



NAME

4-21-21 UCIDA Board Meeting Part Two [https://www.youtube.com/watch?v=Fd3\\_VYLtA6I](https://www.youtube.com/watch?v=Fd3_VYLtA6I)

DATE

April 28, 2021

DURATION

47m 44s

12 SPEAKERS

Rose Woodworth  
James Malcolm  
Joe Scott  
Richard Jones  
Daniel Savona  
All  
Orlando Reece  
Michael J. Ham  
T. Escobar  
unknown  
Cathy Hobbs  
Bill

START OF TRANSCRIPT

**[00:00:01] Rose Woodworth**

And it's live on YouTube.

**[00:00:02] James Malcolm**

You've got it. Thank you very much. OK, we're back. We're working on our secret handshake. We can show you what there is one. Thank you for waiting on us. That brings us to financials.

**[00:00:16] Joe Scott**

Sorry if I if I may. We've come back into full, full session. There was no action taken during executive session and the time is 9:25, and back to you chair. Thank you.

**[00:00:27] Rose Woodworth**

Thanks, Joe.

**[00:00:27] James Malcolm**

You're right there. Right. OK, that takes us to financials.

**[00:00:27] Richard Jones**

Go ahead Rose.

**[00:00:36] Rose Woodworth**

Ok, so there were two applications that came in and that two thousand dollars and application fees, there were administrative fees for March were very high. But I don't I mean, we had I'm sure you're all aware we have four projects and we're trying out end of year. It's also not that much higher than last year at this time. The auditing fees, some of, UHY was doing progressive billing now. So they sent some of their bill for some of the work they had done so far. And that was paid. That should not have been paid because it's more than twenty five hundred dollars without board approval. And it was an oversight here because of the new staff in the office. So because that happened, we have a new procedure in place that I will sign off on all of the bills as well as whatever board member signs the checks, signing off on all the bills. So that won't happen again. Luckily, it is a bill that we would have paid, but I just wanted to to bring that up. Joe, should we vote that that's OK. Should that be paid?

**[00:01:52] James Malcolm**

You're on double secret probation now.

**[00:01:55] Rose Woodworth**

I know.

**[00:01:56] James Malcolm**

So I just want to let everybody know that. But yeah, I think you should present the bill and I don't know if it's proprietary. You want to get into specifics, but there's a bill for such and such presented and we'll make a motion on.

**[00:02:10] Rose Woodworth**

Ok, so should I email the bill out after this meeting?

**[00:02:14] James Malcolm**

Do it right now.

**[00:02:17] Rose Woodworth**

Bring up the bill.

**[00:02:18] James Malcolm**

Yeah.

**[00:02:20] Rose Woodworth**

OK. Give me one minute.

**[00:02:26] James Malcolm**

Ok, then send it out, (inaudible)

**[00:02:29] Rose Woodworth**

It's not digital. It's paper.

**[00:02:32] James Malcolm**

You could just tell me what the bill is and then you can follow up...

**[00:02:34] Rose Woodworth**

Thousand seven hundred fifty dollars towards the auditing work from UHY. For the audit for 2020.

**[00:02:40] James Malcolm**

I'm going to make a motion to pay the bill. Can I have a second?

**[00:02:45] Richard Jones**

Second.

**[00:02:45] James Malcolm**

And on the question, we're going to it'll be paid contingent.

**[00:02:53] Daniel Savona**

Could you mute your phone please.

**[00:02:57] James Malcolm**

My bad. I'm sorry. To be contingent based on the electronic copy that gets sent to us, OK, that it reflects what we're voting on. So I have a motion a second. We're on the question. Anyone else on the question? All those in favor.

**[00:03:16] All**

Aye.

**[00:03:16] James Malcolm**

Opposed. Carried. I am glad you put a safeguard in place.

**[00:03:21] Rose Woodworth**

Yep. So I realize that happen. We put that safeguards in place so it won't happen again. Other than that, it was just the normal cost, the insurance paid for part of the year and then one hundred dollars towards the PPE grants was paid out for staff time in the month of March because there were no grants out of the IDA for March.

**[00:03:45] James Malcolm**

That's under Finance.

**[00:03:51] Rose Woodworth**

That's yes, that's it for me, Rick, did you have anything you wanted to add.

**[00:03:56] Richard Jones**

No. Just Rose and it may come up later? You and I talked about insurance and where are we going to make the recommendation that we chatted about in terms of insurance.

**[00:04:05] Rose Woodworth**

Yes I have that under my report.

