

**Cheryl Robinson, Chair * David Rowley, Vice Chair * Jeffrey Lord, Treasurer * Tom Armao, Secretary
Craig Gelbsman * Patricia Kennedy * Jeffery Joyner * Andrew Marietta * James Seward
Jody Zakrevsky, CEO * Joseph Scott, Bond Counsel * Kurt Schulte, Counsel * Meaghan Marino, Dir. of Finance and Administration *
Tammy Graves, Marketing Coordinator * Nasim Vargha, Administrative Assistant**

The Mission of Otsego Now is to transform Otsego County's economy so that it can provide a prosperous livelihood for all its residents by attracting and retaining business investment from established and growing firms that will bring high-paying skilled jobs to our community.

COIDA BOARD AGENDA THURSDAY, MAY 25TH, 2023

- ROLL CALL
- CHAIR'S REMARKS
- APPROVAL OF MEETING MINUTES
 - April 27th, 2023 – Meeting Minutes
- REPORT OF THE AUDIT & FINANCE COMMITTEE AND TREASURER
- BILLS AND COMMUNICATIONS
- REPORT OF THE PROJECTS COMMITTEE
- NEW AND UNFINISHED BUSINESS
 - HUNT ENGINEERING – WETLAND DELINEATION
 - FOOTHILLS PERFORMING ARTS CENTER
 - COUNTY OF OTSEGO MICRO-ENTERPRISE GRANT AWARD
 - LETTERS OUT TO TAXING JURISDICTIONS REGARDING SOLAR AND WIND PILOTS
- PUBLIC COMMENT PERIOD
- EXECUTIVE SESSION (IF NEEDED)
- ADJOURNMENT

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY
APRIL 27th, 2023**

MEETING MINUTES

CALL TO ORDER

Chair, C. Robinson, called to order the meeting of COIDA at 8:02am. N. Vargha conducted roll call and determined there was a quorum. Voting members present included:

Cheryl Robinson
Jeffrey Lord
Patricia Kennedy
James Seward

David Rowley
Jeffery Joyner
Tom Armao
Andrew Marietta

Absent Board Member(s): Craig Gelbsman

Also, in attendance:

STAFF

Jody Zakrevsky, **CEO**
Nasim Vargha **Administrative Assistant**
Joe Scott, **Bond Counsel (v)**

(v) – virtual

CHAIR'S REMARKS

Chair, C. Robinson, welcomed fellow board members and staff to the April board meeting and moved immediately onto the agenda.

MEETING MINUTES

C. Robinson presented the meeting minutes from the March 23rd, 2023 COIDA board meeting. Board members were given a copy of the minutes prior to the meeting for review.

J. Joyner made a motion to approve the March 23rd Board minutes. The motion was seconded by D. Rowley and was approved by the remaining members present.

BILLS & COMMUNICATIONS

J. Zakrevsky reviewed the bills and communications. He explained that the bill from Keystone Associates was for the processing of the bidding documents and the bill from the Railroad Management Company

was an annual fee for the waterline that runs under the railyards in the Oneonta Business Park. C. Robinson noted that the annual assistance from the County was deposited.

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

COMMITTEE REPORTS

- ❖ Audit & Finance – The Audit & Finance Committee meeting was held on April 13th, 2023. J. Lord, Chair of the Committee, referred board members to the draft of the meeting minutes that had been provided to them.
- ❖ Governance Committee – The Governance Committee meeting was held on April 13th, 2023. The Governance Committee meets quarterly, and the next meeting will take place on August 10th, 2023.
- ❖ Projects Committee – The Projects Committee meeting was held on April 13th, 2023. T. Armao, Chair of the Committee, referred board members to the draft meeting minutes that had been provided to them.

