

**SARATOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY MEETING**

**Saratoga County Office Building**

**50 West High Street, Ballston Spa, NY 12020**

**January 10, 2023 – 8:30 a.m.**

**PRESENT:** Members: Chairman Rod Sutton, Michael Mooney, Kevin Tollisen, Phil Klein, Erinn Kolligian; and Yvonne Manso.

**STAFF & GUESTS:** Scott Duffy, CEO; Jeff Many, CFO; Michael Valentine, Administrator; James Carminucci, Counsel to the Agency; Kimberly Lambert; Shaun McDonnell, NAI Platform; Diane Wildey, SUNY Adirondack; Tori Reilly; SEDC; and Lori Eddy.

**ABSENT:** Tom Lewis.

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

Chairman Sutton stated he would like to congratulate the appointees for this coming year and that is Tom Lewis for another two-year term, Phil Klein, Mike Mooney and himself and they have been appointed for two more years as well. This meeting is our organizational meeting and we will be voting for a Chairman and then we will follow-up with board appointments after that. At this time, he would like to ask Mike Mooney to take over the meeting at this point.

Mr. Mooney stated according to the bylaws of the IDA, Section 5.1 of the Saratoga County Industrial Development Agency states that the Board shall annually appoint, re-appoint, or elect from among its members a Chairman, Vice Chairman, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer. Mr. Mooney asked if there were any nominations for Chairman for 2023. Mr. Tollisen stated he would like to nominate Rodney Sutton to serve as Chairman of the IDA. Mr. Klein seconded the nomination.

**RESOLUTION #1527**

RESOLVED, THAT the Saratoga County IDA elects Rodney Sutton for the position of Chairman of the Saratoga County IDA for 2023.

The results of the roll call vote were as follows:

AYES: Mr. Mooney, Mr. Tollisen, Mr. Klein, Mr. Sutton, Ms. Kolligian, and Ms. Manso.

NOES: None.

ADOPTED: 6-0

Chairman Sutton thanked the Board for their continued support. He thinks it is a great organization that we have, we have a good team of volunteers and we have a great staff that take care of the day-to-day operations that we have along with the Planning Board. We appreciate the time and the effort that volunteers put into meetings like this. He thinks we are noticed by the Saratoga County Board of Supervisors. We have a role to play in economic development in the County and he thinks along with working with SEDC or anyone else that wants to bring in business into the County, we are open for ideas, suggestions and how we can further advance development within the County. Again, thank you very much. Thank you for the staff and all of the hard work that they've done over the years. Some of the

projects last year in 2022, we've been talking about the Camoin economic impact study. He'll be talking about that in a few minutes. We've had another business come back to us for the third time and that was Core Tech and we were able to help them out to expand their businesses. We have Active Solar Development, that was a project over in the Town of Malta that is on hold right now because of the cost of doing construction. Some setbacks a little bit there. We had Summit at Halfmoon which is a housing development, MJ Properties which is warehouse. These are just some of the projects that we did approve last year. The biggest project was the Champlain Hudson Power Express where everyone participated in that and this is a County-wide project that the County adopted and over a 30-year period they are going to realize about \$127,000,000 of revenues and we are a part of that program where we have forwarded this on to the County so that they can profit share with the other Towns that are affected by the electric grid that is going through the Towns. Just to recap that, it is coming from Quebec, Canada down through Lake Champlain, down through the various Counties down to supply New York City with the electric power. It is part of the Green New Deal that the State is looking to promote. So, again, these are the types of programs in the past year that we were successful in working with. We do again appreciate everyone's thought and dialogue when it comes to projects that we can continue to talk about what is good for the County and this Board. Again, thank you so much for all of that.

**Election of Officers and Committees 2023:**

Chairman Sutton stated at this time, he would like to introduce the next order of business for election of Officers and he will go through the various names and Committee members. He will look for a consent motion at the end of this.

Chairman Sutton then asked for a motion to accept the positions of Officers and Committee Members as follows:

Vice Chairman – Phil Klein  
Treasurer – Mike Mooney  
Assistant Treasurer -Erinn Kolligian  
Secretary – Tom Lewis  
Ethics Officer – Yvonne Manso

**Committees:**

Subcommittee – Rod Sutton, Tom Lewis, Mike Mooney and Phil Klein (substitute)  
Governance Committee – Mike Mooney as Chair, Tom Lewis, Yvonne Manso, Kevin Tollisen, Chairman, Ex Officio.  
Marketing & Website Committee – Phil Klein as Chairperson, Tom Lewis, Yvonne Manso and Chairman, Ex Officio.  
Audit Committee – Mike Mooney (Chair), Tom Lewis, Erinn Kolligian and Jeff Many  
Finance Committee – Full Board of members

Chairman Sutton asked for a motion to accept those members and their positions as proposed. The motion was made by Mr. Mooney. The motion was seconded by Ms. Kolligian.

