomenico.

STAFF & GUESTS: Scott Duffy, CEO; Jeff Many, CFO; Michael Valentine, Administrator; Michael J. Toohey, Counsel to the Agency; James Carminuccci, Bond Counsel, Dennis Brobston, SEDC; Matt Brobston, LA Group; Antonio Giordano, PVA; Christopher Litchfield, Impact Athletic Center; Kevin Huerter, Impact Athletic Center; and Lori Eddy.

ABSENT: None.

Chairman Sutton called the meeting to order at 8:15 a.m.

Approval of meeting minutes: October 13, 2020:

Chairman Sutton stated the first item on the agenda is the approval of the minutes of the October 13, 2020 meeting. Mr. Lewis made a motion to approve the minutes of October 13, 2020. The motion was seconded by Mr. Wintsch. As there was no further discussion, all were in favor and the minutes were approved.

Application: PVA (Halfmoon):

Chairman Sutton asked Mr. Brobston to discuss the agenda item for PVA, Halfmoon. Mr. Brobston stated the project is taking a former building that is being used as a soccer facility in the Corporate Technology Park or the Capital Region Business Park in Halfmoon for Sitterly brothers. It was put into existence by the Abele's back in the mid-90's. This facility has not been very successful in its efforts. PVA, who has a facility in the Town of Halfmoon, but their main operations are in Town of Cohoes. They are here to talk about taking over and buying the facility and rehabbing it to make it their home for

manufacturing. It is a pretty simple project for a change. You get in, you rehab it and bring in about 150 some jobs. Mr. Brobston asked Mr. Giordano to discuss the project. Mr. Giordano stated most of you are probably familiar with Precision Valve Automation as a whole. The project is to move into that Halfmoon Sports Plex which is about 76,000 square feet. Contrary to our building, it is a wide-open rectangle, completely clear span which is very favorable to manufacturing processes compared to our existing facility which is 115,000 square feet with a lot of halls and rooms and is really broken up to five or six corridors in the building. It creates a lot of inefficiencies. The building has been for sale for quite some time. They made a deal with the Abele's. We felt that the wide-open floorplan would create a lot of efficiencies in our manufacturing process so we are in the eleventh hour of getting this deal completely done. They have been to the Planning Board already for a formal meeting coming up and we plan to move our entire factory which is about 200 employees globally today. About 180 employees in our Cohoes building and we are going to bring 162 approximate employees to the facility at 6 Corporate Drive in Halfmoon and about 20 of our employees will then go up to our existing facility in 15 Solar Drive which is also a Halfmoon deal. We are going to do this really fast. Our goal is to be up and running and manufacturing by June. They engaged BBL on the construction side. They are well into design. As he mentioned they have been to the Planning Board. We are here today asking for assistance from the IDA and County to help them with a lot of job and cost pressure to our employees. We are a global company. He has employees all around the world in countries such as Mexico, Europe, Korea, China and the data point he put in one of the presentations effectively is about 40% cheaper for him to hire employees internationally. Their founder and owner Tony Hines made it a point throughout his career to keep as many jobs as he has locally. It is tough to make what they make in the U.S. let alone in New York State. Through the assistance of these programs through the years it has really helped them. Today, more than ever with a lot of the tariffs that were slapped on our equipment, their equipment became 25% more expensive basically anywhere outside the U.S. in the past year and a half. We've seen that in sales declines in our international business and the programs that they have applied for here will assist them in being able to keep about 40-50 jobs here in the U.S. that otherwise would most likely have to go overseas for them to maintain a reasonable business model.

Mr. Brobston then discussed that the project is for \$10,500,000. The purchase of the existing facility is \$5,500,000. There is renovation but the interesting thing about that site is it does not have a concrete floor because it is a sports complex. It makes it easier for the buyer for their piping and things during reconstruction. The PILOT that they are requesting is a 10-year manufacturing PILOT freezing the assessment as it sits today at \$2,108,000 and they are looking at mortgage recording tax of \$41,250 estimation for the exemption there. A sales tax exemption of \$161,000. The property tax over the 10 years will save them about \$580,000. Total savings bottom line is \$684,000. Again, the key here is keeping the assessment as it sits today for the next 10 years. He has spoken with the Town. They are supportive of the project. Our issue here is one of timing just because things are moving very quickly. It is a slower period right now so if we are going to shift and move this would be the best time to do it in the very near future. Mr. Brobston stated they are talking with BBL about the construction. Mr. Giordano confirmed that they are engaged as their contractors. They are leading the permit and the design and we have been having weekly design meetings for a prototype to put in a presentation and concept drawings for everybody to see. Mr. Brobston stated that construction employment page still says TBD because they are still in the design and understanding the type of work that is going to be done. That will be filled out and given to the IDA to put online to make sure everybody gets a chance locally to bid. Chairman Sutton recognized Ms. DiDomenico for a question. Ms. DiDomenico stated we had the sub-committee take a look at the application. We were satisfied with what we saw to recommend it to the Board for review. One of the questions that she had asked Mr. Giordano and he can clarify on the record, is where