NEW BUSINESS / UNFINISHED BUSINESS

Amending Resolution for Skyline Hospitality: J. Zakrevsky explained he has done an analysis of the Skyline Hospitality payments based on the assessment of \$5.75 million made by the Town of Hartwick assessor. The assessment was based on the construction costs and the number of rooms in the building/story height. He said that the PILOT agreement would be for 10 years rather than 15 years because it is considered a retail project. The analysis included the IDA's 1% project cost, the annual payments, and anticipated bond and local counsel fees. The total fees on the project would total approximately \$542,000. J. Lord noted that Skyline Hospitality's estimated costs are lower than other hotels and questioned whether the project could be completed with the estimated budget. J. Zakrevsky reported that a public hearing was held regarding the increase in project costs and that there were no public comments. J. Scott explained that this resolution would be amending the resolution adopted in May 2020. The amended resolution addresses the increase in project costs. He noted that, unlike with Centrome, these cost adjustments were made pre-closing. The amendment reflects the increased project costs, the increased benefits, and the results of the public hearing. J. Lord explained that he would be voting no on the amended resolution because he believed the retail aspect of the project gives an unfair advantage. He added that the project would be cutting up the market rather than drawing in new customers. T. Armao noted that Skyline Hospitality is taking advantage of the benefits that are being offered. J. Lord responded that the benefits would allow them to reduce costs and take market share from other retailers. After a brief discussion, P. Kennedy asked if these benefits were unavailable in the past or if retailers simply did not come to the IDA for assistance. J. Lord clarified that similar projects had approached the IDA for assistance in the past but were turned down. C. Robinson reminded the board that this project has already been accepted and that the amended resolution is regarding the increased costs, not the approval of the project itself. J. Seward said that he still saw the benefit of having more hotel rooms in Otsego County, especially near Cooperstown.

Hiring a new part-time Innovation Marketing Coordinator: J. Zakrevsky explained that Gina Gardner has left her position as the Innovation Marketing Coordinator at Otsego Now. He said that he had reached out to Tammy Graves, who used to be a marketing coordinator in Schoharie County, to replace her. She will be working 20 hours a week.

Richfield Springs Update: J. Zakrevsky explained that there are two DEC SPDES permits for Richfield Springs dating back to 2009. He was only aware of one of them and therefore has only been renewing one of them. J. Zakrevsky submitted a new application and heard from the DEC's regional director that the approval process will be expedited. He also reported that EDA has been holding off approval of the RS construction contracts because there is no draft Memorandum of Agreement between the Town and the Village. After following up, J. Zakrevsky was sent the two draft water and sewer MOAs which he then forwarded to the EDA. D. Rowley asked if the IDA is ready to award bids as soon as EDA gives approval. J. Zakrevsky confirmed that the IDA is ready and asked for the board's approval to sign a contract with the lowest bidder pending EDA's approval.

J. Seward made a motion to allow J. Zakrevsky to sign a contract with the lowest construction bidder pending EDA approval. J. Lord seconded the motion, and it was approved by the remaining members.

PILOT program requests from County: J. Zakrevsky reported that he received two requests from the County. He explained that there is an informal agreement between the County Treasurer and the County Chairman that the IDA is responsible for handling all PILOT payments moving forward. The County is asking for a more formal resolution to be made for this agreement. The second request was regarding solar energy projects. Several solar companies have approached the County about starting PILOT agreements under Section 487 of the Tax Law. The law states that a person can negotiate a PILOT agreement if they have not filed for exemption, but if a PILOT is not negotiated and they do not respond within 60 days, no funding must be provided. C. Robinson asked if that meant that the IDA must respond within 60 days of the application in order to be able to assess and tax the projects. J. Scott clarified that the County has 60 days to respond. J. Zakrevsky explained that other counties have completely opted out of 487 which means that in order to proceed with the projects they have to either pay 100% of the taxes to the county or they must negotiate a PILOT agreement with the local IDA. He noted that Otsego County as a whole has not opted out. A. Marietta explained that the County has not opted out because they were unaware of it. J. Lord asked if some proposed projects had already passed the 60 days to respond, and J. Zakrevsky said that the County had sent out letters during the 60 days to negotiate a PILOT. He noted that most towns receive the letter and throw it away because they do not know what it is. In order to reduce this, J. Zakrevsky is going to send letters explaining the situation to every town and school district that has not opted out of 487. C. Robinson asked what triggers the start of the 60 days, and J. Scott said that a letter needs to be sent to each of the taxing jurisdictions and then they have 60 days to react. J. Scott explained that the goal is to notify all of the taxing jurisdictions so that they can opt out. Any future renewable energy projects would have to pay normal tax or would need to go through the IDA.

