

COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY

March 26, 2020

MEETING MINUTES

Due to the Coronavirus (COVID-19), Federal and State emergency bans on large meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 220.1, issued on March 12, 2020 suspending the Open Meetings Law, this COIDA Board of Director's Meeting was held via video conferencing, instead of an open meeting for the public to attend. Members of the public were given instructions on how to join the meeting.

CALL TO ORDER

Vice Chairman, Jeffery Joyner, called to order the meeting of COIDA at 8:03am via video conferencing app GoToMeeting. M. Marino conducted roll call and determined there was a quorum. Voting members present electronically included:

Jeffery Joyner
Craig Gelbsman
Patricia Kennedy
Cheryl Robinson

Jeffrey Lord
Tom Armao
David Rowley
Andrew Marietta

Absent Board Member(s): Richmond Hulse, Jr.

Also, in attendance:

STAFF

Jody Zakrevsky, **CEO**
Meaghan Marino, **Dir. of Finance and Administration**

COUNSEL

Kurt Schulte, **Agency Counsel**
Joe Scott, **Bond Counsel**

GUESTS

Mary Manzanero, **MMS**

CHAIRMAN'S REMARKS

Vice Chairman, J. Joyner, welcomed fellow board members, counsel, and guests and spoke briefly about the covid-19 epidemic. J. Joyner is also President of Fox Hospital. He also advised fellow board members that after a meeting with CEO, J. Zakrevsky, and Vice Chair, D. Rowley, the agency is working on updating their bylaws, and hopes to have them ready for the board's approval at the June Board meeting.

MEETING MINUTES

J. Joyner presented the meeting minutes from the January 9th COIDA board meeting. 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 D. Rowley, and it was approved by the remaining members present.

2019 FINANCIAL AUDIT REVIEW

Mary Manzanero, Mostert, Manzanero, Scott, LLP., reviewed the draft audit of both the IDA and the CRC's 2019 financials, prepared by their accounting firm.

M. Manzanero noted that the A/P was down for 2019, because the agency received the grant reimbursement for the Oneonta Airport Study. Grants receivables still sits at \$180,000, as the agency is waiting on two other grant reimbursements: Oneonta Rail Yards and Route 205 study. Copies of all three agency's financials, prepared by MMS, can be found on the Otsego Now website.

BILLS & COMMUNICATIONS

J. Lord reviewed the bills and deposits since the March 12th Audit & Finance Committee meeting. There was nothing out of the ordinary with the expenses. J. Lord noted that JSJJ paid off the remainder of their loan to the IDA, which was noted in the deposits. P. Kennedy made a motion to pay the expenses listed. J. Lord seconded the motion and it was approved by the remaining members.

TREASURER'S REPORT

Treasurer, J. Lord, updated the board on the March 12th Audit & Finance Committee. Board members were given a copy of the draft meeting minutes from that meeting, as well as the financial reports provided at that meeting.

COMMITTEE REPORTS

- ❖ Audit & Finance – The Audit & Finance Committee meeting was held on March 12th. Please refer to the Treasurer's Report as a report of the Audit & Finance Committee meeting.
- ❖ Governance Committee – Governance meetings are hold quarterly, as such, there was no Governance Committee meeting in the month of March, 2020.
- ❖ Projects Committee – The Projects Committee meeting was held on March 12th. Projects Chair, C. Robinson, referred members to the draft meeting minutes, and the updated project trackers from that meeting, as a report of the projects committee.

NEW BUSINESS / UNFINISHED BUSINESS

- **Skyline Hospitality** – Skyline Hospitality submitted a PILOT application to the IDA for assistance with the construction of a Hampton Inn in Hartwick, NY. Due to covid-19, there are several logistical issues to work through before the public hearing can be set. J. Scott outlined some of these issues to the board, including the uncertainty of being able to hold public hearings virtually under Gov. Cuomo's executive order. D. Rowley questioned what the timeline would be in April for the public hearing. J. Zakrevsky explained that ideally we would hold the public hearing on April 17th either in the Town of Hartwick, or virtually, pending further instruction from the State. He did note that there

is time pressure from the applicant, Skyline Hospitality, to get all necessary hearings completed so that construction can begin. Both A. Marietta and P. Kennedy noted that the project is important for jobs in our area. P. Kennedy also noted that if we do hold the public hearing virtually, we go above and beyond the usual means of notifying the public, to ensure they have a chance to provide public comment on the project.

- **Cooperstown Wifi Project** – At the March 12th Project Committee meeting, the committee discussed the ongoing WiFi project between MidTel and the Village of Cooperstown, and the cost to the IDA for insuring the equipment. The Committee discussed different ways that the approximately \$900/annual cost could be paid through other means. Both J. Zakrevsky and A. Marietta had a phone conference with MidTel and discussed different ways to make revenue off the project. When visitors access the WiFi in downtown Cooperstown, their data (email/phone) is then collected and could be sold to local Chambers and marketing groups to use. A. Marietta also explained that there is space for advertising on the login page that accesses the Wifi, as another potential revenue source. Board members agreed that while the IDA wants to help the project advance, we want to offset as many costs associated as possible.
- **Wright Soccer Field Concession Stand** – At the March 12th Project Committee meeting, the committee approved moving forward with replacing the roof of the concession stand at the Wright Soccer Fields. J. Zakrevsky advised that we had received six separate bids to fix or replace the existing damaged roof. Both the committee and the board agreed to move forward with the proposal from Alpine Roofing to replace the roof at a cost of \$12,300.00.
- **Master Plan of Railyards** – At the March 12th Project Committee meeting, the committee approved moving forward with a proposal from the MRB Group to complete a master plan of the Oneonta Rail Yards. The agency had received two bids for the project; and both the committee and the board agreed to move forward with the MRB Groups proposal at a cost of \$32,800.00.
- **JSJJ Loan Update** – The owner of JSJJ, Jerry Vecchio, reached out to IDA staff regarding refinancing they are doing with their bank. After requesting that the IDA drop its position on a note held by JSJJ through the IDA, it was determined that JSJJ would simply pay off the IDA. The remainder of JSJJ's principal loan and interest was paid off to the IDA on March 18th.
- **Deferment of Loan Payments** – Due to the outbreak of covid-19, J. Zakrevsky recommended to the board that we defer all loan payments for two months; board members agreed. M. Marino highlighted the five companies that have loans with the IDA, and advised she would send notices that they would not be obligated to make payments in April and May, and would resume their normal payment schedule in June 2020. J. Zakrevsky also recommended that that the Chairman have the ability to extend the deferment period, if necessary.

