

**CITY OF GLENS FALLS INDUSTRIAL DEVELOPMENT AGENCY
MEETING MINUTES**

The regular meeting of the City of Glens Falls Industrial Development Agency was held on Thursday, May 11, 2017 in the Mayor's Conference Room, 42 Ridge Street, Glens Falls, New York 12801.

Members Present: Judith Calogero; Mary Gooden; Todd Feigenbaum; Dan Hall; Lois Robinson; Roy Thomas

Members Absent: Mayor John Diamond

Also Present: Edward Bartholomew, CEO; Jackie Squadere, Economic Development; Attorney Kara Lais; Michael McCarthy, CFO; Maury Thompson, The Post Star

Judith Calogero opened the meeting and determined there was a quorum present.

Judith Calogero stated that the first item on the agenda is to approve the minutes from the April 13, 2017 regular meeting, as presented.

RESOLUTION NO. 26-2017:

On the motion of Lois Robinson, seconded by Mary Gooden and, all voting affirmatively, the April 13, 2017 regular meeting minutes were approved.

Ms. Calogero stated that the next item on the agenda is the Report of Committees. There were no reports.

Ms. Calogero stated that the next item on the agenda is the CEO Report. CEO Bartholomew indicated that he will defer his full report to the LDC meeting.

Ms. Calogero stated that since Peter Hoffman is in attendance, the IDA will take the Old Business out of the meeting agenda order to discuss the status of the 70 Warren Street project. Ms. Calogero stated that it is her preference that Mr. Hoffman withdraw the project from IDA jurisdiction and re-apply when project is ready to move forward. Mr. Hoffman stated that he is prepared to move forward but that his financing is conditioned on IDA involvement. Ms. Calogero noted that the IDA has concerns with reporting the status of the project as this could be negative for the IDA. Mr. Hoffman stated that he would like to commence work this summer and is willing to complete the project without a tenant. A discussion ensued concerning the status of the budget. Mr. Hoffman stated that his budget for project completion has not changed. CEO Bartholomew next asked about the number of jobs anticipated and noted that this information is required by ABO. Mr. Hoffman said he anticipated 20-30 jobs to be created upon completion but cannot predict, with accuracy, at this time. Ms. Calogero reiterated that she would prefer that Mr. Hoffman withdraw his project and resubmit when the details are more

concrete. CEO Bartholomew stated that the law requires specific information to be submitted as part of the application process. Ms. Calogero noted that the IDA needs assurances that the information for the project remains that same as presented in the original application. She stated that if the previously requested information requested of Mr. Hoffman is not provided by May 19, then the preference is that Mr. Hoffman withdraw and reapply at a later date. Ms. Calogero noted that she is very happy with what Mr. Hoffman did at the Smith Flats building and that the IDA will work as quickly as possible to move the project through the process if Mr. Hoffman reapplies. CEO Bartholomew noted that he would be happy to meet with the lender if this would help to facilitate the progress. Ms. Calogero stated that she would like the IDA's December letter to be re-sent to Mr. Hoffman which sets out all of the information the IDA is seeking, which includes a schedule and firm commitment as to the project status. Ms. Calogero also requested a letter from Mr. Hoffman explaining the reasoning for the construction delays and amendments to the original application.

The next item on the agenda is the consideration of the payment of bills. The following bills were presented at the meeting for payment:

- i. FitzGerald Morris Baker Firth PC - \$592.00
- ii. FedEx - \$27.00
- iii. Downtown Exchange - \$236.50
- iv. GoldStar - \$69.10
- v. McCarthy & Conlon - \$400.00
- vi. Musick Designs - \$180.00
- vii. Pepe Productions - \$300.00

RESOLUTION NO. 27-2017:

On the motion of Lois Robinson, seconded by Mary Gooden and, all voting affirmatively, the payment of the above bills were approved.

Ms. Calogero indicated that the next item on the agenda is the monthly financial statement. It was noted that the financial statement did not include any items that were out of the ordinary.

RESOLUTION NO. 28-2017:

On the motion of Mary Gooden, seconded by Lois Robinson and, all voting affirmatively, the monthly financial statement was approved.

The next item on the agenda was Old Business and a discussion of the Labor Policy. CEO Bartholomew explained that the Labor Policy will be a Pilot Program and his office will report on the effectiveness of the program. He anticipates a two year evaluation. He states that the program is to place an emphasis on making more efforts to hire local workers and purchase from local supply chains. He stated that waivers can be requested and received. CEO Bartholomew discussed that the policy defines the "region" as Warren, Washington, Saratoga, Albany,

Schenectady and Rensselaer counties and defines "local" as Warren, Washington, Saratoga and Essex counties. Ms. Calogero asked CEO Bartholomew to provide a preliminary report at the annual meeting. He stated that he will provide a report at the annual meeting and then a two year review and then the IDA/CDC/LDC can decide how to proceed with the program. CEO Bartholomew noted that this type of policy is common among many agencies.

