

**CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY
NOTICE OF SPECIAL MEETING**

Please take notice that there will be a Regular meeting of the City of Hudson’s Industrial Development Agency to be held in person and via Zoom on July 6, 2022 at 4:00pm, at One Hudson City Centre, Suite 301, Hudson, NY 12534 in accordance with Public Officers Law Section 103-a. The meeting is open to the public, who will have the opportunity to attend the meeting in person at the One Hudson City Centre address or via Zoom and provide live comments.

Comments can also be provided via email before and during the meeting to mtucker@columbiaedc.com. Meeting packets are posted and available on the City of Hudson’s website:

https://www.cityofhudson.org/board_and_committees/industrial_development_agency/index.php

Join Zoom Meeting: <https://us06web.zoom.us/j/85980475462?pwd=RzBJdFhrR3pxaWN0bIQ5Q2M5TUlHdz09>

Meeting ID: 859 8047 5462, Passcode: 627223, Dial by your location: 1 646 558 8656

Find your local number: <https://us06web.zoom.us/u/kbhvhDNM8b>

The public will have an opportunity to hear the meeting live and provide comments via Zoom or in person. Please check the website on: https://www.cityofhudson.org/board_and_committees/industrial_development_agency/index.php for updated information. This meeting is being held to discuss the SEC 7 LLC project. The IDA reserves the option of discussing any other business which comes before the Board.

Dated: June 29, 2022

Richard Wallace

Secretary City of Hudson IDA

HIDA Board of Members Agenda

Members:

Heather S. Campbell	Theresa Joyner	Dominic Merante	Ryan Wallace
Kamal Johnson	Cheryl Kaszuga	Richard Wallace	

1. Draft Record of Public Hearing Video Conferencing June 15, 2022*
2. Draft Record of Public Hearing SEC 7 Financial Assistance June 15 2022*
3. Board Meeting Time Change*
4. Draft Amended and Restated By-Laws*
 - Draft Resolution Approving Rules of Order*
 - Draft Policy Respecting Uniform Criteria of Project Evaluation*
5. Continued Discussion of Evaluation Criteria & Needed Policy Update*
 - Presentation: City of Hudson Benefit Analysis Template
 - Presentation by Ted DeBarbieri
 - i. Evaluation Criteria Proposed Framework
 - ii. Update Regarding Repurposing the Community Benefits Agreement
6. Community Benefits Agreement Sponsorship
7. Public Comments

Attachments:

- Draft Record of Public Hearing Video Conferencing June 15, 2022
- Draft Record of Public Hearing SEC 7 Financial Assistance June 15 2022
- Draft Minutes, Special Meeting June 22, 2022
- Draft Amended and Restated By-Laws
- Draft Resolution Approving Rules of Order
- Draft Policy Respecting Uniform Criteria of Project Evaluation
- Draft Evaluation Criteria Proposed Framework

*Requires Approval

**RECORD OF PUBLIC HEARING OF
CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY**

A public hearing of the City of Hudson Industrial Development Agency was held by Chair Ryan Wallace at the Office of Columbia Economic Development Corporation, 1 Hudson City Centre, Suite 301, in the City of Hudson, Columbia County, New York, and via Zoom at the link posted on the Agency’s website, on June 15, 2022 at 4:00 p.m., local time regarding the consideration of proposed usage of videoconferencing for the Agency and it’s Committees.

The following members of the HIDA Board and staff were present in person or via Zoom as noted below:

	Present	Absent
Chair Ryan Wallace	In Person	
Treasurer Heather Campbell		x
Vice-Chair Kamal Johnson		x
Member Theresa Joyner		x
Member Cheryl Kaszluga		x
Member Dominic Merante		x
Secretary Richard Wallace		x

Staff: Lisa Drahushuk

Chair Wallace opened the public hearing at 4:05 p.m.

Chair Wallace read the Notice of Public Hearing for the proposal to permit videoconferencing for the Agency and its Committees. Chair Wallace confirmed that the Notice of Public Hearing for the project was published in the June 4th/5th, 2022 edition of The Register Star and posted on the HIDA’s website.

The public hearing was held pursuant to Section 859-a of the General Municipal Law, regarding the proposal to permit the use of videoconferencing for the Agency and it’s Committees to the extent permitted by the Open Meetings Law as amended by Chapter 56 of the NY laws of 2022.

The Chair requested comments from the attendees.

Several members of the public were present via Zoom. Following is a list of those present at the hearing. No comments were presented from the attendees.

At 4:14 pm with no comments or statements being presented Chair Wallace closed the public hearing.

Certified this ____ day of _____, 2022.