**[00:04:11] Richard Jones**

And the other thing, I guess, Rose, is that the CD's are coming due, so we've got to discuss where we are.

**[00:04:17] Rose Woodworth**

I already pulled all the rates, so I will discuss that with you after.

**[00:04:22] Richard Jones**

We catch up later today or tomorrow on that.

**[00:04:29] Rose Woodworth**

Yup. That's it for financials.

**[00:04:29] James Malcolm**

OK. That brings us... Yeah, that's it, but make a motion to accept the financials as presented.

**[00:04:37] Orlando Reece**

I'm gonna make a motion to accept the financials chair.

**[00:04:39] Daniel Savona**

I'll second.

**[00:04:40] James Malcolm**

All in favor.

**[00:04:43] All**

Aye.

**[00:04:43] James Malcolm**

Opposed. Carried thank you. That brings us to the chair's report. We're very busy, we're very busy, and that's a good thing, it can be a little bit hectic. Sometimes we all lose sight of our priorities and getting things in at a certain time and whatever, but at the end of the day we get it done. I hear whispers about all kinds of development in the area, and we're here, we're always here willing to listen and hopefully applicants that come in, if they're successful in the process, there's a ripple effect to other businesses in the area because that's what the goal is of this IDA. So that's my report. Anybody got a question? No. OK. Chief executive officers report.

**[00:05:40] Rose Woodworth**

We are all set up at M&T Bank, most of the money was moved this month, so it's not reflected on the financials for the last month, but we're waiting on the rest of the checks to clear out of the Bank of Green County before fully closing it out. I also finally have the M&T Bank credit card on hand, and I've used it a couple of times, mostly for the monthly recurring charge for Zoom. instead of being reimbursed personally. The open meetings law was again extended by executive order and through May six. I don't believe I know a few of you have asked about having meetings in person again, but last I knew, the county office building is still not allowing the public back in for meetings. So we probably need to continue on Zoom until that happens.

**[00:06:33] Daniel Savona**

Could we meet in person and zoom the meeting live?

**[00:06:36] Rose Woodworth**

We could do that, but. That's up to you, I suppose the only the one thing you should be aware of every time we have a meeting on zoom, to we have transcripts of every single meeting on zoom. So it affects your money. It'd be nice to go back to in person.

**[00:06:58] Daniel Savona**

But at the cost of doing it. OK.

**[00:07:02] Rose Woodworth**

A few very large projects are in the beginning stages, I'm looking forward to the applications coming in over the next few months. Last month we discussed putting all of our insurance with one agency so we can make sure there are no lapses in coverage. Rick and I reviewed the offers from Ulster Insurance and Marshall and Sterling? And we feel the agency should place its insurance with Ulster Insurance

**[00:07:02] James Malcolm**

Based on.

**[00:07:27] Rose Woodworth**

Based on the fact that they were the only ones that helped us when we had questions in regards to doing the technology policy, Marshall and Sterling wouldn't help with that at all.

**[00:07:39] James Malcolm**

Is there any kind of clear big fee structure difference or is it all the same ballpark?

**[00:07:46] Rose Woodworth**

It's literally all the same fees. Nothing would change for the fees.

**[00:07:50] James Malcolm**

Ok. We can certainly make a motion on that, but I would suggest that you put together a small, bullet point deal that you can send out to the board members that they can keep just to take a look at.

**[00:08:11] Rose Woodworth**

So there was there's when we went over this last month, there was no there's no difference in the insurance. The insurance isn't moving whatever company it's worth. It's just who the broker is. So it's just a broken on record. There's absolutely no difference besides who's servicing it.

**[00:08:26] Daniel Savona**

So the carrier is the same the broker is different.

**[00:08:29] Rose Woodworth**

Everything is the same. Yes.

**[00:08:31] James Malcolm**

OK. All right. So can I get a motion to accept the recommendation?

**[00:08:31] Daniel Savona**

I will make a motion to accept a recommendation about transferring insurance companies.

**[00:08:42] James Malcolm**

Do I have a second?

**[00:08:45] Orlando Reece**

Second.

**[00:08:45] James Malcolm**

Thank you, Orlando. Thank you, Mike. All those in favor.

**[00:08:48] All**

Aye.

**[00:08:48] James Malcolm**

Opposed. Carried. Thank you.

**[00:08:51] Rose Woodworth**

Thanks.

**[00:08:52] James Malcolm**

Who needs to or is there contracts or anything to be signed off on?

