

**SARATOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY MEETING
VIA ZOOM
April 12, 2022 – 8:30 a.m.**

WITH REGARD TO THIS MEETING, IT IS NOT BEING HELD AS AN IN-PERSON PUBLIC MEETING AT A LOCATION WHICH THE PUBLIC MAY ATTEND IN PERSON.

The general meeting scheduled for April 12, 2022 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 Zoom conferencing by clicking on the following link:

<https://us02web.zoom.us/j/86453832497?pwd=cG1tNzc1Z3Bwd2NjUXYwSFE0YIBDQT09>

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: (646)-558-8656 and entering Access Code 812852#. 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.

PRESENT: Members: Vice Chairman Phil Klein, Michael Mooney, Tom Lewis, Yvonne Manso, Kevin Tollisen and Erinn Kolligian.

STAFF & GUESTS: Scott Duffy, CEO; Jeff Many, CFO; James Carminucci, Counsel to the Agency; Michael Valentine, Administrator; Dennis Brobston; SEDC; and Lori Eddy.

ABSENT: Chairman Rod Sutton.

Vice Chairman Klein called the meeting to order at 8:30 a.m.

Approval of Meeting Minutes: March 8, 2022:

Vice Chairman Klein stated we are going to hold off on the approval of the meeting minutes of March 8, 2022 as the staff is still working on those, there are a couple of little things they need to work on.

Vice Chairman Klein also stated we are going to delay looking at the Core Tech Industrial Corp. application. There are some further considerations with the Town of Ballston prior to us being able to go ahead with that.

CEO Report:

Vice Chairman Klein stated the next order of business is the CEO Report. Mr. Duffy stated we have a few items here today. In the meeting invitation, the EDC Spring IDA Academy was included. If anybody has time after this meeting today, there is a pretty full agenda. It starts at 9:30 and he thinks it goes to 4:00. The passcode and link are in the body of the invitation that you got. You should have all gotten a separate email on that too. One thing he is looking into, he doesn't know if these credentials will work for the Wednesday, May 4th training that they are offering. This is what gives everybody their official ABO requirement credits for further education and so forth on an annual basis with the ABO. We'll send out an email letting everybody know whether or not these credentials are the same or not. We

will give everybody a heads up a couple of days before this meeting anyway so that you have a chance to take a look at. It is only for about an hour and half he thinks. Mr. Valentine stated it is an hour and a half, from 11:30 until 1:00.

Mr. Duffy continued that we have the SEDC Annual Fundraising Reception tonight at Longfellows. He knows Mike Mooney, himself, he believes Yvonne Manso are attending. Mr. Klein stated he just had to check on one thing first. Mr. Duffy stated Chairman Sutton who is not present at this meeting will be there tonight as well. There are tickets for anybody else who wants to go if they feel like they have an opportunity to make that effort. Mr. Duffy thanked Mr. Brobston for that.

Mr. Duffy stated the next item is the HVCC sponsor opportunity for the Hudson Valley Community College. They are trying to do some renovations at their facility at TechSmart and try to, he thinks, gain 15 to 20% more room and space for students and there is a \$1,000 option, there is a \$2,500, there is a \$5,000 and a \$10,000 and a \$25,000. This is also in your invitation to this meeting today and he just wanted to put that in front of the Board. If you feel like you want to discuss that now, and make a decision on it, that's fine. If you want to take a look at it and read it and bring it up at the next meeting that is probably fine as well. Vice Chairman Klein stated why don't we do that and we can get a better handle on what exactly it is going to cover. We can do it at the May meeting. Mr. Duffy stated if anyone wants any further information on that just give him a call. If that flyer doesn't have enough in it, he can get more. Mr. Valentine questioned if the flyer was in the meeting notice he sent out? Mr. Duffy replied yes. You'll see it, it is HVCC North Sponsor Opportunity, it is a PDF. Mr. Carminucci stated to Mr. Duffy we may have to look at it for any support for that, how do we do that, because it might look like a grant. He thought it might be a sponsoring event, but it appears to be more of a contribution to their capital campaign so you have to be a little careful about how we go about doing that. Mr. Mooney stated he believes we turned down BOCES in the past for a similar thing because we weren't allowed to do it. Mr. Duffy stated ok. He will look into that and talk with Mr. Carminucci about that more, we might not have much to do here, so that is fine. Thank you, Mr. Mooney and Mr. Carminucci, he appreciates it.