**RESOLUTION #1528**

RESOLVED, THAT the Chairman's slate of Officers and Committee Members to represent the Saratoga County IDA be approved as presented.

The results of the roll call vote were as follows:

AYES: Mr. Mooney, Mr. Tollisen, Mr. Klein, Mr. Sutton, Ms. Kolligian, and Ms. Manso.

NOES: None.

ADOPTED: 6-0

**Approval of Meeting Minutes: December 15, 2022:**

Chairman Sutton stated the next order of business is the approval of the meeting minutes of December 15, 2022. Chairman Sutton asked if there were any changes to the meeting minutes. Mr. Klein made a motion to approve the minutes of December 15, 2022. The motion was seconded by Mr. Mooney. As there was no further discussion, all were in favor and the minutes were approved.

**Guest Speaker: Diane Wildey:**

Ms. Kolligian introduced Diane Wildey, Associate VP of Economic Affairs at SUNY Adirondack. She is going to give an overview of what was sent out to the Board. Ms. Wildey thanked the Board for allowing SUNY Adirondack to come and propose an idea. A little bit of background, the College had a health professional opportunity grant and it was a consortium grant that we shared with Schenectady Community College and Fulton Montgomery. The goal was to support the health care workforce in the areas of personal care aide, home health aide, certified nursing aide. We also worked with BOCES and we were supporting students in their phlebotomy program and LPN. It was a wide-reaching grant; it was a federal grant. It was a human study grant. It had a lot of restrictions to it in the fact that it was based on the human study, they were demonstrating whether the grant was successful or not. So, some students would get a no in terms of being able to participate, others getting a yes. That is kind of the background that we had spent six years doing that type of grant. But the funding ended. But as we all know, there is a health care shortage out there in all ranges in the employment specter. What we are proposing to continue on with what we have been doing and offer, as you can see in the proposal, to be able to start doing again, personal care aide training, home health aide, certified nursing aide, and really besides offering the free training for students, it's also about the wraparound services. A lot of people, and the members of our community who want to work in this field, it does tend to be a little bit on the lower wage, so there has been some movement across the state to increase those wages. She thinks the next target might be about \$18 per hour. That really helps that type of occupation but you need wraparounds for it because on the training side and with members of the community, there are many barriers to their success. Our ability to help with text books, our ability to do gas cards, our ability, somebody will have an issue with their car and that can be enough to derail somebody from their whole goal. That one thing, they stop and then you've lost them. So, what we found was that ability to provide the wraparound supports through coaching. As they come across life's hurdles, how do you get past that. Working with students to be able to do that. The proposal is for three years to be able to support these cohorts of students. We are looking from a longevity standpoint, right now training is not covered through any of your financial aid. Your Pell funding, which is federal funding, and your Tap funding, is for credit instruction. But there has been some move on the State to be able to offer Tap, part-time Tap, for training that can convert to credits. So, the proposal there is to create these micro-credentials of a health care assistant one and health-care assistant two, which combines this allied health training of your personal

