

**Orange County Industrial Development Agency**  
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Board of Directors Meeting Minutes  
Wednesday, February 15, 2023

**Board Members Present:** Michael Torelli, Dean Tamburri, Marc Greene, James Rinaldi, Dr. Vincent Odock, Giovanni Palladino

**Board Members Absent:** Susan Walski

**Staff Present:** Bill Fioravanti, Kelly Reilly, Sue Kaztoff Gen. Counsel (via Zoom), Dennis Brady, A/V (via Zoom)

**Others Present:** Maureen Halahan and Connor Eckart of the OC Partnership, Robert Murray, Gwendolyn Thames, Catherine Lemmers of Scannell Properties #600, LLC and Amazon.com Services, LLC

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**I. Call Meeting to Order**

Chairman Torelli called the meeting to order at 5:44 p.m.

**II. Roll Call**

Mr. Fioravanti acknowledged that 6 of the Board members were present and Sue Walski was absent.

**III. Proof of Notice**

Mr. Fioravanti acknowledged that notice of the meeting had been timely and properly provided.

**IV. Minutes**

**A MOTION TO APPROVE THE MINUTES FROM THE JANUARY 18, 2023, OCIDA BOARD OF DIRECTORS MEETING WAS MADE BY MR. PALLADINO, SECONDED BY MR. GREENE, AND PASSED UNANIMOUSLY.**

**V. Committee Reports**

**Finance Committee:** The Chairman noted that the Committee reviewed the monthly reports which included typical monthly payables and professional fees. He stated that investments were also discussed, and the Committee made a recommendation to have staff contact current lending institutions to withdraw funds and reinvest in qualified institutions and that this topic would be

added as a new item to be discussed later in the meeting.

**Governance Committee:** The Chairman noted that the Committee met and discussed policy and application revisions also to be discussed under new business. Wants to meet and discuss the UTEP policy and make recommendations on amending the policy.

**CEO Report:** Mr. Fioravanti stated that the 2022 OCIDA audit is nearing completion with a deadline of March 9, 2023. He discussed the new construction project sign and the recent News Channel 12 piece that covered the former Warwick Prison site. He discussed the issue between the two former Accelerator clients and advised the Board that he had received word from the Goshen Library, the local school district, and the Village of Goshen stating that that they have not received their share of PILOT payments. He will discuss the topics with Counsel for guidance.

**Chairman's Report:** Couple of projects that have received funding we are seeing some construction throughout the region some of which have been incentivized by the OCIDA. Looking forward to discussion UTEP revisions and new incentives for the future. Lastly, couple different items coming in front of the board. He reminded the members to make sure their ethics and audit forms are signed and submitted timely. Mr. Fioravanti reminded the Board that the audit committee meeting would be on March 9, 2023, in advance of the March 2023 Board meeting and noted that two waivers will be presented and discussed at that time.

## **VI. New Business**

**Scannell Properties #600, LLC:** Mr. Fioravanti displayed the distribution center in Waywayanda, introduced the applicant and noted that they are only requesting a Sales Tax Exemption and a Mortgage Recording Tax Exemption. He also noted that the project is slated to create 150 full-time positions and 750 construction jobs. Mr. Boone gave a brief overview of Scannell Properties and Ms. Thames reviewed the employee benefits that Amazon offers. Counsel advised that a SEQRA would not be required as the town handled that portion and she confirmed that the application had been completed satisfactorily.

**A MOTION TO ACCEPT THE INITIAL RESOLUTION TO SCHEDULE A PUBLIC HEARING ON OR AROUND MARCH 3, 2023, WAS MADE BY MR. TAMBURRI, SECONDED BY MR. PALLADINO, AND PASSED BY A UNANIMOUS ROLL CALL WITH 6 AYES.**

**Approval of January 2023 Financials:** The Chairman noted that the reports were reviewed at the Finance Committee meeting and a recommendation was made to present them to the full Board for consideration.

**A MOTION TO ACCEPT THE JANUARY 2023 FINANCIAL REPORT AS PRESENTED WAS MADE BY MR. RINALDI, SECONDED BY DR. ODOCK, AND PASSED UNANIMOUSLY.**

**January/February 2023 Payables:** The Chairman noted that that at the Finance meeting, the Committee made a recommendation to present it to the full Board for consideration.

