



ESSEX COUNTY IN THE PARK  
INDUSTRIAL DEVELOPMENT AGENCY

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**Essex County IDA Board Meeting**  
**October 3, 2023 at 9:00AM**  
**7566 Court Street, Elizabethtown, NY**

**Present:** Darren Darrah  
John Boyea  
Jamie Rogers  
James Bowen

**Also Present:** Jody Olcott  
Carol Calabrese  
Jen Briggs  
Libby Clark (Bonacio Development)  
Andrea Crisafulli (Owner, Lodge at Schroon)  
Autumn Whine (Bonacio Development)  
Steve Miller (Board Member, Town of Schroon)  
Neil Chippendale (Assessor, Town of Schroon)  
Meg Wood (Supervisor, Town of Schroon)  
Leanna Welch (Board Member, Town of Schroon)  
Matthew Curren (Schroon Lake Central School)  
Rick Gero (Board Member, Town of Schroon)

**Absent:** Roy Holzer  
Matthew Courtright  
James Monty

**Open of Meeting**

Chairman Darren Darrah opened the meeting at 9:06AM.

**Presentation – The Lodge at Schroon**

Libby Clark and Andrea Crisafulli (owner) presented their proposed PILOT application to the IDA Board. Highlights from presentation included: rehabilitation of the buildings was approximately 11 months from purchase to opening; the 2018 Town Revitalization plan was to attract a medium size developer for hotel project and provide financial assistance; the rehabilitation consisted of a 145,975 square feet and included 97 guest rooms, 9 chalets and 10 sites; property went from seasonal to year-round operations also including 8,200 square foot wedding & event space which was not planned in phase one. Future investments are needed in the property and could include a spa & wellness facility, tasting room, renovations of remaining buildings, more family amenities, and a renovated beach front. There are 26 full-time and 47 seasonal employees with 22 jobs open now and advertised. The Lodge at Schroon was previously awarded sales tax exemption in the amount of \$575,000 and mortgage recording tax abatement \$178,474 and is now applying for a 10-year Schedule A PILOT for predictability in investments, continued growth, and to provide adequate staffing. Business estimates it will collect \$312,000 in occupancy tax in 2023 and \$485,000 in 2024. Business estimates it will collect \$75,000 (county portion) of sales tax in 2023 and \$138,000 in 2024. Business also noted that from their calculations each guest spends \$100/day off-site. Discussion included the previous and current assessed value of the four properties: two out of four of the properties were always exempt under previously Word of Life ownership (the beach and the house). Property was purchased in 2022 for \$3.2 million and that was used as total assessed value. In 2023 during the town wide re-evaluation the property increased to \$4.5 million. Neil Chippendale, the Town Assessor noted that him and his team which included Essex County Real Property Tax Office representatives were on-site last week to review existing building permit completion. He anticipates they will be reassessing the property based on the income

approach. Lodge at Schroon noted that as of the previous taxable assessment date of March 1, 2023 all rehabilitation had been completed and the remaining items to be completed for project were mainly furniture and fixtures and would not affect assessed value. IDA Board and attorney Jen Briggs noted that under the Uniform Tax Exemption Policy of the IDA project application would be considered a deviation and would require IDA provide notice to all affected taxing entities as well as the justification/reasoning of the deviation. Although the proposed project would be Schedule A PILOT, the question arose whether the \$4.5 million is the final assessed value of the property as the 10-year PILOT Agreement will fix the assessment for the term of the PILOT Agreement. At the end of the presentation all members of the public left meeting.