Mr. Duffy stated the other thing he would like to do is he would like to get the Board subcommittee to set up a time to have a meeting with MJ Properties. He doesn't know if everyone has their calendars in front of you. Mr. Mooney, Mr. Lewis, and he knows Chairman Sutton has some time tomorrow. Mr. Mooney stated he could do it on Thursday of this week, that is it. Next week obviously he has more opportunities. Mr. Lewis Thursday he could do after 10:00 or any time after 2:00. Mr. Duffy stated he would pass that on to Chairman Sutton and Mr. Brobston he will get together with you to confirm that. Mr. Brobston thanked Mr. Duffy. Mr. Duffy stated that is it for items for the CEO Report.

CFO Report:

Vice Chairman Klein asked Mr. Many to discuss the CFO Report. Mr. Many stated our basic financials are in good order. He did not send them out in time to get into the packet of information. Also, we are working to wrap up PARIS. We had a problem with some of our benefactor's survey reports that were misplaced, so once we get that cleared up, we will have PARIS wrapped up rather quickly after that. He would mention that going through PARIS, there was some procedures that we need to just make sure that we are following and reaffirming on an annual basis and he will be bringing those to the Board next month just as kind of a blanket vote so we can cover them all at once to follow the guidelines that the ABO has set for us. That is all he has.

Agency Counsel Report:

Vice Chairman Klein asked Mr. Carminucci to discuss the Agency Counsel Report. Mr. Carminucci stated he doesn't really have anything to report at this point. We don't have any pending closings that he is aware of that are occurring within the next few weeks.

Administrator Report:

Mr. Valentine stated he could add if you don't mind. Mr. Klein stated ok. Mr. Valentine stated he just wanted to let you know as Mr. Many was alluding to thus far, and even Mr. Carminucci would get into it, we have right now 131 is where we stand with the project numbers that we have accumulated since 1980. The material that Mr. Many and he and Mr. Duffy would look at as we go through with the PARIS Report, we had 21 PILOT billings going out in January and the preceding September. That gets us roughly, that is the 21 current projects that are active. On that we've got to, just so Ms. Manso and Ms. Kolligian would know, we have to complete reporting during the course of the year that goes to the State at a number of levels and one of these is called PARIS Reporting. Mr. Mooney does it, anybody that is a public authority, does reporting to New York State and what it is it's sort of taking a compilation of all of the data from all of the companies that we've dealt with during the course of the year to give them information on the PILOT status, what they would have paid for local taxes, whether Town, City or Village, what they paid for County taxes and then what they paid for School Taxes and then the State looks at that and looks at the exemptions that they received in their PILOT bills and they do their ratios and reviewing those. In this last year, in 2021, we have five new projects to report for 2021. That being, just listing them off, JB Real Estate which is the NAPA facility located in the Town of Milton, we have Park Place on the Peninsula down in Halfmoon. Again, we have Summit at Halfmoon, which we'll be taking up for Resolution later in this meeting. Recently approved Malta project, Arnoff Properties, LLC, which you will hear me in the course of going forward, I'll be referring to that as Phase III because it is the third application that the Agency has considered for that company. And the last one for this year is the Champlain Hudson Power Express. That last one has been induced as has Park Place on the Peninsula, but no closing on either one of those. On the very end of December of this year we had four closings, two on December 29th and two on December 30th that Mr. Carminucci took care of and they were Quad, Inc., PVA Campus II, Summit at Halfmoon and then the Arnoff Project which he just mentioned. So, we had those four closings. Champlain Hudson is sitting sort of on the side, Mr. Duffy can speak more to that as a status on that. Those projects and the ones that we had existing in 2019, 2020 and those years, those are the things that Mr. Many and Mr. Duffy would take up in their reporting. He has a report to complete; it is just a matter of getting it out, hopefully next week to the State, ST62 which goes into the Sales Tax Status of all of the active construction projects we had. He will follow up with that at the May meeting with a copy for all Board members.

Mr. Duffy stated one thing we could discuss is the Arnoff project. He was going to bring that up in other business. They have asked for an extension from March 22, 2022 for the sales tax benefit to March 31, 2023 just because their project was delayed in starting and there is not enough time. Mr. Valentine stated we could take that up as an action right now so we have it on record. Mr. Duffy agreed. Do we need a Resolution for that? Mr. Valentine stated he would like to mainly, again, reason being is something like this, because it is the third project, because it is something that would go on the record with the State, yes, he would like to take it up under a Resolution.