care home health aide CNA type of training with other credit instruction so that you can have kind of a multi-versed person. The personal care aide, the home health aide is obviously going to work in the home. A certified nursing aide are typically going to be in your nursing homes. The PCA can work in the hospital, they can work home. You've got a well-blended person plus adding as we say, medical terminology and social human services. There is a lot of statistics out there about the social determinates of health. A lot of places are talking about it because health is not just the physical, it is all of those other aspects that are creating to somebody's well-being. That is kind of a big picture thing. A combination training, a little bit of background. She will open it up to questions anyone may have. Mr. Klein questioned if there was any child care provisions in that. Ms. Wildey stated we have done that in the past. We would do it on a case-by-cases basis depending on the cost of that. We have been able to supplement people's child care in the past. Mr. Mooney questioned financial aid is not available for these programs? Ms. Wildey stated it is not available for non-credit training, correct. Credit instruction, it does. But we are looking to create this and make it into if somebody has the ability to get all that into earning credits through it. That is the goal to be able to do that. Mr. Klein questioned if they were looking to make it into a two or three year program, you were talking about longevity. Ms. Wildey stated yes, we are hoping for three years, that is what we had proposed because any type of health care things, these programs are registered through the New York State Department of Education and there is a lot of rules. There is a lot of rules to offering any kind of this training, there are specific hours with it, there is specific content, there is requirements about who is eligible to teach it. There is a just a lot of stuff with that. We had them approved, but then we had to kind of sunset them a little bit because the grant ended, our director then moved on to other employment type of thing. Mr. Klein questioned how many people do you think you could service in something like this and the second part is how long would the course be? Ms. Wildey replied our target is 50 a year for the three years, so 150. There are different lengths to the programs. A personal care aide is a 40-hour training. Home health aides is 75 hours. These are short term type of trainings that you can stack. Like a PCA, they are 40 hours. That is the first half of a HHA, home health aide. So, you could do the PCA and then continue and go to the home health aide. Somebody who is a PCA, there is a PCA conversion class, there are a whole lot of variations on all of this stuff. Then they could get the advanced standing into the home health aide if they already had that prior training. Ms. Kolligian stated so some of these are kind of stepping stones in building blocks, they could enter at a level, begin employment, but continue their education to keep moving with the number of hours of education that they are receiving. Ms. Wildey stated correct. And the goal then to build into a micro-credential where you can cluster some non-credit which then would apply to one of our degrees. We have a health education concentration out of our liberal arts math and science degree, it is a very popular degree. There is a lot of student interest in that. We wanted to make sure that it would apply towards something so that there wasn't a loss relative to that. Mr. Valentine questioned would someone apply under a continuing ed program or a non-credit, if someone just wanted to apply for this program. Ms. Wildey stated the non-credit right now, the PCA, we ran out of our non-credit side, our continuing education office. We ran the program under academic affairs, it was under my leadership, but they would register on the credit side through our normal registrar through our register of the normal credit registration. And then the non-credit, the training, we would have housed those courses in continuing ed and had it as that kind of registration. Mr. Tollisen questioned what is your success rate with this, once they go through training or what do you expect, how is there a way for them to do the training but then actually get into this? Ms. Wildey stated part of the wraparound service is that employment thing, it's helping them prepare their resume, it's helping them do interviewing. We have a great relationship with a lot of the area health care places so it's working with them. There is such a shortage that they will be calling us the minute if they were to hear about this. So, that is all part of it and to even continue a little bit to check back in how are you doing type of thing. Chairman Sutton questioned what other schools

have this type of a program, the community colleges? Ms. Wildey replied the community college, a lot of us had it through the grant, the HPOD Grant, and she believes some of it kind of all ended when that HPOD Grant ended. You do see CNA's offered on the BOCES side, so we have worked, she thinks BOCES has one. And our HPOD Grant, we helped students in their program. We weren't caring where they were at, if they were going to be in that program, we would help with gas cards or text books, we were buying scrubs, tennis shoes, any kind of supplemental assistance. We were just trying to help the workforce, not necessarily just our numbers. Chairman Sutton stated he recently read where Hudson Valley, their nursing program has maybe about 25-35 students, are you familiar with any of that? Ms. Wildey stated that number seems exceedingly low. We admit 56 nursing students twice a year into our degree program. Chairman Sutton stated unfortunately I was a recipient, he was in the hospital but at Albany Med, and Hudson Valley had a program where they came in Sunday morning with an instructor. The kids were great. They were very attentive and they were following the instructors. Having been in the hospital he can see the need for health care. There is a huge shortage of nursing and support staff. Ms. Wildey agreed. Chairman Sutton stated we are exploring as to where we can go as an IDA to help out employment and help programs to advance kids for jobs and so on. As it stands right now, we are exploring our avenues as to what we can and cannot fund. At this point, we cannot fund something of this nature, but we are looking to expand our footprint and help out with employment, help out with training people to get into the workforce and such as what you are asking for. He guesses his question is that should we go ahead with the program and whatever the number might be, where do you go after the three years and is this like a grant that you are looking for and does the program end after three years or can you get financing elsewhere. Ms. Wildey stated two aspects to that. My goal would be, with the ability if we can create these micro-credentials, and the change in the New York State Tap funding, they are looking to be able to fund micro-credentials as long as it leads towards credit instruction. That did not exist before. If students can then use TAP to be able to pay for this, that helps in that aspect because that is not currently present and wasn't present in our HPOD. The second aspect that she is hoping for as the Director or Program Coordinator, is that they will continue to look at other funding. There is funding out there, it all had different rules and regulations on what it can apply for. But that would be her goal for whoever led this would be also to continue to be looking forward to other streams to be able to help those costs. So, she thinks if we can get it into a micro-credential, you've really helped a payment piece of students because otherwise, they are going to pay out of their pocket. If we can get that piece of it and then other grants to support just the other costs. It takes a lot of staff time to run this kind of stuff especially with all of the rules and regulations. Chairman Sutton questioned if the 50 students per year, is that aggressive on your end or is that much needed? Ms. Wildey replied it is very much needed. It will take a lot to get those 50. Mr. Mooney questioned in the past six years how many people graduated per year or went through the program. Mr. Klein stated yes ballpark. Ms. Wildey stated ballpark she thinks we served like 400-450 over that time. It took a lot to ramp up because again, we had to build our whole thing. She thought we were very successful, we had the added challenge that 1/3 were told no. So, we had interested people that wanted to do it but because it was a human study and a demonstration grant, we had to say no. Chairman Sutton questioned how would you promote your program, through the High Schools, the guidance counseling, how would those 50 people know that you have a program available for them. Ms. Wildey stated we would certainly do a marketing program on that. There are age limits on this, you have to be 18 for some of these positions, so you could let your High School know when they graduate to come into it, but because you are going into somebody's home there is the age requirement. We are hoping to offer this out of our Saratoga extension center, SUNY Adirondack Saratoga and right now, it would be an extension of what we are already doing. We had recently received a SUNY High Needs Grant, a nursing grant, where we are offering a cohort of 8 LPN students. We are outfitting one of the classrooms into a nursing lab. So, we will have 8 LPN's who will sit in Saratoga to the lecture that is

