

**Minutes of the
County of Clinton
Industrial Development Agency
July 12, 2021**

The meeting was called to order by David Hoover, Vice Chairperson, at 12:23 p.m., at the offices of the County of Clinton Industrial Development Agency (CCIDA), 137 Margaret Street, Suite 208, Plattsburgh, New York 12901.

MEMBERS PRESENT: David Hoover, Vice Chairperson
Michael Zurlo, Secretary
Keith Defayette, Treasurer and Chief Financial Officer
Mark Leta, Member
John VanNatten, Member

ABSENT: Trent Trahan, Chairperson
Kim Murray, Assistant Secretary

STAFF PRESENT: George Cregg, Jr., Esq., Agency Counsel
Toni Moffat, Executive Assistant
Dorothy Brunell, Administrative Assistant

D. Hoover stated there was a quorum present.

D. Hoover waived the reading of the notice of the meeting published in the *Press Republican* on December 18, 2020.

Presentations:

There were no presentations.

Approval of the Minutes of the May 17, 2021 Meeting

D. Hoover asked if there were any questions regarding the draft minutes of the May 17, 2021 meeting. There were none.

On a motion by J. VanNatten, and seconded by K. Defayette, it was unanimously carried to approve the minutes of the May 17, 2021 meeting.

Public Comment

There was no public comment.

Treasurer's Report

K. Defayette reviewed the Treasurer's Report for May 2021. On a motion by M. Zurlo, and seconded by J. VanNatten, it was unanimously RESOLVED to approve the Treasurer's Report for May 2021 as presented by K. Defayette.

K. Defayette reviewed the Treasurer's Report for June 2021. On a motion by M. Leta, and seconded by J. VanNatten, it was unanimously RESOLVED to approve the Treasurer's Report for June 2021 as presented by K. Defayette.

Old Business

There was no old business.

New Business

CHPE, LLC Project Status Review

M. Zurlo advised that the Champlain Hudson Power Express (CHPE) Project involves a hydropower line running from the northern border to the New York City area. This is a large Project involving numerous IDA's up and down the east coast of New York State. M. Zurlo indicated that he has been in recent contact with the Project principal, Josh Bagnato, who presented to the CCIDA Board at the August 10, 2020 meeting. CHPE has submitted an application with the CCIDA. Materials outlining the current status of the Project were provided to the Board for this meeting. M. Zurlo indicated that the Project cannot go forward until we understand what the PILOT agreement will look like. He indicated that the CHPE team is working with the Hodgson Russ team on this agreement. M. Zurlo indicated that he has requested a "most favored county" clause as we are the first of many IDA's to get into this Project and he would like to ensure we are not giving a benefit to this Project greater than that given by somebody down the line with the same fact pattern. J. Bagnato is checking with CHPE counsel regarding this request. This Project still requires a Public Hearing and Deviation Letters to the affected tax jurisdictions. This Project involves a lot of school districts and towns.

Northstar, LLC Project Discussion

M. Zurlo reviewed an email received from the Controller of Northstar, LLC on May 17, 2021. One of the items requested in this email was confirmation that their job creation obligation to the State of New York has been satisfied. M. Zurlo indicated that he will confirm with Empire State Development that this obligation has been met.

Secondly, they are requesting another extension of their PILOT agreement, which expires in 2024. G. Cregg indicated that in order for an extension to be considered, a full application would have to be filed outlining the Project they propose for this extension, as well as go through the standard process of a public hearing, cost/benefit analysis, etc.

Green National Development (Beekman Towers) Bond Volume Cap Discussion

M. Zurlo indicated that Green National Development is seeking a host of benefits including tax-exempt bonds, PILOT agreement, sales tax exemption and mortgage tax abatement. Troy Green of Green National Development requested R. McFarlin investigate the possibility of increasing their bond volume cap. The initial allocation was \$2,951,349. A response was received from Empire State Development indicating a private activity bond volume cap in the amount of \$11,248,615 has been approved. This allows for a total allocation from New York State of approximately \$14.2 million based on a total project cost of \$16.2 million. M. Zurlo indicated that he would provide T. Green a copy of the letter from Eric Gertler of Empire State Development. M. Zurlo also indicated that he had received a call from another developer inquiring about the Beekman Towers facility. G. Cregg indicated that this bond allocation is not limited to any one developer but is based on the project. He also indicated that the bond volume cap needs to be used this year. If the project does not use their allotted bond volume cap, the State will take it

back and assign it to another project.

Trustworthy, LLC Project Discussion

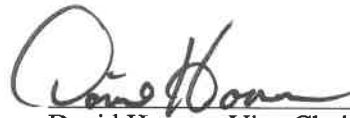
G. Cregg advised that C. Canada will amend the PILOT agreement to indicate clearly that it applies only to the improvements made to the facility and not the existing facility prior to the improvements. Hopefully by the next meeting the amended PILOT agreement will be available.

Annual Reports and Certified Financial Audits

G. Cregg explained the Annual Reports for the CCIDA, CCCRC and CGFC are submitted to the Authorities Budget Office (ABO) using PARIS (Public Authorities Reporting Information System). The Certified Financial Audits for the CCIDA and CCCRC are also submitted annually to the ABO using PARIS. This year, the ABO has compared the two reports and found several discrepancies and has asked for explanations. C. Canada has been working to resolve the discrepancies and provide necessary clarifications. In order to resolve some of the discrepancies, C. Canada has had to confer with the agencies' accounting firm, Martindale Keysor & Co, PLLC. Until all the discrepancies are resolved, the State will not label our annual reporting as final. M. Zurlo stated that C. Canada has provided responses to the State and asked if these responses satisfy their concerns, whether we need to input the changes into PARIS. The State will have to unlock the reports in the PARIS system before we can make any changes/corrections. C. Canada has not yet received a reply from the ABO.

In addition, the State Controller's Office has also reviewed the reports in PARIS and raised some questions independent of those received from the ABO. C. Canada was able to answer many of their questions which involved Project employment numbers, PILOT payments, etc.; however, there are some questions that require clarification from the former Executive Director of the CCIDA, R. McFarlin. C. Canada will provide a response to the State Controller's Office once he has compiled all the necessary responses.

There being no further business to discuss, on a motion by J. VanNatten, and seconded by K. Defayette, the meeting was adjourned at 12:50 p.m.



David Hoover, Vice Chairperson