**Motion #2023-31** – Resolution taking official action authorizing the agency to (i) accept the application of the Lodge at Schroon, LLC (the “company”) in connection with a proposed payment in lieu of tax agreement to be entered into by the Agency with the Lodge at Schroon, LLC (the “company”) (as further described herein); (ii) schedule and conduct a public hearing; (iii) authorize deviation from the agency’s uniform tax exemption policy in connection with the proposed payment in lieu of tax agreement; and (iv) provide a deviation notice to all taxing jurisdictions affected by the proposed payment in lieu of tax agreement. Whereas, Essex County 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, The Lodge at Schroon, LLC, a New York limited liability company (the “Company”) authorized to do business in the State of New York, located in Saratoga Springs, New York, and its successors and assigns applied to the (the “Agency”) on February 10, 2022, for a “straight-lease” arrangement as defined in Section 854(15) of the General Municipal Law of the State of New York (the “State”), as amended for the purpose of financing the costs of a certain project (the “Project”) consisting of: (A) (i) the renovation and equipping of a building in Schroon Lake, New York, to be owned by the Applicant and operated by a third party operator as an approximately 120-unit resort (the “Facility”), (ii) the acquisition and installation of various machinery, equipment and furnishings for the Facility, including substantial rehabilitation (the “Equipment”), and (iii) certain necessary preliminary and incidental expenses related thereto (the Facility and the Equipment hereinafter collectively referred to as the “Project”); and (B) the granting of certain other “financial assistance” (within the meaning of Section 854(14) of the General Municipal law) with respect to the Project and its financing, including potential exemptions from New York State sales and use tax and mortgage recording tax (collectively the “Financial Assistance”); and (C) the sale of the Project to the Applicant or such other person as may be designated by the Applicant and agreed upon by the Agency. During the lease term, the Project will be owned by the Agency and leased to the Applicant; and whereas, by resolutions adopted by members of the Agency on February 17, 2022 and April 29, 2022 (collectively, the “Resolution”) the Agency determined to grant the Financial Assistance and entered into

a lease agreement (the "Lease Agreement") by and between the Agency and the Company; and whereas, in connection with the Project, the Company has made a request by application submitted to the Agency on September 19, 2023 (the "PILOT Request") to deviate from its uniform tax exemption policy (the "Policy") with respect to the terms of the proposed payment in lieu of tax agreement (the "Proposed PILOT Agreement") to be entered into by the Agency with respect to the Facility; and whereas, pursuant to the PILOT Request, the Proposed PILOT Agreement would be for a term of ten (10) years based on a fixed assessment over the term thereof, as more particularly described in Exhibit A attached hereto; and whereas, the Policy provides that for a facility similar to the Project Facility, the appropriate "Town Assessor" of the respective affected tax jurisdictions in which a project is located (each an "Assessor") will determine the interim assessment of the project as construction progresses thereon and a final assessment (the "Final Assessment") when construction is completed, which will be the basis of taxation of the project for an initial period (not to exceed 10 years); and whereas, pursuant to Section 874(4) of the Act and the Policy, prior to taking final action on such PILOT Request for a deviation from the Policy, the Agency must give the chief executive officers of the County and each city, town, village and school district in which the Project is located (collectively, the "Affected Tax Jurisdictions") prior written notice of the proposed deviation from the Policy and the reasons therefore; and whereas, pursuant to Section 865(15) of the Act, unless otherwise agreed by the Affected Tax Jurisdictions, payments in lieu of taxes must be allocated among the Affected Tax Jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each Affected Tax Jurisdiction had the Project Facility not been tax exempt due to the status of the Agency; and whereas, the Agency intends to describe the Proposed PILOT Agreement, accept the Company's application, secure any necessary consents from the affected tax jurisdictions, and authorize the scheduling and conduct of public hearing(s) pursuant to and in accordance with the Act. NOW, THEREFORE, BE IT RESOLVED by the Essex County Industrial Development Agency as follows: The Agency has found and determined that the Company's PILOT Request will ensure predictability with operating expenses in order to maintain the project's year round capacity; budget and allocate necessary capital improvement funds to continue to upgrade the resort to meet industry standards and evolve as the market demands; make greater secondary and tertiary tax and tourism impact in the region; and increase tourism revenues through marketing goals identified in the Town of Schroon Revitalization Plan 2018. Having considered both the Application and the PILOT Request, the Agency hereby authorizes the Executive Director of the Agency to send a written notice to the chief executive officers of each of the Affected Tax Jurisdictions informing them that the Agency is considering a proposed deviation from the Policy with respect to the Project and the reasons therefore (in substantially the form of the draft of said letter attached hereto as Exhibit B), and soliciting any comments that such Affected Tax Jurisdictions may have with respect to said proposed deviation. The Agency shall prepare and publish a notice of public hearing in compliance with Section 859-a of the General Municipal Law of the State and shall hold such public hearing prior to entering into the Proposed PILOT Agreement (the "Public Hearing"). The Agency must have approved the Project after such Public Hearing at a regularly scheduled meeting of the Agency. The Agency's authorization of the Proposed PILOT Agreement shall be subject to the conduct of the Public Hearing, securing applicable approvals from the affected tax jurisdictions, and adoption of Agency resolutions relative to same. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency. The Chairman, Vice Chairman, and/or Executive Director(s) of the Agency are hereby authorized and directed to distribute copies of

this resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution. This resolution is hereby adopted subject to the requirements of the State Environmental Quality Review Act (SEQRA), as amended, Article 8 of the Environmental Conservation Law of the State and all regulations thereunder. In the event that there is jurisdiction of this Project under the APA Act, this resolution shall be subject to compliance by the Company with the determinations and conditions imposed by that agency. This Resolution shall take effect immediately. This motion was made by Darren Darrah and seconded by John Boyea. All members were in favor.

**Motion #2023-32** – Motion to approve the required TEFRA notice was made by Jim Bowen and seconded by Jamie Rogers. All members were in favor and motion states notice is hereby given to all interested parties that a public hearing, pursuant to Section 859-a of the General Municipal Law will be held by the Essex County Industrial Development Agency (the “Agency”) on November 14, 2023 at 10:00 o’clock a.m., local time at Schroon Town Hall located at 15 Leland Avenue, Schroon, New York in connection with the Project described below. This is a notice for a public hearing to authorize the Agency to enter into a payment in lieu of tax agreement (the “Proposed PILOT Agreement”) that will deviate from the Uniform Tax Exemption Policy of the Agency (the “Policy”) for the purpose of providing financial assistance in connection with the project described below. The Lodge at Schroon, LLC (the “Applicant”) has requested that the Agency finance a project consisting of (A) (i) the renovation and equipping of a building in Schroon Lake, New York, to be owned by the Applicant and operated by a third party operator as an approximately 120-unit resort (the “Facility”), (ii) the acquisition and installation of various machinery, equipment and furnishings for the Facility, including substantial rehabilitation (the “Equipment”), and (iii) certain necessary preliminary and incidental expenses related thereto (the Facility and the Equipment hereinafter collectively referred to as the “Project”); and (B) the granting of certain other “financial assistance” (within the meaning of Section 854(14) of the General Municipal law) with respect to the Project and its financing, including real property tax exemptions (collectively the “Financial Assistance”); and (C) the sale of the Project to the Applicant or such other person as may be designated by the Applicant and agreed upon by the Agency. During the lease term, the Project will be owned by the Agency and leased to the Applicant. In connection with the Project, the Company has made a request to the Agency to enter into the Proposed PILOT Agreement which terms would deviate from the Policy. 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 adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations”), the Agency will determine whether the Project may have a “significant effect on the environment” (as set forth in the SEQR Act and the Regulations) and therefore require the preparation of an environmental assessment form. Such determinations shall be and shall be deemed to be in conformity with similar determinations of the Adirondack Park Agency, if and when issued. The Agency will at the above-stated time and place hear all persons with views in favor of or opposed to the Proposed PILOT Agreement. A report of the hearing will be made available to the Board of Supervisors of Essex County, New York. This notice will be published in a newspaper in general circulation in Essex County at least ten (10) days prior to the date set for the hearing.

The Essex County IDA will send required taxing jurisdiction letters to the Town of Schroon, Schroon Lake Central School District and to Essex County via certified mail and will publish the notice above in the Press Republican and Sun Community at least 30 days prior to November 14<sup>th</sup> public hearing.

#### **Financial Services/Program**

1. Monthly Loan Report – No comment
2. Trail Head Restaurant Group, LLC (Paper & Pencil Restaurant) – IDA Board previously approved \$170,000 loan for the project pending approval by other economic development lending agencies. Approval has now been received from LCLGRP for \$150,000 and NCA for \$77,000. The business is waiting for approval for \$38,343 from AEDC.