Richard Wallace, Secretary

Meeting attendees:

Vicky Daskaloudi – 5th Ward Councilperson

Michael Hofmann – Mayoral Aide

Carole Osterink – Community Member

Alain Foster – Principal SEC 7 LLC

Martha Lane - Columbia Economic Development Corporation

**RECORD OF PUBLIC HEARING OF
CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY**

A public hearing of the City of Hudson Industrial Development Agency was held by Chair Ryan Wallace at the Office of Columbia Economic Development Corporation, 1 Hudson City Centre, Suite 301, in the City of Hudson, Columbia County, New York, and via Zoom at the link posted on the Agency's website, on June 15, 2022 at 4:00 p.m., local time regarding the consideration of proposed financial assistance by the Agency in connection with a proposed SEC 7 LLC at 7 Dock Street in the City of Hudson.

The following members of the HIDA Board and staff were present in person or via Zoom as noted below:

	Present	Absent
Chair Ryan Wallace	In Person	
Treasurer Heather Campbell		x
Vice-Chair Kamal Johnson		x
Member Theresa Joyner		x
Member Cheryl Kaszluga		x
Member Dominic Merante		x
Secretary Richard Wallace		x

Staff: Lisa Drahushuk

Chair Wallace opened the public hearing at 4:05 p.m.

Chair Wallace read the Notice of Public Hearing for the SEC 7 LLC Project. Chair Wallace confirmed that the Notice of Public Hearing for the project was published in the June 4th/5th, 2022 edition of The Register Star and posted on the HIDA's website.

The public hearing was held pursuant to Section 859-a of the General Municipal Law, regarding the consideration of proposed financial assistance by the Agency in connection with the SEC 7 LLC project, reconstruction, renovation and equipment of an existing processing plant and the construction of a new freezer facility for use as a USDA food manufacturing plant and frozen food storage and distribution center at 7 Dock Street in the City of Hudson.

The Chair requested comments from the attendees.

No representatives of the affected tax jurisdictions were present and no comments had been received from any of the tax jurisdictions. Several members of the public were present via Zoom. Following is a list of those present at the hearing. No comments were presented from the attendees.

At 4:14 pm with no comments or statements being presented Chair Wallace closed the public hearing.

Certified this _____ day of _____, 2022.

Richard Wallace, Secretary

Meeting attendees:

Vicky Daskaloudi – 5th Ward Councilperson

Michael Hofmann – Mayoral Aide

Carole Osterink – Community Member

Alain Foster – Principal SEC 7 LLC

Martha Lane - Columbia Economic Development Corporation

AMENDED AND RESTATED BYLAWS OF THE
CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY

Approved _____, 2022

ARTICLE I – THE AGENCY

Section 1. Name. The name of the Agency is City of Hudson Industrial Development Agency (HIDA) hereby known as the Agency.

Section 2. Seal. The Agency seal shall be in form of a circle and shall bear the name of the Agency and the year of its organization.

Section 3. Principal Office.

The principal office of the Agency shall be located at 520 Warren Street, in the City of Hudson, County of Columbia, and State of New York, or such other place in said City as the Agency Board may determine.

ARTICLE II - OFFICERS

Section 1. Officers. The officers of the Agency shall be a Chair, a Vice Chair, a Secretary, a Treasurer, an Assistant Secretary and an Assistant Treasurer. Any two or more offices, except the office of Chair and Secretary, may be held by the same person. All officers of the Agency shall be appointed at the annual meeting of the Agency from among the members of the Agency, and shall hold office for one year or until their successors are appointed.

Section 2. Chair. The Chair shall preside at all meetings of the Agency. The Chair shall sign on behalf of the Agency such agreements, contracts, notes, bonds, deeds, trust indentures, and other conveyances and instruments of indebtedness of the Agency as shall be authorized by the Agency, and shall perform such other duties as may be prescribed for the Chair by law or by the Agency. The Chair shall from time to time submit such recommendations and information as such officer may consider proper concerning the business, affairs and policies of the Agency.

Section 3. Vice Chair. The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair.

Section 4. Secretary. The Secretary shall keep the records of the Agency, shall act as secretary of the meeting of the Agency and record all votes, and shall keep a record of the minutes of the Agency in a journal of proceedings to be kept for such purpose. The Secretary shall cause notice of meetings to be given, posted and published as required by law. The Secretary shall have custody of the seal and shall affix the seal of the Agency to all papers or other documents as may be required, shall attend to such correspondence as may be assigned, and shall perform such duties as the Agency may designate. The Secretary may delegate functions to an Assistant Secretary or to a person or firm serving as Administrative Director.

Section 5. Assistant Secretary. The Assistant Secretary shall perform such duties as may be delegated from time to time by the Secretary. The Assistant Secretary shall perform the duties of the Secretary in the absence or incapacity of the Secretary.

