



ESSEX COUNTY IN THE PARK
INDUSTRIAL DEVELOPMENT AGENCY
EMPIRE ZONE

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**Essex County IDA Regular Board Meeting
May 31, 2024 at 9:00 AM
7566 Court Street, Elizabethtown, NY**

Present: Darren Darrah
James Bowen (Zoom)
Calabrese
Supervisor Matthew Courtright (Zoom)
James Monty
Matthew Stanley

Also Present: Jody Olcott
Carol
Robin Deloria,

Absent: John Boyea
Jamie Rogers

Open of Meeting

Chairman Darren Darrah opened the meeting at 9:02AM.

Public Comment

No Comment

Financial Services/Program

1. Loan Program
 - a. Monthly Loan Report - Big Slide Brewery is 2 months behind (March & April). A certified letter was sent to the business and business emailed this morning to indicate the March 2024 payment was in mail.
 - b. Trail Head Restaurant Group, LLC (Ticonderoga) – The IDA Escrow Agreement with Meyer, Fuller & Stockwell ends today and there is a remaining balance of \$58,896.85.

Motion #2024-20: A motion to approve a 30-day Escrow Agreement extension for Trail Head Restaurant Group, LLC with Meyers, Fuller & Stockwell was made by James Monty and seconded by Darren Darrah. All members were in favor.

2. Straight Lease Back Transaction
 - a. Trailhead Resort (Newcomb) – Business operates under the name Lake Harris Lodge which opened for business in January 2020. In April 2024 the business announced on its FaceBook page it would be closing for mud season and reopening on Memorial Day weekend. IDA has spoken with the owners several times and have been updated that business will be closed in June for private events with plans to reopen in July. The business was listed for sale by realtor. Business has also been selling extra equipment and décor over last several weeks but owners indicated the sale items are not

necessary for operation. The Town has raised concerns that the possible reopening plans will not be consistent with the operational plan they originally approved for the PILOT Agreement.

Motion #2024-21: A motion to request that our attorney, Briggs Law Firm review executed documents regarding possible default and send letter to business requesting detailed operating plan to be reviewed at their June meeting, copying all applicable taxing entities was made by James Monty and seconded by James Bowen. All members were in favor.

Business Park Development

1. Moriah Business Park
 - a. Lot #4 Building (High Peaks Hospice) – No issues to report.
 - b. Entrance Sign Vandalism Update – Town of Moriah Court was postponed until June 4, 2024. The DA office has invoices for signs installed. The previous company is no longer in business so IDA would need a whole new sign for entrance instead of replacing just vandalized tenant sign as materials used are no longer recommended.
2. Chesterfield Commerce Park – The Town of Chesterfield is entertaining mixed use for park with a few residential housing projects. If further interest, Chesterfield Commerce Park Covenants and Restrictions would need to be amended as residential use is currently prohibited.

Business Development

1. Marketing/Internet Based Monthly Report – No comments
2. Grant Administration
 - a. Essex County Agriculture Producers Revitalization 2024 Microenterprise Grant Program. IDA staff is meeting with DEC next week to discuss next steps and possible launch in Fall 2024. TACC is drafting a brochure to be distributed to farmers over the summer months to prepare for fall applications.
 - b. Ti DRI Small Projects Fund – No update
3. Workforce Development
 - a. Adirondack Career Connect/ Essex County Community Job Fair – 400 high school students attended event yesterday. A survey was given to employers to get their opinion on the event. Committee will meet to discuss next year event planning.

New Business

1. Personnel Policy – IDA Board reviewed proposed changes for the Personnel Policy as discussed at April meeting including:
 - a. Personal Time: add 3 personal days (these days will not accrue or transfer forward, must be used by end of calendar year or lost)
 - b. Comp time/Overtime: add new language... Compensatory time is available to salaried employees who have worked more than 35 hours per week during a workweek. Compensatory time is time off in lieu of monetary overtime compensation. The compensatory time rate is one-half hour for each half hour worked in excess of 35 hours. As per US Department of Labor Fair Labor Standards Act after July 1, 2024 salary-compensated employees who make \$43,888 or less a year, will be eligible for overtime pay. On January 1, 2025 the threshold will increase to those who make \$58,656 or less a year and the threshold will be increased again July 1, 2027 and every three years after. Employees may chose to be paid

for hours over 35 hours per week at a rate of 1.5 times hourly rate is elected.

- c. Sick time: IDA to adopt 41J policy through the NYS Retirement System and add the following language to policy: You will receive 0.66 days for every month worked in a calendar year, up to a maximum of 8 days per year. Sick leave may be taken in segments of not less than one hour. No sick leave shall be taken for a Holiday. The Agency may require a physician's certificate to substantiate use of sick leave and the employee's fitness to return to work; and whenever sick leave of more than 3 consecutive days occurs such a certificate shall be required to be furnished by the employee. Subdivision J of Section 41 and Subdivision J of Section 341 of the Retirement and Social Security Law allows a participating employer to elect to provide additional service credit toward retirement for its employees who are entitled to accumulate sick leave. The additional service credit is available only for those members who are included in a plan established by law, rule, regulation, written order or written policy that provides for the regular earning and accumulation of sick leave. For Employee Retirement System (ERS) members that are in a Tier(s) 1, 2, 3, 4 and 5; the maximum additional service credit allowed under Section 41, subdivision J is 165 days. For Tier 6 members' credit is available for a maximum of 100 days. The additional service credit is applied on a workday basis (260 days = one year). Members who receive a cash payment based on their accumulated sick leave at retirement are not eligible for additional service credit. Payments for unused sick leave cannot be considered in the calculation of a member's final average salary.
- d. Vacation time: Employees will be able to accrue vacation time up to 165 days. At that time, employees will no longer be able to accrue time until used.
- e. Holidays: Remove Friday after Thanksgiving, add Juneteenth to policy

Motion #2024-22: A motion to the changes to the Personnel Policy as noted above was made by James Monty and seconded by Matthew Stanley. All members were in favor.

2. Standard Workday – NYS Retirement requires IDA to set standard workday with resolution.

Motion #2024-23: A motion to approve the Standard workday as 7.0 hours was made by James Monty and seconded by Matthew Stanley.

3. May Abstract for Payment

Motion #2024-24: A motion to approve the May Abstract for Payment was made by James Bowen and seconded by Darren Darrah. All members were in favor.

4. April Financial Report – No comment
5. Next Meeting – June 26, 2024 at 9:00AM

Adjourn Meeting

Motion #2024-25: A motion to adjourn the meeting at 10:54AM was made by James Bowen and seconded by Darren Darrah. All members were in favor.