

DRAFT
CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY (IDA)
MINUTES OF MEETING
July 17, 2014

Present

Board Members: Joshua Smith, Chairman
Richard Bedrosian, Mike Curry, John Penney, Nancy Thomas
Absent: Austin DuBois and Jimmy Mera (excused)
Counsel: Thomas Whyatt
CFO: Craig Skelly
Staff: Theresa Waivada, Executive Director

Guests: Al Weiss, FDG, LLC
Joel Goldberger
Bill Conyea
Michael G. Ciaravino, Newburgh City Manager
Jane Johnston, The Newburgh Advocate

1. **Roll Call:** Chairman Smith called the meeting to order at 6:40 pm. A quorum is present.

The Chairman requested a change in order for the agenda, and moving Item #6, Foundry Update and Introduction of City Manager, to Item #2.

2. **Foundry Update:** Mr. Weiss introduced Mr. Joel Goldberger. Mr. Goldberger is the principal for the LLP that will be formed to undertake the completion of the project. Mr. Weiss advised that Community Preservation Corporation approved a mortgage for the project, but that the letter of commitment letter is being finalized and that the Agency will receive a copy. Chairman Smith asked that Mr. Weiss and Mr. Goldberger work closely with the IDA's Executive Director and Counsel to keep the momentum moving forward. Should a special meeting of the board need to take place before the next regularly scheduled board meeting in September, Chairman Smith assured Mr. Weiss and Mr. Goldberger that a meeting would be convened to handle any necessary paperwork from the IDA. Also, as the commitment letter is pending, the mortgage closing and other items on the schedule may need to be adjusted accordingly. The Executive Director and Counsel indicated that once the mortgage schedule is established, the schedule in the Stipulation Agreement may need to be amended.

Introduction of City Manager:

Chairman Smith introduced the new City Manager Michael Ciaravino and then introduced the IDA Board. The Chairman addressed many topics with the City Manager, giving a history of the organization from the time that the current board was seated, along with events that happened to bring them to this point in time. Among items discussed were: Article 78 with the City of Newburgh, the City's use of the cell tower, GEMMA development bonds, Scobie Drive/Hudson Valley Lighting Project, future economic development, streamlining process, SEQRA, The Foundry, zoning, shovel-ready sites. Several board members shared their knowledge of the city and what they perceive to be the highlights and other areas that could use some improvement. The City Manager then reported on

his activities since taking office. He stressed the importance of the Agency's support in economic development. The Chairman indicated that the City Manager is welcome to attend the Agency's meetings in the future, noting that meetings are held on the third Monday of the month.

3. **Proof of Notice of July 17, 2014 Meeting** was presented.

4. **Approval of the June 16, 2014 Minutes**

Mr. Penney: Motion to approve the June 16, 2014 minutes as presented
Ms. Thomas: Motion seconded.
Discussion: No discussion.
VOTE: Unanimously passed.

5. **Request for Communications**

Executive Director Teri Waivada advised that a notice from NYS Empire State Development was received and that the volume cap for 2014 is \$477,612. The Agency would have to ask New York State for additional volume cap should it receive an application from a manufacturing firm. Bond initiation fees are excessive for projects less than three-to-five million dollars.

Foundry Quarterly Report is provided in each member's *package*.

The Agency received and is questioning a tax bill from the NYS Department of Taxation and Finance for corporation tax. The Agency will ask the Department for clarification.

The ABO Annual Report once again reported that the NLDC (Newburgh Local Development Corporation) is not in compliance. The Chairman noted that the IDA Board asked for a meeting with the City Council to review the status and existence of the Corporation. A former city manager advised he would ask PACE to review a dissolution. The Executive Director will discuss the issue with the City Manager and Corporation Attorney.

6. **Request for Bills; Treasurer's Report**

Treasurer Michael Curry presented the Treasurer's Report as of July 17, 2014. The opening balance is \$852,333.09, drafting check numbers 2163-2168 for a total of \$11,872.85, which includes a \$6,000. check to be deposited into the newly opened Lessor Security Deposits Account; receipts for the month are \$14,238.94; with a closing balance of \$854,699.18.

The Applicants Fund Account balance of \$30,013.69 includes interest of forty-nine cents (.49).

At the next meeting we'll be reporting on another account.

Mr. Penney: Motion to pay checks numbered 2163-2168
Mr. Bedrosian: Motion seconded.
Discussion: No discussion.
VOTE: Unanimously carried.

7. **Report from the Chair**

Chairman Josh Smith called everyone's attention to the report that is in their folder Quassaick Creek Watershed Management Plan, Executive Summary, June 2014. The report has been adopted by

Orange County and the Quassaick Creek Watershed group. Also, on July 15th, the Chairman attended a meeting of the City of Newburgh Planning Board. Agenda item under New Business, Index No. 2014-11, the site plan for 5 Scobie Drive/Hudson Valley Lighting (158,000 sq. ft. light manufacturing warehouse/office building) was presented and approved.

8. **Report from the Executive Director**

Executive Director Teri Waivada reported that Counsels have generated a Draft Straight Lease Transaction Application for Financing. It will be sent to the board for review. Questions on the application should be forwarded to the Executive Director. The Draft will be presented for adoption at the September meeting of the Agency. A draft of an information brochure on the IDA will be distributed in August for Board review. The September Agenda will include a presentation on economic development activities and marketing currently underway.

9. **Report from Counsel**

IDA Counsel Tom Whyatt advised Corwin Management PILOT payment issue is closed. Payment was received by the city and deed transferring the property back to Corwin was filed.

Counsel informed the board that he and Executive Director Waivada will work closely with The Foundry Group to get this project underway and completed.

10. **Committee Reports**

Audit Committee: Committee did not meet.

Governance Committee: Committee did not meet.

11. **Old Business**

No old business to discuss.

12. **New Business**

No new business to discuss.

13. **Adjourn**

There being no further business to come before the board, on a motion made by Mr. Penney and seconded by Nancy Thomas, the board unanimously agreed to adjourn the meeting at 8:30 p.m.

The next meeting of the Agency is tentatively scheduled for September 15.