



*Empowering Businesses. Inspiring Growth.*

**Robert T. Armistead**, Chairman • **Mary Ellen Rogulski**, Vice Chairman • **John Steinberg, Jr.**, Second Vice Chairman  
**Stephen Brescia**, Secretary • **Edward A. Diana**, Assistant Secretary • **Robert J. Schreiber, Sr.** • **James DiSalvo**  
**Laurie Villasuso**, Chief Operating Officer & Executive Vice President • **Vincent Cozzolino**, Managing Director  
**Kevin Dowd**, Attorney • **Russell E. Gaenzle**, Harris Beach • **Joel Kleiman**, Chief Financial Officer

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## Agenda

PLEASE TAKE NOTICE, The Orange County Industrial Development Agency will hold a regularly scheduled meeting on October 11, 2018 at 2:00 p.m. at the **Orange County Business Accelerator, 4 Crotty Lane, Suite 100, New Windsor, New York**, to consider and/or act upon the following:

### Order of Business

- **Roll Call**
- **Approval of the minutes from September 13, 2018 meeting**
- **Financial Reports and/or Requests for Payments**
- **New and Unfinished Business**
  - Chairman's Report
  - Chief Operating Officer Report
  - Board Committee Reports (as needed)
    - Accelerator Report
- **Other Board Business**
- **Executive Session(s)**
- **Adjournment**

Dated: October 4, 2018

Stephen Brescia, Secretary

By: Laurie Villasuso, Chief Operating Officer & Executive Vice President

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

September 13, 2018

A regular meeting of the Orange County Industrial Development Agency was convened in public session on September 13, 2018 at 2:04 P.M. at the Orange County Business Accelerator in New Windsor, New York.

The meeting was called to order by Vice Chair, Mary Ellen Rogulski, and upon roll being called, the following were:

PRESENT: Mary Ellen Rogulski, John Steinberg, Edward Diana, Stephen Brescia, Robert Schreibeis,

ABSENT: Robert Armistead, James DiSalvo

ALSO PRESENT: Laurie Villasuso – Chief Operating Officer  
Kevin Dowd – IDA Attorney  
Russel Gaenzle – Harris Beach  
Joel Kleiman – Chief Financial Officer  
Vincent Cozzolino – Managing Director  
Melanie Schouten – Program Director  
Christine Cordova – Focus Media  
Lisa Sommers – Focus Media  
Wayne Booth – Orange County Executive Office  
Michael Sweeton – Town of Warwick  
James Kulisek – O.C. Legislator  
Michael Kraai – Kraftify  
Larry Wolinsky – Amy's Kitchen  
Kaitlynn Perez – OCP  
Lindsay Newler – OCP

Vice Chair Rogulski calls to order the regular meeting of the Orange County IDA, September 13, 2018 (Pledge of Allegiance is recited). Board consists of five members. There is a quorum.

Roll Call is taken.

**Minutes**

Review of the prior August 9, 2018 board meeting minutes. Motion to approve the minutes is made by Mr. Diana, seconded by Mr. Schreibeis. Motion carries with all in favor.

Review of the August 28, 2018 audit committee meeting minutes. Motion to approve the minutes is made by Mr. Diana, seconded by Mr. Schreibeis. Motion carries with all in favor.

**Executive Session**

Chairman Armistead entertains a motion that the committee enter into executive session pursuant to section 105(1)(f) of the open meetings law to discuss the financial and credit history of a client of the IDA. Motion made by Mr. Diana to enter executive session issued. Motion seconded by Mr. Schreibeis. All in favor.

*Enter Executive Session*

The members discuss the financial and credit history of a client of the IDA.

*Mr. DiSalvo enters at 2:18pm*

*End Executive Session*

Chairman Armistead entertains a motion that the committee enter into executive session pursuant to section 105(1)(f) of the open meetings law to discuss the compensation benefit package of employees of the IDA. Motion made by Mr. Diana to enter executive session issued. Motion seconded by Mr. Schreibeis. All in favor.

