

Agenda
Greene County Industrial Development Agency
Regular Meeting August 22, 2017

Call Meeting to Order

Public Comment Period

A. Operations & Administration

1. Reading and approval of minutes – Regular Meeting 7/20/17
2. Finance report/approval of bills.
3. Project Benefit Termination, Reduction, Recapture or Amendment Policy

B. Priority Business

1. Gather Greene
2. CAT21
3. Quality Inn
4. Fountain Flats/Ferguson

C. Project Reports/Old business

1. GNH Lumber Relocation
2. Cement Plants - WTI-PH proposal
3. Thor Marina Parcel
4. Sfoglini Pasta Shop

D. New Business & Business from the Floor

Adjourn meeting

**Executive Directors Monthly Report
August 2017**

A. Operations and Administration

3. Recapture Policy - During the past month the new Project Benefit Termination, Reduction, Recapture or Amendment Policy has been reviewed by Goldman and final edits were redistributed to the Board prior to the meeting for review.

Action: Motion to adopt the policy

B. PRIORITY PROJECTS/BUSINESS

1. Gather Greene

In advance of the meeting, the Board has been provided copies of the project application, support materials and a copy of the Draft Statement of Findings. The Statement of findings has also been reviewed by council and approved for board adoption. The project is proposed to receive financial assistance in the form of an exemption from the Mortgage Recording Tax and Sales and Use Tax as it related to development and fit out of the facility. No PILOT is involved. Material Factors recommended by staff is an increase in the Full Market Value of the project parcel by \$750,000 to be verified by post development assessment as set by the Town of Coxsackie Assessor. We are now ready to advance the project through the final actions.

Actions:

1. *Review of SEQRA EAF form and determination of environmental impact. Staff recommendation is a determination of a NegDec. (project also had a full SEQRA review by the Town of Coxsackie Planning Board which issued a NegDec)*
2. *Review of the Statement of Findings and adoption*
3. *Pass resolutions allowing Chair and Council to finalize all project documents and execute.*
4. *Motion to set an IDA transaction fee of \$15,000 payable upon Gather Greene's closing on the bank financing. (note: Gather Greene is also responsible for full reimbursement of IDA legal costs)*

2. CAT21 Project

- The asbestos sampling has been completed on the remaining four residential structures targeted for demolition. We expect the reports any day and can then seek bids for remediation and remediation monitoring in preparation for the demolition.
- Relocation of former residents is 95% complete. All structures are vacated in regards to habitation but two of 5 owners are still removing personal property. I extended the timeframe for final vacancy until the end of the month.
- I have been working with the Town of Catskill, their engineer on the sewer project (Delaware Engineering) and the sewer project contractor on the location of the new sewer force main. Earlier I had reported that I requested that the force main as designed be relocated from behind the residential lots to the front of the lots such that the line would not be in the way when we started to buildout the parcels. During a site visit last week I noted that the force main was being pushed further into the lots than required (need a 10' separation from the water line that also runs out front) or than I had anticipated. In a meeting with the engineers and contractors this was being done so as to avoid removing 3-4 trees that prevented a tighter spacing with the water line. I expressed my concerns that the placement was encumbering more of the frontage than originally discussed. I was also concerned that removal of the trees in the future when the lots were developed could damage the force main when the stumps were pulled. The final resolution was that I authorized the additional costs of removing the trees such that the line could be located so as to impact less of the IDA's land. At the time we asked for the relocation I had addressed the Town's concerns on any increased cost by committing the IDA to cover any added cost that were a direct result of our request to relocate the line. I do not have a final cost but expect it to be appropriate given the impact to future development if the utility corridor was expanded too wide.

3. Quality Inn

- On July 25th a trial was held in federal bankruptcy court in relation to the Quality Inn foreclosure and the former owner's attempts to get the property back. Paul worked very closely with County Attorney Ed Kaplan with both attorneys present at the trial. Paul and Ed were successful in getting a direct verdict from the bench in the County's favor. The owners have filed a notice of appeal and Paul will continue to assist the county with the defense. I wanted to note and thank Paul for his work on this case.
- At the July County Legislature Economic Development Committee meeting a resolution setting a public hearing on the County's transfer of the parcel to Greene Local Development Corporation for Sept 20th was passed and expected to pass the full legislature on 8/17/17. I

am working with the County attorney to determine a schedule for when we can expect to take title. It would appear to be the end of Sept at earliest or Oct.

- We are still actively engaged with the NYSTA on two fronts. To meet schedule on demo, we will need to get a series of temp work permits for the IDA as well as individual permits for all contractors. These are needed as portions of the demo will be on NYSTA lands. We are also continuing to work with them on the question of acquisition. This week they were sent the requested concept plan and I expect we will be able to start moving forward on the acquisition.
- Since the Quality Inn project was far from settled last fall when we drafted our PARKS budget it was not included. I am proposing that the Board approve an amendment of the PARKS budget to establish an initial \$250,000 in funds from the PARKS account. This will not be adequate to cover all anticipated expenses but should be adequate to get us through 2017 when we can address total budget in the 2018 budget. In the event we can advance demolition to be completed before the 2018 budget is adopted, I will have more accurate numbers and we can amend the budget again. Most likely I will request that we add new funds as well as redirect some funds budgeted in 2017 on projects that will not need the funds by year end.

