

**Minutes of the Meeting of the  
County of Clinton Industrial Development Agency  
July 11, 2016**

The meeting was called to order by T. Trahan, Chairperson, at 12:08 p.m., at the offices of the County of Clinton Industrial Development Agency, 190 Banker Road, Suite 500, Plattsburgh, N.Y.

Members Present: Trent Trahan, Chairperson  
David Hoover, Vice Chairperson  
Michael Zurlo, Secretary  
Kim Murray, Assistant Secretary  
Keith Defayette, Treasurer and CFO  
Mark Leta, Member  
John VanNatten, Member

Excused: None

Others Present: Paul Grasso, Interim Executive Director  
George Cregg, Esq., Agency Counsel  
Barbara Shute, Recording Secretary  
Victoria Duley, The Development Corporation  
Christine Jabaut, The Development Corporation  
John Gokey, Saranac Power Partners  
Kevin MacLeod, Bond Schoeneck & King – Legal Counsel  
for Saranac Power Partners  
Marc Stanislas – University of Vermont Health Network  
Francis Taylor – Ponder & Co. Financial Advisor for  
University of Vermont Health Network  
Chris Rosenquest  
Simon Conroy

T. Trahan declared that a *quorum* was present.

T. Trahan waived the reading of the notice of the meeting published in the *Press-Republican* on December 11, 2015.

Presentation – Saranac Power Partners

J. Gokey made a presentation to the members.

The company's current PILOT Agreement is due to expire on December 31, 2016 and they are requesting that the PILOT Agreement be amended to extend through 2023. The company is also seeking to reduce the Company's PILOT payments to reflect a decline in the value of the Project Facility from approximately \$32 million in 2009 to \$20 million currently. This would reduce the Company's semi-annual PILOT payment from \$210,000 to approximately \$131,250.

After a brief discussion the members requested to see additional information to include income statements for 2010, 2011 and 2012. J. Gokey agree to forward this information to P. Grasso for dissemination to the members. Agency staff will need to meet with and discuss this request with the affected taxing jurisdictions prior to any decisions being made.

Reading and Consideration of the Draft Minutes of the CCIDA meeting of May 16, 2016:

T. Trahan waived the reading of the minutes of the May 16, 2016 regular meeting. He asked if there were any questions or discussion regarding the draft minutes, there was none. On a motion by M. Leta and seconded by K. Defayette, it was unanimously carried to approve the minutes of the May 16, 2016 regular meeting, as presented.

Public Comment

Simon Conroy noted that he is running for a seat on the County Legislature. By attending this meeting he is hoping to learn more about what is being done to promote job growth and to attract and retain quality jobs for the area.

Treasurer's Report

**CCIDA:**

The account balance at 6/30/2016 was \$101,197.13

No Income reported for June:

**Balance Sheet:**

There is \$0 remaining in the CIDA, LLC's bank account.

**Income Statement:**

The income statement shows the expenses that were approved during the month of June.

The "net income or loss" for each month will be for expenses for administering the CCIDA.

Expenses paid in June:

TDC- Admin fee	\$7,216.25
Jennetix (website)	\$191.25
Total Expenses	\$7,407.50

On a motion by D. Hoover and seconded by J. VanNatten, it was unanimously carried to approve the treasurer's report as presented by K. Defayette.

Reports of the Committees: None

Old Business:

### **Schluter Systems Public Hearing**

P. Grasso stated that the Public Hearing for the Schluter Systems L.P. application was held on July 5, 2016 at The Development Corporation offices. CJ Madonna, was present from the company. Michael Cashman, Supervisor Town of Plattsburgh was also on hand. No one from the audience chose to speak and there were no objections to the project mentioned. The members received a copy of the draft transcript with the meeting information for review.

With no further discussion, on a motion by M. Zurlo and seconded by K. Murray, it was unanimously carried to accept the transcript of the July 5, 2016 public hearing for Schluter Systems.

Today the members are being asked to consider a resolution to adopt the Final SEQR determination from the Town of Plattsburgh and a resolution to authorize sending a PILOT Deviation letter to the taxing jurisdictions.

