

COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY
March 24, 2022

MEETING MINUTES

CALL TO ORDER

Secretary C. Gelbsman, called to order the meeting of COIDA at 8:01am. M. Marino conducted roll call and determined there was a quorum. Voting members present included:

Craig Gelbsman	Andrew Marietta (v)
Tom Armao	Patricia Kennedy (v)
Cheryl Robinson	James Seward

Absent Board Member(s): Jeffery Joyner, David Rowley, Jeffrey Lord

Also, in attendance:

STAFF

Jody Zakrevsky, **CEO**
Meaghan Marino, **Dir. of Finance and Administration**
Joe Scott, **Bond Counsel (v)**

(v) – virtual

CHAIR'S REMARKS

Secretary, C. Gelbsman, welcomed fellow board members and staff to the March board meeting.

MEETING MINUTES

C. Gelbsman presented the meeting minutes from the February 24th, 2022 COIDA board meeting. Board members were given a copy of the minutes prior to the meeting for review. C. Robinson made a motion to approve the meeting minutes. The motion was seconded by J. Seward and it was approved by the remaining members present.

BILLS & COMMUNICATIONS

M. Marino reviewed the bills for the agency since the March 10th Audit & Finance Committee meeting. She advised that most are normal operating expenses for the agency. She did note that there was a fee for the NYS Economic Development Council Annual Meeting Reception. Every year the IDA hosts the reception for this event, as it is held in Otsego County. Due to COVID, it was held in October 2021 last year, but they have moved it back to May, 2022 this year, as May is when it is usually held. M. Marino explained that this

is why the board may remember paying for this reception only five months ago. She also noted an expense to cover the cost of tree removal for a tree branch in the Rail Yards that fell onto a fence on Shaffer Avenue. On the deposits side, there was a deposit from Hickey Golf, Inc. for their PILOT application fee.

T. Armao made a motion to approve payment of the expenses provided. C. Robinson seconded the motion and it was approved by remaining members.

COMMITTEE REPORTS

- ❖ **Audit & Finance** – The Audit & Finance Committee meeting was held on March 10th, 2022. J. Lord, Chair of the Committee, was absent from the meeting. C. Gelbsman referred board members to a draft copy of the minutes from that meeting as a review of the Audit & Finance Committee.
- ❖ **Governance Committee** – There was no Governance Committee meeting in March. The next Governance Committee meeting will be held in April, 2022.
- ❖ **Projects Committee** – The Projects Committee meeting was held on March 10th, 2022. C. Robinson, Chair of the Committee, referred board members to a draft copy of the minutes from that meeting as a review of the Projects Committee. She did note that she met with J. Zakrevsky to review the agency's project charters for the two priority projects of the agency and make certain revisions to them.

NEW BUSINESS / UNFINISHED BUSINESS

- **PARIS Reporting/ABO** – M. Marino noted the IDA's requirement to submit certain reports annually to the NYS Authority Budget Office (ABO). These reports need to be reviewed and approved by the board prior to their submission. The reports, for the IDA, presented to the board were the 2021 Annual Report, 2021 Investment Report, and the 2021 Procurement Report. C. Robinson asked if there were anything specific from the reports that J. Zakrevsky wanted to point out to the board. J. Zakrevsky noted the biggest issue is that the financial audit being conducted by Mostert, Manzanero, & Scott, LLP. is still not completed and will likely be late for its submission due date of March 31st to the ABO. C. Gelbsman noted that in the 2020 financial audit, the audit firm recommended that the IDA has too much cash on hand and it's not earning enough interest. They recommended putting it into a high-yield investment account. C. Gelbsman asked if that would be brought up again this year. J. Zakrevsky advised that the money is still in a CD, and because of the work being done in Richfield Springs, it would be likely that the IDA would need some of that money, so it wouldn't be helpful to be tied up in an account with no access.
- **Oneonta Youth Soccer Assoc. (OYSA) Lease** – M. Marino updated the board that at the Projects Committee meeting discussed OYSA's lease ending and the amendment they requested, which was to include repairs to the field's water irrigation system. These repairs are currently being done by OYSA. Projects Committee requested that M. Marino go back to agency counsel, Kurt Schulte, to find out if these obligations didn't already fall under the IDA's responsibility. M. Marino updated the board that she spoke with K. Schulte who advised that OYSA does have burden of maintaining and replacing the pump, or the whole system should it fail. Prior to the meeting, M. Marino asked OYSA to provide details of how much they've spent on the system and what they've done to keep it maintained. OYSA provided a report that showed they had spent approximately \$17,000 between 2018-2021. J. Zakrevsky suggested to the board that he would have a representative from OYSA meet with him to discuss the potential amendment to the lease. There was a brief discussion over the soccer field's history and the board's desire to keep the fields as soccer fields for the community's benefit. C. Robinson did request an annual checklist or list of items that OYSA is doing annually, so that should something catastrophic to the irrigation system, the board would feel comfortable paying for its