Section 6. Treasurer. The Treasurer shall have the care and custody of all funds of the Agency and shall deposit the same in the name of the Agency in such bank or banks as the Agency may select. Except as otherwise authorized by resolution of the Agency, the Treasurer shall sign all instruments of indebtedness, all orders, and all checks for the payment of money, and shall pay out and disburse such moneys under the direction of the Agency. The Treasurer shall keep regular books of account showing receipts and expenditures and shall render to the Agency at each regular meeting an account such transactions and also of the financial condition of the Agency. The Treasurer with the assistance of the Administrative Director shall prepare and file PARIS reports with the Authorities Budget Office as may be required by law. The Treasurer may delegate functions to an Assistant Treasurer or to a person or firm serving as Administrative Director.

Section 7. Assistant Treasurer. The Assistant Secretary shall perform such duties as may be delegated from time to time by the Secretary. The Assistant Treasurer shall perform the duties of the Treasurer in the absence or incapacity of the Treasurer.

Section 8. Compensation of Board Members. Members of the Agency Board shall receive no compensation for their services as members or officers, but shall be entitled to the reasonable and necessary expenses incurred in the discharge of their duties subject to procedures adopted by the Agency.

Section 9. Vacancies; Removal. Should any office become vacant, the Agency shall appoint a successor from among its membership at the next regular meeting and such appointment shall be for the unexpired term of said office. The officers of the Agency may be removed with or without cause by a vote of a majority of the total number of the Board.

Section 10. Administrative Director. An Administrative Director shall be appointed by the Agency, and shall have general supervision over the administration of the business and affairs of the Agency, subject to the direction of the Agency. The Administrative Director shall be charged with the management of all projects of the Agency. The Administrative Director serves at the pleasure of the Board and may be removed by a majority vote of the Board. The Administrative Director may be empowered by resolution of the Board to employ or engage technical experts, legal counsel, and such other agents and employees, permanent and temporary, as the Agency may require, provided that the selection and compensation of any employees of the Agency shall be approved by the Board. The Administrative Director may be an individual who shall serve as an officer of the Agency or may be a firm or firms engaged by the Agency to perform such duties pursuant to terms and conditions approved by resolution of the Board.

Section 11. Additional Duties. The officers of the Agency shall perform such other duties and functions as may from time to time be authorized by resolution of the Agency to be required by the Agency, by the bylaws of the Agency, or by the rules and regulations of the

Agency.

Section 12. Additional Personnel. The Agency may appoint such other officers and employees as the Agency may require for the performance of its duties. The Agency may retain counsel and may retain private consultants for professional and technical assistance and advice. The duties and compensation of such persons shall be determined by the Agency subject to the laws of the State of New York.

ARTICLE III - MEETINGS

Section 1. Annual Meeting.

The annual meeting of the Agency shall be held on the first Wednesday in January at 4:00 p.m. or as soon thereafter as the Chair may schedule a meeting.

Section 2. Regular and Special Meetings.

Regular meetings of the Board shall be established by resolution of the Board and special meetings may be scheduled by the Board from time to time. The Chair may call special meetings and emergency meetings which may be deemed necessary. A meeting shall be called by the Secretary at the request of a majority of the members of the Agency within 10 days of written request therefor. Written notice of meetings shall be given in accordance with the provisions of the Open Meetings Law.

Section 3. Location of Meetings.

Meetings shall be held at the City of Hudson Common Council chambers or such other place as shall be determined from time to time by Chair or by resolution of the Board. Meetings may be held via videoconference in accordance with procedures adopted or approved by resolution of the Agency and in accordance with applicable law.

Section 4. Conduct of Meetings.

a. Rules of Procedure. The rules of procedure at all meetings shall be approved by resolution of the Board.

b. Quorum; Adjournment of Meetings. At all meetings of Officers, a majority of the total number of the members of the Agency board shall constitute a quorum for the transaction of business and all matters shall be decided by the vote of a majority of the total number of the members of the Agency board. In the absence of a quorum, a majority of the members so present may adjourn the meeting from time to time.

ARTICLE IV COMMITTEES OF THE BOARD

Section 1. The Board shall appoint the following standing committees from among its members, to serve for a term of one year. The Board may by resolution approve a charter for each committee to carry out the duties required by law, including at least the following:

Governance Committee.

- (i) Conduct an annual review of the mission statement;
- (ii) Coordinate the Board's annual review of its performance;

- (iii) Annually review the Board's meeting procedures, procurement policy, property disposition policy, conflicts and ethics policy including whistleblower protections, and such other policies as may be adopted from time to time by the Board for the conduct of its affairs.
- (iv) The Chair of the Governance Committee shall service as Ethics Officer.

Audit Committee:

- (i) Engage an auditor for review of the financial statements of the Board;
- (ii) Review the annual financial statements and PARIS reports prior to filing with the Authorities Budget Office;
- (iii) Review the annual audit presented by the Agency's auditor.