**[00:08:56] Rose Woodworth**

No, I have the power to do that. And I don't have those yet because I was waiting for the board to vote on it. I spoke with New York State Senator Michelle Hinchey about the tax cap issue for schools. She was the last one I was kind of trying to reach out to. Her team, got back to me about what we might change in the bill to fix the issue because the original bill was already vetoed by the governor. And we want to try to actually get it passed. I spoke with our chair and we agreed the best course of action would be to reach out to the school districts in the county for their input. So I'll be working on that in the coming month.

**[00:09:37] James Malcolm**

Just revisit that for a second. OK, just so everyone in here is aware, it passed the Senate, it passed the House and it sat on the governor's desk. And the reason was why.

**[00:09:53] Rose Woodworth**

So there's a whole written argument about why, but my understanding...

**[00:09:57] James Malcolm**

Give me the gist of it.

**[00:09:58] Rose Woodworth**

That he. The tax cap is something he's taken a lot of pride in. It's something that was created under his administration and he's now open to a lot of changes.

**[00:10:10] James Malcolm**

Right now, he's got marijuana now. So we could probably get this passed.

**[00:10:14] Rose Woodworth**

Probably true.

**[00:10:15] James Malcolm**

And it would help the school districts and it would help development.

**[00:10:18] Rose Woodworth**

Yes, certainly. So, you know, as we discussed, I thought it makes a lot more sense. The schools know more what they need than I know what they need. So I wanted to sit with them and see if they had any suggestions for the bill before bringing it back to the Senator.

**[00:10:32] James Malcolm**

But I think that's good. Collaborative is always better than just taking an action. And no one could say they didn't have any input right.

**[00:10:40] Rose Woodworth**

Yup.

**[00:10:42] Richard Jones**

Rose, it might be a good idea. Just in conducting your survey and getting input, just get everything in writing.

**[00:10:51] Rose Woodworth**

Yes. And I also got some information from Jim Shaunessy. He's done a lot on the tax cap issues. So he had some stuff in writing that he sent over to me so I can send it to the schools as well.

**[00:11:02] James Malcolm**

What I'd like you to do after that is read it and then maybe have a small workshop. So that way people can bring ideas back and forth with each other. You can come up with something that, again, everybody can get behind.

**[00:11:18] Rose Woodworth**

Yes. I've attended quite a bit of continuing education over the last month. There was another full day IDA workshop. Joe Scott presented for the last hour, and I attended a roundtable discussion on renewable and clean energy products and a webinar on the changes coming our way because of the new cannabis laws. That's it for me chair.

**[00:11:45] James Malcolm**

Ok, that's a very good report. Any questions for the CEO? None. Can get a motion to except the report as presented.

**[00:11:57] Richard Jones**

So moved.

**[00:11:58] James Malcolm**

Do I have a Second.

**[00:11:59] Daniel Savona**

I'll second that.

**[00:11:59] James Malcolm**

All those in favor.

**[00:12:03] All**

Aye.

**[00:12:03] James Malcolm**

Opposed. OK, except as presented. Thank you. Committee reports, audit.

**[00:12:12] Rose Woodworth**

So I'll report for Diane, since she's out. On page 13 is the labor report for Loewke Brill for Inness. The total monthly compliance average was eighty two percent. So they're above the seventy five percent that was required for local labor. And they're obviously, since the average is that high, it's only increasing their average. So they're well above it as a project through beginning to date. As far as the audit, the financial statements you all voted on last month and I'm working with UHY to finish tying everything out, there was an extension for submitting everything due to COVID. So we took advantage of it because we had some trouble with a couple of the projects with getting the information that we needed. All of that information is in. I sent all of it over to UHY and I'm looking for a call today with Scott to finish the financials because they can't finish their piece without my piece and I can't finish submitting to ABO without theirs. So that should all be done. The new deadline was last I knew was April 24th.

**[00:13:30] Richard Jones**

Rose, in that context, the report that goes to the county legislature that go out or is that waiting for the getting everything to.

**[00:13:38] Rose Woodworth**

Yeah, that's due in May and no, that did not go out.

**[00:13:42] Richard Jones**

OK.

**[00:13:45] Rose Woodworth**

So that's it for audit chair.

**[00:13:49] James Malcolm**

Finance. Faye's not around.

**[00:13:50] Rose Woodworth**

Yep and there would be no report for finance, there's been no meetings

**[00:13:54] James Malcolm**

While it's on the agenda Rose I have to call for it.

**[00:13:56] Rose Woodworth**

I Know.

**[00:13:58] James Malcolm**

OK, that brings us to governance, Mr. Ham.