happening in Queensbury and then those 8 will do their clinical at Saratoga Hospital. So, we are already starting to expand by bringing nursing, we are not bringing the whole program, it is suited only to LPN's because LPN's get advance standing. They get credit for our nursing 100 so they can start their second semester based on what they already had with their LPN. So, we are already starting the health care that way with our nursing in setting up that lab space. We will be able to leverage the fact that we just set up a lab space. We have the beds, we have the stimulators, the mannequins, the software, all of the stuff that goes with that to be able to then hopefully at some point add this kind of training to it too. Mr. Klein questioned if she had a ballpark number that you might want to throw out on the table? Ms. Wildey stated \$250 for three years is what we put and to me that is a really low number. Mr. Klein questioned \$250 for each year? Ms. Wildey stated yes \$250 for each year. Ms. Reilly questioned how many Saratoga County residents have gone through the program? Ms. Wildey stated she couldn't say right off the top of her head because it was a Queensbury based programs, but we did work with a lot of students. 40 or 43% of SUNY Adirondack students are from Saratoga County, so our preponderance is coming from Saratoga County. Ms. Kolligian stated Saratoga County is the largest represented County at SUNY Adirondack. And we are actually not a host County, Warren and Washington are. More students from Saratoga County than any other County. And we've seen a lot from downstate when they put the housing in eight years ago maybe. Ms. Wildey stated 2012. Chairman Sutton stated the educational facility would be the location in Saratoga County? Ms. Wildey replied it is and right now, she put in to SUNY a master plan amendment for our Saratoga site to become a branch campus. Now we are an extension center and that is a definition out of NYSED about how many registrations, etc. We can get approved to become a branch campus and what that allows us to do is to have registered programs there and be able to promote that you can come there and complete your degrees and we do envision that we will be pulling more from the south and people can come up and complete their degrees at our Saratoga center. That is other parts of growth that we are trying to do within our Saratoga center. Chairman Sutton questioned so your budget for \$250,000 is for employment basically, it's not scholarship for these kids to jump into. Ms. Wildey stated it is to pay for the instruction so that they can take the training for free. Chairman Sutton stated so they can take it for free then? Ms. Wildey replied you have to pay for that instruction and it is high end instruction because you have to be qualified to teach that. Chairman Sutton questioned so there is no cost to the student? Ms. Wildey stated correct. Mr. Duffy stated but it's got your wraparound support? Ms. Wildey stated exactly. The wraparound support, gas cards, we work with Stewarts and we have distributed many, many gas cards. But a lack of gas in their tank could prevent somebody from going to class. We are trying to remove those barriers. Ms. Kolligian stated so it is support to help them build their resume, job applications, placement, etc. Chairman Sutton asked if there were any questions. Mr. Carminucci stated he would just like to go on the record both for this proposal as well as anything in the future. The IDA is not able to do any grants or loans, so in order for something like this to work you would need to be able to make a finding that this is required or helpful in terms of furthering your purposes and then you would have to take over the program and decide to put this into place and then track with SUNY Adirondack to provide the services. It is a little bit of a different animal than how it is being proposed, you just need to be mindful of that. It's doable, but you know some of this is form over substance, it can't be just cutting a check and saying go ahead. Chairman Sutton questioned so someone from our Board would have to be on this. Mr. Carminucci stated no, actually it would have to be a program run by you and then you would have to keep track with a third party to provide whatever services or whatever is being provided. Chairman Sutton stated ok. Mr. Klein stated so purpose guidelines outcome would have to be drawn up. Mr. Carminucci stated yes. Chairman Sutton stated to Ms. Wildey let us explore that and see if that would pass muster with Adirondack Community College because you may have your own bylaws where you cannot accept things of that nature, he doesn't know. Chairman Sutton asked if anyone had any other questions at this point? Chairman Sutton stated to Ms.

