

ESSEX COUNTY
Industrial Development Agency
&
Empire Zone

ESSEX
COUNTY



in the park
industrial development agency

A healthy place to grow a business
A healthy place to grow a family
A healthy place to be...

Essex County IDA & EZ

7566 Court Street

P.O. Box 217

Elizabethtown, NY 12932

Phone: 518-873-9114

Fax: 518-873-2011

Email: info@essexcountyida.com

Website: www.essexcountyida.com

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT



IDA Mission...

Our mission is to create a viable business atmosphere that will attract compatible and diverse sustainable economic development opportunities while focusing on major assets, retention / expansion projects, quality of life and job creation.

Essex County IDA Board of Directors

Chairman Anthony Glebus, Town of Lewis Supervisor

Vice-Chairperson Phyllis Rogers, Schroon Lake Business Owner (Silver Spruce Bed & Breakfast)

Treasurer & Secretary Charles Bryant, Moriah Business Owner (Bryant's Lumber)

Darren Darrah, Willsboro Business Owner (Sportsmen's Diner)

Bruce Bourgeois, Chesterfield Business Owner (Bourgeois's IGA)

Robert Kane, Lake Placid Business Owner (Adirondack Steak & Seafood)

Jorja Sanders, Ticonderoga Business Owner (Sanders Realty & Property Mgmt. LLC)

Essex County IDA Staff

Carol Calabrese, Co-Executive Director and CEO

Jody Olcott, Co-Executive Director and CFO

Sarah LaFountain, Administrative Assistant

Barbara Brassard, Empire Zone Coordinator

Essex County IDA Professional Services

Briggs & Norfolk

2284 Saranac Ave.

Lake Placid NY 12946

Phone (518) 523-5555

Squires, Sanders & Dempsey

350 Park Avenue, 15th Floor

New York NY 10022

Phone (212) 872-9853

H. Sichertman & Company

5852 Forest Creek Drive

East Amherst NY 14051

Phone (716) 689-2980

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

EZ Mission...

Our mission is provide an extraordinary economic and human resource development program targeted to areas characterized by limited new job creation and shrinking tax base in order to stimulate private investment, business development and job creation. The Essex County Zone will continue to support the retention of and promote the further development of the county's existing businesses, support the creation of new, small businesses, and continue to offer employers that are considering relocating or expanding in the county more incentives for investing here.

Essex County Empire Zone Administrative Board

Chairman Thomas Scozzafava, Town of Moriah Supervisor

Vice-Chairperson Jody Olcott, Essex County IDA

Secretary Brandy Saxton, Village of Port Henry, Owner of PlaceSense

Treasurer Carol Genier, Village of Port Henry, Owner of Adirondack Hair Assoc.

Gary Cooke, Village of Port Henry Mayor

Victor Putman, Essex County Planning Office Directors

Noel Merrihew, Chairman Essex County Board of Supervisors

Charles Byrant, Town of Moriah, Owner of Bryant's Lumber

Alan Hipps, Essex County Housing Dept. Executive Director

George Maffey, Town of Westport, Chamber of Commerce Member

Jean Baker, Town of Wilmington, Owner of Ledgerock Motel

Linda DuRoss, Village of Port Henry, Glens Falls National Bank Branch Manager

William Larrow, Superintendent Moriah Central School

Ted Stanfield, Town of Ticonderoga, International Paper Company

Barton Swan, Town of Moriah, Owner of Swan's Brookside

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Essex County IDA Loan Program Summary

The Essex County IDA manages a loan program that leverages several funding sources to allow business & industry access to an assortment of diverse financial programs to encourage economic development. This cooperative approach to financing opportunities offers the prospective borrower a single point of contact, through which several financing sources may be accessed. Technical assistance is also available.