replacement, knowing OYSA maintained it. C. Gelbsman also requested a capital improvement plan so that there is funding set aside for issues and improvements in the future. P. Kennedy suggested an annual report and assessment of each property, so that the board has an understanding of what issues are and can review them prior to each years budget process.

- **Hickey Golf, Inc.** – J. Zakrevsky advised the board that we received a formal PILOT application from Hickey Golf, Inc. He provided board members with a public hearing resolution allowing the agency to hold a public hearing on this project. Joe Scott, bond counsel, reiterated J. Zakrevsky statements, and added that there is no final action being taken on the project. This resolution is the preliminary step to solicit public comment. J. Seward asked if the applicant has submitted enough detail in the application to proceed with the public hearing. J. Zakrevsky advised that the applicant had. He also added that he had finalized his numbers and got an assessment from the Hartwick Assessor on the project's future assessment. Presently, the assessment on the property is \$1,175,000 and the increased assessment will be \$2,875,000. J. Zakrevsky advised that these numbers were missing from the applicants original application, but have since been updated. J. Zakrevsky also advised the board that staff would likely hire the MRB Group to run a cost benefit analysis on this project, as CGR, who had done them for the agency in the past, has stopped running cost benefit analysis' as of 2022. J. Seward asked when the public hearing might be held and where it would be held. M. Marino advised that the notice for the public hearing needs to be published in The Daily Star as least 10 days prior to the public hearing, so she will reach out to them and see when they can run the notice. J. Zakrevsky advised that the public hearing needs to be held in the Town of Hartwick, so likely, their Town Hall.
- **USDA Grant Application** – J. Zakrevsky requested permission from the board to submit a USDA grant application for funding for the Innovation/Acceleration Center and approve a commitment to cost-share on the project. He advised that the request for funding is \$1.65 million, with the IDA's cost-share at \$325,000. He briefly mentioned CADE's desire to partner on the grant with their share of the funding at \$100,000, and their cost-share at \$25,000. CADE would use the money to hire additional staff to help with their own proposed Innovation/Acceleration Center, aimed at farming. There was a brief discussion over the budget that was provided by CADE. Members asked if CADE's involvement would help the application. J. Zakrevsky explained that he had asked all the partners (IOXUS, Custom Electronics, Hartwick College, and SBDC) for commitment letters showcasing their involvement with the project. CADE advised they didn't want to partner with the project if their agency was benefiting. He went on to say that their lack of involvement will not hinder the application, but could only help it if they were involved. He did note that the commitment letter he really wanted for the application would have been from SUNY Oneonta, but after multiple attempts to get a meeting with President Cardalle, they advised that he wouldn't be able to meet until May. Deadline for the application is April 17th. P. Kennedy noted that she would send an email to President Cardalle, copy his Executive Administrator, and bring the project up in a meeting she has with him tomorrow morning. She requested that J. Zakrevsky send her a one-paragraph summary of the project to review with the President. C. Robinson agreed with the submission of the grant application, but expressed concern over the commitments of the partners involved with the project and those commitments disappearing at any time and the IDA being left with the project. T. Armao suggested getting written agreements with financial commitments. J. Zakrevsky reminded members that the project hinges on the grant being funded, and even then, the board will still have the authority to implement the project in a way they are comfortable with. P. Kennedy noted that the resolution authorizes J. Zakrevsky to submit the grant application, but she expressed discomfort with submitting an application that the board hasn't seen. She requested that the application be sent to board members, to get a better understanding of the project, and a resolution be provided at a later date. C. Robinson reminded members that a 9-page summary of the project had been previously provided to the board, but P. Kennedy advised that she would be uncomfortable committing to the cost-share,