they currently operate out of, one of her questions was her concern for taking a business out of Albany County and bringing it to Saratoga County. She asked Mr. Giordano if he could explain where your current business operations are being held and who owns that property. Mr. Giordano replied their current factory in Cohoes is owned by the shareholders of PVA as well so we are not impacting any third party in that manner and our goal would be to lease that facility most likely to a larger either manufacturing or distribution style company who would most likely fill it with the size of jobs that we are leaving with. He would guess somebody from 100-200 jobs would fit that building. They have been in those conversations. Obviously, we wouldn't just vacate, we have brokers working on finding people for the building and he doesn't think we will have any issues filling the space. Ms. DiDomenico replied thank you. Mr. Greene stated to follow-up on Ms. DiDomenico's question, you are forced to move your operations to another location as the Cohoes location was not going to work for you anymore, is that correct? Mr. Giordano stated correct. We spent a lot of years, five or six straight years, working with Toyota and every six months we kind of reconfigure our manufacturing lines, process and turn them. One of the big points over the years has been we need more fluid working space. So, they have been looking for properties for quite some time. Chairman Sutton questioned if this a property that they can add on to should things go well for you and if you were to expand in the future? Mr. Giordano stated yes absolutely. It comes with about 9 ¼ acres. There is plenty of parking for the need that we provide for. While it is less square footage, it feels bigger and it is probably going to look like we can operate more and make more equipment in the space because of the open nature of the building. Chairman Sutton questioned if they do shifts or is there 160 people you have on a daily basis? Mr. Giordano, yes, it is locally here. PVA doesn't typically run multiple shifts. We've done a lot of that through the COVID period, again to spread people out through the production floors. But, historically, most of our business, the building is running about from about 6 a.m. until 6 p.m. Kind of like a hybrid description, someone comes in at 8 or 9 o'clock and stay until the end five days a week and occasionally we will have deliveries and some things done on the weekends but usually not a lot of traffic on the weekends. Ms. DiDomenico questioned Mr. Giordano what is your status with the Town of Halfmoon, are you going before the Planning Board, is that what you are doing, site plan? Mr. Giordano replied correct, we are on the Planning Board meeting for the 23rd for which we've submitted our site plan and our change of occupancy as well. Again, we kind of did a preliminary meeting to make sure the project is ok. Mr. Brobston stated there is a 4,000 square foot addition they are putting on the one end for truck docks. It is a very small addition because that makes it easier for the truck dock situation. Mr. Giordano stated yes, the building right now has no loading docks which is imperative to our business model so about 4,500 square feet on one of the gables end and then we have about another 1,000 square feet or so coming up in front of the building. There is a kitchen in the building now and our company actually has a chef and we provided subsidized meals for all of our employees. We are going to blow that out a little further to make it a little bit more of an industrial kitchen. That is kind of the square footage renovation in the front of the building as well. Mr. Greene stated to Mr. Giordano that one of the things that we look at when we are considering providing benefits is if it is a business from outside the area, we are looking to seek to attract through these tax incentives, if it is a business that is within the area, particularly Ms. DiDomenico asked the question about Albany County, we don't want to pirate businesses from people within our region. But, it sounds as if you are faced with, again with the situation where either you are busting out of your seams in some ways, so you have to find a location and what you are trying to do, from the literature that he has read so far, is not to disrupt your employees or workforce because they can still drive across the river, a lot of them live locally, you are maintaining that balance, but you are also faced with the pressures brought on by what is happening internationally with the tariffs and all of these forces are working together and this is the best solution for you but you still need assistance to maintain that size workforce and hopefully grow it in the future. Is that kind of a fair summary of what you are faced with. Mr.