Stephano's Grill, Lake Placid

The Essex County IDA assisted Stephano's Grill, a start up business located in Lake Placid with a \$41,000 loan. Stephano's Grill is an Italian grill restaurant that is open 7 days a week located on Saranac Avenue. The restaurant opened in late summer 2006 and projects to create 2 full-time and 6 part-time jobs. The total project costs are \$88,500.

Ernie's Market, Westport

In May 2007, the IDA approved a loan in the amount of up to \$120,000 to Eric & Dawn Gay to finance the purchase of real estate and business known as Ernie's Market in Westport. The project will retain 3-7 full-time and 4 part-time employees and projects creating 2 additional part-time seasonal employees. The total project cost is \$335,000. Closing is scheduled for early 2008.

In March of 2007, the Essex County IDA closed on a loan which was approved in 2006 for Lake Placid Biologicals (LP Bio). The of loan for \$400,000 was used for working capital and the purchase of equipment. LP Bio is a is a biological reagent and microscopy service company that located in July 2006, in the community of Lake Placid. The company was founded by a group with a decade of experience developing and commercializing well-characterized reagents for research on chromatin and cell signaling, and fluorescent microscopy. The Essex County IDA also hosted an Open House in June 2007 for the business. LP Bio anticipates employing a total of 19 over the next 3-years. The toal project investment was \$2,141,000.



2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Essex County IDA Loan Program Summary



Bourgeois' IGA, Keeseville

The Essex County IDA assisted Bourgeois's IGA in securing a loan in the amount of \$58,000 from North Country Alliance (NCA). This is a tremendous boost for the downtown as the Village of Keeseville has been without a grocery store for over one year. Bourgeois' IGA has created to date 16 full-time and 25 part-time jobs with the total project cost of \$405,000.

Vista de Montana, Willsboro

Vista de Montana is a new start up restaurant located in Willsboro. Vista de Montana, currently under construction is located on Route 22, location formerly Ashline Restaurant. The new start-up will be open for lunch and dinner serving Mexican and other ethnic foods. The Essex County IDA approved a loan in the amount of \$60,000 for working capital and to finance the purchase of equipment. The total project cost is \$315,000, and is projected to create 5 new jobs.

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Essex County IDA Loan Program Summary

<u>Essex County IDA Loan Summary</u>	<u>IDA Financing</u>	<u>Total Project</u>	<u>Total Jobs</u>
General Composites, Town of Westport	\$275,000	\$375,000	11 FT retained, 39 FT new
Crown Point Bread, Town of Crown Point	\$ 65,000	\$108,080	2 PT new, 4 FT new
Essex Box & Pallet, Town of Chesterfield	\$ 50,000	\$122,500	12 FT retained
Champlain Valley Specialty, Town of Chesterfield	\$75,000	\$250,000	19 FT new
Laughing Duck Farms, Town of Westport	\$ 45,000	\$165,000	6 FT new
Boyea's Grocery & Deli, Town of Moriah	\$ 62,000	\$209,000	6 PT new
Towne Store, Town of Schroon	\$ 50,000	\$294,000	4 PT new
Lake Placid Biologicals, Town of North Elba	\$400,000	\$2.125 million	19 FT new
Mountain Java, Town of North Elba	\$ 34,000	\$48,000	1 FT new
Vista de Montana, Town of Willsboro	\$60,000	\$315,000	5 FT new
Stephano's Grill, Town of North Elba	\$41,000	\$88,500	2 FT new, 5 PT new
Dockside Landing, Town of Ticonderoga	\$117,000	\$625,000	12 FT new
Press of America, Town of Ticonderoga	\$62,500	\$157,000	2FT new, 5 FT retained
Earthmuffins, Town of Wilmington	\$10,000	\$10,000	1 PT new
Olde Mill Café, Town of Ticonderoga	\$41,750	\$170,000	2 FT new
Curves For Women, Town of Ticonderoga	<u>\$95,000</u>	<u>\$120,000</u>	<u>2 FT new</u>
	\$1,483,250	\$5,182,080	NFT = 119, NPT = 18
			RFT = 28