Action: motion to amend 2017 PARKS budget to allocate \$250,000 to the Quality inn project.

- As previously discussed and approved by the Board, the property will initially transfer to Greene Local Development Corp. To provide GLDC with adequate funds to undertake initial work items we will need to execute a contract between the IDA and LDC. The initial scope of that agreement will provide for the GLDC to (1) Insure the property (2) Secure the property with an effective fence (3) Complete a Phase I environmental Site Assessment to better understand whether there is any environmental risk to the IDA if the property is transferred to the IDA from the GLDC. I propose that the board authorize Eric, Paul and I to draft and execute an agreement between the two entities which will be approved by both parties in September.

Action: Motion to authorize development of contract between GCIDA and GLDC.

- Staff and I have already been preparing for the transfer of the property. At this point the focus has been on getting pricing for security fencing as well as developing a strategy for cleaning out the furniture and other items in the facility that cannot be commingled with the C&D debris at the time of the demolition. We are working closely with the County Solid Waste dept. on these issues. The current intent is to identify firms that liquidate hotel furnishings as I want to avoid trying to dispose of the furniture piece by piece.

- I have reviewed the work the county did in preparation for their defense of the foreclosure which included an asbestos/lead/PCB survey. While initially I thought this was a preliminary survey it was actually a full survey. The results were positive with no significant asbestos, lead paint or PCB's identified and no special remediation required. There is still a slight possibility that some sources of asbestos may be discovered when the demo starts but I am confident that this is unlikely. The survey being available will shave +/- 6 weeks off the schedule as well as allow us to avoid remediation and move directly to demolition.

4. Ferguson/Fountain Flats

- I have been focused wrapping up some loose ends on the Ferguson Project involving archeology and grassland mitigation. On the archeology side, there was one archeological site in the area where Ferguson will need to dispose of fill when (if) they expand. At the time of construction, the Tribe, State Historic Preservation Office (SHPO) and the Army Corps agreed to allow us to proceed with the construction of Ferguson with the last site to be further evaluated and address at a later date. Our last commitment to Ferguson is to get this area cleared for their future expansion. On 8/15 Ed Curtin and I met with the Tribe representative and SHPO to review the additional field work we did in 2015. I proposed that we be allowed to leave the artifacts in place and place fill over the top in lieu of a traditional Phase 3 where artifacts would be recovered prior to construction. I offer an alternative mitigation plan focused on providing funding to further the education program as well as the development of an interpretive kiosk at local park that would educate residents on the history of the Native Americans in the area as well as their current status. I offered to fund \$50,000. By comparison, Curtin Archeological provided me a cost of \$70,000 to do the Phase 3. In this case, we save \$20,000 but we also get something that will be useful to the community versus more boxes of rocks that will end up in storage forever. The mitigation cost is an eligible PILOT account expense and will be paid from there. This is also lower than the projected estimate I provided to the board.

Action: Motion to authorize the Executive Director to amend the Army Corp of Engineers permit for Ferguson to add additional alternative mitigation in the amount of \$50,000.

- The other remaining item is related to habitat mitigation. We need to amend the current agreement between the IDA and Greene Land trust to extend the contract by 10 years and then we need to transfer all of the remaining lands that were committed to conservation in our permit to GLT. The documents (surveys, deed descriptions) for the lands are all now in order and I am very close to finalizing the revised IDA/GLT agreement. I would ask that the Board approve execution of the agreement upon final review and agreement by Eric, Paul and I. I would also ask for approval to transfer the remaining lands to the GLT as set forth in our permits.

Action:

1. Motion authorizing Chair to execute an amended contract with GLT upon final review and approval by Chair, Counsel and Executive Director.

2. Authorize the transfer of habitat conservation lands to the GLT as set forth in the IDA's NYSDEC and Army Corp permits.

C. PROJECT REPORTS/OLD BUSINESS

1. GNH Lumber Relocation

No significant progress to report this month. GNH and I continue to work on trying to reduce costs but other financial hurdles must be addressed first.

2. Cement Plants (WTI-PII project)

- During the past month WTI has made some progress with NYSDEC. As previously reported I expect the review and approval process for this project will be lengthy.
- Peckham and I have been working to try and get Holcim to consider selling or donating +/- 270 acres of the former plant property that is not suitable for development. The acreage has significant environmental features and would be an excellent resources for passive recreation and river access. Facilitating the acquisition of the parcel will have a direct benefit to the redevelopment of some portions of the old cement plant. The IDA has shown that effective consideration of environmental issues in development strategies has worked to demonstrate common ground between groups that would normally be opponents.

3. Thor Marina Parcel

Working with the Village planning board we have determined we can do the subdivision I proposed without the need for a variance. At this point I am waiting on a cost proposal for the survey.

4. Sfoglini Pasta Shop

I have received notice from the owners of Sfoglini Past Shop that the lease for the former Ducommun building in GBTP will be executed any day. I am currently assisting them with local approvals such as getting a building permit and sign permit. Given they are not a change in use, and any renovations to the building to meet their needs is not subject to further planning board action, it is expected that the final approvals will go smoothly. Sfoglini proposes to add between 20-30 jobs as they get established as set forth in their application for state assistance.