Giordano replied yes, absolutely and if you look at the current business environment, again manufacturing over the last two years has been on a significant decline. Obviously COVID expedited that quite a bit. There has been a little bit of resurgence in US business, medical, military and defense he thinks as most would expect. Our yard sales are down significantly of course in 2020 and this is a chance for us to kind of reorganize the fees, cost and efficiency processes and again maintain that employee base. We have had to have some layoffs in the course of 2020. But, again to the magnitude of our revenue declines, we are still 15% in employee decline of the year where I think most companies in our sector are probably dropping 30-40% employee base. Mr. Valentine stated to Chairman Sutton that he would just add to back up, and Mr. Giordano started the conversation, you had said to the Board members, you are all familiar with PVA. There is not a Board member here though who was a member of this Board in 1997 when the first project closed with the IDA. So, the first location, you had mentioned, Solar Drive, there was a facility located and constructed there and then that was again November of 1997. In December of 2006, there was an addition on that same location. We had that history since 1997 between the IDA and PVA. Then there was the location change later to Green Island. Just as far as background, it is just a note. Mr. Brobston stated they couldn't add on to the building on Solar Drive any more which was mapped out. Mr. Giordano stated if you look at our history too, we typically cope with a lot of our suppliers and vendors who move with us. That building in Halfmoon, 2/3 of it is effectively rented right now by a global company which is a materials company. Again, we are an equipment maker, but we use material applications. One of our kind of partners in business ended up moving to one of our buildings locally and they had their headquarters in Connecticut and we convinced them to buy a local company and move into that building. So yes, we do a lot of that. Our marketing strategist firm is actually going to move into our building with us. They currently occupy about 2,500 square feet in our existing building. They are also going to move into the new facility with us. They are a start-up New York company so again, we spend a lot of time incubating companies partnered with global organizations in every aspect, not just manufacturing. Chairman Sutton questioned if they will get a break on the rent in the event that we do for this PILOT program, will they realize part of the savings in rent. Mr. Giordano replied the company that started the company that started up in New York, it is a very straight relationship. We hired them for a contract and for marketing at their fair market rate and they rent from us at a fair market rate. If you actually look at the deals of their lease, it is a very favorable rent schedule as is already. Chairman Sutton asked if there were any further questions. Mr. Valentine stated one other item, just to add, the property has an assessed value of \$2,108,000 right now. He has been going over that with Mr. Brobston. We want to make sure that when we go through the PILOT Agreement if it is approved that that number is thrown right into the PILOT which we have done with others. Rather than leaving something in there saying initial assessed value. When we get going back and forth with assessors, we have to keep track in our history of what our assessed value was in the beginning and it changes with revaluations. So, if we take the PILOT Agreement and put that frozen amount of that \$2,108,000 right in the PILOT, that will help with whoever is figuring PILOT bills in the future. Chairman Sutton asked if there were any further questions from the Board? There were no further questions from the Board.

Chairman Sutton then asked for a motion to advance the application to a public hearing. We would be looking at a meeting date of Tuesday, December 15th for a public hearing in the Town of Halfmoon.

Mr. Greene then made a motion to accept the application for PVA of Halfmoon and schedule a public hearing on December 15, 2020 in the Town of Halfmoon. The motion was seconded by Ms. DiDomenico. There was no further discussion. All were in favor and the motion was approved.

Application: Impact Athletic Center (Halfmoon):