2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Bond Financing Program Summary

Mac's Market, Port Henry

In 2007 the Essex County IDA Board induced a Straight Lease Back Transaction with a Payment in Lieu Of Taxes (PILOT) Agreement to Sherman V. Allan (dba Mac's Market) for their new Port Henry location. Total project were \$1.47 million, which includes the purchase of a building, equipment and additional renovations. Sherman V. Allen has projected an annual payroll of \$400,000 and employment of 10 full-time, 15 part-time and 3 seasonal positions. The new grocery store is located on NYS Route 9 in Port Henry and was opened in March 2007.



The Essex County IDA issued \$6 million tax-exempt civic facility bonds to Elizabethtown Community Hospital to finance the expansion of 11,000 sq. ft. adding a 2nd floor above the emergency room and reconfiguring the hospital layout. Additional services for the VA and radiology services will also be included. The hospital anticipates breaking ground in Spring 2008.



The Essex County IDA approved the re-financing of a 1995 environmental pollution control bond for International Paper's Ticonderoga Mill for \$2.9 million. The Essex County IDA continues to work cooperatively with International Paper to retain the 610 full-time employees.



We're more than a newspaper, We're a community service.

In September of 2007, the Essex County IDA approved the issuance of tax-exempt industrial development revenue bonds up to \$620,000 to Denton Publications for the construction of an expansion to the existing facility (40 x 75 building expansion), for the purchase of equipment and installation. Denton Publications is located in Elizabethtown. The proposed expansion project projects the retention of 52 full time and 13 part time, and create an additional 11 full-time and 6 part-time positions. The bond is scheduled to close in early 2008.

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Bond Financing Program Summary

<u>Essex County IDA Bond Summary</u>	<u>Total Bond Financing</u>	<u>Jobs Created/Retained</u>
Moses Ludington Nursing Home	\$13,000,000	80 new jobs, 139 retained
International Paper Company	\$66,060,000	627 jobs retained
Elizabethtown Community Hospital	\$7,600,000	34 new jobs, 110 retained
Saranac Lake @ Will Rogers	\$5,000,000	2 new jobs, 17 retained
Hometown Anchor	\$1,300,000	30 new jobs
North Country Comm. College Assoc.	\$6,380,000	10 new jobs, 125 retained
MS Partnership	<u>\$1,838,200</u>	<u>30 new jobs</u>
	\$95,178,200	186 new jobs
		1,018 retained

Straight Lease Back Transactions

Old Adirondack	\$2,000,000 total project	24 new jobs
Essex Box & Pallet	\$1,650,000 total project	13 jobs retained
MSP Realty	\$396,500 total project	12 jobs retained

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Marketing Summary



The marketing campaign for 2007 continued to focus and drive all leads to the Essex County IDA website: www.essexcountyida.com

A Build Ready Upstate grant for \$30,000 was awarded to the Essex County IDA from National Grid. The funds will be used for marketing the Moriah Business Park and development of a virtual tour of the park. The IDA contracted with AES Northeast of Plattsburgh to assist with the development of the virtual tour.

The Essex County IDA developed a new tri-fold brochure containing more information about the IDA services. The brochure is distributed to anyone requesting information as well as all municipal buildings. The brochure can be downloaded from the ECIDA website.

In May, the Essex County IDA staff attended a Bio 2007 tradeshow in Boston. The IDA developed a targeted marketing hand-out and sent additional materials to the tradeshow participants and businesses.

