

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

July 21, 2010

A regular meeting of the Orange County Industrial Development Agency was convened in public session on July 21, 2010 at 3:00 P.M. at the Orange County Government Center, Goshen, New York

The meeting was called to order by the Chairman, James Petro, and upon roll being called, the following were

<u>PRESENT:</u>	James Petro, Stephen Brescia, Henry Van Leeuwen Mary Ellen Rogulski
<u>ABSENT:</u>	Robert Armistead, Robert Schreibeis, Sr., John Steinberg
<u>ALSO PRESENT:</u>	James O'Donnell – Executive Director Edda Eller – Recording Secretary/Bookkeeper Joel Kleiman – Chief Financial Officer Phil Crotty – Attorney Melanie Tanner – Administrative Assistant Michael DiTullo – Orange County Business Accelerator Alfred A. Fusco, Jr., Karl A. Brabenec – Town of Deerpark Brian Egan – Deal Broker Maureen Halahan – Orange County Partnership Dominick Alfieri – Deerpark Exchange Mike Finnegan – Continental Organics Rob Lunski – GET Mario J. Cipollone – Independent Living Inc. Thomas Endres Michael Novinson – Times Herald-Record

Chairman, James Petro asked for a motion to approve June 16, 2010 minutes. Before making a motion Mary Ellen Rogulski asked for a correction in the third paragraph where she was quoted as saying that in regard to Deerpark Exchange “the tax break is luring investors, not the person creating the jobs” should read “a tax break is inuring to the benefit of investors”. Mary Ellen Rogulski then made a motion seconded by Henry Van Leeuwen to approve minutes with correction. Affirmative votes of all members present resulted in motion carried.

Chief Financial Officer Joel Kleiman presented the June 2010 financials. He also handed out copies of schedule of investments and Certificate of Deposit sheet. He also pointed out that the check from IBM should be arriving in August. Received in June from New Windsor Continental Farm \$5,000 pass thru legal fees and IDA administrative fee; Alfieri's, Inc. \$5,000 pass thru legal fees and IDA administrative fee. Also presented were the following vouchers and payments: Philip Crotty \$6,737.50 legal fees for May 2010, Burke, Miele & Golden \$5,264 legal fees, Harris Beach \$2,500 pass thru legal fees OC Choppers Roadhouse, Goshen Historic Track \$30,000 grant, OC Business Accelerator \$150,000 3rd payment for 2010, Frances Roth \$250 minutes for President Container, Frances Roth \$250 minutes for Roadhouse. Mary Ellen Rogulski made a motion seconded by Henry Van Leeuwen to approve vouchers for payment. Affirmative votes of all members present resulted in motion carried. Henry Van Leeuwen made a motion seconded by Mary Ellen Rogulski to approve financial report as presented. Affirmative votes of all members present resulted in motion carried. James O'Donnell asked Joel Kleiman to separate the Orange County Business Accelerator's revenue and expenses to show an actual accounting of each entity.

Chairman James Petro informed members that the Business Accelerator would like to renew and extend employment for Peter Gregory for six months until December 31, 2010 at \$1,000 per week. Stephen Brescia made a motion seconded by Henry Van Leeuwen to approve extension. Affirmative votes of all members present resulted in motion carried. James Petro also informed members regarding Town of Chester litigation that all papers are in front of the Judge. In a month or two they will have an assessment. Also, the IDA received a refund of the NYS Assessment of \$120,758. He also told members that he would like to have a fruit basket sent to Lorrie Dana of up to \$125. Lorrie did a great job for the IDA and everybody is sorry she is moving away. Members approved the fruit basket.

Phil Crotty told members that Ondamed is still an open item and will have to be tabled until next month's meeting.

Michael DiTullo presented the Business Accelerator financial report for June 2010. Also they closed with Array for an early August occupancy. The Focus Fund will be back for the September meeting and the objective is to close on projects this quarter.

They are moving along with Associate Clients and by the end of year they will have 7 or 8, possibly 10. A GET luncheon is scheduled in October and this year James Smith is being honored. He feels it would be a good idea for the IDA to be a sponsor for \$1,000, which includes a table reservation. Stephen Brescia made a motion seconded by Mary Ellen Rogulski to approve the sponsorship. Affirmative votes of all members present resulted in motion carried.