Chairman Sutton stated the next item on the agenda is Impact Athletic Center (Halfmoon). Chairman Sutton asked Mr. Brobston to present the application at this time. Mr. Brobston stated this is another project for the Town of Halfmoon. It is going to be located across from the Halfmoon Light Industrial Park. Christopher Litchfield and Kevin Huerter, two principals of the company are here. This is a facility that is an 85,565 square foot building. Total project cost is over \$11,000,000. This is a retail service project, something that is not available in our County or in the Town of Halfmoon and it will be bringing in many thousands of people during the tournaments as they run on the weekends as well as other services that will be available there. He would like them to give their presentation and we will go from there. Mr. Litchfield stated about four years ago we got started in the travel of the volleyball community. He did not know anything about it or that it even existed. Having two daughters and learning that this world existed, it is huge. A typical week for us two daughters both different ages playing volleyball would be to travel to Schalmont High School on Tuesday and drop one daughter off. Schenectady High School on Wednesday to drop the other daughter off. Sundays were second practice. One was at Union College, the other one was at the Christian Academy. Then we would load up the car on weekends and travel to Hartford, Connecticut, Pennsylvania, Rochester, wherever these tournaments are. When we had local tournaments, they would be spread all over. We would have a few teams at Skidmore, a few teams at Union, they did it at the Saratoga City Center. They are just wherever they can get a couple of courts, the YMCA. So, you find yourself driving all over the Capital District for a tournament. About four years ago, we visited a facility in Rochester that had just opened and it was a beautiful facility where you could get all of this under one roof. My wife and I said why is there nothing like that in our area? We began to explore and the buying of a piece of property in Halfmoon where we all live. We wanted to put this all under one roof for the kids of our community to be able to have practices, have tournaments and be able to bring that home and have a home facility for these teams. After purchasing the property, he learned that Kevin Huerter was toying with the idea of doing something similar. His background is basketball for his family. We connected and have been developing this plan to get to the point we are at. Mr. Huerter stated he will echo what Mr. Litchfield said, having four kids that have come up through athletic ranks, playing multiple sports, but ultimately focused on basketball. His oldest is going to Sienna College on an athletic scholarship. His second son going to Maryland on an athletic scholarship. Unfortunately, he dropped out of college, but he is doing ok playing the NBA. His oldest daughter will go to Providence College next year on a basketball scholarship. So, we are engrained in the basketball community locally. We are fortunate enough to call on friends in that community and we have looked at this type of project for years. His oldest son is 23. When he was in third grade, we looked at doing this type of project but it just wasn't feasible at that time. What Mr. Litchfield proposed and kind of what we collaborated on with the project really seemed to fit and the timing is definitely right. Given what we are going through with COVID, the kids nowadays are sitting at home. If they are not sitting at home, they are desperately trying to find an outlet to play whether it is volleyball, basketball, or even indoor soccer. What our facility hopes to fill is the need in this area. You have public schools that overflowing with gym space requests. They don't have enough of it. The model for today's younger athlete is not simply to play on his public-school team or even his private school team. There are club sports that are becoming more and more prominent. That has been the case for years with hockey and that seems to be trickling into other sports nowadays especially given some of the guidelines or restrictions that kids are being put through. That public school can't bend as much as maybe a club could. So, facilities like Impact are going to be sought out. We hope, given our experiences, traveling around the country, he has probably made it to half the states in this county just because of basketball. That is with his kids. So, we played in all the National massive tournaments. We've been to Atlanta, we've been to Chicago, we've been to Houston,

Minneapolis and those models where we traveled to those tournaments, we would go to a convention center where you would walk into a convention center that you might have a car show that is 150,000 square foot area and then they will put 38 courts in the one area. Because of COVID, those models, we believe, are going to be gone. No longer will you go to Chicago and play the same tournament with 400 teams. You are most likely going to be staying regional. In the basketball world for what's AU or Club, the sneaker companies have kind of taken over. And even NIKE, which the local city rock program, which the boys are part of, they are sponsored by NIKE. They are moving away from these national tournaments where they are forcing all 36 teams in their league to go to LA, Houston, Minneapolis, Virginia, whatever it might be. So, you are looking at a more regional model. For impact, there is nothing within perhaps a 100-mile radius, a facility that has what we have. Six courts for basketball, nine courts for volleyball along with the other things that we are going to offer with that. Whether it is being a physical therapy presence, a recovery presence with cryotherapy and a restaurant on site. So, there is a lot of features to our building that will separate themselves. We have been to many places that simply rehab an old building and the courts don't fit quite right and all of a sudden, they tuck in a concession stand that you see at a baseball field where they have hot dogs that sit there for two hours and hamburgers that were grilled an hour ago. Our facility is going to be different. We are going to offer healthier alternatives for the athletes not only to eat when they are there for a weekend, but also during the week and also the Town of Halfmoon. Anyone that is local that wants to get a better alternative for their food or a better alternative for their training, just to stay in shape. The facility will have a walking track on the second level. Not only will it cater to younger athletes, we will cater to, we'll say more experienced athletes, which he unfortunately falls into that category now. But we just want to go and walk and use some of the equipment to just stay in shape and maintain a healthy lifestyle. With this type of facility, the reason there is no other in this area, is purely because of the financial lift. To get with the people that have the means to possibly take on this type of project, didn't have the wherewithal or didn't have the knowledge or didn't have the background. We feel we also checked those boxes. Our family is ingrained, Chris' family is ingrained, in both communities whether it be volleyball or basketball. Chris is a bigger basketball fan. We feel we have a better option with Impact not only for the local athletes, but then with the athletes that will be traveling in from outside the area. The economic impact, it shows in this report where if we have 90 teams on a weekend for volleyball, they have 2/3 of those are coming from outside the area. That is a lot of hotel rooms that they are going to be purchasing whether it is in Halfmoon, Saratoga County, Malta, Clifton Park or even Latham. It is going to have a huge impact as far as the number of rooms that are going to be rented or used and then the impact as far as restaurants and people eating out. On a basketball level, 72 teams are kind of our max with the 6 courts on a given weekend. What we've done, we've basically outlined a conservative number of weekends which is 40 to have these tournaments. What we haven't done is shown or added the economic impact even to the summer schedule where to give an example, his son plays for the Atlanta Hawks. The information on this project was in the Business Review in February. Two days after the article came out, his assistant coach with the Atlanta Hawks, his name is Chris Jet and he is from New Jersey, approached my son Kevin and said I hear you have a basketball facility. I am looking to do a camp where I have other NBA assistant coaches, we bring in 20 or 30 younger NBA players along with 30 or 40 aspiring college players that want to get to the NBA. You have a camp for a week and then not only do you draw those people to our facility, meaning those NBA professional athletes and the better college players, but then you have a high school camp next to it. And all of those young kids want to see the Kevin Herders, the Trae Youngs or the you fill in the blank Joe Harris' of the world, they want to see those athletes playing. They want to be near those athletes and be able to see them work out. Those type of during the week events that we will have in the summer will also have a major economic impact that is probably not outlined in this. So, given where we are with construction, the last time we met, we started the project. We assumed you buy a