Willey let us go back to the drawing board and see what we might be able to do. We are looking to expand our classifications of how we promote businesses and/or employment within the County. He does see a little bit of a drawback because it is Adirondack Community College up in Queensbury and again it is something that we have to explore. It won't happen in a month or two, it is something that we have to check on, we have to go through counsel to see if it passes the test with the State of New York with what this IDA can do in terms of monies. We don't have the ability to offer grants. We are going to have to explore this quite extensively before we can come back to you but we will put this on our agenda for something to look at in the first couple months of this year. Ms. Willey stated that would be wonderful and maybe the change if we become a branch campus, we would have a campus in Saratoga County. It would be a separate campus. It is registered separately, the programs are registered specifically just to that campus. Mr. Valentine questioned when does that fall into place? Ms. Willey replied the submission has been to SUNY. SUNY, SUNY Board of Trustees, it is NYSED, it's Governor's, it's a lot. Hopefully this year. Her optimism is that she is approved by Fall of 2023. Chairman Sutton stated anything we do financially has to be supported and we have to submit to the State as you know. We are all in that same world where the State is the big brother that overlooks everything that we do and this is no exception with the Saratoga County IDA or other IDA's around the State. We will take a hard look at this. These are programs that are definitely needed obviously in the health care industry. It's hard, it's really, really hard and the job that these people do is remarkable and it's needed. Chairman Sutton thanked Ms. Willey.

#### **CEO Report:**

Chairman Sutton stated the next order of business is the CEO Report. Mr. Duffy stated he is in the process of collecting all of the signed forms from the Board members.

#### **CFO Report:**

Chairman Sutton asked Mr. Many to discuss the CFO Report. Mr. Many reported that we have just a few issues. We had a successful 2022 with a net surplus of approximately \$525,000. We had a certificate of deposit mature and he put it out to bid and we have a rate from Saratoga National which he believes is 4.65% for one year. He actually has to find a couple of other banks to get proposals from in the future because they've lost employees or whatever. He only got two bids, but this one was fine. The CD is \$100,000 for one year. We have our auditors coming in relatively soon. Also, we have our PARIS reporting which we will be jumping into as soon as we can. Mr. Many asked if there were any questions? Mr. Valentine stated he would just add to that, we have Cusack & Company to start the audit, some paperwork going back to them. Just a couple of other things. Mr. Valentine questioned Mr. Many, there were a couple of checks out? Mr. Many stated yes there were two bills that came in just in the last couple of days. One is the property tax. Mr. Valentine stated one is the property tax for the rail line in Moreau and then we also have one more for the advertisement for the budget. Mr. Many stated a total of about \$30 combined or something to that effect. Mr. Valentine stated the tax for the rail line was \$24 and \$6 for the advertisement. Chairman Sutton asked if there were any questions for Mr. Many. There were no further questions.

#### **Administrator Report:**

Chairman Sutton asked Mr. Valentine to discuss the next agenda item for Administrator Report. Mr. Valentine stated one thing he had was the invoicing from the County to the IDA and payment from the