Finance Committee:

- (i) Develop and annually review the Agency's investment policy, which shall follow the policy adopted by the Common Council for the City's funds unless otherwise approved by the Agency.
- (ii) Review the annual budget of the Agency;
- (iii) Review monthly financial reports provided by the Treasurer;
- (iv) Review any proposed financing transaction;
- (v) Review any proposed acquisition or disposition of property.

Section 2. The Board may appoint such ad hoc advisory committees as it may deem necessary or advisable from time to time, to serve without compensation.

ARTICLE V - CONTRACTUAL POWERS

Section 1. Banking.

Two (2) officers including the Chair or Vice Chair and Treasurer or Assistant Treasurer must endorse all checks used to conduct business of the Agency except as otherwise specified in a resolution of the Agency. The Board shall annually designate authorized depositories for funds of the Agency.

Section 2. Execution of Documents.

The Chair shall sign on behalf of the Agency such agreements, contracts, notes, bonds, deeds, trust indentures, and other conveyances and instruments of indebtedness of the Agency as shall be authorized by the Agency. The Vice Chair shall be authorized to sign in the absence or incapacity of the Chair. Any such documents may be executed by such other officer or officers as may be provided in a resolution of the Board. Any of the Chair, Vice Chair, Treasurer or Secretary shall be empowered to sign, on the Agency's behalf, all certificates, receipts, endorsements, and other documents deemed necessary in the course of day to day business of the Agency.

Section 3. Bonding of Officers. The Treasurer, any Assistant Treasurer, and such other officers as the Board may require shall give such bond for the faithful performance of their duties as the Agency may determine, or the Agency may provide for a fidelity bond or policy of insurance covering the officers of the Agency at the expense of the Agency.

ARTICLE VI -FISCAL YEAR

The fiscal year of the agency shall be from January 1 through December 31.

ARTICLE VII – INDEMNIFICATION

The Agency shall, to the fullest extent now or hereafter permitted by law, indemnify any person made, or threatened to be made a party to any action, suit or proceeding by reason of the fact that such person (or a person of whom such person is the legal or personal representative or heir or legatee) is or was a trustee, officer, employee or other agent of the Agency, or other organization served by such person in any capacity at the request of the Agency, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys' fees.

ARTICLE VIII - COMPLIANCE WITH LAWS

Section 1. The Bylaws will be governed by and construed pursuant to the laws of New York, Article 18-A of the General Municipal Law.

Section 2. The Board shall comply or shall cause the Agency to comply with all applicable laws, ordinances and codes of New York State and local governments.

ARTICLE IX -AMENDMENTS

These Bylaws may be repealed, amended or new Bylaws adopted at any regular or special meeting for such purpose of the Board by a majority vote of all members of the Board.

The undersigned Secretary of the Agency hereby certifies that the foregoing Bylaws were duly adopted as the Bylaws of said Agency on the ____ day of _____, 2022.

Secretary
City of Hudson Industrial Development Agency

CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION NO. _____
DATED _____, 2022
APPROVING RULES OF ORDER

WHEREAS, meetings of the City of Hudson Industrial Development Agency (HIDA) are important sessions for the conduct of government business; and

WHEREAS, this Board desires to implement procedures to ensure that meetings are conducted in an orderly manner; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hudson Industrial Development Agency (by the favorable vote of not less than a majority of all of the members of the Board) that the following Rules of Order are hereby approved and adopted for the HIDA:

RULES OF ORDER OF THE
CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY

1. Presiding Officer: The Chair shall preside at all meetings of the Board, shall preserve order and decorum, and shall decide questions of order. In the absence of the Chair, the Vice Chair shall preside. In the absence of both, the Board members attending shall designate one of their number to preside.
2. Order of Business: The regular order of business shall be as follows:
 - a. Call to Order; Roll Call; Minutes of Prior Meeting; Administrator's Report; Treasurer's Report; Committee Reports; Resolutions and Motions; Old Business; New Business; Communications; Adjournment.
 - b. Unless otherwise determined by the Board for a particular meeting, the Administrator shall post and provide to the Board members an agenda approved by the Chair by noon two business days prior to each regularly scheduled Board Meeting. Board members may add Motions or Resolutions to the Agenda by providing printed copies thereof to the Chair and Administrator with copies to the Board Members by the second business day prior to the Board meeting. The Presiding Officer may modify the order of business or the Board may modify the order on motion.
3. Motions: Every Resolution or Motion must be seconded before being put to a vote by the Presiding Officer and all Resolutions or Motions shall be recorded, in their entirety, in the official minutes. The Presiding Officer may offer or second a Resolution or Motion and need not relinquish the chair for such purpose. When a question is under debate, no Motion shall be entertained unless (a) for an adjournment or recess; (b) for the previous question to lay on the table; (c) to postpone to refer to a committee; or (d) to amend.

