

**Orange County Industrial Development Agency**  
4 Crotty Lane  
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Board of Directors Meeting Minutes  
Wednesday, April 19, 2023

**Board Members Present:** Dean Tamburri, Susan Walski, Marc Greene, Giovanni Palladino, James Rinaldi (via Zoom)

**Board Members Absent:** Dr. Vincent Odock

**Staff Present:** Bill Fioravanti, Marty Borrás (YouTube Live), Sue Kaztoff Gen. Counsel (via Zoom), Dean Brady, A/V (via Zoom)

**Others Present:** Martin Hoffman Milamar/Mack Bros, Colleen Hughes CITIVA (via Zoom), Sean Barravacchio CITIVA (via Zoom)

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**I. Call Meeting to Order**

Acting Chairman Tamburri called the meeting to order at 5:40 p.m.

**II. Roll Call**

Mr. Fioravanti acknowledged that 5 of the 6 Board members were present.

**III. Proof of Notice**

Acting Chair Tamburri acknowledged that notice of the meeting had been timely and properly provided.

**IV. In Memoriam of John C. Steinberg**

Mr. Fioravanti notified the Board of the recent passing of former 30-year Board member, John C. Steinberg; a residential developer, and contractor based in Newburgh, NY.

Acting Chairman Tamburri noted last-minute changes to the agenda: Scannell/Amazon would be moved to the May 2023 OCIDA Board meeting and the CITIVA and Milmar/Mack Bros. presentations moved to the top of the agenda respectively.

## **V. Old Business**

**Milmar/Mack Bros. Food:** Mr. Fioravanti reviewed Milmar's OCIDA incentive request for expansion and noted the attention recently received by the Senator because of how Milmar/Mack Bros. responded the OCIDA's application question of whether the project planned to proceed if they did not receive incentives from the OCIDA. Mr. Fioravanti also noted that General Municipal Law calls for a response to the question. He asked Mr. Hoffman to review Milmar's affirmative response and Mr. Hoffman explained that while they would proceed with the expansion without the OCIDA incentive, they would likely have to move the company to New Jersey. Mr. Hoffman also stated that Milmar currently has 300 employees with a majority of the employees being Middletown, NY residents and that the company is still growing. Counsel thanked Mr. Hoffman for reiterating the information previously provided in their application and noted that the company has made significant commitments to job creation in Orange County.

## **VI. New Business**

**Extension Request for CITIVA:** Mr. Fioravanti reviewed CITIVA's request for incentives at the Warwick Tech Park, noted their projected deadline, and their request for a 150-day extension of their OCIDA benefits. Mr. Barravacchio explained CITIVA's request for extension noting the number of delays to the legal cannabis market. He noted that CITIVA is one of 10 registered organizations in the state facing regulatory hurdles including a three-year delayed commencement of retail adult-use sales and stated that the delays have had an impact on CITIVA's projected timeline and their ability to secure financing. Mr. Barravacchio also stated that CITIVA should have some clarity on adult-use regulations on or about July or August of 2023 and that at that point, it would be easier to secure funding.

Ms. Hughes clarified that the adoption of the final regulations after the second round of public comment would not need to be passed in an act of legislation, it would merely be adopted by the board in a similar meeting to confirm approval of the final regulations.

Counsel stated that she didn't see a downside to a short-term extension since extensions are not given that often. She stated that the OCIDA provides benefits based on information provided by the applicant which includes a projected timeline and stated that most projects do close within the timeframe indicated on their application. Counsel acknowledged for the record that any request should be conditioned upon the understanding that additional fees, legal and/or otherwise, incurred by the agency are the obligation of the applicant regardless of whether benefits are conferred.

After questions from the Board, Mr. Barravacchio confirmed that currently, only maintenance work being done around the facility and grounds as mandated by the town of Warwick.

Mr. Fioravanti read aloud CITIVA's application response in the affirmative as to whether the project would move forward without the OCIDA's incentives and asked Mr. Barravacchio to explain their response further. Mr. Barravacchio listed all the factors that underscored the need for and subsequent request to extend their OCIDA incentives.