**[00:14:02] Michael J. Ham**

Governance. So the governance committee met on April six at nine a.m. We went over several, several different new policies to be created, the discrimination harassment prevention policy and also the sexual harassment prevention policy. We submitted them over to Joe for review. And I believe on page 14, you can review these two these two policies of there. Governance also, with the help from Rick and Rick did a great job along with Rose, the community investment as per the chair's request. We went into a community investment discussion and how we could best serve on that route, moving ahead with everyone in the surrounding areas. Rick did a great job with that. We're in a rough stage of that also right now. But it's moving along and maybe by the next meeting, we may have something that's really solid that we can present to the board and let everybody review. Anybody that's looking for a rough idea of what we have going on and maybe some input I'm sure Rose can get it over to everyone, OK? We also this is the chair's baby and he's always wanted it. And we've been moving ahead with the mentoring. We put together a checklist and a Q&A sheet and along that line, which all the board members understand is of some of the new applications and new clients they have, they don't come to us, they don't get all the information they need. They don't understand it's not such a quick and easy process of applying for the inducements or the grants. And we put together a checklist of common stuff that should be asked along with whether or not you should retain an attorney. We also have a rough draft of that rough sketch of that. Anybody's input on that would like to say, hey, maybe you're missing this or that, please, you know, we'll circulate that also. But we're getting right out there with that. And I think we're in pretty good shape with the mentoring and the community investment agreements.

**[00:16:13] James Malcolm**

I have a quick question. I want to revisit the harassment policies.

**[00:16:13] Michael J. Ham**

Sure.

**[00:16:18] James Malcolm**

Where did you come up with the body of those? Where did you reach out to? Was there existing policies that you took and added to? Just give me a quick overview of that.

**[00:16:28] Michael J. Ham**

Yeah. Chair, we pretty much adopted what the county had in place currently. OK, and once again, I sent it we sent it over through Rose. We send it to Jo. Jo, do you have any comments to further on that?

**[00:16:43] Joe Scott**

You're absolutely right, Michael. They're both county policies, what I did was that I tailored them to the IDA. You know, I changed some some officer positions, some contact points. You know, there's a progression of who you're contacting in connection with any of these incidents, whether it's discrimination or sexual harassment. And then I presented them in draft form for you to review.

**[00:17:14] James Malcolm**

Let me ask a question and then just for my own edification. This is. Are these policies I mean, if an applicant, so to speak, comes in and feels as though they've been discriminated against, not just because we don't think it's a good project or something else, do, you know, can utilize that policy?

**[00:17:45] Joe Scott**

Yeah, it's pretty broad. It talks about people that we do business with and people that are on both sides. So if an applicant comes in and mistreats a member of the staff or a member of the IDA, that's that's applicable. Yes.

**[00:18:01] James Malcolm**

I'm not so much talking about that, I'm talking if it's the other way around, we vet applicants who come in and based on the fact that they're not really sure of the whole process, they get a little discouraged and they get a little annoyed. I'm not that that's there's been other people that been the other way. But I just want to make sure that there's protections for applicants as well as staff, that it's a two way street. So thank you for answering my question.

**[00:18:33] Michael J. Ham**

Other than that chair, we will be scheduling another governance. I know where I don't know we seem out of the norm. It's supposed to be, what, two or three times a year? I see it happening every other month, if not every month. Moving ahead. Once again, I reiterate on what you said earlier, we're very busy and we're consistently updating and reviewing policies and everything and getting advice from counsel every single day. So that's my that's my report chair.

**[00:19:03] James Malcolm**

Great. As a very good report, I want to thank you and your committee and every board member for the time that gets put in. Can I get a motion to accept the government's report is presented, please? (inaudible) yeah.

**[00:19:19] Orlando Reece**

I make a motion, we accept your, Mr. Ham's report

**[00:19:21] James Malcolm**

OK, can I have a second?

**[00:19:24] Daniel Savona**

I'll second.

**[00:19:25] James Malcolm**

Thank you Dan. All those in favor.

**[00:19:28] Rose Woodworth**

Chair

**[00:19:28] James Malcolm**

Opposed. Carried. Thank you very much. Ok.

**[00:19:33] Rose Woodworth**

Chair.

**[00:19:33] James Malcolm**

Yes.

**[00:19:35] Rose Woodworth**

There was a resolution here to approve for adopting these policies. So we would need motions and roll-call vote for that.

**[00:19:46] James Malcolm**

Please.

**[00:19:46] Richard Jones**

I'll make a motion to accept that resolution.

**[00:19:49] Rose Woodworth**

OK.