*Enter Executive Session*

The members discuss the compensation benefit package of employees of the IDA.

*End Executive Session*

### **Financial Reports and/or Requests for Payment**

Mr. Kleiman reviews the summary of IDA bank accounts, certificate of deposits, and money market accounts that reflect a total of \$10,923,062, as of August 31, 2018. Two CDs matured in August. Bids were solicited for new CDs. A sixth month CD was acquired with 2.15% interest rate, and a one year CD was acquired with a 2.4% interest rate.

Mr. Kleiman reviews the income and expense summary, noting that YTD is \$719,451 and YTD expenses are \$243,012, with revenues exceeding expenses by \$476,440.

Mr. Kleiman reviews the income and expense summary for the Business Accelerator, noting that revenues YTD are \$194,699, and expenses are \$1,487,561. Expenses, as anticipated, exceed revenues by \$1,292,876.

Vice Chair Rogulski asks for a motion to approve the vouchers and payments in the amount of \$55,440 for September. Motion made by Mr. Brescia, seconded by Mr. DiSalvo, that the Board accept the financial reports and authorize IDA payments and vouchers. Open for discussion. Affirmative votes of all members present results in motion carried.

### **2019 Budget**

Mr. Kleiman presents the proposed final budget to the board. The proposal is inclusive of the IDA and Accelerator budget.

As chair of the Audit Committee, Vice Chair Rogulski states that the audit committee met and reviewed the budget with management. The budget being presented today was approved by the Committee.

Mr. Kleiman reviews the budget document with the board. Proposed total revenue for 2019 is \$2,577,591 with expected expenses of \$4,397,930. The expenses exceed the revenues by \$1,820,339. Closing fees were reduced by \$1,000,000 for 2019. Due to the expansion of The Accelerator, additional funds were added to the Special Initiative and operations line items. Agency support costs were reduced, and the IDA is only supporting seven agencies in 2019. A Research & Support line item was added for additional agency engagement if needed.

Vice Chair Rogulski entertains a motion to approve the 2019 IDA Budget. Motion made by Mr. Schreibeis, seconded by Mr. Brescia, that the Board accept the 2019 IDA Budget. Open for discussion. Affirmative votes of all members present results in motion carried.

### **Retirement Resolution**

Vice Chair Rogulski informs the board that the Retirement Resolution is required to change the retirement process for the IDA employees. This resolution will authorize a 457 Deferred Compensation Plan.

Mr. Dowd reads aloud the Resolution. Motion is made by Mr. Steinberg, seconded by Mr. DiSalvo, authorizing the establishment of a deferred compensation plan for the existing employees of the IDA. Roll call is taken. Affirmative votes of all members present results in motion carried.

Mr. Dowd presents the New York State required deferred compensation plan resolution to the board. Motion is made by Mr. Steinberg, seconded by Mr. DiSalvo, authorizing the establishment of a deferred compensation plan for the existing employees of the IDA. Roll call is taken. Affirmative votes of all members present results in motion carried.

### **Chairman's Report**

Vice Chair Rogulski passes on giving a Chairman's Report.

### **Chief Operating Officer Report**

Ms. Villasuso gives her report to the board.

Ms. Villasuso, Mr. Cozzolino, and Mr. Kleimen will be working together to structure a new 2019 fee schedule for board approval.

The IDA was recently audited by the ABO regarding sales tax exemption compliance. An item resulting from that audit regarding the Cross Roads Court Real Estate project is up for board discussion at today's meeting.

There is ABO proposed legislation before New York State regarding IDAs and transparency. It is substantial and a robust proposal for reporting requirements. Some of what is being proposed includes additional preparation and submission of reports. This legislation is being tracked by the EDC, IDA Counsel, and IDA Lobbyist. Any updates will be reported to the board.

Management continues to work with Warwick on a proposed SWOT evaluation and Accelerator concept. With a little more experience under their belt's, management has revisited Port Jervis to rehash a SWOT.

The most recent sewing class graduated today, and students were given aptitude tests by Ziel. Many of the students were given offers for full-time employment. The next round of training will start shortly as Ziel needs at least twenty sewing technicians by the end of the year.

