

MINUTES OF THE  
COUNTY OF CLINTON  
INDUSTRIAL DEVELOPMENT AGENCY  
MONDAY, NOVEMBER 9, 2020

**Due to COVID-19, the meeting of the County of Clinton Industrial Development Agency held on Monday, November 9, 2020 was through teleconference.**

The meeting was called to order by Trent Trahan, Chairperson, at 12:04 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

EXCUSED: John VanNatten, Member

STAFF PRESENT: Renee McFarlin, Executive Director  
Toni Moffat, Executive Assistant  
Dorothy Brunell, Executive Assistant  
George Cregg, Jr., Esq., Agency Counsel  
Christopher Canada, Esq., Agency Counsel

ALSO PRESENT: Eli Schwartzberg, Vilas Home LLC

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 22, 2018.

**Approval of the Minutes of the October 14, 2020 Meeting**

T. Trahan asked if there were any questions regarding the draft minutes of the October 14, 2020 meeting of the County of Clinton Industrial Development Agency (CCIDA). There were none.

On a motion by D. Hoover, and seconded by M. Zurlo, it was unanimously carried to approve the minutes of the October 14, 2020 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 K. Murray, and seconded by M. Leta, it was unanimously RESOLVED to approve the Treasurer's Report as presented by K. Defayette.

## Old Business

There is no old business to report.

## New Business

### **Vilas Home, LLC Expansion Project Application**

Eli Schwartzberg of the Vilas Home presented an overview of their planned expansion and renovation project. He advised that they have met with the City Planning and Zoning Boards and obtained approval for the Project. In order to minimize disruption to the current Vilas Home residents, construction of the new addition will occur first. Once the three-story expansion is completed and a Certificate of Occupancy is obtained, the residents will be relocated from the existing facility into the new expansion. The construction crews will then begin the renovation of the historic home. The current Vilas Home is comprised of 44 small resident rooms, with shared bathrooms. These 44 existing rooms will be reconfigured into larger rooms with private bathrooms. Once the expansion is completed, there will be a total of 109 resident rooms. This Project will allow the Vilas Home to become an enhanced assisted living facility which will include two memory care wings (one light and one heavy) and will allow them to provide enhanced care and an improved quality of life for their residents.

M. Zurlo asked if they had any concerns regarding their ability to hire the staff necessary to man the expanded facility. E. Schwartzberg advised that while staffing is always a challenge, especially in healthcare, he did not anticipate any staffing issues. They will not compete directly for staff with area nursing homes or other senior living facilities due to the certifications required for his positions. E. Schwartzberg indicated that the Vilas Home focuses on staff retention and they offer their employees opportunities for advancement.

M. Zurlo asked E. Schwartzberg to explain their score of 2 on the educational matrix. E. Schwartzberg indicated that they will hire staff as resident care aides (RCA's) and pay for them to attend the month-long Home Health Aide (HHA) program, allowing them to become certified HHA's. They will also provide full scholarships for HHA's to go to nursing school, paying their tuition to become Licensed Practical Nurses (LPN's) as well as provide enough money for them to support themselves while going to school. The Vilas Home is in close proximity to SUNY Plattsburgh and will provide SUNY nursing students with the opportunity to do rotations throughout their facility for class credit and learn-to-earn internships, etc.

R. McFarlin indicated that the Vilas Home is in partnership with the City of Plattsburgh for a Community Development Block Grant (CDBG), and asked what the dollar amount of the grant is. E. Schwartzberg indicated that the amount is up to a maximum of \$750,000, or \$15,000 per qualified job. M. Zurlo asked if the Project is contingent upon an affirmative award. E. Schwartzberg indicated that these Grants are all part of the process and they are currently working with Empire State Development to get an award for the CDBG. M. Zurlo asked if the Project will be jeopardized if they are unsuccessful in obtaining the grant money. E. Schwartzberg indicated that it is very important to the success of the Project and without it they would have to find very low interest loans and other grants to replace that source of project funds or look at reducing some of the services they are planning to be able to offer. CDGB is critical but if those funds do not become available, they would work hard to find another path to be able to complete the Project.