4. Public Hearings: Public hearings may be held by the Board or by the Chair or other person as hearing officer if designated by the Board. The person designated by the Presiding Officer or Hearing Officer shall read the Notice of Public Hearing. If applicable, the Presiding Officer or Hearing Officer shall ensure that the Resolution or other document which is the subject of the hearing has been entered in the Secretary's records and may read or summarize such Resolution or other document. Persons addressing the Board or Hearing Officer shall be asked to state their name and address, but may not be compelled to do so. Unless otherwise determined by the Board or Hearing Officer, the time to be allotted is three (3) minutes to each speaker. Once all persons wishing to speak have spoken once, any person wishing to speak a second time may do so for a maximum of two (2) minutes.
1. Public Comment: The public has a right to be present during meetings, but not to comment. The Board in its discretion may designate a period for Public Comment, during which any member of the general public in attendance at such meeting shall be granted a reasonable opportunity to be heard on any question or subject in which the is concerned. Persons desiring to speak during the Public Comment Period may be invited to sign in at the discretion of the Presiding Officer. Unless otherwise determined by the Board, the time to be allotted is three (3) minutes to each speaker.
5. Decorum: No member of the public shall be permitted to address the Board unless recognized by the Presiding Officer. Board Members may interrupt a speaker during their remarks for the purpose of clarification or information. All persons speaking will be given respect and courtesy and in return are expected to be respectful and courteous. The use of profane language, slanderous or personal remarks and boisterous conduct, including booing or hand clapping, is not acceptable.
6. Notice of Meetings. The HIDA is subject to Article 7 of the Public Officers Law. Notice of all meetings must be provided as required by the Open Meetings Law. Unless otherwise specified in the notice of meeting, meetings will be held at the offices of CEDC so long as CEDC is serving as Administrative Director for HIDA. Meetings may be held from time to time at the Common Council chambers, public library, or other location accessible to the public. Meetings may be held via videoconference pursuant to procedures approved by resolution of the Board.
7. Regular and Special Meetings. The time and date for regular meetings will be posted on the HIDA website. Notice of special meetings should be provided by the Chair, or by the Administrative Director at the direction of the Chair or a majority of the Board, for circulation to the HIDA's official paper(s) and notice list.
8. Executive Session. A meeting is closed during an Executive Session. Executive Session may be called by vote of a majority of the Board during an open meeting duly called and held. The motion to go into Executive Session must cite one of the purposes permitted pursuant to the Open Meetings Law, including "the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the

appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.”

9. Attorney Client Meeting. The Board may also adjourn a meeting from time to time in order to consult with its attorney in a private attorney/client session.
10. FOIL. The HIDA is a public body subject to Article 6 of the Public Officers Law. The Secretary is the HIDA’s Records Access Officer for FOIL purposes. All FOIL requests must be submitted to the Secretary and all responses must be coordinated through the Secretary, assisted by the Administrator.
11. Minutes. Minutes of all meetings of the Board must be kept, which should include time, date and place of meeting, members present and absent, actions taken and roll call record vote for each action. Minutes must be completed within two weeks of a meeting (or one week of an Executive Session at which action is taken) and filed with the Secretary. (These may be marked as unapproved until the next meeting of the Board at which minutes may be approved.) Minutes must be posted on the HIDA website.

**CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY
POLICY RESPECTING UNIFORM CRITERIA FOR THE
EVALUATION OF PROJECTS**

SECTION 1. PURPOSE AND JUSTIFICATION.

(A) The purpose of this Policy is to provide the uniform criteria to be utilized by City of Hudson Industrial Development Agency (the “Agency”) to evaluate and select projects from each category of eligible projects for which the Agency can provide financial assistance.

(B) The Agency was created pursuant to Section 902-b of Title 2 of Article 18-A of the General Municipal Law and Title 1 of Article 18-A the General Municipal Law (collectively, the “Act”) for the purpose of promoting employment opportunities for, and the general prosperity and economic welfare of, residents of the City of Hudson, New York (the “City”) and the State of New York (the “State”). Under the Act, the Agency was created in order to advance the job opportunities, health, general prosperity, and economic welfare of the residents of the City and of the State.

(C) General Municipal Law Section 859-a requires each industrial development agency to adopt an assessment of all material information included in connection with an application for financial assistance, as necessary to afford a reasonable basis for the decision by an industrial development agency to provide financial assistance for a project.

SECTION 2. ELIGIBLE PROJECT CATEGORIES. The Agency in its discretion may provide financial assistance to any “project,” as defined in Section 854 of the Act.

SECTION 3. UNIFORM CRITERIA.

