

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
STATE OF NEW YORK

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In The Matter of

RE: CARLISLE CONSTRUCTION  
MATERIALS, INC.

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Hamptonburgh Town Hall  
18 Bull Road  
Campbell Hall, New York  
February 7, 2012  
10:00 a.m.

B E F O R E: JAMES R. PETRO, JR., CHAIRMAN  
Orange County IDA  
P.O. Box 928  
Vails Gate, NY 12584

FRANCES ROTH  
COURT STENOGRAPHER  
168 North Drury Lane  
Newburgh, New York 12550  
(845) 566-1641

## A P P E A R A N C E S:

PHILIP A. CROTTY, ESQ.  
Orange County IDA  
P.O. Box 363  
Cornwall-on-Hudson, New York 12520

ALSO PRESENT: Tom Timmerman, Carlisle Construction  
Materials  
Tom Gandolfini, Local 373  
James D. O'Donnell, IDA  
Meghan Taylor, Orange County Partnership  
Andrea Nilon, Assessor, Town of Hamptonburgh

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MR. PETRO: All right, I'd like to call the public hearing for Carlisle Construction Materials to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. PETRO: I have a sign-in sheet I guess for anybody who wants to sign in. I guess everybody's here, we don't have too many people here. We have IDA attorney Phil Crotty, our Executive Director Mr. Jim O'Donnell, stenographer, Franny Roth, Meghan Taylor from the Orange County Partnership and the principal, your name, sir?

MR. TIMMERMANN: Tom Timmermann.

MR. PETRO: And your name, sir, for the record?

MR. GANDOLFINI: Tom Gandolfini.

MR. PETRO: Representing?

MR. GANDOLFINI: Local Union 373 Plumbers Steamfitters.

MR. PETRO: This application is for a 350,000 square foot building on 31 acres. New jobs are 22, existing are 72. It's a 35 million dollar project. They are seeking a pilot which

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2 is being worked out with the executive director  
3 and also sales tax exemptions. I guess if you  
4 want to go over just briefly what you're doing  
5 just briefly because it's not a planning board,  
6 just kind of for the minutes exactly what you're  
7 doing there that would be great.

8 MR. TIMMERMANN: Description of the process?

9 MR. PETRO: Just of the building. I know  
10 you're making insulation products.

11 MR. TIMMERMANN: Yes, 80 percent of the  
12 building is wide open distribution warehousing,  
13 about 20 percent of the square footage is devoted  
14 to processing, making the insulation. Raw  
15 materials will be received by rail car which is  
16 why rail siting is important for us. One hundred  
17 percent of the finished product is distributed  
18 via flatbed truck, some of our own fleet, most of  
19 the product leaving the facility goes out by  
20 common carrier. As you mentioned, it's a 35  
21 million dollar project, probably split pretty  
22 evenly between building and process equipment,  
23 tanks, rail, that type of thing. The rest of it  
24 being the building itself.

25 MR. PETRO: Also you're not seeking a

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mortgage tax exemption, is that correct?

MR. TIMMERMANN: That's correct.

MR. PETRO: All right, Phil, before we go any further, do you want to read the notice of public hearing?

MR. CROTTY: Notice of public hearing.

Notice is hereby given that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Orange County Industrial Development Agency on Tuesday, February 7 2012 at 10:00 a.m. local time in the Community Room of the Hamptonburgh Town Hall, 18 Bull Road, Campbell Hall, New York 10916 in connection with the following matter: Carlisle C Construction Material Incorporated, a Delaware corporation, for itself or on behalf of an entity formed or to be formed has submitted an application to the agency requesting the agency's assistance with respect to a certain project consisting of (i) the acquisition by the agency of fee title to or leasehold interest in an approximately 31 acre parcel of vacant land located on Eager Road in the Town of Hamptonburgh, Orange County, New York being more

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particularly described as part of parcel number 1-1-21.21. And (ii) the construction on the land of an approximately 350,000 square foot building and related improvements to be used by the company as an office space and space to produce and distribute insulation products for the commercial and industrial waterproofing and roofing markets. And (iii) the acquisition in and around the improvements of certain items of equipment and other tangible personal property including but not limited to tanks, pumps, piping, laminating and packaging equipment and collectively with the land and the improvements to be known as the facility. The agency will acquire title to or a leasehold interest in the facility and lease the facility back to the company. The company will operate the facility during the term of the lease. At the end of the lease term, the company will purchase the facility from the agency or if the agency holds a leasehold interest, the 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

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1 mortgage tax exemption, a mortgage recording tax  
2 exemption, consistent with the policies of the  
3 agency, and a real property tax abatement. A  
4 representative of the agency will be at the  
5 above-stated time and place to present a copy of  
6 the company's project application, including a  
7 cost benefit analysis and hear and accept written  
8 and oral comments from all persons with views in  
9 favor of or opposed to or otherwise relevant to  
10 the proposed financial assistance. Dated:  
11 January 27, 2012 by the Orange County Industrial  
12 Development Agency.  
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14 MR. PETRO: As far as the pilot is  
15 concerned, Mr. O'Donnell, can you bring us up to  
16 date where we are with the pilot at this time?

17 MR. O'DONNELL: We're looking at an 11 year  
18 pilot and Phil is checking whether we need a  
19 deviation for that which we don't think so but  
20 we're checking with Russ.