#### **Business Park Development**

1. Moriah Business Park
  - a. Lot #4 Building (High Peaks Hospice) – No issues
  - b. Whistlepig Rye Whiskey Update – Some local residents in close proximity to the Whistlepig buildings have expressed concern and been circulation information regarding whiskey fungus. IDA Board were provided recent flier that was hung on the Moriah Business Park sign.
  - c. Lot #10 (Pre-Tech Plastics) – IDA attorney Jen Briggs has completed draft closing documents and documents will be sent to Pre-Tech Plastics for review and approval.
  - d. Lot #11 Building Bids – In cooperation with AES Northeast, the IDA advertised for bid the construction of a new 5000 square foot office building. Bids were due to IDA by September 14<sup>th</sup> and the following bids were received:
    - General Contract: Murnane Building Contractors \$1,947,000; VMJR Companies \$2,000,000
    - Electrical Contract: Weydman Electric \$154,000; Harold R. Clune \$202,000; Next Era Contracting \$135,250; S&L Electric \$150,000
    - Plumbing Contract: K&L Plumbing & Heating \$85,363; Pipeline Mechanical of Plattsburgh \$60,000
    - Mechanical Contract: Pipeline Mechanical of Plattsburgh \$123,000; K&L Plumbing & Heating \$110,567

IDA staff recommended rejecting all bids as IDA did not have the budgeted funds to cover all construction. After further review of general contractor bids approximately \$800,000 was for required site work which the IDA has been working with CV-TEC on and was hoping to be farther along before bidding but spring rain prohibited a lot of work. IDA Board and staff also discussed the need for a contractor who can utilize the CV-TEC students during construction and partner with IDA to provide on the job training. IDA has spoken with CV-TEC and has outline the potential site work that could be completed by spring 2024 utilizing the students and equipment. In the spring 2024 the IDA will re-evaluate bidding portions of the project.

**Motion #2023-33:** A motion to reject all bids received due to insufficient funding was made by Darren Darrah and seconded by James Bowen. All members were in favor. Letters will be sent to all contractors.

#### **Business Development Updates**

1. Marketing/Internet Based Marketing Monthly Report – No comment on report
2. Grant Administration:
  - a. USDA Rural Development Grant (Essex County) – IDA to be sending request to requisition the remaining \$170,000 to be used for the Paper & Pencil Restaurant loan. This request must be made by January 2024.
  - b. LEAF Main Street Grant Program #2 (North Elba) - The last remaining site visits to be conducted in December to close out grant program.
  - c. Ti Microenterprise Grant Program (Ticonderoga) – Town of Ti has allocated \$50,000 from their occupancy tax for this new micro-enterprise grant program. Informational public

hearing was held on September 11<sup>th</sup> at the Town Hall. SBDC held the required entrepreneurial class on September 23<sup>rd</sup> and had 17 attendees. Grant applications are due to the IDA office by 10AM on October 10, 2023.

**Motion #2023-34:** A motion to approve the Ti Microenterprise Grant Program Policy and Guideline with suggested changes was made by John Boyea and seconded by Jamie Rogers. All members were in favor.

**Motion #2023-35:** A motion to approve the confidentiality Agreement for all Grant Review Committee members was made by Darren Darrah and seconded by Jamie Rogers. All members were in favor.

**Motion #2023-36:** A motion to approve the Ti Microenterprise Grant Review Committee as follows: Richard Strum, Casey King, Isabelle Bureau, Father Christopher Lobby and Matt Maneri was made by Darren and seconded by John Boyea. All members were in favor.

3. Workforce Development – The IDA is working with the county on outstanding personnel positions.

#### **New Business**

1. September Abstract for Payment

**Motion #2023-37:** A motion to approve the September Abstract for Payment was made by Darren and seconded by John Bouyea. All members were in favor.

2. May-August Financials – No comments
3. Next IDA Board Meeting: November 28, 2023 at 10AM at the IDA Office

#### **Adjourn**

**Motion #2023-38:** A motion to adjourn the meeting at 11:52AM was made by Darren Darrah and seconded by James Bowen. All members were in favor.