RESOLUTIONS

Amending Resolution: Skyline Hospitality

Resolution No. 0423-_____

RESOLUTION AMENDING A RESOLUTION ENTITLED “RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR SKYLINE HOSPITALITY LLC (THE “COMPANY”).”

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 commercial, manufacturing 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, on May 28, 2020, the members of the Agency adopted a resolution (the “Approving Resolution”) entitled “Resolution Authorizing Execution of Documents in Connection with a Lease/Leaseback Transaction for a Project for Plug Power Inc.” (the “Company”); and

WHEREAS, subsequent to the adoption of the Approving Resolution, the Agency was notified that the Project cost increased, as well as the amount of benefits being requested by the Company;

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

Section 1. The Approving Resolution, is hereby amended to include the following recital clauses:

“WHEREAS, in April, 2023, the Agency received an amended application from the Company (the “Amended Application”) providing for certain amendments to the Application with respect to the Project from the Company, which Amended Application contains revised Project costs and amounts of Financial Assistance resulting in the need for the Agency, pursuant to Section 859-a of the Act, to hold a second public hearing with respect to the Project and the amount of the Financial Assistance as described in the Amended Application; and

“WHEREAS, pursuant to the Amended Application, the Chief Executive Officer of the Agency (A) caused notice of a public hearing of the Agency (the “Supplemental Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on April 4, 2023 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located, (B) caused notice of the Supplemental Public Hearing to be posted on April 4, 2023 on a public bulletin board located at the Town of Hartwick Town Hall located at 103 Town Drive in the Town of Hartwick, Otsego County, New York, as well as on the Agency’s website, (C) caused notice of the Supplemental Public Hearing to be published on April 6, 2023 in The Daily Star, a newspaper of general circulation available to the residents of Otsego County, New York, (D) conducted the Supplemental Public Hearing on April 18, 2023 at 10:30 o’clock a.m., local time at the Town of Hartwick Town Hall located at 103 Town Drive in the Town of Hartwick, Otsego County, New York, and (E) prepared a report of the Supplemental Public Hearing (the “Supplemental Hearing Report”) fairly summarizing the views presented at such Supplemental Public Hearing and distributed the same to the members of the Agency; and

Section 2. The Agency hereby amends Section 3(D) of the Approving Resolution to read as follows:

“(D) It is estimated at the present time that the costs of the planning, development, acquisition, construction and installation of the Project Facility (collectively, the “Project Costs”) will be approximately \$20,500,000;”

Section 3. The Agency hereby amends Section 3 of the Approving Resolution to include the following subsection:

“(L) Pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) that the Project, as supplemented, constitutes a “Type II” action within the meaning of the SEQR Act.”

Section 4. The members of the Agency have considered the comments received from the public pursuant to the Supplemental Public Hearing.

Section 5. Exhibit A of the Approving Resolution is hereby amended as reflected in the attached Exhibit A to this Resolution.

Section 6. Except as amended by this Resolution, the Approving Resolution, including the Exhibits attached thereto, shall remain in full force and effect and the terms and conditions thereof are hereby confirmed.

Section 7. All action taken by the Chairman or the Chief Executive Officer of the Agency in connection with the Supplemental Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 8. This Resolution shall take effect immediately.

D. Rowley made a motion to approve the amending resolution and J. Joyner seconded the motion. J. Lord voted no. Remaining members approved the resolution through a roll call vote.

PUBLIC COMMENT

There were no Public Comments for this meeting.