James O'Donnell made members aware that as an incentive to Michael DiTullo when he was hired as the Managing Director of the OCBA, he was offered a retirement plan if occupancy reached 95% in a year. Since this has happened he is recommending a matching IRA to be presented at next month's meeting.

Recognized was Rob Lunski of GET, asking for continuing support from the IDA. He will send a request to the IDA Governance Committee. They are seeking support for the period 2010-2013 in two fundamental areas: Yearly support of \$75,000 to increase staff to 2 full time positions and 1 part time position to accommodate the growing number of requests for assistance, resulting in more businesses opened. Consider giving GET a one-time grant of \$120,000 to start a micro loan program for minorities and low-income people starting and/or expanding their businesses. They now have 48 businesses in operation and 1 in 4 people are successful. Funding from the IDA will let them get funding from other sources, including The Dyson Foundation, City of Newburgh and US congressman Maurice Hinchey. Mary Ellen Rogulski asked how many jobs are created in all the businesses. Rob Lunski said 1 or 2. Phil Crotty explained that IDA could give grant of seed money from \$108,000 received from Millennium and \$10,000 received from Breonics. It was decided that after the Governance Committee reviews the request, the IDA would make a decision.

Presented was a Final Resolution authorizing the Orange County Industrial Development Agency to take a Leasehold or Sublease hold interest in a portion of the improvements located at 14 Crossroads court in the Town of Newburgh, Orange County, New York; appoint Roadhouse Newburgh, LLC as its agent to undertake a certain project, negotiate and execute a Lease Agreement, Leaseback Agreement and related Payment-in-Lieu-of-Tax Agreement; provide financial assistance to the company in the form of a Sales Tax Exemption for purchases and rentals related to the acquisition, construction and equipping of the project, partial Real Property Tax Abatement through the PILOT Agreement, and if necessary, a Mortgage Recording Tax Exemption for the financing related to the project, and execute related documents. Henry Van Leeuwen made a motion seconded by Mary Ellen Rogulski to approve Resolution as presented. Affirmative votes of all members present resulted in motion carried.

Presented was a Resolution authorizing the Orange County Industrial Development Agency to take Title to or a Leasehold interest in an approximately 2.10-acre parcel of land located at 22 Route 6 in the Town of Deerpark, Orange County, New York; appoint Alfieri Inc. as its agent to undertake a certain project; negotiate and execute a Lease Agreement, Leaseback Agreement and related Payment-in-Lieu-of Tax Agreement; provide financial assistance to the company in the form of a Sales Tax Exemption for purchases and rentals related to the acquisition, construction and equipping of the project, a partial Real Property Tax Abatement through the PILOT Agreement, and a Mortgage Recording Tax Exemption for the financing related to the project; and execute related documents. Henry Van Leeuwen made a motion seconded by Stephen Brescia to approve Resolution as presented. Affirmative votes of all members present resulted in motion carried. James Petro said he was at the public hearing, and it was the first time ever that everybody supported the project, including the Town Supervisor and they also have letters of support from the town and legislature.

Presented was a Resolution authorizing the Orange County Industrial Development Agency to take Title to or a Leasehold interest in a portion of the improvements located at 320 and 354 Mt. Airy Road in the Town of New Windsor, Orange County, New York; appoint Continental Organics, LLC as its agent to undertake a certain project; negotiate and execute a Lease Agreement, Leaseback Agreement and related Payment-in-Lieu-of-Tax Agreement; provide financial assistance to the company in the form of a Sales Tax Exemption for purchases and rentals related to the acquisition, construction and equipping of the project, a partial Real Property Tax Abatement through the PILOT Agreement, and if necessary, a Mortgage Recording Tax Exemption for the financing related to the project; and execute related document. Stephen Brescia made a motion seconded by Mary Ellen Rogulski to approve Resolution as presented. Affirmative votes of all members present resulted in motion carried.

Recognized was Brian Egan asking the IDA for help writing a letter regarding 125 acres of land across from the Fed Ex building on Neelytown Road in Montgomery. He is seeking help from the Orange County Partnership to bring in a big corporation. Members suggested contacting the Montgomery IDA first.

Henry Van Leeuwen made a motion seconded by Stephen Brescia that this meeting be duly adjourned, the time being 4:30 pm.

Edda Eller
Recording Secretary