



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 Regular Board Meeting  
November 18, 2024 at 1:00PM  
7566 Court Street, Elizabethtown, NY**

**Present:** Darren Darrah  
John Boyea  
Jamie Rogers (Via Zoom)  
James Monty  
Matthew Stanley (left at 2:05PM)  
Jim Bowen

**Also Present:** Jody Olcott  
Carol Calabrese  
Jen Briggs (Via Zoom)

**Absent:** Matthew Courtright

**Open of Meeting**

Chairman Darren Darrah opened the meeting at 1:00PM.

**Public Comments**

No comments

**Open of TEFRA Hearing/Hotel Westport**

Public hearing was opened at 1:00PM. Public hearing to authorize a "straight-lease" transaction of the Agency for the purpose of providing financial assistance in connection with the project described below. Lucky Cats Hospitality Group, LLC (the "Applicant") has requested that the Agency a project consisting of (A) (i) the reconstruction, renovation and improvements of the former Westport Hotel located at 6691 Main Street, Westport in the County of Essex, NY, 12883 into a new boutique hotel consisting of four contemporary hotel suites, a restaurant, speakeasy bar and event space, including upgrades to utilities (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 in the amount of \$64,000, mortgage recording tax in the amount of \$3,250 and real property tax in the form of a 10-year PILOT (collectively the "Financial Assistance"); and (C) the lease of the Project by the Agency back to the Company; all as contemplated by and in furtherance of the purposes of the General Municipal Law. The Project will be subject to a straight lease agreement (the "Agreement") requiring that the Applicant lease the Project from the Agency and to purchase the property at the end of the lease term, and grant a mortgage and security agreement with respect to the Project and an assignment of

the lease agreement with the Applicant as security for the financing provided by the Applicant's financial institution in such manner as the Agency and the Applicant mutually deem appropriate. 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 provided opportunity to hear all persons with views in favor of or opposed to the proposed Financial Assistance to the Applicant. A report of the hearing will be made available to the Board of Supervisors of Essex County, New York. The notice of public hearing was published in the Press Republican on October 15, 2024. No comments received. Public hearing was closed at 1:30PM.

### **Approval of Minutes**

#### **1. October 9, 2024 Meeting Minutes**

**Motion #2024-59:** A motion to approve the October 9, 2024 meeting minutes was made by James Bowen and seconded by Darren Darrah. All members were in favor.

### **Financial Services/Program**

#### **1. Loan Program/Monthly Loan Report – Late payment notices were sent to Big Slide Brewery (2 months behind), Denton Publication (1 month behind), Green Goddess Natural Foods (2 months behind) as well as Trail Head Restaurant Group (continues to make interest only payments for September and October).**

- a. Trail Head Restaurant Group/LaChute Ventures (DBA Paper & Pencil) – Business has requested the following loan restructure request: business will pay outstanding principal due for September and October payments and requests extension of interest only payments from November-April. Outstanding amount due at this time to IDA is \$3,268.76. Business is also requesting all four lenders (IDA, Lake Champlain Lake George Regional Planning Board (LCLGRP), North Country Alliance (NCA) and Adirondack Economic Development Corporation (AEDC)) allow Tom Cunningham to secure additional mortgage on personal home located at 14 Windy Point and all lenders subordinate for the personal mortgage in the amount of \$240,000. At the current time the business owner has two personal tax liens (\$233,000 federal and \$133,000 State) as well as a balance outstanding to contractor in the amount of \$133,000. Late fees and penalties for the tax liens are accruing.

IDA loan = \$170,000 (equipment and working capital)

NCA loan = \$77,000 (working capital)

AEDC loan = \$38,343 (working capital)

LCLGRP loan = \$150,000 of which \$30,000 was released at closing for equipment and working capital, \$45,000 was released for working capital after closing and \$75,000 remains in escrow.

The current appraisal for the home is \$2.4 million. IDA Board were provided copies of business request (email dated 9/8/2024) as well as summary of current collateral position summary held by IDA:

1. Individual personal guarantees: Tom, Jill and Megan Cunningham
2. Company guarantees: Trail Head Restaurant Group LLC. & LaChute Ventures LLC.