ADJOURNMENT

D. Rowley made a motion to adjourn the meeting of the IDA board at 8:38am.

UPCOMING MEETING SCHEDULE

- COIDA/OCCRC Audit & Finance Committee Meeting / Projects Committee Meeting – May 11th, 2023
- COIDA/OCCRC Board Meeting – May 25th, 2023

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

DRAFT

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY
OTSEGO COUNTY CAPITAL RESOURCE CORPORATION**

**AUDIT & FINANCE COMMITTEE
MAY 11TH, 2023
MEETING MINUTES**

CALL TO ORDER

The COIDA and OCCRC's joint Audit & Finance Committee meeting was called to order at 8:01am at the Otsego Now offices at 189 Main Street in Oneonta, NY. Members present included:

Cheryl Robinson
Tom Armao
Jeffrey Lord

David Rowley
Jeffery Joyner
Craig Gelbsman

Absent Member(s): Andrew Marietta, Patricia Kennedy, James Seward

Also, in attendance:

STAFF

Jody Zakrevsky, **CEO**
Tammy Graves, **Marketing Coordinator**
Nasim Vargha, **Administrative Assistant**

GUESTS

Brian Evans, **Global Photonics Solutions**
Michael Pentaris, **Custom Electronics**
Larry Frigault, **Richfield Springs Town Board**

CHAIR'S COMMENTS

J. Lord, Chair of the Audit & Finance Committee moved immediately onto the agenda.

MEETING MINUTES

J. Lord requested a motion to approve the meeting minutes from the April 13th Audit & Finance Committee meeting. Members were given the draft minutes prior to the meeting for review. There being no corrections, D. Rowley made a motion to approve the meeting minutes. J. Joyner seconded the motion, and it was approved by remaining members.

PAYMENT OF BILLS

J. Lord reviewed the bills and deposits made since the April Audit & Finance committee meeting. Committee members received a report of the expenses and deposits prior to the meeting to review. Most of the bills presented were normal operating expenses for the agency. J. Lord asked what the difference was between the two Community Foundation of Otsego County bills and J. Zakrevsky explained that one was for Otsego Now and the other was for the Innovation Center which will be reimbursed. C. Gelbsman asked if the Philadelphia Insurance bill covered all the insurance and J. Zakrevsky confirmed that it did. Regarding the monthly deposits, J. Zakrevsky noted that the IOXUS rent has gone up to \$6,250.

There being no further questions about the bills, C. Robinson made a motion to approve the payment of bills. J. Joyner seconded the motion, and it was approved by the remaining members.

REVIEW OF FINANCIALS

J. Lord reviewed the April balance sheet and the profit and loss statement. J. Zakrevsky noted that the agency is ahead of schedule receiving payments.

NEW AND UNFINISHED BUSINESS

Centrome Payment: J. Zakrevsky reported that the IDA received a payment of \$99,603.70 from Centrome for administration fees.

County Appropriation: J. Zakrevsky explained that the IDA also received \$275,000 in general assistance from the County. This payment does not usually come in until later in the year, so it is ahead of schedule.

ADJOURNMENT

There being no further business to discuss, D. Rowley made a motion to adjourn the Audit & Finance committee meeting at 8:06am.

UPCOMING MEETING SCHEDULE

The next Audit & Finance Committee meeting is June 8th, 2023 at 8:00am.

COIDA EXPENSES
5/11/2023 - 5/24/2023

Vendor	Amount Due	Due Date	Reimbursable?	Notes
Barton & Loguidice	\$621			grant administration fees
Business Incubator Association	\$225			BIA annual meeting ticket for Tammy Graves
ISD	\$492			wireless transmitters
Otsego IDA	\$20			deposit for NBT account to keep it active
Paperkite	\$250	21-Jun		website backup and quarterly maintenance
Spectrum	\$299.95	31-May		otsego now wifi and voice
Spectrum	\$39.99	22-May		CADE phones

COIDA TOTAL	\$1,947.92
--------------------	-------------------

COIDA DEPOSITS
5/11/2023 - 5/24/2023

Vendor	Amount	Date of Deposit	Notes
ARCH Insurance	\$634.57	12-May	paid family leave reimbursement for Meaghan Marino
ARCH Insurance	\$634.57	23-May	paid family leave reimbursement for Meaghan Marino

TOTAL	\$1,269.14
--------------	-------------------

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY
OTSEGO COUNTY CAPITAL RESOURCE CORPORATION**

**PROJECTS COMMITTEE
May 11th, 2023
MEETING MINUTES**

CALL TO ORDER

The COIDA and OCCRC's joint Projects Committee meeting was called to order at 8:06am at the Otsego Now offices at 189 Main Street in Oneonta, NY. Members present included:

