



*Empowering Businesses. Inspiring Growth.*

**Dean Tamburri**, Acting Chairman / Vice Chairman • **Vincent Odock**, Secretary • **James Rinaldi**, Board Member  
**Susan Walski**, Board Member • **Marc Greene**, Board Member • **Giovanni Palladino**, Board Member  
**William Fioravanti**, Chief Executive Officer • **Susan R. Katzoff**, General Counsel • **Christopher C. Canada**, Bond Counsel

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## **Audit Committee Agenda**

PLEASE TAKE NOTICE, The Orange County Funding Corporation will hold a regularly scheduled meeting on October 03, 2023, starting at 5:30pm at the Orange County IDA Headquarters, 4 Crotty Lane, Suite 100, New Windsor NY to consider and/or act upon the following:

### Order of Business

- **Call Meeting to Order**
- **Roll Call**
- **Proof of Notice**
- **Minutes**
  - Approval of Minutes from March 19, 2023 & March 22, 2023 Audit Committee Meeting
- **New Business**
  - Waivers
    - Orange Inn
  - RFP - Annual Audit
- **Adjournment**

To watch the livestream, please visit our website: [www.ocnyida.com](http://www.ocnyida.com)

Dated: October 3, 2023

By: William Fioravanti – Chief Executive Officer

Orange County Industrial Development Agency  
4 Crotty Lane, Suite 100 • New Windsor, NY 12553  
Phone : (845) 234-4192 • Fax : (845) 220-2228 • Email : [business@ocnyida.com](mailto:business@ocnyida.com)



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Date: October 2, 2023  
From: Dean Tamburri  
RE: Next Meeting Date

## *Audit Committee Meeting Notice*

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The next Audit Committee Meeting of the  
Orange County Industrial Development Agency is:

**Tuesday, October 3, 2023  
at 5:30pm**

**Orange County IDA  
4 Crotty Lane, Suite 100  
New Windsor, NY  
&  
310 Prospect Hill Rd.  
Cuddebackville, NY 12729**

To watch the livestream, please visit our website: [www.ocnyida.com](http://www.ocnyida.com)

**Orange County Industrial Development Agency**  
4 Crotty Lane  
New Windsor, NY 12553  
(845) 234-4192

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Audit Committee Minutes  
Thursday, March 9, 2023

**Due to the declaration of a public health emergency and the social distancing requirements imposed at the Federal, State and local level, this meeting was held in accordance with Executive Order 202.1 by video/telephone conference that was made available to the public.**

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**Committee Members Present:** Susan Walski, Marc Greene, James Rinaldi

**Other Board Members Present:** Dean Tamburri

**Staff Present:** Bill Fioravanti, Kelly Reilly, Dean Brady (AV, via Zoom)

**Others Present:** Melissa Szot, Coleen Harris (PKF O'Connor Davies), George Thompson (LAN Associates), Derek Longo, Evan Kaplan, Mario Titolo, Reuben Goldstein (Convergent Energy and Power)

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**I. Call Meeting to Order**

Chairman Walski called the meeting to order at 5:41 pm.

**II. Pledge of Allegiance**

**III. Roll Call**

Mr. Fioravanti acknowledged all the Committee members present.

**IV. New Business**

**2022 Financial Audit Review - PKF O'Connor Davies, LLP:** Ms. Szot gave an overview of the 2022 audit in draft form for the OCIDA and the OCFC and reviewed what the firm's responsibility was in performing the audit to ensure that the OCIDA's current controls keeps them in compliance. She reported no fraud or deficiency for 2022 and recommended formalized documenting for credit card usage. She noted the decrease of operating revenue and expenses, the increase of interest income and the effect that phasing out the Business Accelerators had on the bottom line as well as recent payments made to the Agents of the IDA as voted upon by the

current Board. Ms. Reilly will send the 2022 Audit draft to the full Board for review in preparation for the full Board meeting.

**A MOTION TO ACCEPT THE DRAFT OF THE 2022 OCIDA AND OCFC AUDIT SUBJECT TO THE REVIEW AND APPROVAL BY THE FULL BOARD WAS MADE BY MR. GREENE, SECONDED BY MR. TAMBURRI, AND PASSED UNANIMOUSLY.**

**West Warwick Energy Storage 1, 2, & 3 exemption requests:** Mr. Fioravanti explained the reason why a project would make such a request and noted that it is typically due to specialty items to maintain equipment warranties. Mr. Thompson noted that the West Warwick 1 site is completed and in the testing phase, the West Warwick 2 site has received shipment of the batteries which they will hook up and later test, and the West Warwick site is slated to begin in the next several weeks. Members of the Board suggested including a questionnaire in the application process that asks specifically whether the project anticipates the need for specialty exemptions. The Board discussed creating a database of local unions that can do specialized work. The Board also discussed ensuring open dialogue between local labor monitors and general contractors to avoid projects from starting before exemptions are discussed. Mr. Longo noted that he developed Convergent's contract to include the OCIDA's requirements and shared it with the general contractor and stated that Powin Centipede System requested the exemptions because they already had approved sub-contractors. Mr. Fioravanti stated that exemptions are often problematic, and he would like to discuss ways on making it work better for the projects while still maintaining the 85% local labor standard.