21 MR. PETRO: Deviation because of the  
22 distribution?

23 MR. CROTTY: No, because it's 11 years as  
24 opposed to 10 years for our standard pilot. I  
25 have a call in to Russ Gaenzle, the bond counsel

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2 this morning but he's not called me back. If  
3 such a deviation is necessary, we just have to  
4 send a letter to the taxing jurisdiction and wait  
5 the appropriate amount of time.

6 MR. PETRO: Yeah, the 30 days.

7 MR. CROTTY: Which is not 30 days anymore,  
8 it used to be but it's just a reasonable time now  
9 and see if they have any comments. And we have  
10 to take those comments into consideration if a  
11 deviation is necessary.

12 MR. PETRO: In my opinion, a deviation is  
13 not necessary because the IDA can do any term  
14 pilot that it deems necessary for any project,  
15 being that we have boiler plate ones, 10, 15  
16 what's it got to do with anything. But that's my  
17 opinion. They'll find out for sure and go from  
18 there so my opinion doesn't really count.

19 MR. O'DONNELL: That's why we have an  
20 attorney.

21 MR. PETRO: That's correct. All right, so  
22 the pilot's being worked on and we're going to  
23 settle that. The next subject is we have to say  
24 this at every public hearing, it's very  
25 important, that being you're building in Orange



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2 County that we use local labor. The mandate of  
3 the Orange County IDA is that it does not have to  
4 be prevailing wage but we certainly suggest that  
5 you try to get together with the local labor and  
6 try to keep everybody happy and get everybody in  
7 the county working, not, you know, anyplace from  
8 out of state. I always say Tennessee, I'm trying  
9 to get away from saying Tennessee because sooner  
10 or later someone from Tennessee is going to call  
11 me. He says Tennessee. We're not picking on  
12 that state, but out of state license plates. So  
13 I have one representative here, talk to them, try  
14 to get something that makes sense because you're  
15 getting Orange County benefits. It helps  
16 everybody along the process.

17 MR. TIMMERMANN: Absolutely, and I think I  
18 stated this in the meeting that I went to, it's  
19 our desire to use as much local labor as we can.  
20 It's to our benefit long term, whether it's  
21 mechanical systems, piping, electrical, our  
22 preference is always to use a local firm because  
23 there's always going to be additions changes that  
24 are going to be made down the road. If we  
25 establish relationships with local contractors up

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2 front, we can continue those relationships down  
3 the road. And that's been very typical of the  
4 previous six projects that we built we have done  
5 that. So it would definitely be our preference.

6 MR. PETRO: Frankly, the IDA will hear  
7 whether or not you are, people go ahead with  
8 their projects but I'll get a phone call and  
9 whether or not it goes anywhere from there I  
10 don't know. But we'll be informed.

11 MR. TIMMERMANN: I will tell you though in  
12 reference to your comment relative to Tennessee,  
13 we have engaged, our general contractor is from  
14 the State of Tennessee, it's a firm that we have  
15 used before on several projects. It's an  
16 architectural, the architect, the designer is  
17 someone we're familiar with in terms of  
18 understanding our business, our process.

19 MR. PETRO: He's from Tennessee? That's why  
20 I'm not in office anymore. I lost, by the way,  
21 did I tell you that?

22 MR. TIMMERMANN: This is from a design  
23 standpoint and they will be the construction  
24 managers and then they'll go out and seek the  
25 subcontractor bids for all the pieces of the

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project and that's again where it would fall to the local.

MR. PETRO: That's the G.C. So he's going to look around to get local labor?

MR. TIMMERMAN: Absolutely.

MR. PETRO: So we're on the same page. Anything else you want to add or ask of the IDA? I think the pilot's being taken care of through the executive director, the sales tax is the full state and county and there's no mortgage tax that you're looking for.

MR. TIMMERMAN: Correct, I think we're set.

MR. PETRO: I would open it up to the public at this point, if there are any comments? All right, there's no comments from the public. You know there's no action taken here today, this is just for informational purposes which we bring back to the full board of the IDA. I'm one member of seven and we'll see where it goes with the IDA board. And I think it looks like everything is in order. I don't know if the town board is aware of the project. We did ask the town board here if they wanted to make any comment, they had no objection. Therefore, they

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didn't want to make any comment. So everything looks fine, just a matter of whatever you work out. Would you like to speak? This is a public hearing.

MS. NILON: No, I'm just coming to listen if it's okay.

MR. PETRO: Just about ready to wrap it up, talking about the Town of Hamptonburgh, it's a special use permit in the Town of Hamptonburgh. You're in that process now, correct, planning board and special permit being taken care of?

MR. TIMMERMANN: That's correct.

MR. PETRO: And I don't have anything else. So unless someone wants to speak which there isn't any, I'm going to close the public hearing. So the public hearing is closed, thanks for coming and good luck to you.

MR. TIMMERMANN: Thank you, appreciate it.

\* \* \*

(End time 10:15 a.m.)

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

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5 That the foregoing is an accurate record of the testimony,  
6 as given, to the best of my knowledge and belief, the same  
7 having been stenographically recorded by me and transcribed  
8 under my supervision.

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

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FRANCES ROTH

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