**A MOTION TO APPROVE THE JANUARY/FEBRUARY 2023 PAYABLES AS PRESENTED WAS MADE BY MR. PALLADINO, SECONDED BY MR. TAMBURRI, AND PASSED UNANIMOUSLY.**

**Investments:** The Chairman stated that investment options were reviewed at the Finance Committee meeting and the recommendation by the Committee was to authorize staff and with guidance from the current CPA, contact the institutions and request that they reverse the investments. In the instance that it cannot be reversed, staff will withdraw the funds, for which the OCIDA might be penalized, and reinvest in qualified institutions with all transactions being clearly recorded.

**A MOTION TO AUTHORIZE STAFF - WITH THE ASSISTANCE OF COUNSEL- TO CONTACT THE LENDING INSTITUTIONS AND NEGOTIATE WITHDRAWING FUNDS WITHOUT PENALTY AND REINVEST IN A QUALIFIED LENDING INSTITUTION WAS MADE BY MR. GREENE, SECONDED BY DR. ODOCK AND PASSED UNANIMOUSLY.**

**Approval of 360 Middletown Holdings STE Extension:** Mr. Fioravanti gave an overview of their request and stated that he visited the site and saw improvements inside of the facility.

**A MOTION TO ACCEPT THE EXTENSION FOR 360 MIDDLETOWN HOLDINGS TO CLAIM THE REMAINDER OF THEIR SALES TAX EXEMPTION THROUGH THE END OF THIS CALENDAR YEAR (12/31/23) WAS MADE BY MR. GREENE, SECONDED BY MR. PALLADINO, AND PASSED BY A UNANIMOUS ROLL CALL OF 6 AYES.**

**Revised Application for Incentives:** Mr. Fioravanti explained that Counsel had reviewed and revised the application and included a supplemental section and vital questions and in accordance with state statutes. He explained the prevailing wage and legal fees verbiage and noted that the local labor policy is included in the application and was revised to include Delaware County.

**A MOTION TO APPROVE THE REVISED INCENTIVE APPLICATION AS WRITTEN – SUBJECT TO ANY CHANGES THAT MAY RESULT FROM THE FEE SCHEDULE MODIFICATIONS – WAS MADE BY MR. RINALDI, SECONDED BY CHAIRMAN TORELLI, AND PASSED UNANIMOUSLY.**

**Revised By-Laws:** Mr. Fioravanti noted that the only changes made were the removal of old titles not applicable to the OCIDA at this time.

**A MOTION TO ACCEPT THE REVISED BY-LAWS AS PRESENTED WAS MADE BY MR. PALLADINO, SECONDED BY DR. ODOCK, AND PASSED UNANIMOUSLY.**

**Revised Fee Schedule:** Mr. Fioravanti stated he reviewed the list with Counsel and Bond Counsel shared a comparative analysis. He noted the items that were removed and those he kept on the list and their purpose. He discussed fees for projects that are only requesting some (not all) of the benefits, reasonable fees for smaller projects, sector-based fees, closing fees, late reporting fees, and local labor monitoring fees.

**A MOTION TO ACCEPT THE REVISED FEE SCHEDULE AS PRESENTED, INCREASING THE ANNUAL REPORTING FEE FROM \$1,000 TO \$2,500 AND ADDING LANGUAGE TO THE LOCAL LABOR MONITORING ADMINISTRATIVE FEE TO 1% WAS MADE BY MR. PALLADINO, SECONDED BY MR. RINALDI, AND PASSED UNANIMOUSLY.**

**OCIDA Headquarters Lease:** The Chairman reviewed the conversation from the last full Board meeting and the tabled discussion to allow the Board members to tour the options in Goshen and New Windsor.

**A MOTION TO SELECT 25 MAIN STREET, GOSHEN AS THE NEW OCIDA HEADQUARTERS AND AUTHORIZE STAFF TO EXECUTE A FIVE-YEAR LEASE WAS MADE BY CHAIRMAN TORELLI, SECONDED BY MR. RINALDI. VOTE WAS TWO AYES AND FOUR NAYS. MOTION FAILED.**

**A MOTION TO AMEND THE INITIAL MOTION AND SELECT 555 HUDSON VALLEY AVENUE, NEW WINDSOR AS THE NEW OCIDA HEADQUARTERS WAS MADE BY MR. GREEN, SECONDED BY MR. TAMBURRI. VOTES WAS FOUR AYES AND TWO NAYS. MOTION PASSED.**

#### **VII. Adjournment**

**MOTION TO ADJOURN THE MEETING WAS MADE BY MR. TAMBURRI, SECONDED BY MR. PALLADINO, AND PASSED UNANIMOUSLY.**

**THE MEETING CLOSED AT 7:25 PM**