**A MOTION TO ACCEPT THE FOUR LOCAL LABOR LAW VERIFIED EXEMPTION REQUEST AS PRESENTED WAS MADE BY COMMITTEE CHAIR WALSKI, SECONDED BY MR. RINALDI, AND PASSED UNANIMOUSLY.**

**V. Adjournment**

**A MOTION TO ADJOURN THE MEETING WAS MADE BY COMMITTEE CHAIR WALSKI, SECONDED BY MR. GREENE, AND PASSED UNANIMOUSLY.**

**THE MEETING CLOSED AT 6:47 PM.**

**Orange County Industrial Development Agency**  
4 Crotty Lane  
New Windsor, NY 12553  
(845) 234-4192

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Audit Committee Minutes  
Wednesday, March 22, 2023

**Due to the declaration of a public health emergency and the social distancing requirements imposed at the Federal, State and local level, this meeting was held in accordance with Executive Order 202.1 by video/telephone conference that was made available to the public.**

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**Committee Members Present:** Susan Walski, Marc Greene, James Rinaldi

**Other Board Members Present:** Dean Tamburri

**Staff Present:** Bill Fioravanti, Kelly Reilly, Dennis Brady, (A/V, via Zoom)

**Others Present:** Brian Poitras (Royal Wine/GFI), Mark Fellenzer, Matt Fellenzer, Leif Ronaldson, Will Duffy, Johnathan Gross (Legal Counsel, Royal Wine), Morris Helfgott (Royal Wine/GFI)

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**I. Call Meeting to Order**

Committee Chair Walski called the meeting to order at 4:04 pm.

**II. Pledge of Allegiance**

**III. Roll Call**

Mr. Fioravanti acknowledged the Committee members present.

**IV. Minutes**

April 20, 2022, Audit Committee Meeting  
March 9, 2023, Audit Committee Meeting

**Minutes tabled until further review by new Committee members.**

**V. New Business**

**Goshen Developer JV, LLC & Royal Wine Corp. Exemption Requests – Fellenzer Engineering, LLP:** Mr. Fioravanti reviewed how the OCIDA interprets, enforces, and monitors its local labor policy and noted that Fellenzer Engineering has done a great job so far at enforcing

the policy and locally sourcing materials and labor. Mr. Fellenzer reviewed the exemption request and the reason for it and stated that reason for the request was not the cost differential but the warranty issues, the ability of local steel erectors to erect a pre-engineered building of this size and under such a delicate timeline. Mr. Fellenzer assured the Board of his firm's diligence in monitoring this project and connecting them to local labor firms for any parts of the project that do not require specialty work because of the warranty. Committee Chair Walski opened the floor for discussion. Mr. Ronaldson confirmed that for food manufacturing, dust and bacteria are a specific concern and that the firm designated to erect the building must be a certified Butler builder. Acting Board Chair asked about the possibility of the installer using local labor and Mr. Fellenzer advised that it is a possibility that could be worked out with the developer and that he had made some calls regarding concrete installers. Board member Greene asked how much of local labor had been used thus far and if Royal Wine anticipated any future exemption requests. Mr. Ronaldson stated that they don't have numbers yet because steel and erecting have been an obstacle. He stated that if the project came back to the OCIDA with another request it would be because of a specialty for which local labor would not be an option. Mr. Greene also asked where the specialized contractor is from, and Mr. Ronaldson named Merit Builders, Inc. as the contractor and stated that they were from Maryland. He noted that they were the biggest and highest qualified erector team.