**A MOTION TO EXTEND THE BENEFITS TO CITIVA FOR 150 DAYS TO INCLUDE ANY AND ALL ADDITIONAL FINANCIAL OBLIGATIONS INCURRED DURING THE EXTENSION WAS MADE BY ACTING CHAIR TAMBURRI, SECONDED BY MS. WALKSI, AND PASSED BY A ROLL CALL WITH 5 AYES.**

## **VII. Minutes**

**A MOTION TO APPROVE THE MARCH 15, 2023, OCIDA BOARD OF DIRECTORS MEETING MINUTES AS PRESENTED WAS MADE BY MR. PALLADINO, SECONDED BY MR. GREENE, AND PASSED UNANIMOUSLY WITH 5 AYES.**

**A MOTION TO APPROVE THE APRIL 10, 2023, SPECIAL BOARD OF DIRECTORS MEETING MINUTES AS PRESENTED WAS MADE BY ACTING CHAIR TAMBURRI, SECONDED BY MS. Walski, AND PASSED UNANIMOUSLY WITH 5 AYES.**

## **VIII. Committee Reports**

**Audit Committee:** Ms. Walski reviewed the Royal Wine waiver request of the Local Labor Law policy. After exhausting all local labor options, Royal Wine was unable to find a local steel erection firm with adequate experience on a steel building of this size. However, Royal Wine has committed to bringing in more local labor to work on the decking around the building to try and compensate and their waiver request was approved.

**Approval of March 2023 Financials:** Acting Chair Tamburri reiterated the recommendation by legal Counsel to have separate Finance Committee meetings for the OCFC and the OCIDA. He noted the discussion regarding CFO-for-Hire fees and the recommendation by Mr. Fioravanti to increase RBT's monthly rate from \$1,225 to \$2,000 due to their continued assistance with different projects which include the 2022 Audit and the changing needs of the OCIDA. He discussed the CDs that are coming due and the opportunity to take advantage of the increasing rates. He stated that recommendations on how to proceed will be made to the Board by the next full board meeting.

**CEO Report:** Mr. Fioravanti passed out a recent news article about the OCIDA Board and Staff's efforts over the past two years to reform the agency. He explained that this was an example of a story pitched by our marketing and communications consultant, Capacity Marketing. He noted his attendance of the annual IDA Academy along with Board member Walski and reminded the Board that they needed to renew their ABO training every three years. He discussed his scheduled attendance at upcoming conferences and events and is expecting feedback from the Board on an IDA "cheat sheet" he created. He stated that he presented to the Legislature and noted the time he has spent recently on advocacy due to the current attention the OCIDA has received.

**A MOTION TO APPROVE THE MARCH 2023 OCIDA FINANCIAL REPORT WAS MADE BY MS. Walski, SECONDED BY ACTING CHAIR TAMBURRI, AND PASSED UNANIMOUSLY WITH 5 AYES.**

## **Approval of March/April 2023 Payables**

**A MOTION TO APPROVE THE MARCH/APRIL 2023 PAYABLES AS RECOMMENDED BY THE FINANCE COMMITTEE WAS MADE BY ACTING CHAIR TAMBURRI, SECONDED BY MR. PALLADINO, AND PASSED UNANIMOUSLY WITH 5 AYES.**

Mr. Greene asked for an update on the office space and Mr. Fioravanti stated that the landlord of the 555 Hudson Valley location opted to move forward with another renter and that the best option for the OCIDA at this time was to remain at the 4 Crotty Lane location with a shorter-term lease and paying the same rate it would have for the 555 Hudson Valley location. Once he receives a lease for the 4 Crotty Lane location, he will bring it to the Board for review.

Acting Chair Tamburri reminded the Board that the Scannell/Amazon Final Resolution discussion was moved to the May 2023 Board Meeting.

Mr. Greene discussed the recommendations for the CDs and the Money Market made at the Finance Committee meeting. He reviewed the CDs that will come due in June and recommended that the CDs of \$250,000 be combined into a 6-month CD. He also recommended that the three CDs coming due by October 5, 2023, be rolled into a three-month CD and take advantage of the rates. Action to be taken at the next Board meeting.

## **IX. Adjournment**

**MOTION TO ADJOURN THE MEETING WAS MADE BY ACTING CHAIR TAMBURRI, SECONDED BY MR. PALLADINO, AND PASSED UNANIMOUSLY WITH 5 AYES.**

**THE MEETING CLOSED AT 6:40 PM**