RESOLUTION NO. 29-2017:

On the motion of Judy Calogero, seconded by Lois Robinson and, all voting affirmatively, the Hiring and Purchasing Policies, as attached to these minutes and incorporated herein by reference, was approved.

The next item on the agenda was New Business.

Ms. Calogero noted that CFA Round 7 is open and that a number of proposals are being considered. CEO Bartholomew indicated that he is requesting that the IDA adopt a generic resolution that is required for CFA submittals. He will have more detailed information at an upcoming meeting as the deadline for applications is July 28, 2017.

RESOLUTION NO. 30-2017:

On the motion of Judy Calogero, seconded by Roy Thomas and, all voting affirmatively, the Resolution Authorizing Preparation and Submittal of Funding Applications for NYS Grants, NY Consolidated Funding Programs (CFA Round 7, Urban Revitalization Investment, Restore, Main Street, Federal Grants, Not for Profits and Private Foundations Grants (where applicable) in designated program areas and that cost of the application where permissible be shared by the Glens Falls IDA and Greater Glens Falls LDC, as attached to these minutes and incorporated herein by reference, was approved.

Ms. Calogero stated that the next meeting of the Industrial Development Agency will be held on June 8, 2017 at 7:30 am at 42 Ridge Street, Mayor's Conference Room, Glens Falls, New York.

There being no further business. Ms. Calogero called for a motion to adjourn the meeting.

RESOLUTION NO. 31-2017:

On the motion of Todd Feigenbaum seconded by Roy Thomas, all voting affirmatively, the City of Glens Falls Industrial Development Agency hereby adjourns the May 11, 2017 regular meeting.

**GLENS FALLS INDUSTRIAL DEVELOPMENT AGENCY,
GLENS FALLS CIVIC DEVELOPMENT CORPORATION, &
GREATER GLENS FALLS LOCAL DEVELOPMENT CORPORATION**

HIRING AND PURCHASING POLICIES

PREFACE

The Glens Falls Civic Development Corporation ("GFCDC") Glens Falls Industrial Development Agency ("GFIDA") and Greater Glens Falls Development Corporation ("GGFLDC") were created for the purposes of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Glens Falls and Warren County region. The above organizations offer economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in City of Glens Falls. When the organizations approve a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs, though limited in time duration, are vital to the overall employment opportunities in Glens Falls area. The organizations believe that businesses/companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices (hereinafter "construction workers"), including women, minorities and those who have returned from military service, during the construction phase of projects. In this way, the organizations can generate significant benefits to advance the Glens Falls' general prosperity

POLICY

Therefore it is the POLICY of Glens Falls Industrial Development Agency, Glens Falls Civic Development Corporation and Greater Glens Falls Local Development Corporation ("GF IDA", "GFCDC," and "GGFLDC") to require all capital projects (new or renovation) in excess of \$500,000 with any of the above organizations to comply with the following:

1 Utilization of local hiring; for the purposes of this Policy, the local labor market for construction workers shall be defined as those individuals living in Warren, Washington, Saratoga, Essex Counties

2. Hiring of regional contractors & subcontractors; Region shall mean Warren, Washington, Saratoga including Capital Region (Albany, Schenectady, Rensselaer Counties). If contractors are from Capital Region, contractor must undertake effort to retain subcontractors from the local area.

3 Local purchase of supplies, equipment, materials with local area meaning Warren, Washington, Saratoga, Essex Counties

4. Undertaking best effort and due diligence in hiring women/ minority /veteran workers

5 Enrollment in an existing and current NYS DOL work apprenticeship for the respective contractor

SUPPLEMENTAL INFORMATION

Applicant in their respective application shall detail and provide names and addresses of all contractors, subcontractors, identify sources of their purchases for materials, equipment and supplies.

Applicant shall identify in their application a workforce plan shall be developed consisting of the following:

Provide total number of construction jobs by respective contractor, subcontractor along with classification of jobs, copy of NYS DOL approved and current apprenticeship program.

WAIVER PROCESS: If applicant is unable to comply with the above policy; applicant shall be required to seek a waiver – deviation from the particular section of policy from the appropriate organization. Applicant will be required to provide a justification of their inability to comply by documenting good faith efforts to comply with this policy.

However, the organizations recognize that the use of local labor may not be possible for the following reasons:

- 1) Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers;
- 2) Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work;
- 3) Significant cost differentials in bid prices whereby the use of local labor significantly increases the cost of the project. A cost differential of more 10% is deemed significant. Every effort should be made by the contractor or applicant to get below the 10% cost differential including, but not limited to, meeting with local construction trade organizations and local contractor associations;
- 4) No local labor is available for the project; and
- 5) The contractor requires the use of key or core persons such as supervisors, foremen, or construction workers having special skills.

