

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

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4 In The Matter of

5 Re: HAMPTON PARK LLC

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7 Hamptonburgh Town Hall
18 Bull Road
8 Campbell Hall, New York
January 30, 2019
9 11:00 a.m.

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

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24 FRANCES ROTH
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 HAMPTON PARK LLC

2 MR. DOWD: Good morning. I'll start by
3 asking you to stand for the Pledge of Allegiance.

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

6 MR. DOWD: Good morning everyone, my name is
7 Kevin Dowd, I'm local counsel to the Orange
8 County IDA and to my right is Kelly Reilly, one
9 of our administrative staff members. To her
10 right is Fran Roth, our stenographer, everything
11 you say today will be recorded and the IDA board
12 will have a chance to review the actual
13 transcript of the hearing. So we're going to
14 start today by my reading the notice of public
15 hearing. Notice is hereby given that a public
16 hearing pursuant to Article 18-A of the New York
17 General Municipal Law will be held by the Orange
18 County Industrial Development Agency on
19 Wednesday, January 30, 2019 at 11:00 a.m. local
20 time, at the Hamptonburgh Town Hall, 18 Bull
21 Road, Campbell Hall, New York 10916 in connection
22 with the following matter: HAMPTON PARK LLC, a
23 New York limited liability company for itself or
24 on behalf of an entity formed or to be formed has
25 submitted an application to the Agency requesting

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the Agency's assistance with respect to a certain project consisting of: (A) the acquisition by the Agency of a leasehold interest in an aggregate approximately 11.2 acre parcel of vacant land located on Neelytown Road in the Town of Hamptonburgh, Orange County, New York; (B) (i) development of the Land including construction of an access road, grading, installing a well and septic system and creating a pond area; and (ii) the construction on the Land of (1) an approximately 1,750 square foot one story office building; and (2) an approximately 6,000 square foot two story building to be used as an equipment maintenance facility for repairing dump trucks and heavy construction equipment; and (C) the acquisition and installation in, on and around the Improvements of certain items of machinery, equipment and other tangible personal property including but not limited to hydraulic jacks, compressors, air tools, motor lifts, tool sets, storage cabinets, copiers, computers, furniture and fixtures. The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company

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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 mortgage recording tax exemption and a real property tax abatement all consistent with the policies of the Agency unless procedures for deviation are complied with. A representative of the Agency will be at the above-stated time and place to present a copy of the Company's Project application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance. By the Orange County Industrial Development Agency. Dated January 19, 2019. So to begin with, I would ask if anyone from the applicant is present and if they wish to say anything about their application?

MR. NELSON: I'm here.

MR. DOWD: Name please?

MR. NELSON: Glen Nelson. I was brought in

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2 at the last minute, I know of the project but
3 specific questions if I don't know the answers
4 I've got a direct line to Mark Seberton
5 (phonetic) so I can get the answers.

6 MR. DOWD: As far as the summary of their
7 application, the total capital costs are set at
8 \$2,237,000, the sales tax exemptions for
9 construction is estimated to be about \$80,400,
10 and for equipment \$10,200. The mortgage
11 recording tax exemptions is estimated at \$6,000
12 and presently they are requesting a ten year
13 PILOT which over a ten year period would show a
14 \$165,925 tax savings. They presently have 26
15 full time employees and three part time employees
16 which will be retained by this application and
17 within three years they expect to have a total
18 number of full time employees of 31. That being
19 said, sort of a summary of their application, I
20 will now open it to the public. Does anyone have
21 any comments, questions, concerns? If so, now's
22 your time. Yes, sir?

23 MR. MC CLOUD: Walter McCloud, Hamptonburg
24 Planning Board. My only question is I've seen it
25 happen so many times in the past that they get a

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2 ten year exemption and they're gone and the town
3 or village never gets any tax money out of it,
4 that's my concern. If they get the ten years,
5 they should have to stay another ten years and
6 pay taxes.

7 MR. DOWD: Legally we can't do that, we
8 can't require them to stay.

9 MR. MC CLOUD: I know you can't.

10 MR. DOWD: We hear your comment.

11 MR. MC CLOUD: So many have moved out after
12 ten years.

13 MR. DOWD: There's nothing we can do to stop
14 that. Your comment is appreciated. Basically,
15 we're looking to get these jobs here and keep
16 them and again hopefully if the project is a
17 success financially to the applicant they'll stay
18 longer. And hopefully they'll grow and bring
19 more jobs to the community.

20 MR. ARNOLD: Noel Arnold, Vice Chair of the
21 Planning Board in Hamptonburg. The amounts of
22 money you're discussing right now for the IDA I'm
23 assuming it's a grant, is that going to cover all
24 of the expenses for expansion of this operation?

25 MR. DOWD: First of all, we do not give

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2 grants. These are basically tax abatements, tax
3 breaks, tax incentives.

