

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the 1st day of February, 2016 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Green, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING LETTER OF
SUPPORT FOR THE APPLICATION OF
MATRIX NEWBURGH I, LLC

TO THE ORANGE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

Councilman Presutti presented the following resolution which was seconded by Councilwoman Greene.

WHEREAS, Matrix Newburgh I, LLC is making application to the Orange County Industrial Development Agency for the proposed new Matrix Business Park facility at a property on NYS Route 17K designated on the tax map for the Town of Newburgh as Section 95 Block 1 Lot 4.12, such facility to include an approximately 565,000 square foot building, of which an approximately 317,000 square foot portion is to be occupied for a pharmaceutical distribution center using automated pharmaceutical technology, with the balance of the building, approximately 240,000 square feet, being constructed on speculation.

NOW, THEREFORE BE IT RESOLVED, that we the Town Board of the Town of Newburgh hereby authorize the Supervisor to sign and deliver a letter of support to the Orange County Industrial Development Agency (IDA) for the grant to Matrix Newburgh I, LLC of:

- (1) the full sales and use tax exemption,
- (2) the State portion of the mortgage tax exemption,
- (3) a real property tax abatement only for the approximately 317,000 square foot portion of the building to be used as a pharmaceutical distribution center that provides for Payment in Lieu of Tax ("PILOT") payments pursuant to the IDA's Uniform Tax Exemption Policy program, said program doubling the benefits of the standard New York State Real Property Tax Law ("RPTL") Section 485-b program, starting with zero due in the first year of the improvement and thereafter increasing a straight 10% per year for ten years; and

(4) a real property tax abatement for the approximately 240,000 square foot balance of the building being constructed on speculation which provides for PILOT payments equal to the real property taxes due on properties which receive a RPTL §485-b exemption, rather than those which would be due under the IDA's Uniform Tax Exemption Policy; and

BE IT FURTHER RESOLVED that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

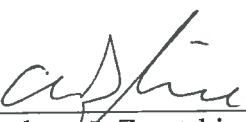
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|--|---------------|---------------|
| <u>Elizabeth J. Greene, Councilwoman</u> | <u>voting</u> | <u>AYE</u> |
| <u>Paul I. Ruggiero, Councilman</u> | <u>voting</u> | <u>AYE</u> |
| <u>James E. Presutti, Councilman</u> | <u>voting</u> | <u>AYE</u> |
| <u>Scott Manley, Councilman</u> | <u>voting</u> | <u>ABSENT</u> |
| <u>Gilbert J. Piaquadio, Supervisor</u> | <u>voting</u> | <u>AYE</u> |

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Andrew J. Zarutskie, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing Resolution, duly adopted by the Town Board of the Town of Newburgh on the FIRST day of FEBRUARY, 2016, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said Resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this NINTH day of FEBRUARY, 2016.



Andrew J. Zarutskie, Town Clerk





Rider Weiner & Frankel ^{PC}
ATTORNEYS & COUNSELORS AT LAW

APPROVED

DATE OF TOWN BOARD ACTION:

FEB 1 2016

MEMORANDUM

VOTE OF TOWN BOARD:

4-0-0-1

TO: HON. GILBERT A. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION OF TOWN BOARD AUTHORIZING
LETTER OF SUPPORT FOR APPLICATION OF MATRIX
NEWBURGH I, LLC TO THE ORANGE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
OUR FILE NO. 800.1(B)() (2016)

DATE: JANUARY 25, 2016

In accordance with Supervisor Piaquadio's request, enclosed please find the following draft resolution for the Board's consideration:

Resolution of Town Board Authorizing Letter of Support for
Application of Matrix Newburgh I, LLC to the Orange County
Industrial Development Agency

The resolution authorizes the Supervisor to send a letter supporting the following for the Matrix project:

- (1) the full sales and use tax exemption,
- (2) the State portion of the mortgage tax exemption,
- (3) a real property tax abatement only for the approximately 317,000 square foot portion of the building to be used as a pharmaceutical distribution center, which provides for Payment in Lieu of Tax ("PILOT") payments pursuant to the IDA's Uniform Tax Exemption Policy program, i.e., payments starting with zero due in the first year of the improvement and thereafter increasing a straight 10% per year for ten years; and
- (4) a real property tax abatement for the 240,000 square foot balance of the building being constructed on speculation which provides for PILOT payments equal to the real property taxes due on properties which receive a RPTL §485-b exemption, without the doubling under the IDA's Policy.