Tom Armao
David Rowley
Andrew Marietta (v)*
Craig Gelbsman

Jeffery Joyner**
Jeffrey Lord
Cheryl Robinson

Absent members: Patricia Kennedy, James Seward

Also, in attendance:

STAFF

Jody Zakrevsky, **CEO**
Tammy Graves, **Marketing Coordinator**
Nasim Vargha, **Administrative Assistant**

GUESTS

Brian Evans, **Global Photonics Solutions**
Michael Pentaris, **Custom Electronics**
Larry Frigault, **Richfield Springs Town Board**

v – virtual

* arrived after start of meeting

**departed before end of meeting

CHAIR'S REMARKS

Projects Chair, T. Armao, moved immediately into the agenda.

MEETING MINUTES

T. Armao requested a motion to approve the April 13th Project Committee meeting minutes. Committee members were given a draft copy of the minutes prior to the meeting for review. There being no corrections to be made, C. Robinson made a motion to approve the meeting minutes. J. Lord seconded the motion, and the motion was approved by remaining board members.

PRESENTATION

Brian Evans of Global Photonics Solutions gave a presentation about his business and possible collaboration with Michael Pentaris and Custom Electronics. Global Photonics Solutions produces LED displays. B. Evans discussed the benefits of advanced manufacturing and the type of manufacturing being done in China. He explained that if companies in the United States began packaging electronic components, the product would be considered American-made and would create competition within the market. This growth would also create jobs in related industries. M. Pentaris noted that the peripheral businesses that are created may need financial assistance to get started. B. Evans explained that materials could be sourced from within the United States, and the range of products being produced would eventually expand. He expressed that it would be beneficial to create competition within the market by having more manufacturers in the U.S.

CEO REPORT OF PROJECTS

J. Zakrevsky recapped some of his activities since the April Projects Committee meeting until now. He also provided members with a detailed update of some of the IDA's priority projects. The following topics were discussed in greater detail:

Richfield Springs: J. Zakrevsky reported that DEC wants a new wetlands delineation done because the last one was done in 2002. D. Rowley asked who did the original wetland delineation and J. Zakrevsky said that it was done by Keystone Associates. He noted that Keystone Associates are unable to do a new delineation at this time. J. Zakrevsky said that he has received three proposals for construction management. He explained that if they chose Keystone Associates, which is the lowest bidder, the IDA would need to pay 100% of the cost and would not be reimbursed. This is because Keystone Associates were part of the original designs that were submitted with the grant application. J. Zakrevsky reported that the third bidder was HUNT Engineering. He noted that after the removal of the federal share, the cost to the IDA would only be \$46,000. HUNT Engineering also does wetland delineation. J. Zakrevsky reported that EDA has strongly suggested that the Town of Richfield should take ownership of the water and sewer lines and become a co-applicant for the grant. L. Frigault explained that he is not familiar with the EDA grant application and was unaware of the obligations of the Town. He said that he would not be able to agree to take ownership of the lines without the approval of the Town Board. He also noted that his understanding was that the Town would have minimal involvement with the project, and that they have no experience with owning water and sewer lines. C. Robinson explained that the ownership was mainly for administrative purposes and would not change the IDA's involvement with the project. She added that the IDA never had the intent to take

ownership of the lines and suggested that J. Zakrevsky should meet with the Town Board to explain the agreement.

NEW/UNFINISHED BUSINESS

There was no New/Unfinished Business for this meeting.

EXECUTIVE SESSION

J. Lord made a motion to enter executive session with committee members only, under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 9:39am for the following reasons: To discuss the sale of property where the price may be affected. D. Rowley seconded the motion, and it was approved by all committee members present. The committee entered executive session at 9:39am. There was no action taken in executive session.

C. Robinson made a motion to enter back into public session; J. Lord seconded, and all members approved. The committee exited executive session at 9:49am.

ADJOURNMENT

There being no further business to discuss, C. Robinson made a motion to adjourn the Projects Committee meeting at 9:49am.

UPCOMING MEETING SCHEDULE

The next Projects Committee meeting will be held on June 8th, 2023, at 8:00am.