

**Minutes of the Meeting of the
County of Clinton Industrial Development Agency
November 13, 2017**

The meeting was called to order by J. VanNatten, Acting Chairperson, at 12:11 p.m., at the offices of the County of Clinton Industrial Development Agency, 190 Banker Road, Suite 500, Plattsburgh, N.Y.

Members Present: Keith Defayette, Treasurer and CFO
 Michael Zurlo, Secretary
 Kim Murray, Assistant Secretary
 John VanNatten, Member

Excused: Trent Trahan, Chairperson
 David Hoover, Vice Chairperson
 Mark Leta, Member

Others Present: Melissa McManus, Executive Director
 George Cregg, Esq., Agency Counsel
 Barbara Shute, Recording Secretary
 Glenn Walker, George E. Sansoucy, P.E., LLC
 Kevin Macleod, Bond, Schoeneck & King (SPP)
 John Gokey, Saranac Power Partners
 Ryan Paras, Saranac Power Partners
 Michael Cashman, Town of Plattsburgh
 Patrick Bowen, Town of Plattsburgh

J. VanNatten declared that a *quorum* was present.

J. VanNatten waived the reading of the notice of the meeting published in the *Press-Republican* on December 26, 2016.

Approval of the Minutes:

J. VanNatten waived the reading of the minutes of the October 16, 2017 meeting minutes. He asked if there were any questions or discussion regarding the draft minutes and there were none.

On a motion by M. Zurlo, seconded by K. Murray, it was unanimously carried to approve the minutes of the October 16, 2017 annual meeting, as presented.

Public Comment: None

Treasurer's Report: Tabled until the December Meeting

Committee Reports: None

Old Business: None

New Business:

The Development Corporation (TDC)– Plattsburgh International Airport (PIA) Project

M. McManus referred CCIDA members to the report an analysis prepared by staff and gave a brief overview of the project and the requested benefits.

This project is part of \$38 million grant from the State for improvements at the PIA. A 60,000 SF building will be constructed, and TDC will fund \$3 million of the total project cost. Once the project is complete, TDC will own the building and lease the property from the County. TDC is seeking real property and mortgage tax abatement and a PILOT Agreement. The State investment was excluded from the benefit calculations.

Clinton County's inventory of vacant industrial space has been extremely low for the past few years and TDC's current occupancy rate is at 95.4%. TDC is seeking to add to its current inventory, however, TDC remains challenged to lease space at a rate that covers their costs. The proposed project will add an additional \$4 million dollars to the special district and \$600,000 in additional revenue to the Town of Plattsburgh.

Today the members are being asked to approve two resolutions:

Approval of Public Hearing

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

Resolution No. 11-17-01

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 THE DEVELOPMENT CORPORATION CLINTON COUNTY, NEW YORK.

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, The Development Corporation Clinton County, New York, a New York not-for-profit corporation (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested 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 8 acre parcel of land located on Arizona Avenue in the Plattsburgh International Airport (being a portion of Tax Map No. 233.-1-20.11) in the Town of Plattsburgh, Clinton County, New York (the "Land"), together with an approximately 2,750 square foot building located thereon, (the "Existing Facility"), (2) the demolition of the Existing Facility and construction on the Land of an approximately 60,000 square foot building and other site improvements including, but not limited to loading docks (collectively, the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Existing Facility, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a warehouse/manufacturing/industrial facility to be leased to various tenants 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) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the "Public Hearing"); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and 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	EXCUSED
David Hoover	VOTING	EXCUSED
Michael E. Zurlo	VOTING	YES
Keith Defayette	VOTING	YES
Kim Murray	VOTING	YES
Mark Leta	VOTING	EXCUSED
John VanNatten	VOTING	YES

The foregoing Resolution was thereupon declared duly adopted.

Accepting Lead Agency SEQR Determination

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

Resolution No. 11-17-02

RESOLUTION ACCEPTING THE DETERMINATION BY CLINTON COUNTY TO ACT AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THE DEVELOPMENT CORPORATION CLINTON COUNTY, NEW YORK PROJECT AND ACKNOWLEDGING RECEIPT OF THE NEGATIVE DECLARATION ISSUED WITH RESPECT THERETO.