outlined in the application, without reviewing the application. C. Robinson advised that the board has never reviewed grant applications. P. Kennedy asked if other board members had a better understanding of the project and were okay with the commitment to cost-share \$325,000. C. Robinson advised that her concern didn't revolve around submitting the grant application, but around the implementation of the project. If awarded, before expending any funding on this project, a full plan would be put in place, included written agreements with partners, the building the IDA will buy/build for the project, and all additional commitments that would be needed. P. Kennedy asked if those things need to be done prior to submission of the application. J. Zakrevsky advised that it does not. Joe Scott added that submitting the grant application does not commit the IDA to undertaking the project, so there would still be time, if awarded, to make sure all the board members have the information they need on the project and feel comfortable implanting the project. P. Kennedy expressed further discomfort with her lack of understanding of the project, and the many variables that keep being introduced, like CADE being brought up today for the first time. She also expressed a desire to have the SUNY President more involved, and for the plan to be less fluid.

RESOLUTIONS

2021 PARIS Reports

J. Zakrevsky provided board members with copies of the IDA's 2021 Annual Report, 2021 Investment Report, and 2021 Procurement Report. All of which need to be submitted to the NYS ABO by March 31, 2022. After a review, J. Zakrevsky requested that the board approve submission of these documents to the ABO.

C. Robinson made a motion to approve submitting the IDA's 2021 Annual Report, 2021 Investment Report, and 2021 Procurement report to the NYS ABO. T. Armao seconded the motion, and it was approved by remaining members present.

Hickey Golf, Inc. – Public Hearing Resolution

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 HICKEY GOLF INCORPORATED.

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, Hickey Golf Incorporated, a New York State business 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, 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 15 acre portion of several parcels of land containing approximately 141 acres located on State Highway 28 (tax map numbers: 146-1-26.01, 162.00-1-53.01, 146.00-1-26.03, 146.00-1-26.05, 146.00-1-34.00, 146.00-1-26.02) in the Town of Hartwick, Otsego County, New York (collectively, the "Land"), together with existing buildings located thereon (collectively, the "Existing Facility"), (2) the improvement and/or demolition of the Existing Facility, (3) the construction on the Land of an approximately 2,600 square foot building, 3 baseball/softball fields, walkways, sidewalks and parking lots (collectively,

the "Facility") and (4) 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 being collectively referred to as the "Project Facility"), all of the foregoing to constitute a sports and recreation complex to be owned and operated by the Company and/or Cooperstown Hyde Park Estates LLC and any 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 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 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.

James Seward made a motion to approve the public hearing resolution for Hickey Golf, Inc. C. Robinson seconded the motion, and it was approved by remaining members present through a roll call vote.

Submission of USDA Grant Application and Commitment to Cost Share – Otsego Co. Acceleration Center

RESOLUTION – Submission of Grant Application and Commitment to Cost Share – Otsego County Acceleration Center

WHEREAS, the County of Otsego Industry Development Agency intends to develop the Otsego County Acceleration Center in partnership with local economic development organizations, higher education institutions, and private sector companies, in order to stimulate the formation of new businesses and high-wage jobs in the advanced electronics manufacturing industry; and

WHEREAS, the Agency intends to purchase a building in Oneonta, NY, to house the Acceleration Center and to serve as office space for COIDA and its key partners; and

WHEREAS, the Agency seeks federal funds from the United States Department of Agriculture's Rural Innovation Stronger Economy (RISE) grant program to support the costs of building acquisition and renovations; now therefore be it

RESOLVED, that the CEO of the Agency is hereby authorized and directed to submit a grant application to the United States Department of Agriculture under its RISE Notice of Solicitation of Applications; and further be it

RESOLVED, the Agency is committed to providing \$325,000.00 as cost-share for the project; and further be it

RESOLVED, the Agency acknowledges that these funds must be made available throughout the grant term, be applied individually to each eligible RISE activity and expense, be from eligible non-federal sources, and be spent in advance or as a pro-rata portion of grant funds being spent.

T. Armao made a motion to approve submission of the USDA grant application and commitment to cost share for the Otsego County Acceleration Center, and J. Seward seconded the motion. P. Kennedy voted no on the resolution. It was approved by remaining members present through a roll call vote.

PUBLIC COMMENT

There was no public in attendance.

ADJOURNMENT

C. Robinson made a motion to adjourn the meeting of the IDA board at 9:00am.

UPCOMING MEETING SCHEDULE

- COIDA/OCCRC Audit & Finance Committee Meeting / Projects Committee Meeting – April 14, 2022
- COIDA/OCCRC Board Meeting – April 28, 2022

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