County for the \$22,500 for the end of the year as far as services for 2022. Then he talked with Jeff and Jason and as far as the billing we will go quarterly at the end of the quarter for the services preceding. That will be \$50,000 four times. We have the year-end surveys. Year-end surveys are what we end up sending out to the companies in January to say ok we are looking at information that the State requires which Mr. Duffy and Mr. Many will take up on the PARIS reporting. We need to gather that information from sources other than what we have for records during the course of the year. We send out a form to our 20 something companies. It is not just for those that are current. We even have bond projects on here that existed. We are at 133 projects and he thinks the first one on there is number 55. We go back quite a way. Actually, it is Woodlawn Commons which Mike Toohey did with us over at Wesley. That is the first one we start with and we just look at it and questions coming through. What year did your project start, the amount of the total project cost, what financing did they have, was it a bond, was it a mortgage or self-financing and we have some projects that come in and they self-finance. Ace Hardware, down in Clifton Park we have Precision Valve. There are a number that do that. So, we will look at the bond amount. Bond amounts would be the older ones, we do not do tax exempt financing anymore with bonds since he thinks 2003. He thinks the State said that we cannot do it and then the County did a local development corporation with Saratoga County Capital Resource Corporation administered by Ray O'Connor. The main thing we get to for our year now, a company will come along and take this information and they may have answered this for 3, 4 or 5 years preceding. We will start with ok what did you do in 2022 and this is the information that Mr. Duffy and Mr. Many would use in the PARIS Report, mostly on job numbers, salaries, how long with the other information preceding it. That is one of the things that we have coming up. Kim has been working on that and taking the information that we started with and then adding on new projects that we have. We will have a letter going out this week with the form. That will be going out this week so we will start getting that information back and passing it on to Mr. Duffy and Mr. Many. The other thing, PILOT billings, again, final bills going out this week. Mr. Many, he and Kim went through all the numbers. It is an exercise particularly going through and making sure that we keep up what is the assessed value for this project this year. Has it changed, what do we have in there for the rates. We are going through the different rates from the different municipalities in the County. The other thing to remember is that we have PILOT's that are written such that maybe for the first five years they would be 100% exempt on the improved value of the property. But then in years 6, 7, 8, 9, 10 you may find a bump of how it was written. Maybe 50% of that improved value is in the mixture, 70% or it could start off and do 60 and then 80, however it is written up. That gives us an indication then what projects do we have that are falling out or on their way out. Ms. Lambert then discussed sometimes it is nice to have just a one page summary of ok these are all of the active projects that are happening. She discussed the page distributed that it just summarizes where we are at with everything. Mr. Valentine just talked about the year-end surveys that we are doing. As you can see in year 2022, those are going out and will be coming in. The ones for the previous year, 2021 Enfrastructure didn't return theirs and some of the other ones we were able to kind of work through with some of them. JB Real Estate, they kind of came on in the middle of the year so there is going to be some construction stuff from the previous year that we are working with them to get some of that information as well. In the next column where it says ST340, the ST340 form is an annual report of sales and use tax exemption. Those are going to a lot of the newer projects. They are ones that have done some construction. Just as a reminder to them, we are sending that form out along with the year-end survey to make sure they fill that out too. They send that form specifically back to the State but we request a copy of it for our records to be able to create reports off of that. Mr. Valentine stated he would just like to interject timewise on that they have to have that form filed with Tax and Finance by the end of February. You guys have a month after that because by March 31<sup>st</sup> they have to file their PARIS Report. We are looking at the information coming to us copied of what they send to the State. What that does is provide information on what



amount of construction was done during the year, how much sales taxes were exempted. An important thing there is that they are reporting to the State what sales tax were exempted during the year and the State compares that to the other form which we generate which is the ST60 which Mr. Carminucci issues. Each ST60 has on there what is the value of sales taxes final that you all approved through the final resolution. One of the things we look at obviously is have you surpassed what you said was your maximum. If it has, then we have to go through a clawback. Ms. Lambert stated also as Mr. Valentine mentioned, some of the reconveyances that are most likely going to be happening in 2023. These are ones that have reached the end of their PILOT or their agreements, they aren't getting any tax benefits anymore. These are the ones we have kind of identified as ones that are those. Then just in the lower table, some of the projects that are listed on the books currently right now as taxable and either they are a new project so then by the March 1<sup>st</sup> or moving forward, they are going to be moving to the exempt role and we are just keeping track of that to make sure that happens. Some of them potentially should have been on the rolls but she will let Mr. Carminucci talk about some of those things as we move forward because it is more his department. Mr. Tollisen questioned if they change ownership it doesn't matter? Mr. Valentine stated they really have to notify this Board that there would be a change in ownership and this Board has to approve that. Mr. Duffy stated we have to get notified, we have to vote on it, the Board has to approve it. Mr. Valentine stated and what comes up in that one is the fact that he brought up at the last meeting the fact that we have a concern with Enfrastructure in the fact that they were purchased by Zones out of Seattle. Zones had not idea what a PILOT agreement was or what they were doing here or anything like that or what they were obtaining or acquiring or what they were responsible for. Then, Enfrastructure actually moved headquarters to Menands but they still operated out of the Halfmoon facility. What they operated with was their wiring and that business and noted again that 98 employees were purchased by Gross Electric. We don't really know what was purchased in that point. Not the land and not the facilities, so we look at that but what that means is those job numbers go because those jobs are no longer associated with a Saratoga County project. That is one of the things Mr. Carminucci is working on paperwork for to do a reconveyance of title on that. This is mainly because we had two years ago we were just not getting any kind of cooperation, answers or any information at all from the company about their job numbers. They had 400 plus jobs but they obviously were not in that Halfmoon facility. What they were looking at was really jobs across the nation. Discussion continued on different projects that changed ownership and the details of the Board having to approve same. Mr. Valentine continued that the Halfmoon site has as many people as it ever did. What they did, their required job numbers grew up and that was what they reported to us. Then they purchased the facility in Menands and moved the headquarters there and they still operated their primary construction type activity out of the Halfmoon facility. The first time through they were giving us these 400 something numbers and we were saying it doesn't match the application, where did they come from and we just were not getting any answers. In that and not getting answers and making the information that we are submitting being sort of questionable, that leaves these guys in their PARIS reporting open and we went back to Mr. Carminucci and said they aren't responding, they aren't providing and this is the part where we can end the agreement that we have. That would be right now with just this recent purchase and sale of those jobs, that is another thing. We didn't even know about it. It goes back to the original question coming about how does one company take over. Can one company do that and you are transferring. We were never notified and this has been operational for a year we found out. It is another reason why he said this is listed as a reconveyance but it's not just a reconveyance to say 10 years has ended and we are going to look for a transfer. They are in year eight. The other thing about it, we've talked about it before, there really are no benefits to this company now. Their assessed value on the roll at Halfmoon is \$1,150,000. The assessed value through the PILOT is written into the document. They have not ever received property tax benefits. They came along after Enfrastructure was first in there in 1995-2005, they were operating under Marini.