piece of land and everything is going to run smoothly and we have run into some things that just were financially not a part of our initial plan. That is a big part of why we are coming to the IDA because we are just looking for some help. We are looking for a partnership where we feel we are going to fulfill our end of the bargain by bringing people from outside the area that are going to be spending a lot of money. We feel that we are going to build a beautiful building. Munter Construction from Saratoga County is a great partner of ours. Their work is proven throughout the area. We feel that the facility will be something that Saratoga County will be proud of and also, we are going to bring a lot of people through those doors. Not only the local people, looking to just be healthier, have an alternative for their kids to play a sport, but also reach those kids that may need a better option for physical therapy where they could work out in a court and then go into a smaller training room or whether it is a recovery aspect or whether it is a food aspect that we outlined. So, there is different facets to this building that we have really explored because of our experience. We've been all over the Northeast, all over the Country looking at what is done well and what isn't. We feel the building is going to pass the eye test. Right now, it is an open field. It doesn't really look that pretty. He thinks once the building is in there, he thinks it is going to make an impressive kind of corridor going through Halfmoon. On one side of the street, you have got a beautiful building just built, you've got the Grace Fellowship Church across the street, you've got Enterprise Industrial Park and then now with Impact it is just going to create a really nice corridor. And part of that is going to be a traffic pattern that we also feel we are going to remedy by putting in a traffic signal at that Warner Road, Route 146 interchange right in front of our building which is not something we could have envisioned, but we are going to be paying for that and again this is all privately funded from the Litchfield family, my family. So, it's a big undertaking. That is why we are here. Chairman Sutton questioned if they were getting approvals by the Town of Halfmoon, the School Districts, have you approached the Shenendehowa School Districts as well? Mr. Huerter responded yes, so Shenendehowa School District, we have a really good relationship with them. Obviously his four kids have gone through Shen. We have already had inquiries from different club teams or different sports teams at Shen looking to move away from Shenendehowa from a practice standpoint to come to our facility because what happens you have a volleyball game in the Fall that starts right after school and goes to about 7:30 or 8:00. But you have the basketball programs that want to have Fall workouts. Well, they get pushed to later and later, so now the kids are out on a school night until 10:00. Well, those kids would rather get done with school and have something to eat and then go play. That is what they are looking at. That is one example. And we also have other teams that are looking to when it's cold they want to move indoors for workouts whether it be a soccer team, a field hockey team, a baseball team and they just want an option where they can get training in one place. Mr. Brobston stated one thing that they had mentioned was the traffic light and turning lane which is about \$500,000. The land that Chris did buy will require almost \$2.3 million dollars of site work, it is very wet in the back. There is a lot of work that needs to be done just to get it up to speed to be able to build something on it. That is a big cost as well. The other piece of the puzzle he thinks is what Tom had said. Right now, in Halfmoon there are no hotels. There are just under 1,000 rooms in Clifton Park and under 300 in odd numbers in Malta. On a weekend, if they bring 654 players average, that doesn't include the families or could include the families, there are more hotels and more food. He thinks that the sales tax, which this County thrives on, and how they have the opportunity to bring in that revenue that we don't see, is something that has been talked about quite a bit but we haven't seen. We do see that with certain tournaments that happen in Saratoga Springs and Clifton Park and in Clifton Commons, but it is a smaller scale. Those are the comments here. The mortgage recording tax \$71,350. Sales tax is rather large because we included the materials for the light and the turning lanes and all that which is taxable because they have to have it done. That is why it looks to be \$570,000. They did ask during a sub-committee meeting; they were requested what do you need? So, we went down the list and that is why there is a 10-year PILOT that shows them paying the

