

**CITY OF NEWBURGH  
INDUSTRIAL DEVELOPMENT AGENCY (“IDA”)  
MINUTES OF SPECIAL MEETING  
January 29, 2013**

**Present**

Board Members: Joshua Smith, Chair  
John Penney, Michael Curry, Jerry Maldonado, Nancy Thomas  
Sean O’Shea, Richard Bedrosian  
Counsel: Thomas Whyatt, Esq., Counsel  
Staff: Theresa Waivada, Executive Director  
Ian MacDougall, Planner  
Attendees: George Figueroa

1. **Roll Call**: The Chairman called the meeting to order at 7:15pm. A quorum was present.
2. **Proof of Notice of Meeting**. Accepted.

*The Chairman explained that the Agenda items relate to the disposition of Agency property of an estimated 15 acres located at Scobie Drive to an LLC established by Hudson Valley Lighting, established the transfer of adjacent City of Newburgh property of an estimated 2+ acres to the Agency and adopted SEQRA findings and authorization to join 5 Scobie Partners, LLC in an application to the Brownfield Cleanup Program to provide tax credits to facilitate the costs of remediating the site.*

3. **Resolution 2013-1-29-1: SEQRA Findings and Authorizing the Chairman to Execute an Agreement with 5 Scobie Partners, LLC for Sale of Land**

Mr. Whyatt reviewed the resolution regarding disposition and development of IDA property on Scobie Drive. David Littman, Manager of 5 Scobie Partners, LLC, signed the Contract of Sale, which includes a transfer of the parcel to the LLC, only if the property is accepted into the BCP Program and if the LLC decides to move forward. All of the IDA’s costs incurred in the process will be paid through an escrow account of the LLC, including the appraisal, administrative costs and legal expenses. This is a binding agreement for the IDA if the LLC decides to move forward. The Board asked about the future taxes and employment figures. Mr. MacDougall advised that taxes could exceed \$200,000 and employment would be approximately 160 with anticipated expansions.

Mr. Penney: Motion to approve Resolution 2013-1-29-1,  
Mr.: Maldonado: Motion seconded.  
**VOTE: Unanimously approved**

4. **Resolution 2013-01-29-2: SEQRA Findings and Authorizing the Executive Director to Execute and Submit an Application to Participate in the NYS DEC Brownfield Cleanup Program**

Mr. Whyatt explained the resolution. Mr. MacDougall explained which documents are to included in the BCP application for the project. Mr. Whyatt noted that the City Council, on January 28, 2013, passed Resolution 143, authorizing the City Manager to convey a portion of City property to the IDA as part of the land disposition agreement for the proposed project.

Mr. Curry: Motion to approve Resolution 2013-1-29-2  
Ms. Thomas: Motion seconded.  
**VOTE: Unanimously adopted.**

The Special Meeting concluded at 8:15pm.

Mr. Penney: Motion to enter into executive session.  
Mr. Curry: Motion Seconded  
**VOTE: Unanimously approved.**

**Following the conclusion of the meeting, documents required for the submission of an application to the DEC were executed to enable the application's delivery to the DEC the following day.**  
The Board reconvened at close of the Executive Session. No actions were taken.

Respectfully submitted,

C. K. Boyle  
Recording Secretary  
January 29, 2013