As a result of having Ziel moving into the area, a lot of interest has been shown by other companies looking to potentially relocate.

At the Middletown Accelerator Campus, Augmate has hired a scientist and Alternate E-Source has hired two engineers. Management has held meetings with Middletown Accelerator clients to ensure that the space is being utilized appropriately. If clients are not using the space appropriately, they will be asked to leave and another company will be invited to take their place.

Public hearings were held recently for two clients. A public hearing was held in Warwick for Kraftify and in Goshen for English Dana Distributors.

This week management attended a meeting with County Executive Neuhaus to discuss the County's economic development strategy.

Two conferences are coming up later this fall. The Hudson Valley Women's Leadership Conference on October 23<sup>rd</sup> at the Culinary Institute of America, and the inaugural Emerging Leaders Conference at the Y Campgrounds near Port Jervis on November 27<sup>th</sup>.

## **Applications/Resolutions**

English Dana Enterprises, Inc.

Mr. Dowd informs the board that a public hearing was held for this project at Village of Goshen. It was lightly attended and went smoothly. This project has received a letter of support from the Village. It can be found in the monthly packet.

Final Resolution

Mr. Dowd reads aloud the English Dana Distributors, Inc. Final Resolution. Motion is made by Vice Chair Rogulski, seconded by Mr. Steinberg, accepting resolution to take action on certain matters pertaining to a proposed project for the benefit of English Dana Enterprises, Inc. Roll call is taken. Affirmative votes of six board members results in motion carried.

IBM Corp.

Resolution

Mr. Dowd reads aloud the International Business Machines Resolution. Motion is made by Vice Chair Rogulski, seconded by Mr. Brescia, accepting resolution authorizing additional financial assistance and the execution and delivery of a further amended agent agreement. Roll call is taken. Affirmative votes of six board members results in motion carried.

Medline Industries, Inc.

Ms. Villasuso reminds the board that they voted and approved the application for the proposed project at a location in Walkill. Today's resolution is to approve an updated application and authorize a public hearing for the new location in Montgomery.

Resolution

Mr. Dowd reads aloud the Medline Industries, Inc. Resolution. Motion is made by Vice Chair Rogulski, seconded by Mr. Schreibeis, accepting the revised application resolution authorizing action on certain matters pertaining to a proposed project for the benefit of Medline Industries, Inc. Roll call is taken. Mr. Brescia and Mr. Diana Abstain. Affirmative votes of four board members results in motion carried.

Kraftify, LLC

Ms. Villasuso informs the board that this project is a brewery located in the former correctional facility located in Warwick. Town Supervisor, Mr. Sweeton, and the business owner, Mr. Kraai, are present should the board have any questions. A public hearing was held. The board has some concerns regarding the retail aspect of the business.

Vice Chair Rogulski states that the board discussed the project and due to the retail component and types of jobs being created the board has decided to incentivize a 485-b PILOT, Sales and Use Tax Exemption, and Mortgage Recording Tax Exemption for the Kraftify project.

Final Resolution

Mr. Dowd reads aloud the Kraftify, LLC Final Resolution. Motion is made by Mr. Brescia, seconded by Mr. Schreibeis, accepting resolution to take action on certain matters pertaining to a proposed project for the benefit of Kraftify, LLC. Roll call is taken. Mr. Diana votes nay. Affirmative votes of five board members results in motion carried.

## **Other Board Business**

Amy's Kitchen, Inc.

Ms. Villasuso reminds the board that in 2014, a resolution was adopted that authorized a \$500,000 project expenditure for infrastructure and site work. The construction phase of the Amy's project is underway, and it was requested that the project execute the agreement. Their counsel is present to address some concerns before executing the agreement and to give the board an update on the project status.

