



ESSEX COUNTY IN THE PARK  
INDUSTRIAL DEVELOPMENT AGENCY

7566 Court Street . P.O. Box 217 . Elizabethtown, NY 12932  
(518) 873-9114 . Fax (518) 873-2011 . E-mail: [info@essexcountyida.com](mailto:info@essexcountyida.com)  
Web Site: [www.essexcountyida.com](http://www.essexcountyida.com)

**Essex County IDA Board Meeting  
November 28, 2023 at 10:00AM  
Essex County Government Center Board Room, Elizabethtown, NY**

<b>Present:</b>	Jamie Rogers	<b>Also Present:</b>	Jody Olcott
	Darren Darrah		Carol Calabrese
	James Bowen		Jen Briggs
	John Boyea		
	Roy Holzer		
	James Monty		
	Matthew Courtright (Zoom)		

**Open of Meeting**

Chairman Darren Darrah opened the meeting at 10:00AM.

**Approval of Minutes**

1. February 21, 2023 Meeting Minutes

**Motion #2023-39:** A motion to approve the February 21, 2023 meeting minutes was made by Roy Holzer and seconded by James Monty. John Boyea and Darren Darrah abstained. Motion passes.

2. March 16, 2023 Special Meeting Minutes

**Motion #2023-40:** A motion to approve the March 16, 2023 special meeting minutes was made by Darren Darrah and seconded by James Bowen. Roy Holzer, James Monty and John Boyea abstained. Motion passes.

3. March 29, 2023 Annual & Regular Meeting Minutes

**Motion #2023-41:** A motion to approve the March 29, 2023 annual & regular meeting minutes was made by James Monty and seconded by James Bowen. Roy Holzer, Darren Darrah and John Boyea Abstained. Motion passes.

4. April 5, 2023 Special Meeting Minutes

**Motion #2023-42:** A motion to approve the April 5, 2023 special meeting minutes was made by James Monty and seconded by Jamie Rogers. James Bowen, Matthew Courtright and John Boyea abstained. Motion passes.

5. June 13, 2023 Special Meeting Minutes

**Motion #2023-43:** A motion to approve the June 13, 2023 special meeting minutes was made by John Boyea and seconded by Jamie Rogers. James Bowen, Roy Holzer and Matthew Courtright abstained. Motion passes.

6. August 21, 2023 Special Meeting Minutes

**Motion #2023-44:** A motion to approve the August 21, 2023 special meeting minutes was made by James Bowen and seconded by John Boyea. Jamie Rogers abstained. Motion passes.

7. October 3, 2023 Meeting Minutes

**Motion #2023-45:** A motion to approve the October 3, 2023 meeting minutes was made by John Boyea and seconded by Jamie Rogers. Matthew Courtright, Roy Holzer and James Monty abstained. Motion passes.

8. October 26, 2023 Special Meeting Minutes

**Motion #2023-46:** A motion to approve the October 26, 2023 special meeting minutes was made by Jamie Rogers and seconded by James Bowen. John Boyea abstained. Motion passes.

**Financial Services/Program**

1. Loan Program

- a. Monthly Loan Report – All payments are current. Site visits are to be conducted by the end of the year for all open loans.
- b. Loan Closing Update – Coordinating loan closing with all 4 economic development partners for Paper & Pencil Restaurant in Ticonderoga.

2. Bond Transactions

- a. International Paper \$15 million refinance – International Paper withdrew request to refinance the \$15 million solid waste disposal revenue bond because International Paper could not adhere to installment agreement requirements as required by NYS law. IDA will send bill for legal notices published.

3. Straight Least Back Transactions

- a. Lodge at Schroon Proposed PILOT Agreement – The IDA Board reviewed all correspondence and public hearing correspondence including letters received yesterday from Susan Drescher and Joel Friedman. After the public hearing held on November 14, 2023 the Lodge revised their proposal from Schedule A PILOT request to include a deviation with exemptions to include: Year 1 75% exemption, Year 2 50% exemption, Year 3 25% exemption, Year 4 25% exemption, Year 5 25% exemption, Year 6 20% exemption, Year 7 25% exemption, Year 8 35% exemption, Year 9 35% exemption and Year 10 35% exemption. The IDA Board weighed investment, employment and the need for Lodge to establish market and profitability during the first few years of operations. The IDA Board reviewed their PILOT schedules, the new Lodge proposal as well as the comments received and developed a deviated exemption schedule with the total exemption= \$408,337.54. The IDA will make notification via certified letter to all affected taxing entities as required.