They came in under their own PILOT. They are in year eight. To say ok reconvey it, nobody is losing out on it as far as the company or us as any tax sources. Chairman Sutton asked if there were any questions of Mr. Valentine on this. There were no further questions from the Board.

#### Sales Tax Exemptions:

Mr. Valentine stated we talked about that before, it is Core Tech and the Champlain Hudson Power Express.

#### Update of Insurances:

Mr. Valentine stated this is just an update for companies that we have on board right now and keeping track of their expirations and making sure that we have renewed certificates. In the month of November and December and into January. One or two companies have returned for January and he still has two that haven't responded to his request for renewed certificates. Chairman Sutton asked if there were any questions regarding these two agenda items. There were no questions from the Board.

#### Agency Counsel Report:

Chairman Sutton asked Mr. Carminucci to discuss the Agency Counsel Report. Mr. Carminucci stated we had a partial closing on the Champlain Hudson Power Express project. We did issue a sales tax letter for them at their request. They have not yet identified any of the real property interests that we will be taking an interest in. That is something that is going to be happening in the future. Quad, we discussed that at the last meeting. Those discussions are ongoing. Enfrastructure he thinks we just discussed we are working on getting that back on to a section one, we are just trying to determine who the other party is with the sale. We hope to have that resolved as well as a few other projects that are terminating the end of their PILOT Agreements and getting those back on the tax rolls. Ms. Kolligian questioned Quad, that doesn't involve us, it is just Quad and the City. Mr. Carminucci responded we are sort of in the middle. He has been in contact with Quad and he spoke to their third party real estate consultant yesterday about getting him to agree to what we discussed at the last meeting. He doesn't think they are going to be opposed ultimately. We are just trying to understand what happened and what impact that may have on them. Chairman Sutton questioned if the Assessment Office is trying to involve you in this? Mr. Carminucci stated the city and the Submissions Director are in discussions he believes. This is a larger problem than just this PILOT Agreement that we were involved in. They are trying to have meetings and they are trying to stay out of it. Chairman Sutton asked if there were any questions for Mr. Carminucci. There were no questions from the Board.

#### Chairman's Report:

Chairman Sutton stated he skipped over the agenda item for the Chairman's Report. He just wanted to give an update on the Camoin report. That came to us around Thanksgiving time and what we did was we sent out the draft copy of the report to New York Racing Association, Saratoga Casino, SPAC and also the Battlefield to Steve Bulger as well. Those were the four entities that report is based on. We didn't want to really pursue too much of this between Thanksgiving and Christmas because everything is too congested then and we wouldn't be getting the proper send out on the draft. In so doing all of this, Mr. Duffy and he were on a zoom call with New York Racing Association and the Camoin Associates and there is quite a bit of error in the draft that was provided to us on the New York Racing Association