(A) **Statutory Criteria:** The following criteria will be used to evaluate eligible projects:

1. The extent to which a project will create or retain permanent, private sector jobs;
 - a. New permanent full time jobs created
 - b. Permanent full time jobs retained.
2. The estimated value of tax exemptions;
3. Whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which an exemption was provided;
4. The impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity;
5. The amount of private sector investment generated or likely to be generated by the proposed project;
6. The demonstrated public support for the proposed project;
7. The likelihood of the project being accomplished in a timely fashion;

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8. The effect of the proposed project upon the environment;
9. The extent to which the project will utilize, to the fullest extent practicable and economically feasible, resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures;
 - a. project involves remediation of brownfield site;
 - b. project involves energy efficient technology, e.g. LEED certified
 - c. project involves significant reliance on renewable energy source;
 - d. project involves creation of renewable energy consistent with applicable zoning laws.
10. The extent to which the proposed project will require the provision of additional services, including, but not limited to additional educational, transportation, police, emergency medical or fire services; and
11. The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts.

(B) Additional Criteria: The following additional criteria will be considered in review of the need for the project and the extent of financial assistance requested:

1. Wage and income factors:
 - a. Wage rates (~~above median for City; whether wages are~~ above minimum wage; benefits plans; commitment to achievement of living wage goals for the area or for the downstate region);
 - b. Regional wealth creation (% of sales/customers outside of the City; positive impact on the City/County).
2. Workforce training
 - a. Commitment to use of existing or proposed workforce training programs;;
 - b. Commitment to recruitment programs involving workforce training;
 - c. Other investment in education/credentialing/training/apprenticeship program.
3. Positive economic impacts on ~~City; and/or County~~:
 - a. Purchases of construction materials and/or labor within City/within County;
 - b. Project supports local businesses or clusters;
 - c. Retention of existing business;
 - d. Development in economically distressed area;
 - e. Elimination or reduction of blight;
 - f. Contributions to existing City or County programs designed to provide needed services
4. Alignment with local planning and development efforts:
 - a. consistency with adopted comprehensive plan;

- b. building or site has historic preservation and/or project involves historic preservation of existing facilities and/or adaptive reuse consistent with historic preservation goals;
 - c. promotes walkable communities;
 - d. planning board review is complete or rationale for approval prior to completion of review;
5. Impact on affordable housing goals:
- a. -For rental housing projects, extent to which project is consistent with goals identified in City housing affordability plan;
 - b. For non-housing projects, impact of project on need for affordable housing;
 - c. Project includes inclusionary housing;
 - d. Workforce housing included and/or addressed in project plan.
6. Additional positive impact of services or goods provided
- a. Provides capacity to meet local neighborhood and/or City demand or shortage for goods or services;
 - b. Increases diversity of services or goods offered in City or County;
 - c. Supports regional tourism attractions/facilities and/or promotes arts and culture;
 - d. MWBE commitments for construction; EEO Workforce utilization.
 - e. Promotes local/small business uses;
 - ~~f. Promotes arts and culture~~
 - ~~g. f.~~ Consideration of other local community impacts and community support

(C) Application Requirements: Evaluation of Projects will require the following at a minimum:

1. Complete signed and verified application in the form required by the Agency prior to holding a public hearing on the application.
2. Deposit of all fees and escrows required by the Agency.
3. Pursuant to GML Section 862, no funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, unless the agency shall determine on the basis of the application that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
4. If the application includes a statement that the project could be undertaken without financial assistance provided by the Agency, and evaluation of the applicant's rationale as to why the project should be undertaken by the Agency.

5. The application shall include a statement that the owner, occupant or operator receiving financial assistance is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulation.

6. The application shall include a statement acknowledging that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the project.

(D) Review Procedures. The matrix attached at Exhibit A is intended to be used by the Board in performing its evaluation based on the above criteria.

SECTION 4:-REMOVAL OR ABANDONMENT. If the proposed project involves the removal or abandonment of a facility or plant within the state, the Agency will notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located.

SECTION 5.-EFFECTIVE DATE. This policy shall be effective with respect to any project undertaken by the Agency after the date of approval of this Policy.

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EXHIBIT A
EVALUATION MATRIX
[ATTACHED]

**CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY
POLICY RESPECTING UNIFORM CRITERIA FOR THE
EVALUATION OF PROJECTS**

SECTION 1. PURPOSE AND JUSTIFICATION.

(A) The purpose of this Policy is to provide the uniform criteria to be utilized by City of Hudson Industrial Development Agency (the "Agency") to evaluate and select projects from each category of eligible projects for which the Agency can provide financial assistance.

(B) The Agency was created pursuant to Section 902-b of Title 2 of Article 18-A of the General Municipal Law and Title 1 of Article 18-A the General Municipal Law (collectively, the "Act") for the purpose of promoting employment opportunities for, and the general prosperity and economic welfare of, residents of the City of Hudson, New York (the "City") and the State of New York (the "State"). Under the Act, the Agency was created in order to advance the job opportunities, health, general prosperity, and economic welfare of the residents of the City and of the State.