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ATTORNEYS

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Deborah Weisman-Estis
M. Justin Rider
Jeffrey S. Sculley
Donna M. Badura
Alyson Pomerantz

M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL

Stephen P. Duggan, III
John K. McGuirk

OF COUNSEL

Craig F. Simon



MCT/sel

Enc.

cc: Andrew J. Zarutskie, Town Clerk
Deborah A. Smith, Receiver of Taxes (via e-mail)
Molly Carhart, Assessor (via e-mail)
Ronald Clum, Town Accountant (via e-mail)

8. POLICE:**A. Purchase of Vehicles**

Acting Police Chief Donald Campbell requests authorization to purchase four marked 2016 Ford Interceptor sedans at a cost of \$26,808.03 each for a total cost of \$107,232.12. The funds are included in the 2016 police budget in the capital Account #3120.2 and Head Mechanic-Fleet Maintenance Jim LaColla concurs with the purchase.

MOTION was made by Councilman Ruggiero to approve the purchase of four marked 2016 Ford Interceptor sedans at a total cost of \$107,232.12. The Motion was seconded by Councilman Presutti.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.
Motion approved, 4 yes; 0 no; 0 abstain; 1 absent.

B. Purchase of Vests

Acting Police Chief Donald Campbell requests authorization to purchase twelve bulletproof vests which will be purchased from Rosen's Uniforms who are currently an authorized vendor on the New York State contract list. The total cost should not exceed \$8,500.00.

MOTION was made by Councilman Ruggiero to approve the purchase of twelve bulletproof vests to be purchased from Rosen's Uniforms. The Motion was seconded by Councilwoman Greene.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.
Motion approved, 4 yes; 0 no; 0 abstain; 1 absent.

C. Hiring of Dispatcher

Acting Police Chief Donald Campbell requests authorization to offer the position of part time Dispatcher to Michael Graziano at a rate of \$13.52 per hour and a start date of Thursday, February 4, 2016. Mr. Graziano will need to complete his paperwork, fingerprints, physical and drug/alcohol testing.

MOTION was made by Councilwoman Greene to approve offering the position of part time Dispatcher to Michael Graziano at a rate of \$13.52 and start date of February 4, 2016. The Motion was seconded by Councilman Ruggiero.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.
Motion approved, 4 yes; 0 no; 0 abstain; 1 absent.

D. (ADDED ITEM): Police: Police Officer Matthew Nadolny

Acting Police Chief Donald Campbell advised the Town Board that effective Friday, February 19, 2016 Police Officer Matthew Nadolny will be on active military duty for 400 days. Mr. Campbell is requesting approval to provide Mr. Nadolny with the supplemental difference between his military pay and his regular pay as a Police Officer and to provide continued health insurance coverage for his family. Mr. Nadolny's service is covered under the Uniformed Services Employment and Reemployments Rights Act (USERRA).

MOTION was made by Councilman Ruggiero to approve providing Mr. Nadolny with the supplemental difference between his military pay and his regular pay as a Police Officer and to provide continued health insurance coverage for his family. The Motion was seconded by Councilwoman Greene.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.
Motion approved, 4 yes; 0 no; 0 abstain; 1 absent.

9. MATRIX SITE: IDA Agreement

Attorney for the Town Mark Taylor asked for the Town Board's consideration to approve the draft Resolution authorizing a letter of support for the Application of Matrix Newburgh I, LLC to the Orange County Industrial Development Agency.

MOTION was made by Councilman Presutti approving the draft Resolution authorizing a letter of support for the Application of Matrix Newburgh I, LLC to the Orange County Industrial Development Agency. The Motion was seconded by Councilwoman Greene.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.
Motion approved, 4 yes; 0 no; 0 abstain; 1 absent.