Larry Wolinsky addresses the board on behalf of Amy's Kitchen. The Amy's Kitchen site is cleared and graded, sub-bases have been installed, the ground has been decommissioned for wells, drainage has been installed, 17M infrastructure improvements have largely been completed, and currently the primary of the work is being done on the bridge over the Wallkill River. That is largely what has been completed under a clearing and grading permit issued by the Town. The permitting of the utility component of this project is still not complete as they are waiting for the grant of an easement from the Orange County Legislature. Water and sewer are being supplied by the City of Middletown via a 4.3 mile pipeline. The project is in the process of acquiring several additional permits to progress the construction and infrastructure development in the next thirty to sixty days. The first six months of 2019 will involve a large amount of site infrastructure. At the same time the building and manufacturing process at the facility will be designed. Additional infrastructure items anticipated for 2019 installation include a pre-treatment plant pump station, road lighting, transformers, etc. Mid- 2019 it is anticipated that the project will get the building permit for construction of the facility. The building should take about a year to construct and outfit. Full production and use of the site is anticipated at the end of 2020 or start of 2021.

Mr Diana states that he is concerned that the project will install the initial infrastructure and road, but not complete the building. Is there any way that the company can guarantee that the site will be completed to totality? Or could the funds be returned if the project was not completed as initially intended?

Mr. Wolinsky states that the project would be uncomfortable drawing from the funds until all permits have been received. With respect to the agreement, the project would still like to receive the benefit, but there are a few questions. Are the funds able to cover infrastructure on and off site relating to this project? The original agreement did not specify.

Mr. Dowd informs the board that an example of off-site work would be running water and sewer lines to the project location.

Mr. Wolinsky states that onsite infrastructure could include the pump station, pretreatment plant, etc.

The board agrees that it is acceptable that the funds be used for both on and off-site infrastructure work.

Mr. Wolinsky asks if the fund can be used for both materials and labor regarding to the project, or is it preferred that it cover labor costs?

The board agrees that it is preferred that the funds be used for project materials.

Mr. Wolinsky asks if the use by date in the agreement can be extended. Would December 30, 2019 be an acceptable date?

The board agrees that it is acceptable to extend the agreement date.

Mr. Wolinsky thanks the board for their time.

The Hub 1, LLC

Ms. Villasuso reminds the board that The Hub 1, LLC project is located in Deerpark. As discussed at the last board meeting, the project has gone into foreclosure and the property was resold to another party. Today it is being asked that the board take action to terminate the existing PILOT on the property.

Mr. Dowd reads aloud The Hub 1, LLC Resolution. Motion is made by Mr. DiSalvo, seconded by Mr. Schreiber, authorizing counsel to the IDA to take all necessary legal action to terminate the Port Jervis Holdings. LLC (formerly

Hub 1, LLC) PILOT agreement, lease, and leaseback agreements. Roll call is taken. Affirmative votes of six board members results in motion carried.

Mr. Dowd informs the board that they never received a response from the new property owner or their counsel.

#### Ridge Hudson Valley, LLC

Ms. Villasuso reminds the board that the Ridge Hudson Valley property is located on Route 300 in the Town of Newburgh. This project was originally anticipated to be a retail shopping center. The project had come before the board for approval in 2017. Due to the complicated finance structure that involved the Town and School District the project stalled as it lacked support from the affected municipalities. Management recently touched base with the project regarding development status. Since initial approval the scope of the project has change substantially and it is the determination of management that the initial approvals be rescinded. Today it is being asked that the board take action to rescind the initial approvals for this project. The project may reapply without prejudice.

Mr. Dowd reads aloud the Ridge Hudson Valley, LLC Resolution. Motion is made by Mr. Schreiberis, seconded by Mr. DiSalvo, accepting the resolution denying Ridge Hudson Valley, LLC's request for certain financial assistance. Roll call is taken. Affirmative votes of six board members results in motion carried.

#### Cross Roads Court Real Estate, LLC

Ms. Villasuso reminds the board that there are letters between the IDA and project in their packets. They were informed that they had exceeded their Sale and Use Tax exemption. This was discovered during the STE audit recently performed onsite by the ABO. The project counsel requested thirty more days to review documents, but since that seemed like an excessive amount of time the project was given ten days. That allotted time will be up in the near future and hopefully the project will come back with the necessary information or payment to be handed over to the state and resolve the issue. Depending on the outcome the IDA may have to move to legal proceedings.