R. McFarlin asked for clarification as to the number of rooms that will be available once the expansion and renovation is complete. E. Schwartzberg indicated that they will be losing rooms in the historic building but will be gaining rooms with the addition and adding a third floor. Overall, there will be 109 resident rooms with the addition and expansion.

R. McFarlin indicated that the Project had originally been scored as a Tier 3 PILOT. Since then, they have

run the project numbers through the economic impact software. This showed that the Project would result in <100 spin-off jobs, which takes the score down to a total of 12 points. However, they have since added 3 points under Educational Benefits which brings the overall score back up to 13 points.

R. McFarlin reviewed the Project's Tier 3 PILOT program numbers. The initial Vilas Project was a Tier 2 PILOT. This initial Project is now in its second year, and they are paying 55 percent of the taxes based on the assessed value. This new PILOT would not change anything about the initial deal; i.e., abatement on the first five years for this new Project would not affect payments on the initial Project. Eventually, there will have to be some legal work done to allow both Projects to be covered under one PILOT.

The following two resolutions were presented to the Board for approval:

### **Final SEQR Resolution**

The following resolution was offered by K. Defayette, seconded by D. Hoover, to wit:

#### Resolution No. 11-20-01

RESOLUTION DIRECTING THE EXECUTIVE DIRECTOR OF COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF VILAS HOME, LLC.

WHEREAS, County of Clinton Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 225 of the 1971 Laws of New York, as amended, constituting Section 895-f of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Vilas Home, LLC, a New York State limited liability company (the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.40 acre parcel of land located at 61 Beekman Street (Tax Map No. 207.18-6-38) in the City of Plattsburgh, Clinton County, New York (the "Land"), together with an existing 22,400 square foot building located thereon (the "Existing Facility"), (2) the reconstruction and renovation of the Existing Facility and the construction of a 60,000 square foot addition to the Existing Facility (the "Addition" and collectively with the Existing Facility, the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery and equipment (collectively, the "Equipment") (the Land, the Facility and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute an adult home facility and other directly and indirectly related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage

recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, Section 617.6(b) of the Regulations provides that (A) for all “Type I actions”, a lead agency must be established, and (B) for any “unlisted action” which involves more than one “involved agency”, a lead agency must be established if the Agency determines that there will be a coordinated review of such “unlisted action” (as such quoted terms are defined in the Regulations); and

WHEREAS, pursuant to the Regulations, the Agency has examined the Application in order to make an initial determination as to the potential environmental significance of the Project and the number of agencies that may be involved with respect to the Project; and

WHEREAS, based upon a review of the Application, the Agency wishes to explore the desirability of following the coordinated review procedures outlined in the Regulations with respect to the Project; and

WHEREAS, 6NYCRR Section 617.6 requires that the Agency review a completed environmental assessment form (an “EAF”) prior to making a determination as to the potential environmental significance of the Project; and

WHEREAS, the Agency has been informed that the Agency will be receiving an EAF from the Company with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency has reviewed the Application and, based upon the representations made by the Company to the Agency in the Application and at this meeting, the Agency wishes to investigate the advisability of undertaking a coordinated review with respect to the Project.

Section 2. For purposes of investigating the advisability of undertaking a coordinated review with respect to the Project and determining whether the Project may have a “significant effect on the environment” (as such quoted terms are defined under SEQRA), the Executive Director of the Agency is hereby authorized and directed to take the following actions:

- (A) To obtain an EAF with respect to the Project from the Company;
- (B) To review the EAF with counsel to the Agency, and prepare proceedings to allow the Agency to comply with the requirements of SEQRA that apply to the Project;
- (C) To contact all other “involved agencies” with respect to the Project for the purpose of ascertaining whether they are interested in undertaking a coordinated review with respect to the Project (as such quoted term is defined under SEQRA);
- (D) In the event that (1) all other “involved agencies” indicate that they are interested in undertaking a coordinated review of the Project, (2) one of the other “involved agencies” indicates that it desires to be designated as “lead agency” with respect to the Project and (3) the other “involved agencies” are amenable to designating such involved agency as “lead agency”, to take all necessary steps to indicate the

concurrence of the Agency that such “involved agency” be designated as “lead agency” (as such quoted terms are defined under SEQRA);