### **Final SEQR Determination**

The following resolution was offered by K. Murray, seconded by J. VanNatten, to wit:

#### Resolution No. 07-16-01

RESOLUTION ACCEPTING THE DETERMINATION BY THE TOWN OF PLATTSBURGH PLANNING BOARD TO ACT AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THE SCHLUTER SYSTEMS L.P. PROJECT AND ACKNOWLEDGING RECEIPT OF THE NEGATIVE DECLARATION ISSUED WITH RESPECT THERETO.

WHEREAS, County of Clinton 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 225 of the 1971 Laws of New York, as amended, constituting Section 895-f 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, Schluter Systems L.P., a New York limited partnership (the “Company”) 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 a portion of an approximately 11.75 acre parcel of land located at 194 Pleasant Ridge Road (Tax Map Nos. 232.-3-10.1, 232.-3-11.1 and 232.-3-11.2) in the Town of Plattsburgh, Clinton County, New York (collectively, the “Land”), (2) the construction on the Land of an approximately 45,000 square foot industrial facility to include material storage silos, loading docks, parking area and other site improvements (collectively, the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property, including without limitation, tenant improvement and finish (collectively, the “Equipment”) (the Land, the Facility, and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute a manufacturing 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 the authorization contained in a resolution adopted by the members of the Agency on March 28, 2016 (the “Public Hearing Resolution”), the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “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 June 15, 2016 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 Public Hearing to be posted on June 15, 2016 on a public bulletin board located at the Town of Plattsburgh Town Hall located at 151 Banker Road in the Town of Plattsburgh, Clinton County, New York, as well as on the Agency’s website, (C) caused notice of the Public Hearing to be published on June 21, 2016 in the Press Republican, a newspaper of general circulation available to the residents of the Town of Plattsburgh, Clinton County, New York, (D) conducted the Public Hearing on July 5, 2016 at 10:00 a.m., local time at the offices of the Agency located at 190 Banker Road, Suite 500 in the Town of Plattsburgh, Clinton County, New York and (E) prepared a report of the Public Hearing (the “Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

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 Agency has been informed that (A) the Town of Plattsburgh Planning Board (the “Planning Board”) was designated to act as the “lead agency” with respect to the Project and (B) on September 15, 2015 the Planning Board issued a “Notice of No Significant Environmental Impact” (the “Negative Declaration”) with respect to the Project, determining that the acquisition, reconstruction, renovation and installation of the Project Facility to be a “Type I Action” that will not have a “significant effect on the

environment” and therefore, the preparation of a draft environmental impact statement is not required; and

WHEREAS, at the time that the Planning Board determined itself to be the “lead agency” with respect to the Project, it was not known that the Agency was an “involved agency” with respect to the Project, and, now that the Agency has become an “involved agency” with respect to the Project, the Agency desires to concur in the designation of the Planning Board as “lead agency” with respect to the Project, to acknowledge receipt of a copy of the Negative Declaration and to indicate that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a “significant effect on the environment” pursuant to SEQRA;

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

Section 1. (A) The Agency has received copies of, and has reviewed, the Application, an environmental assessment form prepared by the Company and the Negative Declaration (collectively, the “Reviewed Documents”) and, based upon said Reviewed Documents and the representations made by the Company to the Agency at this meeting, the Agency hereby ratifies and concurs in the designation of the Planning Board as “lead agency” with respect to the Project (as such quoted term is defined in SEQRA).

(B) The Agency hereby determines that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a “significant effect on the environment” pursuant to SEQRA (as such quoted phrase is used in SEQRA).

Section 2. 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:

Trent Trahan	VOTING	YES
David Hoover	VOTING	YES
Michael E. Zurlo	VOTING	YES
Keith Defayette	VOTING	YES
Kim Murray	VOTING	YES
Mark Leta	VOTING	YES
John VanNatten	VOTING	YES

The foregoing Resolution was thereupon declared duly adopted.

#### **Authorization to send a PILOT Deviation Letter**

The members discussed the lack of specific information from the company regarding what they were asking for in terms of a PILOT Deviation. On a motion by D. Hoover and seconded by M. Zurlo, it was unanimously carried to table this action item until more definitive information is received from the company.

Old Business:

**Saranac Power Partners – Request to Extend PILOT Agreement**

Per the earlier discussion this action item was tabled until further information has been received from the company as requested and staff have had the opportunity to meet with the taxing jurisdictions regarding the request.

With no further items to discuss the meeting was adjourned at 12:50pm.



T. Trahan, Chairperson