Monday, November 16, 2026 at 11:21:29 AM Eastern Standard Time

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Subject: Letter Regarding Nov 16th OCNYIDA Meeting
Date: Friday, November 13, 2026 at 11:42:40 AM Eastern Standard Time
From: POC
To: Jeff Crist, brian.sanvidge@anchin.com, Business at OCNYIDA
CC: inspector.general@ig.ny.gov, Leslie Hanes, Lino Sciarretta, ceoffice@orangecountygov.com, Michael Sussman
Attachments: 3-POC-Letter-OCIDA-and-Monitor-Nov16-Packet-2026-11-13.pdf

Please see attached letter from Protect Orange County.

Thank You

November 13, 2026

Jeffrey D. Crist, Chairman · Board of Directors, Orange County Industrial Development Agency · 4 Crotty Lane, Suite 100, New Windsor, New York 12553 · By email: business@ocnyida.com

Brian P. Sanvidge, State Monitor · By email

Re: November 16, 2026 meeting — the Amended Authorizing Resolution (Scannell/Amazon) and the UTEP resolution in the Board packet dated November 3, 2026

Dear Chairman Crist and Mr. Sanvidge:

Protect Orange County writes on the Board packet for November 16, 2026, which places on the agenda the two items tabled on October 28. The packet publishes, for the first time, the Amended Authorizing Resolution for the Scannell/Amazon project (pp. 17–27) and a UTEP resolution (pp. 43–45) whose text differs from the one on which the public hearing closed. We identify below what each document recites, what the record shows, and what we ask. This letter supplements, and does not replace, our letters of October 28, 2026, every point of which is renewed.

I. The UTEP resolution adopts a text that was never noticed or heard

1. The cutoff date has moved from November 1 to December 1. The text mailed to the taxing jurisdictions on October 8 excluded applications received "before November 1, 2026." The resolution in the October 28 packet excluded applications received "prior to November 1, 2026." The resolution in the November 16 packet (p. 44) excludes applications received "prior to **December 1, 2026.**" The public hearing closed on October 28 (Tr. 41; minutes p. 3) on the November 1 text. Nothing in the packet, on the Agency's website, or in any communication to Protect Orange County indicates that any taxing jurisdiction has been notified of a December 1 date; no hearing has been held on it; and no written comment has been invited on it. General Municipal Law § 874(4) conditions adoption of a UTEP amendment on notice and a public hearing on the amendment adopted; a text changed after the hearing closed has had neither.

2. The change confirms what the date is for. Section 2 of the August 19 resolution already bars acceptance of new warehouse applications. The only application any cutoff date can reach is the one received August 18, 2026. When November 1 passed without adoption,

the date was moved so that it would still fall after August 18. A term that is rewritten each time the vote slips is not a policy; it is a placeholder for one project. The Board authorized no date on August 19. It should adopt the text it authorized.

3. The resolution still recites nothing. As with the October 28 draft, the resolution recites neither the August 19 authorization, nor the notice, nor the hearing, nor the jurisdictions' comments, nor any reason for departing from the authorized text; Section E's effective date remains unaddressed; and the roll of members recited as present on November 16 includes Dr. Odock, whose final meeting was October 28 (minutes p. 4).

II. The Amended Authorizing Resolution

4. It is the October 28 draft, unchanged, and recites events that did not occur. The resolution states that "at this October 28, 2026 meeting of the Agency, the Agency afforded representatives of all affected tax jurisdictions present an opportunity to address the Agency with respect to the Revised 10-Year PILOT Request" (p. 19). Its Exhibit A is dated "Adopted: October 28, 2026" (p. 25); its certification certifies adoption "on October 28, 2026" (p. 27); its roll includes Dr. Odock (p. 26). The October 28 minutes record that the Chairman announced before the hearing opened that "no action would be taken on the Amazon Authorizing Resolution" (p. 3), and the transcript records counsel telling the public that the evening was "not about Amazon" (Tr. 3). No jurisdiction addressed the Agency on the deviation that night because the Agency said the deviation was not before it. The Board cannot adopt on November 16 a resolution that recites a November 16 action as having occurred on October 28.