RESOLUTIONS AND MOTIONS

Approval of 2019 COIDA Financial Audit

Mostert, Manzanero, & Scott, LLP. reviewed their findings for the 2019 financial audit of the IDA for the board of directors.

J. Lord made a motion to accept and approve the 2019 IDA financial audit. D. Rowley seconded the motion, and it was approved by remaining members.

Approval of Submission of 2019 COIDA PARIS Reports

J. Zakrevsky requested approval from the board to submit the following reports on behalf of the IDA to the ABO's PARIS Reporting system: Procurement Report, Investment Report, Audit Report, and the Annual Report.

D. Rowley made a motion to approve submitting the PARIS reports presented to board members. A. Marietta seconded the motion, and it was approved by remaining members.

Skyline Hospitality Public Hearing Resolution

Resolution No. 0320-

RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF SKYLINE HOSPITALITY LLC.

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, 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, Skyline Hospitality LLC, a New York limited liability company (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 approximately 6.1503 acres of land located at 4882 State Highway 28 (Tax Map No. 146.00-1-26.04) in the Town of Hartwick, Otsego County, New York (the "Land"), (2) the construction on the Land of a new building to contain approximately 60,000 square feet of space (the "Facility") and (3) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the "Equipment") (the Land, the Facility and the Equipment hereinafter referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company as a hotel 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 OTSEGO INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Chief Executive Officer of the Agency, after consultation with the members of the Agency, Agency Counsel and Agency Special 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 Chairman, Vice Chairman and/or Chief Executive Officer 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 Chief Executive Officer 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.

D. Rowley made a motion to approve the PILOT application for Skyline Hospitality, and set the public hearing for the project. A. Marietta seconded the motion, and it was approved by remaining members. J. Lord abstained from the vote.

Wright Soccer Field Concession Stand Roof

RESOLUTION – AUTHORIZING REPLACEMENT OF ROOF FOR WRIGHT SOCCER FIELDS CONCESSION STAND

WHEREAS, the existing roof of the Oneonta Soccer Fields Concession Stand has developed a leak; and

WHEREAS, the maintenance of the concession stand roof is a responsibility of the Otsego County Industrial Development Agency; and

WHEREAS, the IDA received six proposals for both roof replacement and roof repair; and

WHEREAS, the Finance Committee and the Project Committee have reviewed the bids received and made certain recommendations; now therefore be it

RESOLVED, that Alpine Roofing's bid in the amount of \$12,300 for the installation of a new metal roof is hereby accepted and awarded.

D. Rowley made a motion to approve replacing the roof at the concession stand and awarding the contract to Alpine Roofing. C. Robinson seconded the motion, and it was approved by remaining members.

Oneonta Rail Yard Master Plan Design

RESOLUTION – AWARD OF ONEONTA RAIL YARD MASTER PLAN DESIGN TO THE MRB GROUP

WHEREAS, the Final Generic Impact Statement for the Oneonta Rail Yard Business Park was accepted by the City of Oneonta; and

WHEREAS, the IDA and the Oneonta Rail Yard Local Development Corporation are desirous of having a master plan prepared for the Oneonta Rail Yard Business Park; and

WHEREAS, the IDA has received proposals back from engineering firms to perform said master plan; and

WHEREAS, the Finance Committee and the Projects Committee have made certain recommendations; now therefore be it
RESOLVED, that the engineering proposal submitted by the MRG Group in the amount of \$32,800 is hereby accepted and awarded.

A. Marietta made a motion to approve hiring the MRB Group to design a master plan for the Oneonta Rail Yards. D. Rowley seconded the motion, and it was approved by the remaining members.

Deferment of Loan Payments Due to COVID-19

RESOLUTION – AUTHORIZING TEMPORARAY SUSPENSION OF ALL LOAN REPAYMENTS

WHEREAS, because of the Novel Coronavirus (COVID-19) Emergency many small businesses are having financial difficulty; and

WHEREAS, the Governor's 10-point NYS on PAUSE plan which he signed as an Executive Order states that effective at 8PM on Sunday, March 22, all non-essential businesses statewide will be closed; and

WHEREAS, this had added to the hardship already felt by small businesses; now therefore be it

RESOLVED, that all loan repayments by small businesses to the IDA are hereby suspended for a minimum period of 60 days through May 31, 2020 unless extended by the Chairman of the Board.

J. Lord made a motion to approve suspending all loan repayments to the IDA for the term of 60 days, unless otherwise extended by the Chairman of the agency. D. Rowley seconded the motion, and it was approved by the remaining members.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

There being no further business to discuss, J. Lord made a motion to adjourn the meeting. C. Robinson seconded the motion, and the meeting was adjourned at 8:51a.m.

UPCOMING MEETING SCHEDULE

- COIDA/OCCRC Audit & Finance Committee Meeting / Projects Committee Meeting – April 9th, 2020 at 8:00am
- COIDA/OCCRC Board Meeting – April 23rd, 2020 at 8:00am.

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