4 MR. ARNOLD: Semantics.

5 MR. DOWD: Everybody thinks we're handing
6 out money to everybody, we're not. So right now
7 with the construction what we do is give them
8 sales tax exemptions on equipment they're
9 planning to use and buy, also for the
10 construction for the office building and this
11 garage. So the estimate is based upon their
12 estimates, their cost estimates of what it's
13 going to cost to build the buildings as well as
14 what they're going to have to furnish it with,
15 that's where that number comes. From that the
16 sales tax is based upon those numbers.

17 MR. ARNOLD: Let's just say \$1 million is
18 the X number so they will end up getting \$1
19 million for them for their construction?

20 MR. DOWD: No, it will be the sales tax on
21 the million dollars, all of that is--

22 MR. ARNOLD: They're still responsible for
23 doing some of the construction?

24 MR. DOWD: They're going to do all the
25 construction work. But we're, what we're giving

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1
2 them is the exemption which is on the cost of the
3 construction, if it costs them a million dollars
4 they get a relief from the sales tax on this
5 million dollars. Same thing with the equipment,
6 they buy all these lifts and pumps and everything
7 they're going to get a tax exemption from the
8 sales tax. That's what we're giving them, that's
9 what they're asking for and we're going to
10 consider giving them. The other thing they're
11 probably taking out a loan from a bank to get the
12 money for this. When that loan is recorded as a
13 mortgage that the bank takes we're going to give
14 them an exemption from the mortgage recording tax
15 in the County Clerk's Office which is about
16 \$6,000.

17 MR. ARNOLD: And on the abatement some of
18 this is going to property taxes, how much is
19 going to affect school taxes?

20 MR. DOWD: The land values never change,
21 they always have to pay a land tax. So they pay
22 the exemptions on the improvements and it's
23 graduated over a ten year period. So on the
24 first year they pay, they don't pay anything on
25 the improvements, they still pay the land tax.

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2 After that, it goes up ten percent until they get
3 to ten years where they pay 100 percent of the
4 full value. So each year the school tax will be
5 going up ten percent on this property on the
6 improvements of the property just like the town
7 tax.

8 MR. ARNOLD: Thank you.

9 MR. DOWD: Any other questions? Good
10 questions. One of the things we understand is
11 that a lot of times people don't understand
12 exactly what we're doing as an IDA. They think
13 we're giving away cash, we're not giving away
14 cash. We are encouraging businesses to come and
15 improve the land, bring jobs to the community and
16 of course the assessed value of the property will
17 go up each year as the abatement goes up from
18 zero percent to a hundred percent.

19 MR. ARNOLD: If I can just make another
20 comment? I understand what your organization
21 does and I do have one little problem with it.
22 I've always had this same problem. I understand
23 encouraging new businesses, I know that you have
24 to have businesses come in, we can't survive
25 without new business. But the established

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2 businesses sometimes take a back seat to the new
3 businesses in terms of assistance that they can
4 get also. Sometimes I have a little hard time
5 understanding that.

6 MR. DOWD: Well, the Orange County IDA has
7 done a couple things. One is that we always also
8 encourage, we try to encourage expansion so
9 existing businesses who want to expand their
10 operations we do give tax incentives for those
11 expansions. That's the first thing. Second
12 thing is we have the Orange County Business
13 Accelerator which I'm sure you've read about in
14 the newspaper about start-up businesses in the
15 Orange County areas. But we also have a program
16 called Accelerated Without Walls, that is
17 basically to assist existing businesses with any
18 issues. We've had issues where people have
19 engineering issues with their engineer, an
20 existing business, they don't know how to go
21 about getting an engineering solution. So we
22 give them the help of a, the assistance of an
23 engineer to help them solve their problems so
24 they can stay in Orange County, they can grow
25 their business and they can, whatever problem

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2 they may have they can achieve that resolution to
3 that problem.

4 MR. ARNOLD: Almost on a level playing
5 field.

6 MR. DOWD: We're making a concerted effort
7 to do that because the board is very interested
8 in existing businesses staying here. Sometimes
9 they don't know they can ask for benefits or
10 incentives.

11 MR. ARNOLD: I would say that's a very
12 important part, they may not realize that.

13 MR. DOWD: They don't. We're trying to
14 educate them. The Accelerator Without Walls
15 program has really expanded over the last three
16 years, we've seen a lot of businesses take
17 advantage of us getting the expertise for them to
18 solve their operational problems sometimes.
19 Okay?

20 MR. ARNOLD: Thank you.

21 MR. DOWD: Anybody else? There being no
22 other comments, questions, I'll declare the
23 public hearing closed. And I thank you all for

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your attendance and questions, thank you.

(Proceedings concluded at 11:10 a.m.)

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

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

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

13

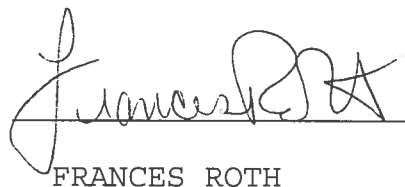
14 That I am not related to any of the parties involved in
15 this matter, and that I have no personal interest
16 whatsoever in the outcome thereof.

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A handwritten signature in cursive script, appearing to read "Frances Roth", written over a horizontal line.

FRANCES ROTH

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