

ORANGE COUNTY FUNDING CORPORATION

MINUTES

September 19, 2012

A regular meeting of the Orange County Funding Corporation was convened in public session on September 19, 2012 at 4:48 P.M. at the Newburgh Armory Unity Center, in Newburgh, New York.

The meeting was called to order by the Chairman, Robert Armistead, and upon roll being called, the following were:

PRESENT: Robert Armistead, Mary Ellen Rogulski, John Steinberg, Robert Schreibeis

ABSENT: Henry VanLeeuwen, Stephen Brescia

ALSO PRESENT: Russell Vernon
James O'Donnell – Executive Director
Kevin Dowd – Attorney
Laurie Villasuso – Administrative Assistant
Russell Gaenzle – Harris Beach, PLLC

Chairman Armistead calls the meeting for the Orange County Funding Corporation, September 19, 2012 (Pledge of Allegiance is recited). Board consists of four members. There is a quorum.

New and Unfinished Business

Mt. Saint Mary College

Mr. Gaenzle advises the Board that, at this time, the Board is accepting the application, and authorizing counsel and staff to start the public hearing process. Once that has taken place, and the deal has been put together, the issue will come before the OCFC again to adopt the final Bond Resolution. They will also have to receive TEFRA approval from the legislature like all other bonds in the past. The resolution is very preliminary.

Mr. Steinberg asks why the issue is coming before the OCFC, and is advised by Mr. Gaenzle that this application is separate from MSMC's request of the IDA; and the OCFC can issue tax exempt bonds on a conduit basis to not-for-profit companies, where the IDA cannot.

Motion made by Rogulski, seconded by Schreibeis, to accept the application and authorize public hearing process for Mount Saint Mary College. Open for discussion. Affirmative votes of all members present resulted in motion carried.

Wallkill Realty Partners

Mr. Gaenzle reminds the Members that this project was already induced by the IDA, and did not close. They are coming to the OCFC to issue tax exempt bonds. They are a for-profit company, but are eligible for tax-exempt bonds because the facility will be rented to low-income individuals. This project requires volume cap allocation from the state, which is required for deals that are done by for-profit projects. Mr. Steinberg clarifies that this project is an assisted living project. Mr. Gaenzle adds that it will be a dual transaction with the IDA and OCFC.

Motion made by Rogulski, seconded by Schreibeis, to accept the application and authorize public hearing process for Wallkill Realty Partners. Open for discussion. Affirmative votes of all members present resulted in motion carried.

Such other and further business

Mr. Gaenzle reminds the Board that there are some issues that exist with offering companies project expenditure funds. He goes on to discuss with the Members that he and Mr. Dowd are researching project expenditures and how best to protect the IDA, the OCFC and the companies coming before the Boards for assistance. They are also researching what funds can be used for the Micro Loan Fund.

With no further business, meeting called for adjournment by Chairman Armistead, motion made by Mr. Steinberg, seconded by Schreibeis, the time being 5:05p.m.