5. The "Notice Letters" of October 16, 2026. The resolution recites that "Notice Letters detailing the deviation request with respect to Revised 10-Year PILOT Request and the reasons for deviation as so described therein were mailed or delivered to each affected tax jurisdiction and others as required by the Act on October 16, 2026," and that those letters "set forth the Agency's analysis of the factors bearing on the Revised 10-Year PILOT Request" (p. 18). No such letter has been produced, posted, or placed in any Board packet. The draft of this resolution transmitted to the Monitor on September 23, 2026 recited notice letters of August 25; the recital now reads October 16. Protect Orange County does not know whether letters were sent on October 16: the Agency's response to our September 29 request for each notification of the deviation "and the reasons therefor" identified only the September 10 hearing notice, and the Minisink Valley Central School District's FOIL response showed receipt of the August 25 package only, but both responses predate October 16. If letters stating the Agency's reasons and analysis were sent that day, they are the document § 874(4)(b) requires, they cure a defect this

organization identified on September 24, and the public has never seen them; we ask that they be published with proof of the certified-mail or read-receipt transmittal the statute requires, before any vote. A request under the Freedom of Information Law for them was made today.

6. The resolution recites a utility confirmation the Agency has certified it does not possess. Section 5 states that "Orange and Rockland Utilities, Inc. has confirmed it will supply the Project's electricity demands, including through a new substation to be constructed on the Project Site" (p. 22). In response to Protect Orange County's October 6, 2026 request, the Agency certified under Public Officers Law § 89(3)(a) that it possesses no correspondence with Orange and Rockland Utilities, no record describing the project's electric demand or load, and no record identifying the project's electric supplier. If a confirmation from the utility has since been received, it has not been identified or produced; if it has not, the recital has no record behind it. The Board should not adopt a finding whose factual basis the Agency has certified is not in its files unless that basis is first placed before it.

7. "Demonstrated public support." Section 5 states that "Letters of support and favorable public comments have been collected and included in the Agency's records" (p. 21). None appears in the packet. The packet does contain the transcripts of the October 21 and October 28 sessions (pp. 46–121); no speaker at either supported the request. The record before the Board also includes a petition of more than 16,000 signatures and a letter of fifty-seven organizations opposing it. A finding of demonstrated public support on this record would be made against the only evidence of public sentiment the Board has been given.

8. The findings the resolution does not make. It recites annual salaries of "$37,440 – $60,000" (p. 21) and makes no finding that the jobs provide the "industry leading salaries and related benefits" the Job Creation category requires. It measures the request against the twenty-year Job Creation schedule ("$33,069,538 less in benefits," p. 18) and nowhere against the § 485-b schedule the applicants would receive with no PILOT at all — a comparison the Agency's own consultant made at Table 4 of the Camoin analysis in the same packet (pp. 28–42), showing approximately $48.2 million in benefit to the applicant beyond § 485-b. It has the Agency "ratify" and "adopt" a June 11, 2025 Negative Declaration issued three months before the applicants' fire engineer disclosed approximately 6,000 robotic drive units on lithium-ion batteries and a year before the State's amended SEQRA regulations took effect (p. 20), and makes no environmental determination of its own.

9. The § 912-b delivery for November 16. On October 28 the Amazon item was withdrawn without explanation: the Chairman announced that "the agenda has changed," and counsel asked that both items be tabled "to date uncertain" (video, 5:39, 50:16, 50:47). The record does not state whether the proposed contract had been delivered to the Monitor for that meeting, and nothing in the November 16 packet states whether it has been delivered for this one. For a vote on November 16, § 912-b(3)(d) required delivery of the proposed contract to the Monitor by November 9, and § 912-b(3)(f)(iii) requires his written approval before the Board acts. We ask that the Agency state on the record, before the item is called, the date and contents of the transmittal and whether written approval has been received.

III. The October 28 minutes

10. The minutes proposed for approval on November 16 (pp. 3–5) state that the Chairman "noted that no action would be taken" on the two resolutions and that counsel "asked" that both be tabled. They do not record why the Amazon item was withdrawn. They record an executive session "to discuss employment and proposed and current litigation regarding the NYS Monitor"; the video shows the Chairman asking the Monitor to leave the room for that portion (53:08) and the session lasting approximately one hour (53:34–1:55:56). They do not record that the rescheduling of the November meeting, raised by the Interim CEO in her report and deferred by the Chairman to "later in the meeting" (49:09–49:16), was never taken up in open session before or after the executive session — yet the meeting was moved from the calendared November 18 to November 16. Rescheduling a public meeting is not among the subjects Public Officers Law § 105 permits to be discussed in executive session. Nor do the minutes record the statements of two speakers that members of the public had been turned away from the hearing (20:20, 25:35) or the Vice Chairman's statement that persons not present by 5:00 "can stand in the back" (13:59). Every meeting of a public body is open to the general public (Public Officers Law § 103(a)); a member of the public who arrives after a meeting has begun is entitled to enter and remain, and an agency that turns one away has violated the statute whatever the hour. We ask that the minutes be corrected on each point before approval, and that the Agency state when and by whom the November meeting was rescheduled.