#### **Adjournment**

Meeting called for adjournment by Vice Chair Rogulski, motion made by Mr. Schreiberis, seconded by Mr. DiSalvo, the time being 3:45 p.m.

# Orange County IDA

OCTOBER 2018

## Funds Received

GAM Property Corp (application fee)	\$ 5,000.00
Warwick Valley LDC (5th of 6 payments)	173,750.00
Dana Distributors (Labor Audit Escrow fee)	10,000.00
Orange Tower Drive (closing fee)	105,000.00
Orange Tower Drive (Labor Audit Escrow fee)	20,000.00
<b>Total</b>	<b>\$ 313,750.00</b>

## Vouchers & Payments

Kevin Dowd (Legal Services Sept. 2018)	\$ 7,260.00
Loewke Brill Consulting Group, Inc. (Sept. 2018)	3,380.00
Brown Weinraub (NYS lobbying services Oct. 2018)	5,000.00
R&D Legal Bookkeeping, Inc (Bookkeeping Services Sept. 2018)	193.50
REDC (PTAC) (July - Sept. 2018)	7,000.00
Community Capital New York	6,461.15
Hudson Valley Patterns for Progress	25,000.00
Orange County Arts Council	6,715.00
Orange Bank & Trust (Labor Escrow Audit for Dana Distributors)	10,000.00
Orange Bank & Trust (Labor Escrow Audit for Orange Tower Drive)	20,000.00
<b>Total</b>	<b>\$ 91,009.65</b>



2 THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
3 STATE OF NEW YORK

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4 In The Matter of

5 Re: MEDLINE INDUSTRIES, INC.

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7 Town of Montgomery Town Hall  
8 110 Bracken Road  
9 Montgomery, New York  
September 24, 2018  
1:00 p.m.

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13 B E F O R E: KEVIN DOWD, ESQ.  
14 IDA ATTORNEY

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23 FRANCES ROTH  
24 Court Stenographer  
168 North Drury Lane  
Newburgh, New York 12550  
25 Telephone (845) 566-1641

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3 A P P E A R A N C E S:

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5 LAW OFFICES OF KEVIN T. DOWD  
6 Attorney for IDA  
7 46 Daisy Lane  
8 Montgomery, New York 12549

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8 Kelly Reilly  
9 Client Services Specialist, OCIDA

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1 MEDLINE INDUSTRIES, INC.

2 MR. DOWD: Good morning everyone, please  
3 stand for the Pledge of Allegiance.

4 (Whereupon, the Pledge of Allegiance was  
5 recited.)

6 MR. DOWD: Thank you. Good morning  
7 everyone, my name is Kevin Dowd, I'm local  
8 counsel to the Orange County Industrial  
9 Development Agency. With me to my right is Kelly  
10 Reilly who is one of our administrative staff  
11 members and Fran Roth who's our stenographer,  
12 she'll be taking everything you say down and the  
13 transcript will be given to the IDA board members  
14 for their consideration. So we're going to start  
15 today by reading the public notice. Notice is  
16 hereby given that a public hearing pursuant to  
17 Article 18-A of the New York General Municipal  
18 Law will be held by the Orange County Industrial  
19 Development Agency on Monday, September 24, 2018  
20 at 1:00 p.m. local time, in the meeting room at  
21 the Montgomery Town Hall, 110 Bracken Road,  
22 Montgomery, New York 12549, in connection with  
23 the following matter: MEDLINE INDUSTRIES, INC.,  
24 for itself or on behalf of an entity formed or to  
25 be formed has submitted an application to the