**A MOTION TO APPROVE THE EXEMPTION REQUEST ON THE BASIS OF SPECIALTY AND WARRANTY WAS MADE BY COMMITTEE CHAIR WALSKI, SECONDED BY MR, GREENE, AND PASSED UNANIMOUSLY.**

**VI. Adjournment**

**A MOTION TO ADJOURN THE MEETING WAS MADE BY COMMITTEE CHAIR WALSKI, SECONDED BY MR. RINALDI, AND PASSED UNANIMOUSLY.**

**THE MEETING CLOSED AT 4:45 PM.**



# Orange County Industrial Development Agency

## Local Labor Verified Exemption Request

**The request to secure a verified exemption for use of non-local labor must be received in writing from the applicant and must allow 60 days for processing and required due diligence.**

APPLICANT NAME: Orange Inn, LLC  
CONTACT: Luigi Kapiti  
PHONE (B): (845) 294-1880 Cell: (845) 821-4750  
FAX: \_\_\_\_\_ EMAIL: luigikapiti61@gmail.com

### REASON FOR REQUEST

- 1) Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (**explain**).
- 2) Specialized construction in which a local contractor is not available (**explain**).
- 3) Significant cost differentials in bids; whereby use of local labor significantly increases the cost of the project. A cost differential of 10% is deemed significant. Where there is a significant cost differential, if the local contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 10% or more, a waiver will be granted (**explain and provide all copies of bids**).
- 4) No local labor available for the project (**explain**).

Applicant Signature: [Signature] Date: 9/27/23  
Amount of Contract Needing Verified Exemption: \$105,000 (\$29,000 labor)  
Number of Workers Needing Verified Exemption(s): 5 laborers, 2 weeks

Send Completed Form and Attachments to our auditors:

William Fioravanti  
Orange County IDA  
4 Crotty Lane  
New Windsor, NY 12553  
[bfioravanti@ocnyida.com](mailto:bfioravanti@ocnyida.com)





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PARAMUS, NJ 07652  
(201) 967-1250 FAX (201) 967-8881  
www.gfriedcarpet.net LIC. #: 13VH04763800

CONTRACT NO. T 60921

DATE: APR 6/2022

SALESPERSON: Roy

SOLD TO: ORANGE INN LLC

DELIVER TO: 159 MAIN STREET

GOSHEN, NY 10924

PHONE #: 846-845-821-4750

EMAIL: 846-845-546-5092

CELL#: KENSINGTONMANOR@YAHOO.COM

INSTALL CARPET WALL TO WALL  
MILIKEN COMMERCIAL GRADE 100% NYLON CARPET  
STITCHES - COLOR: CHAMBRAY  
ALL GUEST ROOMS SAME COLOR.

INSTALL CARPET WALL TO WALL HALLWAYS & STEPS  
STEPS TO FIRST FLOOR OF ROOMS AS BOUNDARY RUNNER - SHOW WOOD SIDE  
MILIKEN COMMERCIAL GRADE 100% NYLON  
NATURES GEM COLOR! SLATE - ALL STEPS FRONT & BACK  
ROOMS ARE EMPTY - NO FURNITURE  
INSTALL ON 3202 COMMERCIAL FELT PADDING!  
CUSTOMER IS RESPONSIBLE FOR ALL NECESSARY  
SUBFLOOR PREP & REPAIRS

ONLY CASH, BANK CHECK OR MONEY ORDER  
WILL BE ACCEPTED AS PAYMENT

The merchandise you have ordered is  
promised for delivery to you on or  
before:

If the merchandise ordered by you is  
not delivered by the promised delivery  
date, G. Fried Carpet must offer you the  
choice of (1) canceling your order with  
a prompt, full refund of any payment you  
have made, or (2) accepting delivery at  
a specific later date.

### IMPORTANT - PLEASE READ CAREFULLY

Prior to installation: Please remove all small items,  
breakables, and any electronic equipment. When we  
measure, we will advise you of any additional charges  
for furniture moving.

All carpentry work such as cutting doors and any  
additional floor prep, if we can do it, will also incur an  
additional charge.

In order to maintain your manufacturer warranty, your  
carpets MUST be cleaned every 12-18 Months.  
Call G. Fried to schedule your cleaning appointment.

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TERMS:  
50% DEPOSIT  
25% DUE ON START DATE  
25% BALANCE DUE  
30 DAYS FROM START DATE

DEALER'S SIGNATURE

CUSTOMER'S SIGNATURE

AMOUNT OF SALE 105,000

SALES TAX TTX EXEMPT

TOTAL AMOUNT DUE 105,000.00

DATE: 4/6/22

DATE: 4/6/22

DATE: 4/6/22

DATE: 4/6/22

DATE: 4/6/22

DATE: 4/6/22

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DATE: 4/6/22

DATE: 4/6/22

Per Roy Kwiat:  
Materials \$76,000;  
Labor \$29,000;

7/1/2022  
VISA 25900  
VISA 24250  
Roy Kwiat