

# COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY

OCTOBER 24, 2024

## MEETING MINUTES

### CALL TO ORDER

Vice Chair, D. Rowley, called to order the meeting of COIDA at 8:00 am. M. Remillard conducted roll call and determined there was a quorum. Voting members present included:

David Rowley  
Patricia Kennedy  
Jeffrey Lord

Tom Armao  
Andrew Marietta

Absent Board Member(s): Cheryl Robinson, Craig Gelbsman

Also, in attendance:

#### **STAFF**

Jody Zakrevsky, **CEO**  
Meaghan Remillard, **Director of Finance and Administration**  
Jordan Allen, **Administrative Assistant**  
Kurt Schulte, **Agency Counsel (v)**

#### **GUEST**

Chris Canada, **Bond Counsel (v)**

(v) – virtual

### CHAIR'S REMARKS

D. Rowley welcomed fellow board members and staff to the October board meeting and moved immediately onto the agenda.

## MEETING MINUTES

D. Rowley presented the meeting minutes from September 26<sup>th</sup>, 2024 COIDA board meeting. He also presented the October 10<sup>th</sup> Audit & Finance Committee meeting minutes and Project Committee minutes. Board members were given a copy of the minutes prior to the meeting for review.

J. Lord made a motion to approve the meeting minutes. The motion was seconded by P. Kennedy and was approved by the remaining members present.

## COMMITTEE REPORTS

- Audit & Finance – The Audit & Finance Committee meeting was held on September 12<sup>th</sup>, 2024. J. Lord, Chair of the Committee, let the draft minutes stand as report.
- Governance Committee – The Governance Committee meeting was held on August 8<sup>th</sup>, 2024. The Governance Committee meets quarterly, and the next meeting will take place on December 12<sup>th</sup>, 2024.
- Projects Committee – The Projects Committee meeting was held on September 12<sup>th</sup>, 2024. T. Armao asked for an update on Richfield Springs and Oneonta Business Park. D. Rowley asked for a follow up update on the homeless encampments in the Oneonta Railyards. J. Zakrevsky gave a brief report of his recent activities.

## BILLS & COMMUNICATIONS

M. Remillard states that there are several bills since the last board meeting. Some have already been paid and there are a few that still needed approvals.

J. Lord made a motion to approve the payment of bills. T. Armao seconded the motion, and it was approved by the remaining members.

## NEW & UNFINISHED BUSINESS

Adoptions of 4 Year PARIS Budget for the IDA & LDC: J. Zakrevsky stated that PARIS reports for IDA & LDC budget plan is going from 2025 to 2028. If the budget needs to be changed, the deadline is the end of December.

T. Armao made a motion to approve the 4 Year Paris Budget for the IDA & LDC. J. Lord seconded the motion, and it was approved by the remaining members.

**Approval of 2025 IDA Budget:** M. Remillard stated that since the board meetings in November and December usually get cancelled due to the dates around the holidays a draft for the 2025 IDA Budget was presented at the meeting.

## RESOLUTIONS

### RESOLUTION AUTHORIZING SALE OF PROPERTY LOCATED IN THE TOWN OF ONEONTA

A regular meeting of County of Otsego Industrial Development Agency (the “Agency”) was convened in public session in the office of the Agency located at 189 Main Street, Suite 500 in the City of Oneonta, Otsego County, New York on October 24, 2024 at 8:00 o’clock, a.m., local time.

The meeting was called to order by the (Vice) Chairperson of the Agency and, upon roll being called, the following members of the Agency were:

#### PRESENT:

Cheryl Robinson	Chairperson
David Rowley	Vice Chairperson
Jeffrey C. Lord	Treasurer
Tom Armao	Secretary
Craig Gelbsman	Member
Patricia Kennedy	Member
Andrew Marietta	Member

#### ABSENT:

Cheryl Robinson	Chairperson
Craig Gelbsman	Member

#### AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Jody Zakrevsky	Chief Executive Officer
Meaghan Marino	Director of Finance and Administration
Jordan Allen	Administrative Assistant
Kurt D. Schulte, Esq.	Agency Counsel
Christopher C. Canada, Esq.	Special Counsel

The following resolution was offered by T. Armao, seconded by Jeffrey C, Lord to wit:

Resolution No. 10-24

RESOLUTION AUTHORIZING THE SALE OF LAND LOCATED IN THE TOWN OF ONEONTA, OTSEGO COUNTY, NEW YORK AND THE EXECUTION BY COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT

AGENCY OF CERTAIN DOCUMENTS IN CONNECTION WITH SUCH SALE.

