

# UCIDA

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Ulster County Industrial Development Agency

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## ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY MINUTES SEPTEMBER 14, 2016

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A regular monthly meeting of the Ulster County Industrial Development Agency was held on Wednesday, September 14, 2016, in the Karen Binder Library, 6<sup>th</sup> Floor, Ulster County Office Building, 244 Fair Street, Kingston, NY.

**Roll Call:**

The following agency members were present:

Michael Horodyski	Chair
Robert Kinnin	Secretary
Michael Bernholz	Member
Randall Leverette	Treasurer
James Malcolm	Assistant Treasurer
John Morrow	Vice Chair
John Livermore	Assistant Secretary

The following agency members were absent:

None

Office of Economic Development Staff:

Linda Clark  
Christopher Fury  
Suzanne Holt

UCIDA Attorney and Bond Counsel:

A. Joseph Scott      Hodgson Russ LLP

Chief Financial Officer:

Christopher Rioux      Ulster County Deputy Commissioner of Finance

Additional Attendees:

Gill Morrissey      2007 Route 9W  
Amit Shah      Darienlake Kingston

Chair Horodyski called the meeting to order at 8:00 AM.

### **PLEDGE OF ALLEGIANCE**

The members of the Agency participated in the Pledge of Allegiance to the flag.

### **READING OF THE UCIDA MISSION STATEMENT**

The mission of the Ulster County Industrial Development Agency is to advance the job opportunities, general prosperity and long-term economic vitality of Ulster County residents by targeting tax incentives, bonding and other assistance to foster creation and attraction of new business and the retention and expansion of existing business.

### **MINUTES**

**Motion** John Morrow, seconded by Robert Kinnin, moved to approve the Minutes of the August 10, 2016 meeting. A copy of said Minutes is on file.

**Vote:** The motion was adopted.

### **FINANCIALS**

Christopher Rioux presented the Financials for the period ending August 31, 2016. A copy of said Financials is on file. He noted that the Ulster County Economic Development Alliance has returned the Agency's \$50,000 contribution to the Ready2Go Fund. Additionally, he reported that he continues to have difficulties with Catskill Hudson Bank. Mr. Rioux was directed to write Catskill Hudson Bank a letter, advise them of what the Agency's requirements are and if, by the end of September, they cannot comply, the Agency will consider their options at their October meeting. It was proposed that the Agency return to M&T Bank.

### **COMMITTEE REPORTS**

#### **Audit Committee**

Committee Chair Randall Leverette reported that the next meeting of the Audit Committee is scheduled at 7:30 a.m., Wednesday, October 12, 2016. (NOTE: The meeting date has subsequently been changed to 7:30 a.m., Wednesday, November 9, 2016.)

#### **Governance Committee**

Committee Chair John Morrow reported that a Governance Committee is scheduled for 8:00 a.m., Monday, September 19, 2016.

#### **Ready2Go**

Suzanne Holt reported that at the August 17, 2016 meeting of the Ulster County Economic Development Alliance, it was unanimously agreed to return the \$50,000 contribution the Agency had made to the Ready2Go Program. The program has been inactive.

## PROJECTS

### Darienlake Kingston

#### RESOLUTION APPROVING THE DELIVERY OF AGENCY REVISED SALES TAX DOCUMENTS FOR THE DARIENLAKE KINGSTON LLC PROJECT

Counsel A. Joseph Scott stated that the Resolution is a request by Darienlake Kingston for the extension of sales tax benefits to give them more time to complete the project.

Mr. Amit Shah, representing Darienlake Kingston, stated that the construction delays and the costs went up because of the slope of the property and underestimated brand requirements. It is expected that the project will open by November 7, 2016.

**Motion:** John Morrow, seconded by James Malcolm, moved to adopt said resolution with an administrative fee of \$500.00.

**Vote:** The motion was adopted.

### 2007 Route 9-W LLC

Chair Horodyski reported that a Public Hearing regarding this project was held on September 6, 2016, in the Town of Lloyd. No public comment was received. A copy of the Transcript of Public Hearing is on file.

Chair Horodyski stated that Agency member James Malcolm had heard some "scuttle-butt" from Dutchess County. Initially, it was thought that a representative(s) from Dutchess County may attend and make comment at the Public Hearing due to the fact that the business was relocating from Dutchess County to Ulster County.

Counsel Scott explained that under the IDA statute you cannot "pirate" people from one part of the state to another by promising IDA benefits. There are exceptions – one of which is they are moving out of state and another is if the move is necessary to maintain or improve their competitive condition. The application asks that question directly. The resolution addresses the issue; the move is necessary to maintain or improve their competitive condition.

#### RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR 2007 ROUTE 9W, LLC (THE "COMPANY")

**Motion:** John Morrow, seconded by Randall Leverette, moved to adopt said resolution.

**Vote:** The motion was adopted. James Malcolm recused himself from the vote.

## OLD BUSINESS

None.

## NEW BUSINESS

Ms. Holt reported that the Office of Economic Development assisted 40 businesses, non-profits and municipalities with grant funding. The Mid-Hudson Economic Development Council announced their priority projects this past week. There are three projects from Ulster County; Star Vodka, Health Alliance Westchester Medical Village and a joint

project between RUPCO and Stockade Works. Numerous trail/rail trail applications were submitted from throughout the county and could transform the county into a tourist destination. Traditionally, the Governor will make his decision in December regarding the 2017 monies. The county is doing two micro-campaigns at this time; one is targeting tech-entrepreneurs and the other second homeowners.

**PUBLIC COMMENT**

As no individual requested the Privilege of the Floor, the Chair closed the Public Comment section of the Agenda.

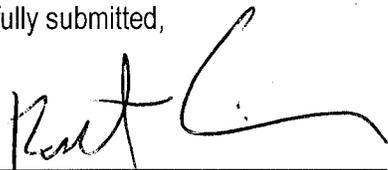
**ADJOURNMENT**

**Motion:** John Morrow, seconded by Randall Leverette, moved to adjourn the meeting.

**Vote:** The motion was adopted.

The meeting was adjourned at 8:50 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Kirrin", written over a horizontal line.

Robert Kirrin  
Secretary