and they have come back with an update to go back to Camoin and they will re-evaluate the material that they received from NYRA. This went on back in the summertime when they were gathering all of this data and information. He is a little disappointed that some of the numbers that we are looking at were not accurate. We are on top of that. In so doing, he called Skip Carlson at Saratoga Casino and he had another report he wanted to include and again he started to look at his portion of the report and he felt that there was some inaccuracies in some of the numbers that were being presented. He thinks a lot of that was terminology. Their terminology was different than what Camoin had come up with when they did the graphs and data quotes. It is a project that is still progressing along and we are talking with them on a weekly basis if not a couple of times a week. That is where we stand now. He doesn't think we should want to roll it out until all of the data is accurate. We want to go back to those shareholders, SPAC and the Casino. He did get an email from NYRA and over the weekend they worked diligently to put new numbers together. An example of that is the attendance figures that they used on the Camoin report was about 300,000 people less than what they have been reporting all along. That really kind of triggers a lot of the numbers that filter down as to what the impact is when it comes to taxes, sales taxes, and sales itself. We are working on that end of it. Mr. Mooney questioned where did Camoin get the numbers? Didn't they get them from NYRA? Mr. Duffy stated they use third party data people too and that is where the problems come from. Those people can only see so much, they can't see everything that NYRA has. Ms. Kolligian stated the fact that they count season pass holders every day whether they attend or not is mind blowing. Why aren't they counting the number of people that get scanned through the gate. Chairman Sutton stated that is a point that we brought out. What happened was in the 2015 report they were accurate numbers and the actual that went through the gates that day. He doesn't know what the philosophy is with the NYRA Board but they are kind of mimicking what they do with Yankee Stadium or Football teams and things like that where if you buy a ticket whether you show up or not that is what they base their criteria on so that they go back to the State of New York and they talk to the legislators. That is something that is beyond my pay grade in terms of what NYRA wants to do and how accurate they want to report their data to the State and to their Board. It is a not-for-profit supposedly. Ms. Kolligian questioned did we ever find out where the NYRA app falls into that category? Chairman Sutton stated no it is too cumbersome. They couldn't get that number. Mr. Klein questioned if they are going to adjust their numbers is there an adjustment in the cost of the report. Chairman Sutton stated as long as they don't charge us more, no. This was a draft; they haven't asked for anything. Mr. Valentine questioned how did you know there was an error. Chairman Sutton stated he picked it up right away but he didn't say anything. He looked at the 2015 report and looked at the data and he saw where the attendance was 750,000 people and the total impact was less than it was in 2015 which didn't make any sense to me. He didn't say anything to anybody because he was unsure. Then he got a call from Jeff Cannizzo who was their liaison with Camoin to gather all of the data. He said this report is incorrect. He went through some of the numbers and it was what he had suspected because of comparing the two. The good part about this is that when we did get into the zoom call, Camoin was very receptive and they didn't defend themselves in saying no these are the numbers that you had given us. They, as Mr. Duffy said, are using a third party that they used in the 2015 report. It's being adjusted at this point in time and he just wants to make sure. He has a call into Saratoga Performing Arts Center as well to make sure that the data they had sent in to Camoin is equivalent to what they reported to them as well. When this rolls out he just doesn't know. He did say to Camoin he would like to have a final draft by the end of this month so that we can eventually go to press and go public with it. He certainly doesn't want to jump ahead and have an inaccurate study because we are spending \$35,000 plus on this project. He will say Camoin, the three people that are working on this project are not the same people that worked on the project in 2015. Ms. Kolligian stated the fact that they are revamping all of the numbers now in January of 2023 are they going to include 2022 numbers. Chairman Sutton stated 2021.

### **UTEP:**

Chairman Sutton stated the next agenda item is a discussion of our UTEP. This is a project that we've been talking about. We talked about it at the end of 2022. He has asked Mr. Klein and he had started working on this back in the middle of 2022 to see if we can expand the UTEP. The UTEP was last revised in 2013. Mr. Valentine stated 2014. Chairman Sutton stated again, kind of repeating ourselves, new businesses and the way businesses do business has changed dramatically in the past almost ten years now. Can the IDA look at other means of extending our footprint on businesses and attracting businesses to come into Saratoga County and with that we would have to change some of the classifications of what qualifies for a PILOT program. He has asked Mr. Klein back in 2022 to do this and he is hoping Mr. Klein will accept that position now in 2023. If anyone would like to help him out to really revisit the classifications of businesses so that we can approach and look at a project such as the Adirondack Community College program. That is going to be a heavy lift because like Mr. Carminucci is saying we can't give grants and we can't give loans. So we would have to figure out other ways and see what other Counties or other IDA's and how they classify some of their businesses because it isn't one size fits all when it comes to classifying the businesses. Chairman Sutton asked Mr. Klein if he could talk to members of our Board that might want to help you out in this. Mr. Klein stated whoever is willing he would be happy to discuss it with.

### **SEDC, Activity Update:**

Chairman Sutton stated the next agenda item is an update with SEDC. Ms. Reilly stated that we have a sub-committee coming up after this meeting and hopefully we will be able to see how that goes and present it at the February meeting. We are currently working on several different projects and have a couple of international tours coming up in the next couple of weeks. Hopefully they will be future projects as well. Chairman Sutton thanked Ms. Reilly.

Chairman Sutton asked what the next meeting date would be. Mr. Duffy stated that would be February 14<sup>th</sup> which is the second Tuesday. Mr. Tollisen stated he would not be able to attend the meeting on that date.

### **Other Business:**

Chairman Sutton asked if there was any other business to bring 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 Mr. Tollisen, seconded by Mr. Klein, with all voting in favor.

Respectfully submitted,

Lori A. Eddy