2007 Marketing Advertisements Summary

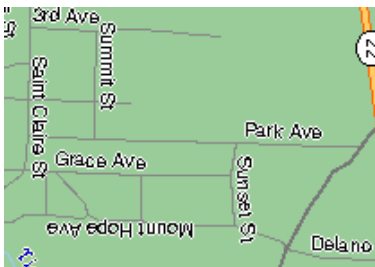
	<u>Views/Hits</u>	<u>Leads</u>
Adirondack Life magazine * leads go to website		
Adironacklife.com	246,000 / 853	
Burlingtonfreepress.com	1,983,351 / 1,628	
Economic Dev. Directory website	11,573 / 1,139	
Empire Zone		121
IDA website	317,247 / 44,585	
Letters to new EC Businesses		245
Syracuse Website	2,280,996 / 1,093	
2007 BioNorth Trade Show		205
Telephone / Walk ins		70
Timesunion.com	880,963 / 617	
Vermont Life magazine		18
Vermontlife.com	148	
Adirondack Living Show (Glens Falls)		188

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Business Development Summary



In 2007, the construction for the Town of Ticonderoga sewer project which extended municipal sewer services to businesses and residences located on Route 9N/22 and Route 74 was completed. The Town of Ticonderoga was awarded \$750,000 grant from the Governor's Office for Small Cities in 2006 and the Essex County IDA wrote and administered the grant on behalf of the Town. Highlander Construction from Memphis, NY completed construction in June 2007. A total of 15 existing businesses benefited and infrastructure and allowed 2 businesses to expand. The project created an additional 24 new jobs and retained 76 jobs.



The Essex County IDA is working with the Town of Ticonderoga on an application to construct a new sewer district on Hague Road encompassing 9 properties as well as rehabilitation to existing facilities on Park Avenue, which includes the new Best Western Hotel and Conference Center. The IDA anticipates submission of the application in February 2008. The projects anticipates retaining 21 full-time and 7 part-time jobs and projects creating 16 new full-time and 3 part-time jobs.

In May 2007, infrastructure construction began at the Moriah Business Park. This project consisted of the construction of multiple infrastructure improvements, which are necessary to expand existing businesses and attract new, viable businesses to Essex County. The Essex County IDA and the Town of Moriah (co-applicants) were awarded \$389,000 from the US Department of Commerce (EDA) for the project in 2006. The Essex County IDA was also awarded a grant for \$80,000 from National Grid for the installation of underground 3-phase power to the remaining lots at the park. This investment is part of a \$778,000 project that will help create 120 jobs and generate more than \$3.75 million in private investment.



2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Business Development Summary continued...



Construction of the new Moriah Health Center began with a groundbreaking ceremony held in August 2007 with Congressman McHugh, Senator Little and Assemblywoman Sayward reinforcing the need for local health care centers. Construction of the new 4,537 square foot building is expected to be completed in February 2008. The Essex



County IDA assisted with securing the US Department of Commerce (EDA) monies for the road, water, and sewer to the lot as well as applied for an additional \$75,000 through Senator Little's Office to make up the remaining gap in funds. This project is a great example of public and private partnerships.

Grants

The Essex County IDA received several grant awards in 2007:

- National Grid—3 Phase Power **\$80,000**
- National Grid—Moriah Business Park Virtual Tour **\$30,000**
- US Department of Commerce Economic Development Administration Moriah Business Park **\$389,000**
- **TOTAL GRANT AWARDS FOR 2006 = \$499,000**



nationalgrid

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Workshops & Resource Development



In October, the Essex County IDA staff attended the Economic Development Credit Analysis class offered by the International Economic Development Counsel.

In October, the Essex County IDA staff attended training classes by the NYS Comptroller's Office to learn about the new changes in annual reporting and audit requirements. New requirements include on-line reporting and job creation/retention reporting.

Empire Zone Program

The Essex County Empire Zone submitted the new Development Plan in late 2006 and received final approval by NYS Empire State Development in early 2007. The Essex County Empire Zone held informational meetings from January thru July throughout the County to market the program to the 7 new zone areas. The Empire Zone staff meet with Schroon Town Board & Schroon Chamber, Ticonderoga Main Street Committee & Ticonderoga Town Board Economic Development Committee, Moriah Town Board, Village of Port Henry Trustee Meeting, Wilmington Town Board, Chesterfield Town Board, Jay Town Board, North Hudson Town Board and an Essex County Informational Meeting.