CONFIRMATION OF INFORMATION AND DATA

Prior to final Project approval, applicant will be required to confirm to the CEO of the respective organization the following information:

- 1) Contact information for the applicant's representative who will be responsible and accountable for providing information about the awarding of construction contracts relative to the application and project;**
- 2) Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions;**
- 3) Names of all contractors and subcontractors , contact information, their respective certificate of authorization to do business in the State of New York ,copies of current Certificates of NYS Workers' Compensation Insurance, NYS Disability Insurance, General Liability Insurance and proof of current OSHA training certification for all contractors and their employees performing work on the site; and**

All Glens Falls projects are subject to local monitoring by these named organizations. The designated individual acting as agent for the applicant, on the project shall keep a log book on site detailing the number of workers on the job for each trade and the counties in which they reside which shall be subject to periodic inspection by the monitoring entity. The monitor shall issue a report to the CEO relative to compliance with this labor policy who shall share such information with the respective Board of Directors. If a violation of the policy has occurred, the CEO shall notify the applicant in writing and give such applicant a warning of such violation. In the event there is a subsequent violation of the policy, the CEO shall bring such information to the Board of Directors which may, in its discretion, take action to revoke respective benefits.

FINAL CONSTRUCTION REPORT

Following completion of project and prior to the issuance of a Certificate of Occupancy by Building Code Office:

Applicant shall be required to file with the respective agency or corporation a complete report outlining names and addresses of contractors, subcontractors (along with the respective number of corresponding construction jobs and workers' residence location by zip code.

Applicant shall identify the vendors and source purchase of all equipment, material and supplies in excess of \$5,000

Applicant shall notify respective Agency or Corporation if there is a change in designation of contractors, subcontractors and location of purchases of major supplies, materials, and equipment at least 30 days prior to the changes) occurring. Applicant must provide justification for the substitution. Change will required the CEO and Chair to approve the changes.

Failure to file a completed final construction report may result in the delay of issuance of a certificate of occupancy, withholding of incentives and benefits for the respective project and or a fine of up to \$1500.

March 9, 2017

Resolution: Glens Falls Industrial Development Agency

Authorizing preparation and submittal of funding applications for NYS Grants, NY Consolidated Funding Programs (CFA Round 7, Urban Revitalization Investment, Restore, Main Street, Federal Grants, Not for Profits and Private Foundations Grants (where applicable) in designated program areas and that cost of the applications where permissible be shared by the Glens Falls Industrial Development Agency and the Greater Glens Falls Local Development Corporation.

Improvements, transit orientated development, and workforce development, general economic development including attracting new business, retail, manufacturing, expansion of existing businesses, manufacturing, assisting in retaining and creating new employment opportunities; and

Whereas the City in previous years adopted said resolution so that the City and related organizations would have sufficient time to prepare competitive applications to the State and Federal government;

Now therefore be it resolved that the Glens Falls Industrial Development Agency hereby supports and authorizes the preparation and submittal of the following Federal / State & CFA grant and Not for Profits and Private Foundations application opportunities(where applicable and appropriate eligibility exist) In the following designated program areas or in other areas not enumerated herein but are deemed important to Glens Falls community:

Acquisition and rehabilitation/or demolition of blighted properties,

Affordable housing, emergency shelter (Home, NY Main Street, first time homebuyers, workforce housing, Affordable Home Ownership Development Program),

Arts/entertainment areas (NY CFA, NEA, Foundations),

Broadband, telecommunication, (New NY Connect, NY CFA, USDA, Federal Communication Commission, Foundations),

Direct assistance for businesses and manufacturing, (Regional Council Capital Funding, Excelsior Jobs Program, Economic Development Purposes Grants, Environmental Investment Program, JDA,

Urban Revitalization Investment, Restore, NYS Main Street, implementation of Glens Falls Downtown Revitalization Award

Energy and environmental improvements, (Energy Efficiency and Renewable, Solar Initiatives, Green Innovation Grant, Recharge NY Power Program),

low cost financing, (Private Activity Bond cap),

Municipal/public Infrastructure (Capital Region Economic Development Council, USDA, EPA, EFC, NYSERDA, US DOT, EDA)

Parks/playgrounds/recreation/canal/bike/pedestrian walkways Improvements, Improved and greater access for the disabled, local waterfront revitalization program, recreation trails program, canal way grants program,

Sustainability planning assistance and implementation,

Transportation Infrastructure (multi modal transportation Infrastructure program, parking structures, mass transit capital,)

waste water treatment facilities, /, storm water improvements (CREDC, EPA, DEC, EFC, NYSERDA, USDA),

Workforce development (Workforce investment act programs, Job Training (EPA, NYSDOL),

EPA brown field programs, (job training, area wide planning, risk assessment, cleanup),

EDA, USDA, US DOT, NYS DOT Infrastructure and facilities Including water and sewer, water tanks,

USDA; agriculture farmers market facilities, community facilities, parking structures, farmers markets, urban food centers, and business enterprise loans,

HUD programs regarding various housing programs, energy savings, lead paint/asbestos removal remediation,

FWA (Federal Highway Administration), US DOT for highway, street improvements and multi modal –parking facilities,

Local Government Efficiency Grants (NYS Department of State);

And be it further resolved that it is the intent where permissible that the cost of preparation and submittal of Federal, State & CFA and Not for Profit & Private Foundations funding applications be shared by this Glens Falls Industrial Development Agency and the Greater Glens Falls Local Development Corporation.