**[00:19:52] James Malcolm**

I'll second it.

**[00:19:53] Rose Woodworth**

Thank you, Jim. So roll call, James Malcolm.

**[00:19:58] James Malcolm**

Yes.

**[00:20:00] Rose Woodworth**

Diane Eynon is absent and so is Faye Storms. Michael Ham.

**[00:20:00] Michael J. Ham**

Yes.

**[00:20:06] Rose Woodworth**

Orlando Reece.

**[00:20:08] Orlando Reece**

Yes.

**[00:20:09] Rose Woodworth**

Daniel Savona

**[00:20:09] Daniel Savona**

Yes.

**[00:20:11] Rose Woodworth**

And Richard Jones.

**[00:20:13] Richard Jones**

Yes.

**[00:20:14] Rose Woodworth**

Great, thank you.

**[00:20:16] James Malcolm**

That it?

**[00:20:17] Michael J. Ham**

We need to do in both Rose?

**[00:20:20] Rose Woodworth**

One resolution for both.

**[00:20:23] Michael J. Ham**

OK? Just want to make sure.

**[00:20:26] Rose Woodworth**

Yes.

**[00:20:28] James Malcolm**

OK, that brings us the old business. Status of pending projects, page 14 of the report.

**[00:20:38] Rose Woodworth**

Oh page thirty seven.

**[00:20:39] James Malcolm**

Ok, mine says page 14 so...

**[00:20:41] Rose Woodworth**

The old one, right. The old packet (inaudible).

**[00:20:47] Daniel Savona**

Ok, the second to last page of the packet.

**[00:20:52] Rose Woodworth**

Yep.

**[00:20:55] Joe Scott**

Thank you, Chair. Would you like me to present the report chair?

**[00:20:55] James Malcolm**

Yes, I would, sir.

**[00:21:00] Joe Scott**

So on page thirty seven of the materials, the length of the report, the length of the table demonstrates and underscores the comments made by the CEO and the chair that the IDA is very busy with respect to Wildberry, no change. Kingstonian I have had several conversations with them. I would expect that we'll be preparing documents sometime in May. Hold on to your hat, Rick. You'll be getting drafts. We'll send them to you and to Rose before they go out to anyone else so that we make sure that we flyspeck come in and make sure that all the the clawback issues that we've negotiated are included in the documentation. Apherea, we're ready to schedule the public hearing once we've finalized a couple of issues. Similarly with Magruder, RBW, we've held a public hearing and Rose has scheduled a special meeting for the twenty eighth. And we'll be getting resolutions out in the next day or two for consideration at that meeting. And Romeo, the public hearing was held on Monday and I would expect that will be up for discussion at the May meeting. And with that, that's my report.

**[00:22:23] James Malcolm**

I have a question because I'm continually looking at Wildberry, given the date of our last action where the May of twenty eighteen are, we going to have to go back, does that run out? Do we go back after. It's going to be three years. I mean where does that put us.



**[00:22:44] Joe Scott**

Well, there's nothing in the statute chair that has expiration dates. You know, for instance in the local finance law dealing with bond resolutions by towns and villages, there's a ten year, believe it or not, a ten year expiration on their bond resolutions. So if they adopt a bond resolution, don't issue bonds within ten years, the resolutions expired. What I suggest to our clients, because this given the size of the project, given its scope, given other a lot of different issues relating to that project, candidly, I'm not that surprised that there's been some delay. What I do by way of counseling clients is recommend that we hold another public hearing. We're not required to. But given the length of time and the the issues of optics and transparency, that would be my suggestion.

**[00:23:38] James Malcolm**

Did they update their applications or did they give you new information? Rose.

**[00:23:43] Rose Woodworth**

I've not had anything since I've been here.

**[00:23:46] Daniel Savona**

I was going to say has anybody, has anybody spoken to them, considering their industry got crushed to the last year and a half, they they still moving forward with this?

**[00:23:56] James Malcolm**

I don't think it's so much the industry. I mean, I think it's I think it's the political climate. I see. I'm just going to (inaudible) for that project, it's political climate in the town of New Paltz. And that's what the owner of the project has conveyed to me. That's all that's, that's the most I know there. I'm sorry, sir.

**[00:24:21] T. Escobar**

If I may chair, just for record, I'm from the law firm of Cuddy & Feder. Sorry, about the name tag, I was trying to fix it. Good to see you. So I was the attorney of record for if firefighter call for Wildberry. My Firm represents Steve. (inaudible) What I'm going to do and I'm not here today for that, but what I'm going to do...