In 2007 the Empire Zone worked with 41 businesses who inquired into Empire Zone certification but through new thresholds and regulations, only one business was certified (Mac's Market in Port Henry in March 2007). This realization has spurred the Empire Zone Administrative Board to lobby for changes in the Empire Zone program and continued work with elected representatives noting Essex County must have a program which focuses on job retention as well as job creation for the approx. 1,100 businesses within Essex County.

Summary of Certified Businesses:

83 certified Empire Zone businesses	1750 full-time jobs
\$22.7 million in investment	Businesses receiving \$2,182,377 in EZ credits/benefits

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2007 Workforce Development & Other Initiatives

The Essex County IDA continues to partner and assist with education, workforce development, incentive and quality of life driven issues in the County. IDA staff is actively involved on several decision-making boards:

Essex County Workforce Investment Board	Adirondack Day Care Center/Preschool Board
Regional Workforce Investment Board	Regional Youth Counsel Committee
North Country Alliance	Adirondack Harvest
Essex County Empire Zone	Adirondack Community Fiber Network
Town of Moriah Beautification Committee	Champlain Valley Heritage Network

Essex County IDA Real Property

Town of Jay	Tax Map #7.75-1-2.000	1.10 acres	Class 330	\$8,880 assessment
Town of E'Town	Tax Map #55.84-4-7.100	0.56 acres	Class 421	\$148,500 assessment
Town of Willsboro	Tax Map #30.12-3-1.000	5.00 acres	Class 330	\$12,300 assessment
Town of Willsboro	Tax Map #31.13-1-1.100	90.85 acres	Class 322	\$60,900 assessment
Town of Willsboro	Tax Map #30.12-2-15.100	0.54 acres	Class 311	\$1,100 assessment
Town of Willsboro	Tax Map #30.12-2-20.001	6.00 acres	Class 311	\$13,500 assessment
Town of Moriah	Tax Map #96.2-1-14.210	33.72 acres	Class 710	\$753,700 assessment

2007 Real Property Sales

None

2007 Business Park Leases

A 5 year lease entered into with Pre-Tech Plastics of Williston, Vermont for manufacturing and office space at the Moriah Business Park. The Essex County IDA was also notified by General Composites of their intent to move operations from the Moriah Business Park to Commonwealth Home Fashions in Willsboro.

2007 ESSEX COUNTY IDA & EZ ANNUAL REPORT

2008 Goals & Projects

Empire Zone Program

1. Host additional workshops in the 7 zone areas to continue to inform businesses and community leaders of the program and benefits.
2. Continue to work with elected officials for changes to the Empire Zone programs including unique economic development incentives for businesses located within the Adirondack Park.

Business Park Development

1. Close-out Moriah Health Center project in cooperation with Town of Moriah and Hudson Headwaters Health Network. Construction completion of new 4,537 square foot Moriah Health Center building and occupancy in February 2008. Assist with close-out of secured grants (GOSC, USDA).
2. IDA will also work on securing additional \$75,000 grant from Senator Betty Little's Office through the Community Capital Assistance Program applied for in 2007. Administration and close-out of grant required.
3. 2008 infrastructure projects for IDA to include final paving of Plank Road, interior park road and Moriah Health Center parking lot (May 2008). Close-out project with US Dept. of Commerce Eco. Dev. Admin.—continued annual reporting required.
4. Continue to work with AES Northeast on design and engineering of Willsboro Commerce Park including submission and approval by all regulatory agencies (APA,DEC,DOT, Town).
5. Research new Build Ready funding proposed by Governor for 2008 for infrastructure improvements in business/commerce parks (Ticonderoga, Willsboro).