IV. Requests

1. Take no action on the UTEP resolution. Notice the text the Board intends to adopt — which we ask be the text authorized on August 19, 2026, with no date — to the taxing jurisdictions under § 874(4), publish it, and hold a new public hearing on it. The hearing closed October 28 was on a different text and cannot be reopened to cover this one.
2. Publish the October 16, 2026 Notice Letters, with proof of transmittal, and the letters of support and utility confirmation the resolution recites, before any vote on the Amended Authorizing Resolution; if they do not exist, strike the recitals.
3. Correct the Amended Authorizing Resolution's recitals of an October 28 adoption and an October 28 opportunity for the jurisdictions to be heard, and its roll, before it is placed before the Board.
4. State on the record the date and contents of the § 912-b(3)(d) transmittal for November 16 and whether the Monitor's written approval has been received.
5. Correct the October 28 minutes as set out in ¶ 10, and state on the record when and by whom the November meeting was moved from November 18 to November 16.

V. The consequence of acting over these objections

We state the following so that no member votes without having been told.

A vote on the Amended Authorizing Resolution without the Monitor's written approval is not a vote the Agency may take. General Municipal Law § 912-b(3)(f)(iii) provides that the Agency shall not act on a proposed contract until the Monitor has approved it in writing. An approval adopted without that writing is of no effect; it binds no taxing jurisdiction, and the Monitor retains his authority under § 912-b(3)(f)(vi) to act on it after the fact. The Agency has already lost one approval of this project on that ground.

A UTEP amendment adopted on a text that was never noticed or heard is not adopted. Section 874(4) makes notice and a public hearing conditions of adoption, not formalities. The December 1 text has had neither. A PILOT Agreement executed in reliance on a policy so adopted carries the defect with it, and every taxing jurisdiction whose revenue it abates has standing to say so.

Findings that rest on records the Agency has certified it does not have are arbitrary and capricious. The resolution asks the Board to find that the utility has confirmed service and that public support has been demonstrated. The Agency has certified under

oath that it holds no utility correspondence; the only public comment in the packet is opposed. A determination contradicted by the determining body's own sworn statement cannot survive review under CPLR Article 78.

Protect Orange County will seek review of any action taken on November 16 over the objections stated here and in its prior submissions, and reserves every remedy available to it and to the taxing jurisdictions.

We ask the Monitor to note each of the matters above in his review. Nothing in this letter waives any objection previously raised.

Respectfully submitted,

Pramilla Malick · Chair, Protect Orange County · protectorangeco@gmail.com

cc: Lino J. Sciarretta, Esq., Agency Counsel · Hon. Lucy Lang, New York State Inspector General · Supervisor Denise Quinn and the Town Board, Town of Wawayanda · Orange County Legislature, c/o Clerk; Orange County Attorney · Michael H. Sussman, Esq.

Record cited: OCIDA General Board Packet for November 16, 2026 (dated November 3, 2026), pp. 3–5, 17–27, 28–42, 43–45, 46–121; Agency letter to Affected Tax Jurisdictions, October 8, 2026; Agency FOIL responses to Protect Orange County requests of September 29 and October 6, 2026; Minisink Valley CSD FOIL response, September 22, 2026; Resolution of August 19, 2026 (certified).

Monday, November 16, 2026 at 11:21:54 AM Eastern Standard Time

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Subject: Amazon
Date: Friday, November 13, 2026 at 12:15:20 PM Eastern Standard Time
From: Annie Smile
To: Business at OCNYIDA

: "I oppose the Amazon PILOT and the December 1 date. Adopt the August 19 text."

Thanks,
Annmarie

Subject: NO! to the Amazon PILOT
Date: Friday, November 13, 2026 at 1:26:57 PM Eastern Standard Time
From: Gail Fletcher
To: Business at OCNYIDA
CC: protectorangeco@gmail.com

I oppose the Amazon PILOT and the December 1 date. Adopt the August 19 text - and recognize that this project amounts to selling our souls to the devil.

Gail Fletcher
845-554-7502
"Never hesitate to charge hell with a bucket of water." - Liz Carpenter, aide to President Lyndon and Lady Bird Johnson

Subject: Amazon warehouse in Wawayanda
Date: Friday, November 13, 2026 at 1:43:37 PM Eastern Standard Time
From: JoAnne
To: Business at OCNYIDA
CC: protectorangeco@gmail.com

I oppose the Amazon PILOT and the December 1date. Adopt the August 19 text.