**[00:24:42] James Malcolm**

This is billable hours, I'll telling Steve (inaudible) All right.

**[00:24:47] T. Escobar**

Yeah, I'll reach out to Steve and tell him the discussion that you had. And I will actually invite him maybe to come to you guys and just just speak and let let you guys know where things are. (inaudible)

**[00:24:59] James Malcolm**

I am very familiar with the Turk family. I actually worked as a waiter at the Rocking Horse Ranch in nineteen seventy nine. But yeah, no, it's been difficult about the prior to the pandemic, you know they went from a water park to something else to something else. So they're good business people and they provide a lot of jobs in the area. So I certainly appreciate you taking it upon yourself to share some of this discussion. That'll be a big help. Thank you.

**[00:25:29] James Malcolm**

Danny did you have something say.

**[00:25:32] Daniel Savona**

Yeah, my questions weren't derogatory towards the Turks, so, you know, I they do a great job out there, Rocking Horse. I was just curious on where they were at this point. So just I didn't want my questions to come from derogatory ones.

**[00:25:44] James Malcolm**

Thank you, sir. Rick, you had something you wanted to add.

**[00:25:47] Richard Jones**

Yeah, a small item. But I'm wondering if we should ask Joe Scott to add that matter around Inness to this pending list. If you remember, I alerted the chair, and the CEO, that Inness changed the property Meets and Bounds by adding another piece of property to the original piece that we gave an inducement to. So small matters, small additions. Some work on the part of the local planning board to adjust things. But I think, Joe, question mark, they're going to need to update with you the documentation on the meats and bounds of the piece of property.

**[00:26:27] James Malcolm**

Rick. I got a question on that myself. I would think that what they came to was with, Versus I mean, it's like Disney Land, they're done, then they go out and they buy another hundred acres somewhere. So I'm not really sure if it's, I mean, unless they're getting unless...

**[00:26:48] Daniel Savona**

It's a separate piece of parcel.

**[00:26:50] Richard Jones**

Well, they took a separate piece of property, they bought it from a third party, another party, and they're adding it to the site plan. So they're coming back to the location.

**[00:27:01] James Malcolm**

So they are adding it to the site plan.

**[00:27:03] Richard Jones**

There adding to the site plan.

**[00:27:03] James Malcolm**

There you go? It's valid.

**[00:27:05] Richard Jones**

Yeah.

**[00:27:06] James Malcolm**

OK.

**[00:27:07] Joe Scott**

Well, I mean, if I may and to be honest, Rick, I haven't looked at your your memo or your email very carefully yet, I was going to reach out to their counsel and indicate that this has occurred and due and ask if they want any action. Adding land to the project takes more land off the tax rolls. Which is probably not some not something that we want to do, maybe something that they want to do. We have done projects with this IDA and other IDA's where there's a staging of the acquisition of the real estate. I to be honest, I think this is something where they're acquiring more real estate for future development or future use. And and it's not at all connected with this project because frankly, if they needed this as part of the mortgage or PILOT, they would have been in on it. But I'm pretty sure...

**[00:28:09] Richard Jones**

Their thought process that but they are adding it to a side plan. They're actually moving one of the buildings from the existing site plan that we would have you would have looked we would have looked at and they're moving it on to the new Parcel. So there's changes to...

**[00:28:23] James Malcolm**

They have to update us then.

**[00:28:26] Richard Jones**

Planning this changes to what (inaudible).

**[00:28:30] James Malcolm**

Then at that point, does it get us back into having to have another public hearing? Because, again, it changes the tax rolls.

**[00:28:38] Richard Jones**

It's a minimal amount of property, but...

**[00:28:40] James Malcolm**

That doesn't matter. It takes it off the tax rolls. So it's not what they brought forward.

**[00:28:47] Michael J. Ham**

Chair.

**[00:28:47] James Malcolm**

Know what we'll handle these things in executive session.

**[00:28:50] Michael J. Ham**

Yeah, chair could a partial like that after the could that be carved out? And excluded from the current agreement.

**[00:28:59] James Malcolm**

If they're moving the building to that parcel, then I don't know what they're carving out, but they know, again, this this is another thing where there's been several, several, several misunderstandings with this applicant.

**[00:29:14] Daniel Savona**

With that project.

**[00:29:16] Richard Jones**

You're moving this far, Mike, the spotlight onto the new piece of property.

**[00:29:20] James Malcolm**

You want to build a project? Do you want to use all your own capital? And you don't want any relief from anything you can do whatever you want to do.

**[00:29:20] Daniel Savona**

Do whatever you want.