assessment of a facility as it sits today which is a piece of land, \$52,700 worth of assessment and that would save them about \$135,000 a year. So, as you can see, overall, with costs and everything, just under \$1.9 million dollars of incentive is what they are requesting from the IDA today. They are going to be growing full time jobs and on the second page of job creation, which is page 25, it shows you 30 full time jobs in the first year, 35 in the second and 40. We had to go with full-time equivalents because they are going to use a lot of part-time people because of the way the system works when the rest of the people are working other places. And, they do have a lot line adjustment that is going to be before the Planning Board. It is approved, I'm sorry. They do have the approvals and the Town had to a revision for the PD is if he is not mistaken. Ms. DiDomenico stated the sub-committee took a look at it. One of their questions was whether or not it fit within the definition of what we can do as an IDA. They did a nice job in making their presentation to us today with their documentation explaining how it will have a positive impact economically on our area by bringing in all of these athletes. She thought what was interesting was one of the comments they had here that said 70% of the teams participating each weekend will be from outside the 518 area. That was one of our questions, to know exactly how the economic impact, what positivity for us, whether or not it fits within the definition of what we can do as an IDA. Mr. Brobston stated one of the issues with this type of project is attracting people from outside the Capital Region, the Capital Region is the 8 Counties. When they said coming outside of the 518 area. Mr. Greene stated it has morphed quite a bit from the beginning when these IDA's were created to attract or maintain investor organizations, manufacturers. So, we have changed quite a bit in 50 years and maybe it would be worth it to read into the record the language that counsel has provided, that we took a look at to see whether we could fit. Mr. Carminucci stated this constitutes a retail project under Article AK of the general municipal law. In order for the IDA to get behind a project and provide financial assistance it either has to constitute a tourism destination facility, which means it is likely to attract visitors from outside the 8-county economic development region or it has to demonstrate that it is providing a service that is not regionally accessible to the residents of the Town of Halfmoon. If you go on the second prong, you also need to have a Town Supervisor confirm the undertaking of the project if you keep it under a tourism destination facility that confirmation isn't required. He thinks there is ample evidence in the application to support either. Going the route of the tourism destination facility he thinks is a little bit easier. Mr. Greene stated nothing negative certainly about health clubs, but this isn't just a health club, this is something that attracts people from outside the region and seems to offer services that aren't available elsewhere, certainly in the Town and probably in the County and maybe the region. He looks at it as satisfying both prongs. Ms. DiDomenico agreed. Chairman Sutton questioned if there were other questions from the Board? Ms. DiDomenico stated she has a question on the application for the gentleman and Mr. Brobston. On page 4 the list of stockholders, members and partners of the applicants. There is Grantley & Joyce McLeod. But yet on the next page they are not listed. Mr. Brobston stated they are less than 20%. Greater than 20% is what is required on the second page. Ms. DiDomenico stated ok. On page 25 of 30 where you list the number of employees. She is just wondering how do we keep track of this. Mr. Valentine stated he and Mr. Brobston talked about this and reviewed it yesterday. We will have this when we send out our surveys to the companies at the end of December for January reporting and then it goes into the PARIS Report. On page 14 you'll notice the total employment there and the first year it says 41 as far as totals. 21 of those will be FTE and then it is taking the rest of what will be the part-time and calculating them and adding them into the 21. And the same thing happens in that second year. When we start reporting the second and third year, this is something that Mr. Duffy and Mr. Many will have to maintain for the future, calculating just exactly what the FTA, FTE and the part time work together. So, it is good point that you brought it up because that comes up in the reporting every year. Ms. DiDomenico stated ok. Mr. Brobston stated the main thing is full time equivalents to us, which always means to me that they will be full time and I'm thinking 40 hours, is 32-35 depending upon