**Motion #2023-47:** Resolution taking official action authorizing the agency to (i) authorize deviation from the agency's Uniform Tax Exemption Policy in connection with a proposed Payment In Lieu Of Tax (PILOT) Agreement and (ii) provide a deviation notice to all taxing jurisdictions affected by the proposed Payment In Lieu Of Tax (PILOT) 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 Company 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 Company or such other person as may be designated by the Company and agreed upon by the Agency. During the lease term, the Project will be owned by the Agency and leased to the Company; and WHEREAS, by resolutions adopted by members of the Agency on February 17, 2022 and April 29, 2022 the Agency determined to grant the Financial Assistance and entered into a lease agreement by and between the Agency and the Company; and WHEREAS, in connection with the Project, the Company has made a prior request by application submitted to the Agency on September 19, 2023 (the "Prior Request") to deviate from its uniform tax exemption policy (the "Policy") with respect to the terms of a proposed payment in lieu of tax agreement (the "Proposed PILOT Agreement"); and WHEREAS, in connection with the Prior Request and as required by the Policy, the Agency gave written notice by letter dated October 3, 2023 to 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") of the proposed deviation from the Policy and the reasons therefore; and WHEREAS, on November 14, 2023, the Agency held a public hearing to hear all comments and questions regarding the proposed deviation and the Proposed PILOT Agreement; and WHEREAS, the Agency received and responded to comments both written and as presented at the public hearing from residents, business owners and the Affected Taxing Jurisdictions; and WHEREAS, in connection with the Project, the Company has made a new request (the "PILOT Request") to deviate from the Policy with respect to the terms of 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 of \$4,573,500, as more particularly described in Exhibit A attached hereto; and WHEREAS, pursuant to the Policy and Section 874(4) of the Act, 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 Affected Tax Jurisdictions prior written notice of the proposed deviation from the Policy and the reasons therefore; and WHEREAS, the Agency intends to review and describe the PILOT Request and authorize the distribution of a written PILOT deviation notice letter to the Affected Tax Jurisdictions pursuant to and in accordance with the Policy prior to taking final action with respect to the PILOT Request and Proposed PILOT Agreement. NOW, THEREFORE, BE IT RESOLVED by the Essex County Industrial Development Agency as follows: Section 1. 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. Section 2.

Having considered both the Company's 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. Section 3. The Agency's authorization of the Proposed PILOT Agreement shall be subject to the review and response by the Agency to any comments received by the Affected Tax Jurisdictions, and the adoption by the Agency of a final approving resolution relative to the Proposed PILOT Agreement. Section 4. 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. Section 5. 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. Section 6. 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. Section 7. This Resolution shall take effect immediately. This motion to approve the schedule as follows: Year 1 75% exemption, Year 2 50% exemption, Year 3 35% exemption, Year 4 30% exemption, Year 5 25% exemption, Year 6 20% exemption, Year 7 15% exemption, Year 8 10% exemption, Year 9 10% exemption, Year 10 5% exemption was made by James Bowen and seconded by Jamie Rogers. All members were in favor.

### **Business Park Development**

1. Moriah Business Park
  - a. Lot #4 Building (High Peaks Hospice) – No building issues to report.
  - b. Whistlepig Rye Whiskey – Building construction has ended for the winter.
  - c. Lot #11 Construction Update – CVTEC is moving equipment to the site this week, they will be continuing with stormwater and site work to prep for concrete in the spring. IDA will need to hire additional contractor to cut down trees along Plank Road that are too close to the power lines as well as possibly renting grinder for stumps. IDA also working with CVTEC building trades class on prefab walls over the winter. CVTEC will be developing material list and IDA will bid out to local lumber yards for delivery at CVTEC facility.
  - d. Lot #10 Sale to Pre-Tech Plastics – IDA closed on sale of the 5 acres to Pre-Tech Plastics in November and filed required documents at Essex County Clerk's Office.

### **Business Development**

1. Marketing/Internet Based Monthly Report – No comments
2. Grant Administration
  - a. USDA Rural Development Grant (Essex County) – Coordinating loan closing with all 4 economic development partners for Paper & Pencil Restaurant in Ticonderoga.
  - b. LEAF Main Street Grant Program #2 (North Elba) – IDA to be conducting site visits by end of year.

- c. Ti Micro-Enterprise Grant Program (Ticonderoga) – IDA conducted initial site visits with all recipient businesses last week. The businesses may begin to draw down funds.
3. Workforce Development – Scheduled meeting and tour of CVTEC Mineville campus. Continue to work with Essex County on the approx. 100 openings.

**New Business**

1. November Abstract for Payment

**Motion #2023-48:** A motion to approve the November Abstract for Payment was made by James Bowen and seconded by Darren Darrah. All members were in favor.

2. September & October 2023 Financial Reports – No Comments
3. 2024 Budget Request - Essex County Board of Supervisors meeting on December 4, 2023 to vote on 2024 proposed budget.
4. Next Meeting – December 21, 2023 at 11:00AM at War Cannon, Crown Point

5. **Adjourn**

**Motion #2023-49:** A motion to adjourn the meeting at 10:55AM was made by James Bowen and seconded by Darren Darrah. All members were in favor.