3. Co-proportional 1<sup>st</sup> mortgage lien (117 Burgoyne, Ticonderoga) with all lenders
4. Co-proportional 2<sup>nd</sup> mortgage lien (14 Windy Point, Ticonderoga) with all lenders
5. Co-proportional 1<sup>st</sup> lien (Bull Rock Road, Ticonderoga) with all lenders
6. Co-proportional 1<sup>st</sup> lien on furniture, fixtures, equipment and all personal property and other business assets of Trail head Restaurant Group and LaChute Ventures LLC. located at 117 Burgoyne, Ticonderoga
7. Key man life insurance for Tom & Megan Cunningham in the amount of \$170,000

**Motion #2024-60:** A motion to deny request to extend interest only payments for November-April and deny subordination of existing mortgage on home in the amount of \$240,000 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
  - b. Entrance Sign Vandalism – The IDA has contacted 3 sign companies who are not interested in redoing vandalized tenant listing signs. IDA having difficulty finding company. The IDA previously submitted to the original sign cost to Town of Moriah Court approximately \$5,000. Defendant in case submitted quote from company who would replace only vandalized signage but when IDA contacted them they were out of Syracuse and not interested in project. The IDA will contact companies to replace entire sign and provide estimates to Board and also court.
  - c. Lot #11 Update – CV-TEC on site stumping and beginning to work on stormwater pond on Lot #11. The IDA will be meeting with new Building Trades instructor in early December to discuss objectives for year.
  - d. Stormwater Pond #3 Construction – Construction was completed today. AES Northeast inspecting tomorrow and will apply for completion of SWPPP permit through APA and DEC.
2. Chesterfield Commerce Park – No Update

### **Business Development**

1. Marketing/Internet Based Monthly Report – No comments
2. Grant Administration
  - a. Agriculture Producers Revitalization 2024 Microenterprise Grant Program – 18 businesses attended the micro-enterprise training class. 16 applications were received. IDA currently reviewing applications and completing underwriting. Grant Review Committee will receive summaries later this week and their recommendations back to the IDA Board for approval. Businesses have until May 31, 2025 to spend funds.
  - b. Ti DRI Small Projects Fund – Several projects have released funds but no update on small project fund contract. IDA will follow up with Town Supervisor.
  - c. Adirondack Foundation SUN Fund/State of Emergency Grants – 5 grant contracts executed and payments will be mailed to each recipient today.
3. Workforce Development
  - a. SUNY Apprenticeship Roundtable – The event was held at NCCC in Ticonderoga. Approximately 22 people in attendance (10-12 businesses). Businesses very interested in partnering with SUNY on potential apprenticeship programs.

### **New Business**

1. IDA Policy Updates – As a result of the recent NYS Comptroller’s audit several IDA policies were identified which need to be updated.

- a. Personnel Policy

**Motion #2024-61:** A motion to amend the Personnel Policy as follows: omit the current dress code, add NYS language regarding lunch period requirements and also include vision policy in provided insurances was made by James Bowen and seconded by John Boyea. All members were in favor.

- b. IDA Board currently has a Governance and Audit Committee charter and committees are made of full board. IDA needs to create the required Finance Committee as required by the Public Authorities Law. IDA will also need to amend the current charters of the Governance and Audit committees to reflect meeting once a year or as needed. IDA Board would like to review the responsibilities of each committee and elect 3 members to serve on the committees. Further review needed at next meeting

2. October Abstract for Payment

**Motion #2024-62:** A motion to approve the October Abstract for Payment was made by James Bowen and seconded by Darren Darrah. All members were in favor.

3. September Financial Reports – No comments
4. Next Meeting – December 17, 2024 at 11:00AM, location to be determined.

### **Adjourn Meeting**

**Motion #2024-63:** A motion to adjourn the meeting at 2:32 PM was made by John Boyea and seconded by James Bowen. All members were in favor.