Joanne Lust

Sent from my iPhone

Subject: (none)
Date: Friday, November 13, 2026 at 4:13:37 PM Eastern Standard Time
From: juliepat23@aol.com
To: Business at OCNYIDA
CC: protectorangeco@gmail.com

Hello,

I oppose the Amazon PILOT and the December 1 date. Please vote NO! Adopt the August 19 Cap and apply it to the Amazon project.

Julie Patterson
82 Kirbytown Rd
Middletown, NY 10940

Subject: Written comment
Date: Sunday, November 15, 2026 at 10:10:21 AM Eastern Standard Time
From: Allison Whalen
To: Business at OCNYIDA
CC: protectorangeco@gmail.com

I oppose the Amazon PILOT and the December 1 date. Adopt the August 19 text.

Subject: Comment by Protect Orange County
Date: Monday, November 16, 2026 at 10:04:07 AM Eastern Standard Time
From: POC
To: Jeff Crist, Business at OCNYIDA
CC: brian.sanvidge@anchin.com, Michael Sussman, Lino Sciarretta, inspector.general@ig.ny.gov, Leslie Hanes
Attachments: 5-POC-Written-Comment-Board-Nov16-2026-11-16 (1).pdf

Please be advised that our petition in opposition is now at over 17,000 signatories.
Please see here.

The public is overwhelmingly opposed to this project. It is one of several UTEP criteria this application does not meet, as we have identified in our prior comments.

https://actionnetwork.org/petitions/cfb576d384666acb09e438165e8049b00214747e

November 16, 2026 · Board of Directors, Orange County Industrial Development Agency · By email: business@ocnyida.com

Re: Written comment for the record of the November 16, 2026 meeting — Amazon/Scannell Authorizing Resolution and UTEP Adoption

Dear Chairman Crist and Members of the Board: The UTEP hearing closed October 28 and there is no public comment period tonight. Protect Orange County submits this comment in writing and asks that it be placed in the record and before each member prior to any vote. Our letter of November 13 to the Chairman and the State Monitor sets out the full grounds; five of them fit on a page.

1. **The UTEP text before you was never noticed or heard — and its condition was never voted.** The hearing closed on a text excluding applications received before November 1, 2026. The resolution (pp. 43–45) says December 1. No jurisdiction was noticed on that date; no one was heard on it. § 874(4) makes notice and a hearing conditions of adoption. This morning Senator Skoufis stated publicly that "no Amazon PILOT means no policy change" and that "the situation was leveraged to get this policy change." The resolution this Board adopted 7–0 on August 19 contains no such condition. If the amendment is conditioned on the Amazon approval, the Board should say so on the record; if it is not, adopt the August 19 text — no date — after noticing and hearing it, and adopt nothing tonight.
2. **The Amazon resolution adopts an analysis the public has never seen.** It recites (p. 18) that Notice Letters setting forth "the Agency's analysis of the factors" were mailed October 16, and has the Board "review, concur with, and adopt" that analysis. The letters are in neither the packet posted October 22 nor the one posted November 3. Public Officers Law § 103(e) requires records to be discussed at an open meeting to be posted before it. The Board cannot adopt what the public has not been allowed to read.
3. **Section 5's findings are the applicant's, not the Board's — and none addresses necessity.** "The Company states" appears five times. The utility confirmation (p. 22) is recited for a facility about which the Agency certified in October, under § 89(3)(a), that it holds no utility correspondence and no record of electric demand. "Demonstrated public support" (p. 21) is recited in a packet holding 75 pages of testimony with no speaker in favor and none of the "letters of support" it mentions. Salaries of $37,440–$60,000 are recited with no finding that they are "industry leading," as the Job Creation category requires. The Senator states that Amazon has "answered the monitor's questions"; the Agency has certified it holds no record of that meeting, and no finding on necessity appears anywhere in the resolution.
4. **The resolution is the October 28 draft.** It recites that the jurisdictions were heard "at this October 28, 2026 meeting" (p. 19) — a night on which the Chairman announced no Amazon action and counsel said the subject was "not about Amazon" — is dated "Adopted: October 28" (p. 25), certifies adoption October 28 (p. 27), and lists Dr. Odock, whose service ended that night.
5. **No vote may be taken without the Monitor's written approval** (§ 912-b(3)(f)(iii)). Before the item is called, state on the record when the proposed contract was delivered to the Monitor under § 912-b(3)(d) and whether his written approval has been received. If it has not, the statute does not permit the vote.

Every objection in Protect Orange County's prior submissions is renewed. We ask that this comment be read into the record.

Respectfully submitted, Pramilla Malick, Chair, Protect Orange County · protectorangeco@gmail.com

cc: Brian P. Sanvidge, State Monitor · Lino J. Sciarretta, Esq., Agency Counsel · Michael H. Sussman, Esq.