Grants/Loans/Business Development

1. Complete close-out documents with GOSC grant on behalf of the Town of Ticonderoga for construction of municipal sewer along Route 9N and 74.
2. Work with the Town of Westport on potential uses for the \$750,000 GOSC grant received for the municipal sewer to the Westport Development Park.
3. Continue administration of several GOSC grants on behalf of Essex County including 2004 GOSC micro-enterprise and the 2006 economic development grant.
4. Submit application as well as administer (if received) GOSC grant on behalf of the Town of Ticonderoga for funds to construct municipal sewer along Hague Road as well as upgrade of municipal sewer services to businesses and residents located on Park Avenue.
5. Continue to leverage the Essex County IDA Loan Fund Program to assist new start ups and expanding businesses in Essex County. IDA staff to work with consultant to explore option of de-federalizing monies and creating new loan fund.
6. IDA staff, Board, attorney and accountant will continue to complete Public Accountability Reform Act requirements including website updates, policy review, Board training and annual reporting.

Marketing

1. Complete Moriah Business Park virtual tour in cooperation with AES Northeast and complete draw-down requisition for National Grid.
2. Increase visits / hits to ECIDA website by continuing to market business/commerce parks and IDA services in various print advertisements and on-line.

GUIDELINES FOR DISPOSITION OF PROPERTY

SECTION 1. DEFINITIONS

"Contracting Officer" shall mean the officer or employee of the Essex County Industrial Development Agency (hereinafter, the "Agency") who shall be appointed by resolution to be responsible for the disposition of property.

"Dispose" or "disposal" shall mean transfer of title or any other beneficial interest in personal or real property in accordance with Section 2897 of the Public Authorities Law.

"Property" shall mean personal property in excess of five hundred dollars (\$500) in value, and real property, and any inchoate or other interest in such property, to the extent that such interest may be conveyed to another person for any purpose, excluding an interest securing a loan or other financial obligation of another party.

SECTION 2. DUTIES

The Agency shall: Maintain adequate inventory controls and accountability systems for all property owned by the Agency and under its control; Periodically inventory such property to determine which property shall be disposed of; Produce a written report of such property in accordance with subsection B herewith; and Transfer or dispose of such property as promptly and practicably as possible in accordance with Section 2 below.

The Agency shall: Publish, not less frequently than annually, a report listing all real property owned in fee by the Agency. Such report shall consist of a list and full description of all real and personal property disposed of during such period. The report shall contain the price received by the Agency and the name of the purchaser for all such property sold by the Agency during such period; and Shall deliver copies of such report to the Comptroller of the State of New York, the Director of the Budget of the State of New York, the Commissioner of the New York State Office of General Services, and the New York State Legislature (via distribution to the majority leader of the Senate and the Speaker of the Assembly).

SECTION 3. TRANSFER OR DISPOSITION OF PROPERTY

Supervision and Direction: Except as otherwise provided herein, the duly appointed contracting officer (the "Contracting Officer") shall have supervision and direction over the disposition and sale of property of the Agency. The Agency shall have the right to dispose of its property for any valid corporate purpose.

Custody and Control: The custody and control of Agency property, pending its disposition, and the disposal of such property, shall be performed by the Agency or by the Commissioner of General Services when so authorized under this section.

Method of Disposition: Unless otherwise permitted, the Agency shall dispose of property for not less than its fair market value by sale, exchange, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions as the Agency and/or contracting officer deems proper. The Agency may execute such documents for the transfer of title or other interest in property and take such other action as it deems necessary or proper to dispose of such property under the provisions of this section. Provided, however, except in compliance with all applicable laws, no disposition of real property, any interest in real property, or any other property which because of its unique nature is not subject to fair market pricing shall be made unless an appraisal of the value of such property has been made by an independent appraiser and included in the record of the transaction.