## MEDLINE INDUSTRIES, INC.

Agency requesting the Agency's assistance with a certain project consisting of; (i) the acquisition by the Agency, of a leasehold interest in a portion of an approximately 118 plus or minus acre parcel of land located at 494 & 506 State Route 416 in the Town of Montgomery, Orange County, New York; (ii) the construction thereon of an approximately 1,300,000 square foot distribution center and warehouse to be used by the Company for the warehousing and distribution of medical supplies to local customers within approximately three hours drive of the Improvements; and (iii) the acquisition and installation in, on and around the Improvements of certain items of equipment and other tangible personal property. The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Agency's leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of sales and use tax exemptions, a real property

## 1 MEDLINE INDUSTRIES, INC.

2 tax abatement and if necessary a mortgage  
3 recording tax exemption all consistent with the  
4 policies of the Agency. A representative of the  
5 Agency will be at the above-stated time and place  
6 to present a copy of the Company's Project  
7 Application and hear and accept written and oral  
8 comments from all persons with views in favor of  
9 or opposed to or otherwise relevant to the  
10 proposed Financial Assistance. Dated September  
11 14, 2018. By the Orange County Industrial  
12 Development Agency. At this time, I would ask  
13 the applicant who's represented here if they  
14 would like to make any statement about the  
15 project itself? Your name?

16 MR. GERSTEIN: My name is Eric Gerstein from  
17 Medline Industries. I just want to say that the  
18 company has had a longstanding relationship with  
19 Orange County and has built a great relationship  
20 with its employees and we're excited about the  
21 project and the idea of being able to retain 340  
22 jobs that we have today which will grow to 100  
23 additional jobs in the next three years and over  
24 250 new jobs through the life of the project. We  
25 view this as a partnership with the local

1 MEDLINE INDUSTRIES, INC.

2 community through our investment in the community  
3 and the community participation back with us. So  
4 I thank you for the opportunity and I hope to  
5 continue the partnership.

6 MR. DOWD: Thank you. So just from its  
7 numbers, the total capital costs are estimated at  
8 \$111,750,000, looking for a two year sales tax  
9 exemption which would come out to approximately a  
10 total of \$1,218,750 for fixtures and equipment  
11 and approximately \$6,375,000 for the actual  
12 construction of the facility itself. There are  
13 three variations on the IDA PILOT that would be  
14 considered. One is a 10 year 485-b which  
15 provides a total savings to the applicant of  
16 \$6,967,309. There's also our ten year enhanced  
17 PILOT which would provide a total savings of  
18 approximately \$13,934,618 and the 15 year special  
19 enhanced PILOT which is what the applicant really  
20 is looking for and that is a total savings of  
21 \$21,155,284. As Eric said the total retained  
22 jobs will be 340, those are all presently in  
23 Orange County and the proposed 100 created within  
24 the first three years after the actual project  
25 gets underway. Mr. Gerstein said 250 total over

1 MEDLINE INDUSTRIES, INC.

2 five to seven years.

3 MR. GERSTEIN: Correct.

4 MR. DOWD: With that being said, I will open  
5 it up to comments, questions from the public  
6 relevant to what we're here for.

7 MS. PITTS: Yes, my name is Kathi Pitts,  
8 with Windfall Farms, 309 Neelytown Road,  
9 Montgomery, York, we'd be neighbors. Which way  
10 is all that traffic going to go? How is this,  
11 are you going to have a special exit-entrance  
12 right up to 84 or are you going to use County  
13 Route 99 and 416? What does this look like?

14 MR. GERSTEIN: I actually don't have those  
15 details, I'm not the real estate guys. Do you  
16 have them? I don't know the roads well enough.

17 MS. PITTS: I'm concerned how this would fit  
18 in this place and I know there's a lot of people  
19 who are--

20 MR. DOWD: This project has to go before the  
21 town planning board, a full environmental process  
22 has to be undertaken as well as the full planning  
23 process. This is just the beginning stages. The  
24 IDA will not take any action on the benefit  
25 package until such time as at least SEQRA is done

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MEDLINE INDUSTRIES, INC.

and the project is approved by the planning board before we'd close with the applicant.

MS. PITTS: There will be further public hearings where we can be heard?

