

**Essex County IDA Special Board Meeting
May 19, 2020 10:00AM
Conference Call**

Present:	Darren Darrah Jamie Rogers James Bowen Matthew Courtright (joined at 10:10AM) Roy Holzer John Boyea	Also Present:	Jody Olcott Carol Calabrese Jen Briggs Sarah LaFountain
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Absent: James Monty

Because of the Coronavirus (COVID-19) emergency and state and federal bans on large meetings or gatherings and pursuant to Governor Cuomo's executive order 220.1 issued on March 12, 2020 suspending the open meetings law, the Essex County Industrial Development Agency (IDA), the board meeting is held electronically via conference call instead of a public meeting open for the public to attend in person. Members of the public may call into the meeting and the meeting minutes when transcribed will be posted to the IDA website.

Meeting was called to order by Chairman Darren Darrah at 10:01AM.

Approval of Minutes

1. May 5, 2020 Special Meeting Minutes
2. May 12, 2020 Special Meeting Minutes

Motion #2020-69: A motion to approve the May 5, 2020 special meeting minutes and the May 12, 2020 special meeting minutes was made by John Boyea and seconded by Roy Holzer. All members were in favor.

COVID-19 Emergency Loan Program Update

Carol Calabrese noted that the last two commitment letters were sent out, signed and received back. Carol is working on closing documents with Jen Briggs for all 11 businesses that were awarded.

New Business

1. The IDA previously approved a loan in the amount of \$250,000 to the Adirondack Gateway project. The approval was based on other funding agencies approvals. A commitment letter was issued in April 2020. DANC & LC/LG Planning Board approvals were issued and since rescinded. Since the IDA's approval was based on other's approvals the board would like to know what the next steps would be. IDA has been made aware of a lawsuit that was filed by Mo's partner and alleges fraud and settlement was reached in July 2019 for \$300,000. There are 3 dates for settlement payments: September 2019 (\$100,000), September 2020 (\$100,00) and September 2021 (\$100,000).

Motion #2020-70: A motion to withdraw Motion #2020-28 (\$250,000 loan approval to Muhammad Ahmad of Adirondack Gateway to reduce the mortgage amount on property with terms of the loan being \$250,000 for 15 years with an interest rate of 3%, no principal and interest for the first 6 months and interest only for the following 6 months. Loan conditions listed: all regulatory permits/requirements, licensing etc. are met, cross default provision be included in the note/term loan agreement with notification to the IDA, owner proof of cash equity, approval and closing on the following additional project financing: \$221,195 cash equity, DANC \$360,000 (50% loan & 50% grant), LCLGRPB \$150,000, AEDC \$100,000 and a grant from National Grid Grant, personal guaranty from Muhammad Ahmad, cross-corporate guaranty of Zoni Enterprises Inc and Aleeze Enterprises Inc. and 3rd party broker opinion or as completed appraisal with a minimum value of \$660,000 on real estate) was made by John Boyea and seconded by Jamie Rogers. All members were in favor. In lieu of the recent disclosure of a settlement judgement the Essex County IDA would like business to re-apply and include narrative regarding failure to disclosure settlement liability, proof of funds for make settlement payments required (\$100,000 in September 2020 and \$100,000 in September 2021). Application should include updated personal financial statement and business projections as the effects of COVID-19 pandemic would alter projections and timeline. Motion was made by John Boyea and seconded by Jamie Rogers. All members were in favor.

2. Abstract for Payment – May 19, 2020

Motion #2020-71: A motion to approve the May 19, 2020 Abstract for Payment was made by Jamie Rogers and seconded by John Boyea. All members were in favor.

3. COVID-19 Plan for IDA Office – IDA staff has developed the required Safety Plan and Jody will send to Darren Darrah for documentation. Jody Olcott will be the designated IDA Safety Resource Officer and complete daily inspections and reports. Visitors are allowed into the office with masks (signage). Extra masks and hand sanitizer are at the office. As per regional re-opening plans the IDA office will open Monday, June 1 (Phase II).
4. Next Meeting – June 23, 2020 at 9:00AM at the IDA office. Some board members will attend the meeting and others will call in.

Adjourn

Motion #2020-72: A motion to adjourn the meeting at 10:39AM was made by John Boyea and seconded by Jamie Rogers. All members were in favor.