

UCIDA

Ulster County Industrial Development Agency

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY MINUTES May 10, 2017

A regular monthly meeting of the Ulster County Industrial Development Agency was held at 8:00 a.m., Wednesday, May 10, 2017, Karen Binder Library, 6th Floor, Ulster County Office Building, 244 Fair Street, Kingston, NY.

Roll Call:

The following agency members were present:

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

Office of Economic Development Staff:

Suzanne Holt
Bernadette Andreassen

UCIDA Attorney and Bond Counsel:

A. Joseph Scott Hodgson Russ LLP

Chief Financial Officer:

Christopher Rioux

Additional Attendees:

Evelyn Heinbach
Michael Ham – International Union of Operating Engineers Local 825
Geddy Sveikauskas, Ulster Publishing
William Kemble, Daily Freeman

The meeting was called to order at 8:00 a.m.

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 Randall Leverette, moved to approve the Minutes of the April 12, 2017 meeting. A copy of said Minutes is on file.

Vote: The motion was adopted.

FINANCIALS

Chief Financial Officer, Christopher Rioux, remarked that there was nothing new to report outside of the receipt of several application fees for the pending projects. In response to a question raised by Robert Kinnin regarding moving accounts, Mr. Rioux stated that the County recently went up for a full banking RFP and the responses from that were recently received. Once Mr. Rioux has had an opportunity to meet with the Commissioner of Finance and review the responses, he will have a good sense of where the accounts may be placed and will give a report to the Board at the next meeting.

Motion: James Malcolm, seconded by John Morrow, moved to accept the financials for the periods ending April 30, 2017. (A copy of said financials is on file.)

Vote: The motion was adopted.

COMMITTEE REPORTS

Audit Committee

Randall Leverette, Audit Committee Chair, reported that a 1st Quarter meeting will be held at 7:30 a.m. on June 14, 2017.

Governance Committee

Chair Michael Horodyski made a proposal to form a Project Committee whereby applications of future projects would be filtered through such a committee prior to the Board's review. Several members shared favorable responses to this idea stating that, among other things, it would be a good way in which to share the application earlier in the process and allow the members to have a better awareness of the project.

John Morrow and Randall Leverette volunteered to be members of the proposed Project Committee.

It was also recognized that the proposed Project Committee would not decide on the application. Their purpose would be to present their recommendations to the full Board for further review and determination.

Chair Michael Horodyski asked that Attorney A. Joseph Scott and Suzanne Holt put together a framework for the Project Committee with a draft Charter and policy for the same. The Governance Committee will then review the proposed framework and make a recommendation to the full Board, and the Board will vote for the establishment of the committee and subsequently populating it.

John Morrow presented an idea to have a policy instituted whereby the position of Chair of a public hearing would be offered to that member of the Board who is living in the community where the project is being proposed. Chair Horodyski stated that he is usually amenable to chair future Public Hearings. Governance will discuss the same at the next meeting.

SAUGERTIES NY DEVELOPMENT, LP

Copies of the transcript from the May 1, 2017 Public Hearing was provided to the Board for their review. It was noted that several comments were made by two Town Board Members, the Town Supervisor, a member of the School Board, and attorney, Michael Catalinotto. The basis of their comments involved a concern with the amount of time given to the public regarding notification of the hearing. Chair Horodyski reiterated that notifications were adequate, timely and in accordance with criteria. (A copy of said transcript is on file.)

No vote or action on the project will be made at this time.

2-4 KIEFFER LANE, LLC

The Public Hearing was held on May 4, 2017. The transcript from that hearing will be forthcoming. Chair Horodyski reported that the hearing was chaired by Randall Leverette and there were many attendees including a number of employees of the applicant who expressed their affinity to the company as well as several members of organized labor (Workers Alliance for Justice) who spoke unfavorably about issues of past projects and past employment practices of the applicant. Mr. Costanzi, from Costanzi Crane, made very pointed comments about crane comparisons: what is being purchased to what is already on his site being in Ulster County for 43 years.

Chair Michael Horodyski stated that the Board will need to verify the project is a unique, good or service being offered in the County of Ulster. As the next step, the Board will be looking into engaging a third-party consultant to compare cranes located in Ulster County now to cranes that will be purchased by the applicant which will be subject to the sales tax exemption. Furthermore, the applicant and his attorney have been made aware of some inconsistencies and disclosures on the application; and they will be providing the Board with an explanation in support of those statements.

Chair Horodyski advised the Board that no action will be made today and further informed the Board that the Public Hearing was not closed. It is being kept open for thirty days pending written comments.

A discussion pursued regarding the definition of "unique". This discussion will continue upon the receipt of the information sought by the third-party consultant.

HENRY STOUT / CREATIVE ENVIRONMENTS LLC, d/b/a FULL MOON RESORT

A Public Hearing is scheduled for June 7, 2017 at 7:00 PM at the Town of Shandaken Town Hall. John Livermore previously volunteered to chair this hearing. Attorney A. Joseph Scott reported that the sale tax credit for this project was completed.

OLD BUSINESS

NYS Department of Labor Letter to UCIDA regarding Public Works Enforcement Fund

For informational purposes, the Board was given a copy of a letter submitted by the IDA to the NYS Department of Labor regarding Public Works Enforcement Fund in response to DOL's initial letter dated March 27, 2017. (A copy of said letter is on file.)

NEW BUSINESS

UCIDA Board Retreat

A discussion was held regarding a Board retreat. Chair Horodyski stated that the objective of the retreat would focus on the mission of the IDA insofar as how it is being delivered and communicated and to entertain possible ways to improve upon them. The retreat will include a presentation by Attorney A. Joseph Scott. Chair Horodyski would also like to have a PARIS expert attend the retreat to edify the members with regard to the preparation of the PARIS report.

Chair Horodyski asked members to check their calendars for possible dates in July or August as well as suggestions for a venue and to relay this information to Suzanne Holt so that a mutual date and place can be confirmed.

Invoice from Galileo Technology Group, Inc.

A copy of the second invoice from Galileo Technology Group, Inc. was presented to the Board for informational purposes only. No approval of the same is required since payment was previously approved in January by the Board.

PUBLIC COMMENT

Mike Ham, from Kingston, a representative of the International Union of Operating Engineers Local 825, spoke about the term "uniqueness" of cranes and 2-4 Kieffer Lane, LLC. He conferred with Bay, one of the largest crane companies in the Northeast, and they expressed an interest in an offset of taxes when purchasing new cranes. Mr. Ham commented "This may be a "slippery slope".

ADJOURNMENT

Motion: John Livermore, seconded by Robert Kinnin, moved to adjourn the meeting.

Vote: The motion was adopted.

The meeting was adjourned at 8:41 a.m.

Respectfully submitted,

Robert Kinnin, Secretary