which way you look at New York State. Mr. Wintsch asked if they had contacted Shenendehowa at all? The applicant replied yes. Mr. Wintsch questioned how are the students going to get from the campus they are at now to your facility? The applicant replied most times with the activities that will be coming to our facility, they will be going home after school and then come over. Mr. Wintsch stated so the parents will bring them to the facility. The applicant replied yes. A lot of times, the teams, if you are in season, the teams are practicing right after school. These are going to be mostly the teams that are out of season looking to just fill in workouts and come to our facility. Mr. Wintsch stated so it's not the winter time when the basketball season is in play, it's the rest of the year. The applicant replied well it could be. If a basketball team has a snow day, those kids still want to play and they can't go to the school so they will be knocking on our door saying we can come in at 1:00 and we'll probably have a space and they will rent the facility then. So, those conversations have also been asked. Chairman Sutton asked if there were any further questions.

Chairman Sutton then asked for a motion to advance the application to a public hearing. We would be looking at a meeting date of Tuesday, December 15th for a public hearing in the Town of Halfmoon.

Mr. Mooney made a motion to accept the application for Impact Athletic Center and set the public hearing for Tuesday, December 15th in the Town of Halfmoon immediately following the application for PVA. The motion was seconded by Mr. Lewis. There was no further discussion. All were in favor and the motion was approved.

Final Resolution: 574 HRR, LLC (Advanced Controls, Halfmoon):

Chairman Sutton stated the next agenda item is the final resolution for 574 HRR, LLC. The Hudson River Road, Town of Halfmoon, there has been a change in the financial status of that. Mr. Valentine stated Mr. Carminucci has that as sent an email out about that yesterday. Mr. Valentine asked if Mr. Carminucci would like to address that regarding a bank change and it is going to affect the sales tax exemption. Mr. Carminucci stated he sent out a resolution yesterday. The original resolution identified a loan from Key Bank for the project and we just found out yesterday that is not the case. The loan is going to be from First National Bank of Scotia. The loan amount with Key Bank was \$498,000. The loan from First National Bank of Scotia is \$540,000 because they have to refinance debt on the property. Key Bank had that debt so it wasn't required with the Key Bank loan but it is with the Scotia loan. That is a little bit higher than what was in the application so it results in a slightly higher mortgage recording tax benefit of about \$1,500 so that is part of your approval in that revised resolution but it doesn't require a public hearing. It is just not material. Other than that, that is it. That is the only change from what had originally been sent around.

Chairman Sutton then asked for a motion to approve the Final Resolution for 574 HRR, LLC (Advanced Controls, Halfmoon with stated changes.

Mr. Lewis made a motion to approve the Final Resolution for 574 HRR, LLC (Advanced Controls, Halfmoon) with the stated changes. The motion was seconded by Ms. DiDomenico. There was no further discussion.

RESOLUTION #1470

RESOLVED, THAT the Saratoga County IDA approve the Final Resolution for 574 HRR, LLC (Advanced Controls, Halfmoon) with stated changes. The results of the roll call vote were as follows:

AYES: Ms. DiDomenico, Mr. Lewis, Mr. Greene, Mr. Tollisen, Mr. Mooney, Mr. Wintsch and Chairman Sutton.

NOES: None

ADOPTED: 7-0

CEO Report: Status of PPE Grant Applications:

Chairman Sutton stated the next agenda item is the Status of PPE Grant Applications, to approve and authorize the release of payments as chartered. Mr. Duffy stated this is the second tranche for the grant program and Mr. Many and he have gone through and vetted these applications. We ended up being able to bless 13 of 17 for a total of \$78,417.45. We've got a balance of \$56,831 left right now. There are about another dozen applications, or thirteen, sitting in the office plus we have a couple that still haven't provided all the information that we need. Mr. Many stated there are a couple on this list that we went through that did not submit documentation so they are on hold for outright rejected ones. Mr. Duffy stated a static look, there is about \$56,000. Mr. Many, the Cocozzo, family, the last one, number 42, we did not review that application just to be clear. Mr. Duffy stated it is in the notes on the page, so that is what it looks like as a snapshot as of this morning. Mr. Valentine stated the 13 that are in have come in by mail and delivery email. They are not opened but they have been numbered sequentially as they have come in mainly because we are hitting close to the limit of our \$250,000. The next numbers for review are 26-41.