MR. DOWD: Absolutely, this is going to go through a full planning board process. This is the IDA part but the actual planning process goes through the town planning board. If you're a neighbor, you'll get notice I'm sure and you'll keep I'm sure tabs on it through the town hall as well.

MS. PITTS: Exactly. So yeah, so do I understand that the project is proposed to be at Aden Brook Farm, what is currently Aden Brook Farm at the intersection of Canning Road and 416?

MR. GERSTEIN: Yes.

MS. PITTS: Thank you.

MS. MIELE: I have a question as to--

MR. DOWD: Can I have your name?

MS. MIELE: Chris Miele. I have a question as to what happened to Wallkill because after they were turned down in Hamptonburg the IDA had a meeting and approved them to go to Wallkill and did approve--



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MEDLINE INDUSTRIES, INC.

MR. DOWD: Okay.

MS. MIELE: Eddy Diana welcomed them, they had a whole big announcement at the legislative meeting and what happened?

MR. GERSTEIN: We loved the Wallkill site, unfortunately, there were wetland issues and the remediation of those issues was going to take too much time to be resolved so we weren't able to weed out that amount of time, six months to a year work with all that and we need the space much more quickly than that. So we would have loved to have built the facility in Wallkill, we started on that process and so since that wasn't an option because of the wetlands issues that were discovered through that due diligence phase we had to seek an alternative site and in trying to stay in Orange County this site was the next option.

MS. MIELE: Thank you.

MR. DOWD: Anyone else?

MS. PITTS: Is it appropriate for me to ask another question?

MR. DOWD: Yes.

MS. PITTS: Kathi Pitts again, 309 Neelytown

1 MEDLINE INDUSTRIES, INC.

2 Road, Windfall Farms. I'm just curious if it's a  
3 fact, I read the local paper and Montgomery has  
4 now maxed out the town on water and sewer to  
5 provide for industry. I know they're working on  
6 it, I saw in the paper it's going to take two  
7 years to get that together, is that true?

8 MR. DOWD: Again, that's more an appropriate  
9 question not at this public hearing because this  
10 is economic benefits and incentive packages, it's  
11 a planning board and town board issue, okay?

12 MS. PITTS: Thank you, okay.

13 MR. DOWD: Anyone else? I see we have  
14 Mr. Winchell here, Town Supervisor, do you wish  
15 to say anything?

16 SUPERVISOR WINCHELL: The water and sewer  
17 issue we're about redoing engineering, I'm trying  
18 to streamline it so it's within about a year and  
19 a half. I'd like to see it faster because we're  
20 over, we've been over for a long time and I'm in  
21 that industry also because I think it's better,  
22 if Medline came or not it's really nothing to do  
23 with them, it has to be done, it should have been  
24 done, we're going to get it done. And basically  
25 tying in, I just had meetings for Scott's Corners

1 MEDLINE INDUSTRIES, INC.

2 and other areas, 60 years, pretty much 1959 our  
3 water and sewer groups are all supposed to have  
4 been tied in, it was a dream then so I'm going to  
5 pursue that. So that's, as far as Medline came  
6 or not that corridor, as you know, there's one  
7 right down there so--

8 MS. PITTS: Thank you.

9 MR. DOWD: Any other questions, comments?

10 MS. MIELE: I would like to make a comment.

11 I would like to see them be able to find a  
12 suitable place in Orange County, I mean, whether  
13 this is suitable or not, I haven't looked into it  
14 but Medline is a wonderful company. It would be  
15 nice if they can find something that works.  
16 Maybe you need a good real estate agent? Sorry.

17 MR. DOWD: Any other comments or questions?

18 There being none, I declare the public hearing  
19 closed. As I say, the transcript will be given  
20 to the IDA board and they will consider all  
21 comments at the appropriate time when they decide  
22 to take action. Okay, thank you very much for  
23 coming out, thank you.

24 (Proceedings concluded at 1:10 p.m.)

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C-E-R-T-I-F-I-C-A-T-I-O-N

I, FRANCES ROTH, a Stenographic Reporter and Notary Public  
of the State of New York, do hereby certify:

That the foregoing is an accurate record of the testimony,  
as given, to the best of my knowledge and belief, the same  
having been stenographically recorded by me and transcribed  
under my supervision.

