

2019 Operations and Accomplishments

Town of Bethlehem Industrial Development Agency

The highlights of the Agency's operations and accomplishments in 2019 are as follows:

- In 2017 the Agency approved financial assistance to Air Products and Chemicals, Inc. for 5.8 acres of a 26.908 acre site at 461 River Road on which a 1200 sq. ft. control room, a 1200 sq. ft. maintenance garage and an 800 sq. ft. office will be constructed in conjunction with the manufacture liquid nitrogen, liquid oxygen and liquid argon for distribution to local industries with an estimated value of \$14,100,000. The financial assistance included a straight lease, exemption from sales tax, and a PILOT agreement based on an enhanced real property tax abatement. This project closed in 2018.
- The Agency consented to (i) the conveyance of the Air Products project by Air Products and Chemicals, Inc. to East Coast Nitrogen Company LLC after completion of the project (the completion date was 12/31/2019) and (ii) the assignment and assumption of the basic documents. This matter did not close in 2018 or 2019.
- This project closed on May 1, 2018. In 2019 the Company failed to make certain payments required by the financial assistance documents; the Agency declared the Company to be in default under those documents and terminated its financial assistance to the project. The Agency also determined that a “recapture event” occurred under the documents and that the Agency should recapture the financial assistance provided by the Agency. In a parallel action Pioneer Savings Bank, the construction lender for the project, commenced an action to foreclose its mortgage.
- At the request of PSEG, the Agency agreed to a second modification of an existing easement in favor of Niagara Mohawk Power Corporation at the Bethlehem Energy Center site on Route 144.
- The Agency approved a 2020 Service Agreement with the Town pursuant to which the Town provides professional services to the Agency.
- The Agency filed its Audited Financial Statements and Annual Report for 2018 on the Public Authorities Reporting Information System ("PARIS"). The 2018 Audited Financial Statements and Annual report were posted on the Agency's website (www.bethlehemida.com).

- The Agency reviewed its mission statement and posted performance measurements for 2018 on the Agency's website.
- The Agency reviewed its Policy Manual. The Policy Manual continues to be posted on the Agency's website.
- The Agency contracted with Center for Governmental Research to provide a computer program to analyze the estimated costs and benefits of financial assistance provided by the Agency to projects.
- The Agency's standing committees engaged in the following activities: The Audit Committee met twice with the auditor to plan the scope of the audit and then to discuss the audited financial statements; the Governance Committee met twice to review and implement the members' assessments of the Agency and to review training and good governance practices; the Governance Committee revised the Committee's charter. The Finance Committee met twice to recommend the 2019 budget, to consider the Committee's charter, to revise the investment policy and consider and recommend investment alternatives..
- The Agency and the Town continued to jointly fund the position of Economic Development Coordinator (EDC) to work in the Town Department of Economic Development and Planning (DEDP) and to serve and report to the Agency.
- The EDC published two issues of the Economic Development Newsletter.
- The Agency continued to webcast regular meeting and hearings of the Agency which can be viewed on the Town's website. The site includes the agenda, supporting materials and minutes for each regular meeting of the Agency.
- The Agency regularly updates its website including the interactive map of available properties in the Town.
- The Agency, EDC and DEDP Director discussed development opportunities in the Town with several local area developers and called on 42 businesses to discuss incentives and benefits of locating businesses within the Town. Information from the discussions was incorporated into a marketing strategy to attract new development.
- The Agency and the Town held a marketing event at the Delmar-Bethlehem EMS building on Adams Street. Twenty organizations that enhance the quality of life and make Bethlehem a desirable place to work and live participated.
- The Agency continued to monitor the billing and disbursement of PILOT payments, the proper use of sales tax exemptions, job creation and retention and the return of real property to taxable status at the termination of financial assistance.