Chairman Sutton then asked for a motion to accept the grant program expenditure approval as indicated to the Board by spreadsheet analysis of the PPE grant monies that the staff has presented to the Board as a blanket motion for applicants as submitted as Resolution B. The Board is authorizing the expenditure of those funds as detailed in the submitted spreadsheet. Ms. DiDomenico stated she would just like to state for the record that Willow Ridge Point, LLC is her client in her practice and she is also a member of the Board of Trustees of the Mechanicville District Public Library.

Ms. DiDomenico then made a motion to accept the spreadsheet issued at the meeting as part of the record for the meeting to approve the expenditures listed. The motion was seconded by Mr. Wintsch. There was no further discussion.

RESOLUTION #1471

RESOLVED, THAT the Saratoga County IDA accept the spreadsheet issued at the meeting as part of the record for the meeting to approve the expenditures listed for the PPE Grants. The results of the roll call vote were as follows:

AYES: Ms. DiDomenico, Mr. Lewis, Mr. Greene, Mr. Tollisen, Mr. Mooney, Mr. Wintsch and Chairman Sutton.

NOES: None

ADOPTED: 7-0

Chairman Sutton stated at the December 15th meeting we will take a look at our finances at that point in time and see if there are monies that we want to put back into the program based on the number of applications that we have coming in. We will take a hard look at that at our December meeting. So,

continue to take in the applications and we will make that decision then. Mr. Valentine questioned so the 13 that are there now, do nothing with? Chairman Sutton stated not at this point o you will probably use up the \$56,000 probably. Mr. Duffy stated yes, we will review the remaining outstanding ones on this traunch right here and we will just go first in, first out and when we run out of money, we will let the Board know and they can take it up from there.

Chairman Sutton stated in the interest of time, we have the land purchase and we need to go into Executive Session at this time. Chairman Sutton asked for a motion to go into Executive Session at this time. The motion to go into Executive Session was made by Mr. Greene. Mr. Greene stated for the record, as this body is aware, in November of 2017, this Agency entered into a contract with Luther Forest Technology Campus Economic Development Corporation as seller and MRFA, LLC as a developer to purchase certain real property located in the Town of Malta. Information has been brought to the attention of this body by Agency Counsel concerning a possible breach of the Luther Forest contract by either of both Luther Forest and MRFA and in connection with the delivery of that information, he hereby makes a motion pursuant to section 105 of the Public Officers Law that this body adjourn to Executive Session to discuss this matter in confidence. Included in this Executive Session discussion will be the members of this body, agency staff and Mr. Matthew Brabston of the LA Group, an engineering firm previously engaged by this Agency to provide advice and counsel regarding development work yet to be completed as required pursuant to the terms of the Luther Forest contract. The motion was seconded by Ms. DiDomenico. There was no further discussion and the meeting adjourned to Executive Session.

Chairman Sutton asked for a motion to conclude the Executive Session and go back into the regular session meeting of the IDA. The motion to go back to the regular session of the IDA meeting was made by Ms. DiDomenico. The motion was seconded by Mr. Mooney. There was no further discussion and the regular meeting of the IDA was resumed.

CFO Report:

Mr. Many presented the 2021 Proposed Annual Budget in the amount of \$170,060 to the Board as detailed in the Board packet. Mr. Many stated the 2021 Proposed Annual Budget notice will be published in *The Saratogian* beginning December 4th through the 10th for a 30-day review and public comment period. The cost to publish the notice in *The Saratogian* will be \$6.23.

Chairman Sutton then asked for a motion to accept the 2021 Proposed Annual Budget and approval to publish the notice as stated.

Mr. Mooney made a motion to accept the 2021 Proposed Annual Budget in the amount of \$170,060 as presented to the Board and approval of the expenditure to publish the notice for the public comment period. The motion was seconded by Mr. Wintsch. There was no further discussion.

RESOLUTION #1472

RESOLVED, THAT the Saratoga County IDA accept the 2021 Proposed Annual Budget in the amount of \$170,060 along with approval of the expenditure to publish the notice for public comment. The results of the roll call vote were as follows:

AYES: Ms. DiDomenico, Mr. Lewis, Mr. Greene, Mr. Tollisen, Mr. Mooney, Mr. Wintsch and Chairman Sutton.

NOES: None

ADOPTED: 7-0

Chairman Sutton asked if there was any further business to come before the Board. As there was no further business, Chairman Sutton asked for a motion to adjourn the meeting. The meeting was adjourned on a motion made by Ms. DiDomenico. The motion was seconded by Mr. Wintsch with all voting in favor.

Respectfully submitted,

Lori A. Eddy