(C) General Municipal Law Section 859-a requires each industrial development agency to adopt an assessment of all material information included in connection with an application for financial assistance, as necessary to afford a reasonable basis for the decision by an industrial development agency to provide financial assistance for a project.

SECTION 2. ELIGIBLE PROJECT CATEGORIES. The Agency in its discretion may provide financial assistance to any "project," as defined in Section 854 of the Act.

SECTION 3. UNIFORM CRITERIA.

(A) Statutory Criteria: The following criteria will be used to evaluate eligible projects:

1. The extent to which a project will create or retain permanent, private sector jobs;
 - a. New permanent full time jobs created
 - b. Permanent full time jobs retained.
2. The estimated value of tax exemptions;
3. Whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which an exemption was provided;
4. The impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity;
5. The amount of private sector investment generated or likely to be generated by the proposed project;
6. The demonstrated public support for the proposed project;
7. The likelihood of the project being accomplished in a timely fashion;

8. The effect of the proposed project upon the environment;
9. The extent to which the project will utilize, to the fullest extent practicable and economically feasible, resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures;
 - a. project involves remediation of brownfield site;
 - b. project involves energy efficient technology, e.g. LEED certified
 - c. project involves significant reliance on renewable energy source;
 - d. project involves creation of renewable energy consistent with applicable zoning laws.
10. The extent to which the proposed project will require the provision of additional services, including, but not limited to additional educational, transportation, police, emergency medical or fire services; and
11. The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts.

(B) Additional Criteria: The following additional criteria will be considered in review of the need for the project and the extent of financial assistance requested:

1. Wage and income factors:
 - a. Wage rates (whether wages are above minimum wage for the area or for the downstate region);
 - b. Regional wealth creation (% of sales/customers outside of the City; positive impact on the City/County).
2. Workforce training
 - a. Commitment to use of existing or proposed workforce training programs;
 - b. Commitment to recruitment programs involving workforce training;
 - c. Other investment in education/credentialing/training/apprenticeship program.
3. Positive economic impacts on City and/or County:
 - a. Purchases of construction materials and/or labor within City/within County;
 - b. Project supports local businesses or clusters;
 - c. Retention of existing business;
 - d. Development in economically distressed area;
 - e. Elimination or reduction of blight;
 - f. Contributions to existing City or County programs designed to provide needed services
4. Alignment with local planning and development efforts:
 - a. consistency with adopted comprehensive plan;

- b. building or site has historic preservation and/or project involves historic preservation of existing facilities and/or adaptive reuse consistent with historic preservation goals;
 - c. promotes walkable communities;
 - d. planning board review is complete or rationale for approval prior to completion of review;
5. Impact on affordable housing goals:
- a. For rental housing projects, extent to which project is consistent with goals identified in City housing affordability plan;
 - b. For non-housing projects, impact of project on need for affordable housing;
 - c. Project includes inclusionary housing;
 - d. Workforce housing included and/or addressed in project plan.
6. Additional positive impact of services or goods provided
- a. Provides capacity to meet local neighborhood and/or City demand or shortage for goods or services;
 - b. Increases diversity of services or goods offered in City or County;
 - c. Supports regional tourism attractions/facilities and/or promotes arts and culture;
 - d. MWBE commitments for construction; EEO Workforce utilization.
 - e. Promotes local/small business uses;
 - f. Consideration of other local community impacts and community support

(C) Application Requirements: Evaluation of Projects will require the following at a minimum:

1. Complete signed and verified application in the form required by the Agency prior to holding a public hearing on the application.
2. Deposit of all fees and escrows required by the Agency.
3. Pursuant to GML Section 862, no funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, unless the agency shall determine on the basis of the application that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
4. If the application includes a statement that the project could be undertaken without financial assistance provided by the Agency, and evaluation of the applicant's rationale as to why the project should be undertaken by the Agency.

5. The application shall include a statement that the owner, occupant or operator receiving financial assistance is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulation.

6. The application shall include a statement acknowledging that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the project.

(D) Review Procedures. The matrix attached at Exhibit A is intended to be used by the Board in performing its evaluation based on the above criteria.

SECTION 4: REMOVAL OR ABANDONMENT. If the proposed project involves the removal or abandonment of a facility or plant within the state, the Agency will notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located.

SECTION 5. EFFECTIVE DATE. This policy shall be effective with respect to any project undertaken by the Agency after the date of approval of this Policy.

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EXHIBIT A
EVALUATION MATRIX
[ATTACHED]

06.22.2022

Project Evaluation Criteria – Narrative

To
City of Hudson
Industrial
Development
Agency



Introduction

Early this year, the City of Hudson Industrial Development Agency set out to revise its Project Evaluation Criteria based on the shared economic benefits projects seeking tax exemption. The results of three public workshops, as well as a recent board meeting are attached. This brief narrative discusses (1) the Project Evaluation Criteria, and (2) next steps necessary to adopt the Criteria, as well as other IDA policies.

