

**Minutes of the
County of Clinton
Industrial Development Agency
November 15, 2021**

Due to COVID-19, this meeting of the County of Clinton Industrial Development (CCIDA) Agency held on Monday, November 15, 2021 was livestreamed via GoToMeeting.

The meeting was called to order by Trent Trahan, Chairperson, at 12:01 p.m. via GoToMeeting.

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

STAFF PRESENT: Toni Moffat, Executive Assistant
Dorothy Brunell, Administrative Assistant
Chris Canada, Esq., Agency Counsel
George Cregg, Jr., Esq., Agency Counsel
Shannon Wagner, Law Clerk, Hodgson Russ LLP

T. Trahan stated there was a quorum present.

T. Trahan waived the reading of the notice of the meeting published in the Press Republican on December 18, 2020.

Approval of the Minutes of the October 13, 2021 Meeting

T. Trahan asked if there were any questions regarding the draft minutes of the October 13, 2021 meeting of the CCIDA. There were none.

On a motion by David Hoover, and seconded by Kim Murray, it was unanimously carried to approve the minutes of the October 13, 2021 meeting of the CCIDA.

Public Comment

There was no public comment.

Reports

K. Defayette reviewed the Treasurer's Report with the Board. There were no questions or concerns.

On a motion by J. VanNatten, and seconded by K. Murray, it was unanimously RESOLVED to approve the Treasurer's Report as presented by K. Defayette.

Old Business

Office of the State Controller (OSC) Update – 2020 PARIS Report

M. Zurlo advised that the 2020 PARIS Report for the CCIDA has been updated. C. Canada stated that all the questions posed by the OSC have been answered and the issues resolved.

NY Plattsburgh I, LLC Update

M. Zurlo stated the Project received a PILOT bill for Beekmantown School District and they advised that they had already satisfied their obligation with respect to the School District and should not have received a bill. M. Zurlo advised that the CCIDA had not been made aware that such an agreement had been made between the Project and the Beekmantown School District. C. Canada advised that upon further review of the PILOT, there is a Host Community Benefit Agreement in-place between the Beekmantown School District and the Company. The School District received \$186,000 as a one-time lump sum payment. The language in the PILOT agreement basically states that if a taxing entity and the Company enter into a Host Community Benefit Agreement, the amount due to that taxing entity can be reduced by that payment. He further advised that the way this agreement was set-up is totally legal and the Company should not receive a tax bill for the School District and the School District should not be receiving any money from the Company under the PILOT agreement. C. Canada stated the Board does not need to take any action. C. Canada will follow-up with Jeremy O'Dell in the Clinton County Treasurer's office to make sure everyone is on the same page regarding this issue.

CCIDA Executive Director Position

M. Zurlo announced to the Board, that effective January, 2022, Ms. Molly Ryan will begin work as the Executive Director of the CCIDA. M. Zurlo stated that M. Ryan's experience will bring a host of positives to not only the CCIDA but also to the Economic Development portion of the position.

New Business

TDC NNY, Inc. Public Hearing Minutes

Minutes from the TDC NNY, Inc. Public Hearing, held on November 9, 2021, were presented for acceptance by the Board. C. Canada advised that the Approving Resolution and Final SEQR Resolution should be available for consideration at the December, 2021 CCIDA Meeting.

On a motion by K. Defayette, and seconded by M. Leta, it was unanimously carried to accept the minutes from the TDC NNY, Inc. Public Hearing.

CHPE, LLC Public Hearing Minutes

Minutes from the CHPE, LLC Public Hearing, held on November 10, 2021, were presented for acceptance by the Board. C. Canada advised that the Approving Resolution for this Project should be available for consideration at the December, 2021 CCIDA meeting, or at the January, 2022 meeting at the latest. He advised that a Final SEQR Resolution will not be necessary for this Project because it will be an Article 10 proceeding and SEQR's are already included and a second iteration will not be necessary.

On a motion by D. Hoover, and seconded by J. VanNatten, it was unanimously carried to accept the minutes from the CHPE, LLC Public Hearing.

Hodgson Russ, LLP Invoice for Legal Services Rendered

M. Zurlo advised that an invoice has been received from Hodgson Russ, LLP in the amount of \$15,000 for legal services rendered. These additional legal services were incurred to accomplish some of the job duties which would typically be handled by the CCIDA's Executive Director. The Executive Director position became vacant in mid-May and since that time, the CCIDA has continued to pay the full Service Agreement monthly fee of \$11,000 to Clinton County. Based on this, T. Trahan would like to request a refund from Clinton County in the amount of \$15,000 to offset these additional legal fees.

On a motion made by K. Defayette, and seconded by K. Murray, it was unanimously carried to pay the Hodgson Russ invoice and request reimbursement from Clinton County for this expense.

Resignation from the CCIDA Board

T. Trahan advised that Kim Murray will be resigning from her position on the CCIDA Board effective December 31, 2021. He thanked Kim for all her work and support of the CCIDA. M. Zurlo stated that he has advised the Chairperson of the Clinton County Legislature, who is actively seeking a replacement for Kim's position.

There being no further business to discuss, on a motion by J. VanNatten, and seconded by M. Leta, the meeting was adjourned at 12:22 p.m.



Trent Trahan, Chairperson