WHEREAS, County of Otsego 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 252 of the 1973 Laws of New York, as amended, constituting Section 910-a 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, reconstruct, renovate and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, reconstructed, renovated and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency is currently the fee title owner of approximately 34.25 acres of certain real property (Tax Map Nos. 309.00-1-1.07; 309.00-1-1.121; 309.00-1-1.122; 309.00-1-1.03) located within the Oneonta Business Park at Pony Farm Road and Corporate Drive in the Town of Oneonta, Otsego County, New York (the “Property”); and

WHEREAS, the Agency was previously approached by Sportsfield Specialties, Inc. (the “Purchaser”) with regard to the potential purchase of the Property in a negotiated sale between the parties (referred to hereinafter as the “Disposition”); and

WHEREAS, to fulfill the requirements imposed by the Public Authorities Law of the State of New York, as amended (the “PAL”), the Agency’s Real Property Disposition Policy and Real Property Acquisition Policy, respectively, an appraisal of the Property was obtained by the Agency (the “Appraisal”), copies of which are on file with the Agency, and the appraised value of the Property as specified in the Appraisal was \$845,000; and

WHEREAS, pursuant to a resolution adopted by the members of the Agency on August 22, 2024 (the “Preliminary Resolution”), the Agency authorized the Chief Executive Officer of the Agency, pursuant to Section 2897(6)(d)(i)(B) of the PAL, to file an explanatory statement relating to the Disposition (the “Explanatory Statement”) with the (i) the Comptroller, (ii) the Director of the Budget, (iii) the Commissioner of General Services, (iv) the State Legislature, and (v) the Authority Budget Office, respectively (collectively, the “State Officials and Entities”) at least ninety (90) days prior to the Disposition; and

WHEREAS, the Explanatory Statement was mailed to the State Officials and Entities on September 9, 2024; and

WHEREAS, the Agency and the Purchaser have negotiated a contract of sale dated September 30, 2024 relating to the Property (the “Purchase Contract”), which Purchase Contract shall provide for the conveyance of the Property from the Agency to the Purchaser (the “Disposition”) for a purchase price of \$26,000 per acre; and

WHEREAS, the Property will be conveyed by the Agency to the Purchaser through the execution and delivery of a deed (the “Deed” and together with the Purchase Contract, the “Conveyance Documents”);

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 members of the Agency pursuant to the Preliminary Resolution determined that the Disposition constitutes a “Type II action” (as said quoted term is defined in the Regulations) and that no further determination or procedure under SEQRA is required with respect to the Disposition is required; and

WHEREAS, the Agency now wishes to authorize the Disposition and the actions contemplated by the Conveyance Documents;

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

Section 1. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act;

(B) The Disposition is within the purpose, mission and governing statutes of the Agency; and

(C) In no event shall the Disposition occur earlier than ninety (90) days after the date on which the Agency transmitted the Explanatory Statement relating to the Disposition to the State Officials and Entities.

Section 2. In consequence of the foregoing, and subject to the approval of the form of the Conveyance Documents by Agency counsel, the Agency hereby determines to: (A) convey the Property to the Purchaser according to the terms of the Conveyance Documents and (B) execute the Conveyance Documents.

Section 3. The Agency is hereby authorized to convey the Property to the Purchaser pursuant to the Conveyance Documents and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 4. The Chairperson, Vice Chairperson and the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Conveyance Documents and the other documents related thereto, and, where appropriate, the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or the Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson or the Chief Executive Officer to constitute conclusive evidence of such approval.

Section 5. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Conveyance Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Conveyance Documents binding upon the Agency.

Section 6. 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:

Cheryl Robinson	VOTING	ABSENT
David Rowley	VOTING	YES
Jeffrey C. Lord	VOTING	YES
Tom Armao	VOTING	YES
Craig Gelbsman	VOTING	ABSENT
Patricia Kennedy	VOTING	YES
Andrew Marietta	VOTING	<u>YES</u>

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

STATE OF NEW YORK                    )  
  ) SS.:  
COUNTY OF OTSEGO                    )

I, the undersigned Secretary of Otsego County Industrial Development Agency (the “Agency”), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on October 24, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 24<sup>th</sup> day of October, 2024.

BY: \_\_\_\_\_  
Secretary

(SEAL)

The board then moved to vote on the following resolutions: Authorizing Sale of Property for the Oneonta Business Park and Approving Intermunicipal Agreements for Richfield Eco-Industrial Business Park

**PUBLIC COMMENT**

There were no Public Comments for this meeting.

**ADJOURNMENT**

T. Armao made a motion to adjourn the meeting of the IDA board at 8:27 am.

## **EXECUTIVE SESSION**

There was no Executive Session for this meeting.

## **UPCOMING MEETING SCHEDULE**

COIDA/OCCRC Audit & Finance Committee Meeting / Projects Committee Meeting – **November 14<sup>th</sup>, 2024**

COIDA/OCCRC Board Meeting – **TBD**

**\*All meetings are held at the Otsego Now offices at 189 Main Street, Oneonta, NY. 13820, unless otherwise specified\***