Project Evaluation Criteria

The proposed Criteria have three main sections, and a Financial Summary listed for the convenience of Board Members. With respect to Core Requirements, projects that meet all 7 requirements may proceed. Core Requirements are aligned with statutory requirements listed in Section 3(A) of the Policy Respecting Uniform Criteria for the Evaluation of Projects. With respect to Project Community Commitments, 2 criteria may be included for possible consideration. With respect to Scaled Evaluation Criteria, there are 18 available points. Scaled Criteria are aligned with Additional Criteria listed in Section 3(B) of the Policy Respecting Uniform Criteria for the Evaluation of Projects. In total, projects may receive up to 27 points—of which all 7 Core Requirements must be met.

Impact of Project Scoring

Individual Board members will score each application. Each Board member need not reach the same score. Based on the total average score, the Project will be eligible for a tax exemption that varies based on the score achieved. For instance, projects that lack all Core Requirements are eligible for zero benefits. Projects scoring between 7-17 will be eligible for Category 1, base level benefits—for example, a ten year tax abatement starting at 50% and declining each year by 5% until the total exemption is zero. Projects scoring between 17-27 will be eligible for Category 2, enhanced benefits—for example, a fifteen year tax abatement starting at 100% for the first five year, and declining each year by 50% at year 6, and then declining by 5% each year until the total exemption is zero.

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Adopting Project Evaluation Criteria

An act of the Board may adopt the Criteria. At the same time, additional IDA policies, including the Policy Respecting Uniform Criteria for the Evaluation of Projects, Uniform Tax Exemption Policy (last amended 3/17/2003), and Project Benefits Recapture Policy, will need to be adopted subsequently. A draft revised Policy Respecting Uniform Criteria for the Evaluation of Projects is available here for discussion.

DRAFT

City of Hudson Industrial Development Agency Project Evaluation Criteria

Core Requirements for Project (Must Meet All 7)

Workforce Training	<input type="radio"/>	Complete Application Planning/ Compliant SEQOR Approval (if applicable)	<input type="radio"/>	"Out for" Requirements (Meet NYS/ HIDA Requirements)	<input type="radio"/>	Likely To Be Completed On Time	<input type="radio"/>	
Meets Project Use Definition	<input type="radio"/>		<input type="radio"/>					
							Total Core (7 possible):	

Project Community Commitments (2 For Consideration)

Applicant has considered criteria evaluated, and engaged community/ community partners in making application
 Community Commitments Considered: MWBE Participation, EEO Workforce Utilization, Inclusionary Housing, Regional Labor, City of Hudson Labor, Apprenticeship Program
 Total Community (2 possible):

Financial Summary of Project Application Requirements for Project (Listed For Convenience)

Dollars to be returned to tax base	\$	Total Financial Incentive Requested	
Categorization of Project (technology, manufacturing, hospitality, education, housing, other)			
Total PILOT Payments to be Made	\$	Years of PILOT Agreement	
		Per Year PILOT Payment	

Scaled Evaluation Criteria (18 Possible)

Number of Points per Criteria	Projected New Permanent Full-Time Jobs Created OR Retained/ Jobs	Projected Wages	Economic Impacts on City and/or County	Workforce Training	Affordable Housing/ Environmental	Additional positive impacts of services of goods provided/ Creativity of Project	
							Current minimum wage across all job categories
0	-						
1	5-9 OR 5 -29	@ or above \$15/ hr across all job categories	Retains existing businesses	Will pay for upfront training of local workforce, if available	For rental housing projects, project is consistent with City housing affordability plan	Promotes local/small business uses	
2	10-49 OR 30-99	@ or above \$20/ hr across all job categories	Project supports local businesses or clusters; Project in economically distressed area, addresses blight/ underutilized space	Will provide additional investment if training currently not available (such as required educational credentials/ assistance with developing Approved NYS Apprenticeship Program/ Community College Degree Program)	Project includes inclusionary housing; and/or Use of industrial site/ brownfield; energy efficient technology (LEED, etc), or significant renewable energy use	Increases diversity of services or goods offered in City/ County; supports regional tourism attraction and/or promotes arts/ culture	
3	50+ OR 100+	@ or above \$25/ hr across all job categories	Purchases of construction materials and/or labor within City/ within County	Additional investment in education/ credentialing/ training/ apprenticeship program	Workforce housing included in project plan	MWBE commitments for construction; EEO Workforce Utilization	
						Total Project Scaled Score (18 possible):	

Total Project Score (7 Core plus 20 Scaled/ For Consideration, 27 total):