That I am not related to any of the parties involved in  
this matter, and that I have no personal interest  
whatsoever in the outcome thereof.

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## TIMES HERALD-RECORD

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## Permits threaten to stall Amy's \$95M Goshen factory

By Daniel Axelrod

Times Herald-Record

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GOSHEN — Amy's Kitchen could be forced to reapply for Planning Board approval from the Town of Goshen for its future factory if the state Department of Environmental Conservation doesn't issue a crucial permit before the end of November, the company's lawyer said on Thursday.

That's when the organic-and-vegetarian meal maker's town Planning Board approval expires for its proposed \$95 million factory off Route 17M, Larry Wolinsky of Jacobowitz & Gubits in Walden told the Orange County Industrial Development Agency on Thursday.

Amy's needs the DEC to issue a permit to the City of Middletown to extend water service 4.3 miles to the factory's site because Middletown is selling water and sewer service to the company.

That's the most crucial of several permits Amy's still needs, including easements from Orange County and Middletown, a road-crossing permit from Wawayanda and a DEC permit for the factory's wastewater plan. The 369,000-square-foot plant would employ 680, while producing 640,000 meals per day.

"There are a lot of technicalities, but we don't anticipate any problems whatsoever in getting the DEC permit," said Middletown Mayor Joe DeStefano of a project that would net Middletown around \$700,000 annually in Amy's payments.

Amy's has run out of extensions on a December 2016 Goshen Planning Board approval. Getting reapproval could delay the project at least a few months if the company hasn't substantially changed its site plan, and if it diligently does what the planning board asks, said Richard Golden, Goshen's town attorney. But any

snag could delay the project for several months more, and substantial changes to the project plan would run the risk of additional environmental review, Golden added.

"We think they'll get the DEC water-taking permit," Goshen Supervisor Douglas Bloomfield said. "We've elevated this to the right people to make sure this happens in time."

Wolinsky came before the IDA, a public benefit corporation that considers tax breaks to boost the county's economy, to ask the board to extend the time limit for \$500,000 the IDA pledged toward the project's infrastructure.

The board approved the extension through December 2019, but board member Ed Diana asked for a commitment that the company will finish a project first announced in January 2014, the same year the IDA first authorized the funds.

Wolinsky did not explicitly offer such a commitment, but he stressed Amy's has been deeply committed to the site for years, has spent \$6 million so far and company leaders still expect to complete the facility by 2021.

One factor delaying the project is a decision by the company's founders, the Berliner family, to let the spiritual movement Science of the Soul use a shovel-ready parcel at the site. That left the family with an adjacent parcel that needed substantial work and more approvals. Plus, the family decided to pipe in water from Middletown because the site is next to the former Al Turi Landfill.

Of late, the company's contractors have cleared and graded the site, installed a stormwater drainage system, graded and built a sub-base for an access road and are completing a bridge over the Wallkill River, Wolinsky said.

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 Cloudy  
 Time: 10:30 am  
 Temp: 59  
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 Winds: W at 6 mph

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## Orange County IDA pulls plug on proposed shopping center incentives

NEW WINDSOR – A proposed large shopping venue on Route 300 across from the Newburgh Mall in the Town of Newburgh has for now, lost the financial incentives provided to it by the Orange County Industrial Development Agency.

A number of proposals have come and gone to develop the property. The latest is under the name of Ridge Hudson Valley.

IDA Chief Operating Officer Laurie Villasuso said the planned mall has been stalled for about a year.

“There has been no progress on the process and in addition when they requested the PILOT and the financing both the town and the school board weren't in favor of it so we rescinded the approval for that,” Villasuso said. “So if the Ridge wants to move forward, they can; it was rescinded without prejudice. It's just that they would have to reapply with new details and a new financing structure.”

The IDA Board also rescinded the last two years of a PILOT agreement with HUB One in the Town of Deerpark.

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