Sales by the Commissioner of General Services (the "Commissioner"): When the Agency shall have deemed that transfer of property by the Commissioner will be advantageous to the State of New York, the Agency may enter into an agreement with the Commissioner pursuant to which the Commissioner may dispose of property of the Agency under terms and conditions agreed to by the Agency and the Commissioner. In disposing of any such property, the Commissioner shall be bound by the terms hereof and references to the contracting officer shall be deemed to refer to such Commissioner.

Validity of Deed, Bill of Sale, Lease or Other Instrument: A deed, bill of sale, lease or other instrument executed by or on behalf of the Agency, purporting to transfer title or any other interest in property of the Agency in accordance herewith shall be conclusive evidence of compliance with the provisions of these guidelines and all applicable laws insofar as concerns title or other interest of any bona fide grantee or transferee who has given valuable consideration for such title or other interest and has not received actual or constructive notice of lack of such compliance prior to closing.

Bids for Disposal, Advertising, Procedure, Disposal by Negotiation: Except as permitted by all applicable laws, all disposals or contracts for disposal of property made or authorized by the Agency shall be made after publicly advertised for bids except as provided in subsection 3 of this section.

Whenever public advertising for bids is required under subsection 1 of this section: the advertisement for bids shall be made at such time prior to the disposal or contract, though such methods, and on such terms and conditions as shall permit full and free competition consistent with the value and nature of the property proposed for disposition all bids shall be publicly disclosed at the time and place stated in the advertisement. The award shall be made with reasonable promptness by notice to the responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the Agency, price and other factors considered; provided, that all bids may be rejected at the Agency's discretion.

Disposals and contracts for disposal of property may be negotiated or made by public auction without regard to subsection 1 and 2 of this section but subject to obtaining such competition as is feasible under the circumstances, if: the personal property involved is of a nature and quantity, which, if disposed of under subsections 1 and 2 of this section, would adversely affect the state or local market for such property, and the estimated fair market value of such property and other satisfactory terms of disposal can be obtained by negotiation the fair market value of the property does not exceed fifteen thousand dollars (\$15,000) bid prices after advertising therefore are not reasonable, either as to all or some part of the property, or have not been independently arrived at in open competition the disposal will be to the state or any political subdivision or public benefit corporation, and the estimated fair market value of the property and other satisfactory terms of disposal are obtained by negotiation the disposal is for an amount less than the estimated fair market value of the property, the terms of such disposal are obtained by public auction or negotiation, the disposal of the property is intended to further the public health, safety or welfare or an economic development interest of the Agency, the state or a political subdivision (to include not limited to, the prevention or remediation of a substantial threat to public health or safety, the creation or retention of substantial number of job opportunities, or the creation or retention of a substantial source of revenues, or where the authority's enabling legislation permits or other economic development initiatives), the purpose and the terms of such disposal are documented in writing and approved by resolution of the board of the Agency or such action is otherwise authorized by law.

An explanatory statement shall be prepared of the circumstances of each disposal by negotiation of: any property which has an estimated fair market value in excess of fifteen thousand dollars (\$15,000) any real property that has an estimated fair market value in excess of one hundred thousand dollars (\$100,000), except that any real property disposed of by lease or exchange shall only be subject to clauses (3 and 5) of this subsection. any real property disposed of by lease for a term of five (5) years or less, if the estimated fair annual rent is in excess of one hundred thousand dollars (\$100,000) for any of such years. any real property disposed of by lease for a term of more than five (5) years, if the total estimated rent over the term of the lease is in excess of one hundred thousand dollars (\$100,000). any real property or real and related personal property disposed of by exchange, regardless of value, or any property any part of the consideration for which is real property. Each such statement shall be transmitted to the persons entitled to receive copies of the report required under all applicable laws not less than ninety (90) days in advance of such disposal, and a copy thereof shall be preserved in the files of the Agency making such disposal.

This policy is subject to modification and amendment at the discretion of the Agency and shall be filed annually with all local and state agencies as required under all applicable laws. The designated Contracting Officer for the Essex County IDA is Jody Olcott, Co-Executive Director.