(E) In the event that all other “involved agencies” indicated that they are interested in undertaking a coordinated review of the Project and none of the other “involved agencies” indicates that it desires to be designated as the “lead agency” with respect to the Project, to take all necessary steps to arrange for the Agency to be designated as “lead agency” with respect to the Project (as such quoted terms are defined under SEQRA); and

(F) Upon completion of the foregoing steps, to report to the Agency at its next meeting on the status of the environmental review process with respect to the Project.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Trent Trahan	VOTING	YES
David Hoover	VOTING	YES
Michael E. Zurlo	VOTING	YES
Kim Murray	VOTING	YES
Keith Defayette	VOTING	YES
Mark Leta	VOTING	YES
John VanNatten	VOTING	EXCUSED

The foregoing Resolution was thereupon declared duly adopted.

**PUBLIC HEARING RESOLUTION**

The following resolution was offered by M. Leta, seconded by K. Murray, to wit:

Resolution No. 11-20-02

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF VILAS HOME, LLC.

WHEREAS, County of Clinton Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 225 of the 1971 Laws of New York, as amended, constituting Section 895-f of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause

said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Vilas Home, LLC, a New York State limited liability company (the “Company”), has presented an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.40 acre parcel of land located at 61 Beekman Street (Tax Map No. 207.18-6-38) in the City of Plattsburgh, Clinton County, New York (the “Land”), together with an existing 22,400 square foot building located thereon (the “Existing Facility”), (2) the reconstruction and renovation of the Existing Facility and the construction of a 60,000 square foot addition to the Existing Facility (the “Addition” and collectively with the Existing Facility, the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery and equipment (collectively, the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute an adult home facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Executive Director of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) that due to the (1) ban on large meetings or gatherings pursuant to Executive Order 202.1 issued on March 12, 2020, as supplemented, (2) ban on non-essential gatherings of individuals of any size for any reason pursuant to Executive Order 202.10 issued on March 23, 2020, as supplemented and (3) suspension of the Open Meetings Law relating to public hearings pursuant to Executive Order 202.15 issued on April 9, 2020, as supplemented, each as issued by Governor Cuomo, during the novel Coronavirus (COVID-19) pandemic, to establish the time, date and electronic method of either conference call or webinar of conducting a public hearing of the Agency to hear all persons interested in the Project (the “Public Hearing”); provided, however, when the ban is lifted or the Executive Orders are rescinded, the Executive Director shall establish the time, date and place for the Public Hearing, which Public Hearing will be held in a city, town or village where the Project Facility is or is to be located; (B) to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the “Report”) to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. The Chairperson, Vice Chairperson and/or Executive Director of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. All action taken by the Executive Director of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Trent Trahan	VOTING	YES
David Hoover	VOTING	YES
Michael E. Zurlo	VOTING	YES
Kim Murray	VOTING	YES
Keith Defayette	VOTING	YES
Mark Leta	VOTING	YES
John VanNatten	VOTING	EXCUSED

The foregoing Resolution was thereupon declared duly adopted.

### **Management Team Reports**

#### **Project Monitoring:**

R. McFarlin stated that Monahan Medical Corp. opened its doors on their new facility. It is not anticipated that there will be an opportunity to see the finished Project in the near future.

#### **Project Status Update:**

R. McFarlin reported Delaware River Solar Projects NY Plattsburgh I and Mooers V will possibly both close by the end of the month, if not by the end of the year.

R. McFarlin reported Prime Plattsburgh, LLC is still working its way through the Plattsburgh City Zoning Board of Appeals and the Plattsburgh City Planning Board. It is anticipated that the application will be up for approval at the Zoning Board's November 2020 Meeting.

R. McFarlin indicated that she has not received any correspondence other than some questions received late Friday evening regarding the Prime Plattsburgh, LLC Project. She will share this correspondence with the Board. It contained some straightforward inquiries regarding the revenue that will be realized by the project.

There being no further business to discuss, on a motion by K. Murray, and seconded by K. Defayette, the meeting adjourned at 12:40 p.m.



Trent Trahan, Chairperson