Vice Chairman Klein asked for a motion for an extension of the currently placed sales tax exemption certificate we have filed extended from its current expiration date to March 31, 2023. Ms. Kolligan made a motion to extend the sales tax exemption certificate for Arnoff Properties, LLC to March 31, 2023 as presented. The motion was seconded by Mr. Lewis. Vice Chairman Klein asked if there was any further discussion. There was no further discussion.

RESOLUTION #1513

RESOLVED, THAT the Saratoga County IDA accept the motion to approve the sales tax exemption certificate we have filed from its current expiration date to March 31, 2023 as presented. and discussed be acted upon. All were in favor and motion was approved.

Mr. Mooney questioned Mr. Carminucci if there was any schedule on the Champlain Hudson project, any idea? Mr. Carminucci stated he did speak to their attorneys last week; they are expecting PSC approval as early as this week. Then they have to move forward and organize their financing. They were originally hoping to have that accomplished in the first quarter of this year, obviously not happening. He thinks their hope is maybe by the end of the second quarter. We do have some action we have to take on that. They did provide us with updated numbers in terms of mortgage recording tax and sales tax benefit, so we do at some point need to schedule a second public hearing to cover that. Mr. Duffy stated the plan was to bring these updated figures in front of the Board in May and then have a public hearing in June. He thinks their timeline, they might try to accelerate that. We will have to take a look and see, depending if we are going to meet with the County to go over a couple of items regarding this. We'll keep you posted on this if we ended up pulling it up a little forward, we might have to have a separate meeting. For right now it's probably going to be in June for a public hearing. Mr. Mooney stated so they don't have PSC approval at this point then? Mr. Duffy stated right. Vice Chairman Klein stated right but they think, when he spoke to them, they thought they were close to obtaining that. Mr. Carminucci stated he knows there was some talk about a substation going in south of Albany, he understands that has actually been pulled from the project. There won't be any power being dropped along the line. Vice Chairman Klein stated it is only his opinion but he still thinks we are missing the boat on not getting a substation or transfer station somewhere near Global Foundries. Ms. Kolligan agreed. Mr. Duffy stated he thinks the cost gets pretty high for one of these substations. Mr. Carminucci stated actually it was dropped because there was some opposition to it and he thinks the concern was that it might open up the door to like fracking in Western New York or something. That is what he heard. He doesn't think the applicant really cared one way or another about it but the State was the one that was pushing them to do that and he guesses they backed off. He doesn't know where he heard that but he did hear that recently. Vice Chairman Klein stated he doesn't know this for a fact, but he would assume that the cost of power for Global has got to be their second or third largest expense in their manufacturing and if they want to site another fab then it would only make, to him anyway, logical sense that they look for additional power that they can obtain fairly inexpensively and conveniently and he knows NiMo is looking at bringing more power in, but this just looks like an offering that you would really want to fully investigate and possibly go ahead and get that transfer station there. He doesn't know if we have time to do that, but he sure would hate to see us miss the bus there or whatever and have it go by and not avail ourselves of that. Mr. Mooney stated he thinks that Mr. Duffy's assumption regarding cost is also a big part of it because he thinks that question was asked to them in the past and it was just cost prohibitive, like millions and millions of dollars just for a drop-off point. Mr. Carminucci stated right because he thinks the power has to be converted in order for that to work.

SEDC Report:

Mr. Duffy asked Mr. Brobston if he had anything he wanted to share with the Board. Mr. Brobston stated we just got back from Charlotte for a three-day event with 30 site selectors that had at least 30 projects. We met with half of them. We ranked them for what fit our needs, our type companies, and it went very well. We have a good solid five out of that that we believe have some legs. The others we didn't end up meeting other site selectors that did not have projects for the Northeast at this point. We did continue to hear the frustration of some of these folks speaking on behalf of their companies with the cost of doing business in New York. If they don't have to be in New York it's like California and Illinois, if you don't have to be right in it you can be next to it. That's a good thing. We are still finding that cost of taxes and utilities are difficult and regulation. A few of our projects that we are looking at though are light manufacturers that are looking to be in the Northeast. We are competing with Pennsylvania, Massachusetts and New Jersey at least. We also have seen three or four companies through that group come out of Canada and with the border easing now, that will make site visits much better. We do have, hopefully we'll know at the end of the month, of a visit from an Irish firm in May for a large call center. It has to do with health care. We've got five or six different places that we could put those and we are hoping that they do show up, like he said, at the end of April. Other than that, the phones are still ringing, people are still looking at growth. Most of our manufacturers in Saratoga County made it through the pandemic in pretty good shape. We've got a few of the warehouse distribution places that still struggle with supply chain issues for some of their products that they can't get and that is creating some issues. But, other than that, things are still going well. He will be away next week on vacation. We've got two site visits next week, one for a project in Moreau and one for a project at a warehouse that is looking at two sites. We had a third site that we believe that we were told yesterday that the site has now entered into a contract and that is a 100-acre site in the Town of Halfmoon. We are waiting to see if that comes to fruition. That will reduce our availability for those projects. Anything over 1,000,000 square feet, we've only got two sites really now that are zoned and close to the Northway. So, we'll be out of space for those types of opportunities rather quickly. That is all he has at this point. Vice Chairman Klein stated he had a question for Mr. Brobston. Can you give us a real brief update on what is happening possibly with some of the State Farm space, is it still vacant, part of it? Mr. Brobston stated yes. A good bit of it is vacant. The original building was originally being marketed in pods. We have found that is a very difficult thing to do so the company who owns it is trying to make a deal for either half the building or instead of six different breakouts, we are looking at two to three, which makes sense with the layout that they have. That is still being marketed. His understanding in talking to the realtor that has it on listing, they've shown it quite a bit. The 101 State Farm is the newer building. The U.S. District Court is in there. They took 25% of the building and that is on two or three of the type of projects that we are going to be showing hopefully in the next few months because it is ready to go. State Farm left all of the equipment in there, all the furniture and things like that. If they want that, they can have that. It really is on a great trunk line for a fiber optic loop. A lot of good possibilities for that and the pricing has been very generous on the newer building. The older building just has a lot of variables with maintenance issues. It's 350,000 square feet so it really has a lot more that goes with it. To some people, they would call that their Taj Mahal if they were able to get in there and operate in it. You can't beat the location. There is not a better location in the County for massive space. It reminds him of the space downtown where Ayco was, it is just going to take some time for it to get done and by the time they have started listing it and things, you have to go through the numbers to get where you need to go. It is being shown.

Vice Chairman Klein then asked for a motion to leave the regular portion of the IDA meeting to go into the public hearing. Ms. Kolligan made a motion to adjourn the regular portion of the IDA meeting to go

into the public hearing. The motion was seconded by Mr. Tollisen. Vice Chairman Klein asked if there was any further discussion. There was no further discussion. All were in favor and the meeting was adjourned to the public hearing.

At the conclusion of the public hearing, Vice Chairman Klein asked for a motion to re-enter into the regular session of the IDA meeting. Mr. Mooney made a motion to close the public hearing and go into the regular portion of the IDA meeting. The motion was seconded by Ms. Manso. Vice Chairman Klein asked if there was any further discussion. There was no further discussion. All were in favor and the public hearing was adjourned to go back in to the regular session of the IDA meeting.

Vice Chairman Klein then asked for a motion to approve the amended application for Summit of Halfmoon in the amount of \$26,000,000 as presented. Mr. Mooney made a motion to approve the amended application for Summit of Halfmoon as presented. The motion was seconded by Ms. Kolligian. Vice Chairman Klein asked if there was any further discussion on the amended application as presented. There was no further discussion.

RESOLUTION #1514

RESOLVED, THAT the Saratoga County IDA accept the motion to approve the amended application for Summit of Halfmoon in the amount of \$26,000,000 as presented and discussed be acted upon. The results of the roll call vote were as follows:

AYES: Mr. Mooney, Mr. Lewis, Mr. Tollisen, Ms. Manso, Ms. Kolligian and Vice Chairman Klein.

NOES: None

ADOPTED: 6-0

Vice Chairman Klein asked if there was any further business to come before the Board. Vice Chairman Klein stated the next meeting would be held on Tuesday, May 10th. As there was no further business, Vice Chairman Klein asked for a motion to adjourn the meeting. The meeting was adjourned on a motion made by Mr. Lewis, seconded by Mr. Tollisen, with all voting in favor.

Respectfully submitted,

Lori A. Eddy