**[00:29:28] James Malcolm**

But if you're going to do things and utilize a public benefit, then you have to make people aware of it. Not just in the Town of Rochester or whatever, but.

**[00:29:37] Michael J. Ham**

Well, my next question would be, did anyone from Inness or anyone on the project reach out to anyone on the board?

**[00:29:45] Rose Woodworth**

No.

**[00:29:46] Michael J. Ham**

Nothing. OK.

**[00:29:48] Richard Jones**

Mike, just as it at the meeting. You know, I'm on the planning board (inaudible) was there and I said, you've got to reach out to the IDA. I'm not going to do it for you all. Alert them. But that's not my role. And he said that he would have his attorney contact our attorney or contact Rose. That was a week and a half ago. I guess so. So I said, well, OK, but kind of going to track it because I believe it's important. So that's what...

**[00:30:19] James Malcolm**

I tell you what, if you notify him that we're going to notify the town and now it's going to take it off the tax rolls and we may have to have another public hearing, I'm pretty sure he's going to respond.

**[00:30:31] Richard Jones**

Well, I think it's good that Joe said if Joe could reach out to whoever the attorney is, I think it's Montreal.

**[00:30:37] Rose Woodworth**

Joe and I'll circle back on it and then reach out to him if that's what needs to happen.

**[00:30:45] Daniel Savona**

Don't say circle back.

**[00:30:46] Rose Woodworth**

I know. I know. I thought of that when I started. Sorry, Danny.

**[00:30:49] Richard Jones**

It's a minor sized property as compared to the original property. But I think it's important because it does change (inaudible).

**[00:30:59] Daniel Savona**

But it's also a pattern we can allow. Like Jim says we have to be consistent all the way through. They can't keep buying up small pieces of land and take them off the tax map. We have to be consistent.

**[00:31:11] Joe Scott**

But to be clear, the fact that they change real estate and I apologize, chair to have this, to get into the weeds in an open meeting...

**[00:31:22] James Malcolm**

It is what it is.

**[00:31:25] Joe Scott**

For them to acquire another piece of property without taking any action with us does it doesn't take the property off the tax rolls. This they should be and they could be if they would be exempt and subject to the PILOT. They should have talked to us two months ago.

**[00:31:47] James Malcolm**

Well, I had a father who told me no means no, and I listen to him. But that doesn't that doesn't work with everybody. So, you know, these people have no I don't know how you get to be that successful of a developer when there's always a misunderstanding. So, again, that brings us back to our mentoring programs, that brings us back to a lot of things. And I'm not going to say circle back, but...

**[00:32:14] Daniel Savona**

That's one of those ask for forgiveness, not permission.

**[00:32:17] James Malcolm**

When we get done with our agenda, we're going to go back into executive session. That's all right with everyone.

**[00:32:24] Rose Woodworth**

As part of this, because it's a pending project. I thought we would discuss the Apherea Inc. Issue as well.

**[00:32:31] unknown**

I spoke to my associate

**[00:32:34] Rose Woodworth**

Ok, hold on his. He doesn't realize he's not muted. There you go. OK, my chair does make sense for Mike to take the lead on that.

**[00:32:46] James Malcolm**

Yeah, I mean, we got people waiting here. Absolutely, thank you for joining us and we appreciate you working along with us on on the process. So chair of governance, Mr. Ham Please.

**[00:33:01] Michael J. Ham**

Hi, Cathy, how are you today?

**[00:33:03] Cathy Hobbs**

Hi, good morning.

**[00:33:06] Michael J. Ham**

So, Cathy, you know, we went through, you know. We all we met and we discussed about the clearing of the property. OK, we spoke as a board and I believe we all came in agreement. Is that moving ahead? You know, all the stuff has to come underneath the IDA guidance, OK? You just have to keep us up to speed. We have to be informed at all times. There's going to be no action taken against your project or anything with the clearing. We also there's I'm a labor guy and James is a labor guy and other guys, they're very up to speed on the end of that process. We understand what was going on and we look at it is more destruction than it was construction and moving ahead. We'll answer all questions, we see that you retain the counsel to help you through the process even better. We had a good, good spirited meeting and I think you're taking every step to move the project ahead. So at this time, the recommendation coming out of governance of that meeting was to the entire board that we take no further action against the previous destruction that was done, the clearing at the at the project. OK.

**[00:34:29] Cathy Hobbs**

Thank you. Thank you, everyone. And Mr. Nichols is the council. So any questions relating to anything application or I have his guidance.