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, in October, 2017, The Development Corporation Clinton County, New York, a New York not-for-profit corporation (the "Company"), presented an application (the "Application") to the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following:

(1) the acquisition of an interest in an approximately 8 acre parcel of land located on Arizona Avenue in the Plattsburgh International Airport (being a portion of Tax Map No. 233.-1-20.11) in the Town of Plattsburgh, Clinton County, New York (the "Land"), together with an approximately 2,750 square foot building located thereon, (the "Existing Facility"), (2) the demolition of the Existing Facility and construction on the Land of an approximately 60,000 square foot building and other site improvements including, but not limited to loading docks (collectively, the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Existing Facility, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a warehouse/manufacturing/industrial facility to be leased to various tenants 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 has been informed that (A) Clinton County (the "County") was designated to act as the "lead agency" with respect to the Project and (B) on September 22, 2017 the County determined that that the Project is a "unlisted action" which will not have a "significant effect on the environment" and, therefore, that an "environmental impact statement" is not required to be prepared with respect to the Project and issued a negative declaration with respect thereto (the "Negative Declaration"); and

WHEREAS, at the time that the County determined itself to be the "lead agency" with respect to the Project, it was not known that the Agency was an "involved agency" with respect to the Project, and, now that the Agency has become an "involved agency" with respect to the Project, the Agency desires to concur in the designation of the County as "lead agency" with respect to the Project, to acknowledge receipt of a copy of the Negative Declaration and to indicate that the Agency has no information to suggest that the County was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to SEQRA;

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

Section 1. (A) The Agency has received copies of, and has reviewed, the Application, an environmental assessment form prepared by the Company and the Negative Declaration (collectively, the "Reviewed Documents") and, based upon said Reviewed Documents and the representations made by the Company to the Agency at this meeting, the Agency hereby ratifies and concurs in the designation of the County as "lead agency" with respect to the Project (as such quoted term is defined in SEQRA).

(B) The Agency hereby determines that the Agency has no information to suggest that the County was incorrect in determining that the Project will not have a

“significant effect on the environment” pursuant to SEQRA (as such quoted phrase is used in SEQRA).

Section 2. 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	EXCUSED
David Hoover	VOTING	EXCUSED
Michael E. Zurlo	VOTING	YES
Keith Defayette	VOTING	YES
Kim Murray	VOTING	YES
Mark Leta	VOTING	EXCUSED
John VanNatten	VOTING	___ YES ___

The foregoing Resolution was thereupon declared duly adopted.

Saranac Power Partners

SPP has submitted a request for a Fifth amendment to their current PILOT Agreement. The request equates to a 37.5% reduction in total PILOT payments. Staff have had several meetings with the affected taxing jurisdictions to discuss the request. In an effort to fill in the needed information gaps, a study was commissioned by the Agency and funded by SPP to develop a market and financial analysis of the SPP facility that would allow the Agency to determine a fair PILOT for the company.

Presentation: Glenn Walker reviewed the findings of the study with those present. See Attached Report.

Staff plan to hold another meeting with the affected taxing jurisdictions to review the results of the study prior to the Agency taking formal action on the SPP request at its December meeting.

Management Team Reports:

Project Monitoring

M. McManus is conducting annual site visits.

Project Status Updates:

- Delaware River Solar Mooers I, II and III Projects

DRS and Agency Counsel are completing a final review of the closing documents.

- South Junction Enterprises Project

M. McManus gave a brief overview of the request seeking input from the members regarding the Company’s request for CCIDA sponsorship of a grant application. After a brief discussion the consensus of the members and staff is not to move forward at this time given current staff capacity, which limits the Agency’s ability to undertake a project of this scope..

- Vermont Green Line

In discussions with project representatives the Agency was notified that the VGL project has been put on hold. More information is expected from the Company.

Executive Directors Report: None

With no further items to discuss the meeting was adjourned at 2:05 pm.



T. Trahan, Chairperson