**[00:34:42] James Malcolm**

What we plan on doing. And you heard a little bit about it in the chair. Governance caught early on. You know, people think the process is over once you've come in and you've been successful as an applicant. And honestly, that's just when it starts. So what we'll do with all our applicants if they're successful, besides asking them to take part in our mentoring program, what we'll do is we'll forward all the benchmarks and timelines to your attorney of record for the project. And that way, you know, the legal ease. It's you know, you may be busy that day and it passes by your desk. And I'm not looking for you to incur extra costs. But I just I don't want people to come here feeling as though they've been hoodwinked or bamboozled or anything else because it's difficult enough running a business and the steps that we're taking are being put in place to make it a soft landing for you. So. Bully, bully me any push back that you had is minor compared to some of the ones that we've had. I think everybody in the world wants to come up to Ulster County and be on the IDA, but that's that council. Do you have anything you want to add? Counsel for the applicant,

**[00:36:10] Joe Scott**

No, I look forward to working with with your attorney, Cathy had experience with him in the past. All very positive. So I'm looking forward to a very good relationship and a successful completion of the project. All good.

**[00:36:27] Cathy Hobbs**

As are we. You're looking forward to being a great collaborator and partner with the IDA.

**[00:36:33] Rose Woodworth**

Joe, Joe, do we need any kind of formal motion about the decision on this?

**[00:36:40] James Malcolm**

I don't think so,

**[00:36:41] Joe Scott**

Yeah, I think we have enough in the minutes that I've taken notes, I'm good with this. Yes.

**[00:36:48] Rose Woodworth**

OK.

**[00:36:48] Joe Scott**

If needs to rise above in a formal resolution.

**[00:36:53] James Malcolm**

Ok, if you folks want to hang around, you can if you got something better to do.

**[00:36:59] Cathy Hobbs**

I do have a quick question the general, this will go to a public general meeting. We'll have a vote on a resolution. Right.

**[00:37:11] Rose Woodworth**

We voted on the resolution to go to a public hearing. So, yes, your next schedule is your public hearing.

**[00:37:17] Cathy Hobbs**

Which will be in May.

**[00:37:18] Rose Woodworth**

Well, we yes, at this point, I would have to be at least in May. And I can talk to you about some dates that would work. I just have to talk to the chair and our attorney and I can give you a few choices for me.

**[00:37:31] Cathy Hobbs**

OK, thank you, everyone.

**[00:37:33] James Malcolm**

Thank you. So. Do we have anything on the status of project revisions?

**[00:37:44] Rose Woodworth**

There's no document, but Joe has been working on that and said he would have an update for today, and I figured he could just go through it.

**[00:37:51] James Malcolm**

Ok.

**[00:37:52] Joe Scott**

Sure. No push back on Greenhouse. And I've got Darian Lake. They haven't signed the documents yet, but they've agreed to, they understand the position they're in, I'll put it that way. I made it clear that it's a rock and a hard place. They're not happy to be blunt, but I expect to have both of those matters. I hate to pit myself down with a date with your chair because you you take notes and names and prisoners. But I expect to have everything done by the May meeting.

**[00:38:28] James Malcolm**

Whatever you do, just do it right. That that way we don't have to revisit it again. And no, it's not a problem with that.

**[00:38:35] Joe Scott**

That's my that's my goal.

**[00:38:36] James Malcolm**

Where do we stand with with the library, with Amthor or where do we stand with these people?

**[00:38:42] Rose Woodworth**

The library, everything's been submitted and they paid their fees, I think it was last month. Everything is up to date now. Amthor, they're still dragging their feet. And that's Joe. That's part of the revision show is working. And I think they're working on their refinancing. Right.

**[00:38:58] Joe Scott**

Right. They're close to having that done. What they are pushing back, though, is they're saying, hey, look, you know, we're doing refinancing. Do you really need our annual report? And we've indicated, yes,

**[00:39:09] Rose Woodworth**

We have to send it to ABO.

**[00:39:10] James Malcolm**

They have to give it to somebody if the refinance and don't they. Typically, they get their finances, their financials, if the refinancing.

**[00:39:19] Rose Woodworth**

Yes, but the information that we need for our annual report for the ABO is not anything that they would need for the refinance.

**[00:39:27] James Malcolm**

We want it. We need it. What about what about the paper company down there? In New Paltz, Croce

**[00:39:35] Rose Woodworth**

Oh the cardboard Viking, so Joe's been in touch with them because they've refinanced, said they've refinanced and we were not properly alerted, I think right, Joe.

**[00:39:49] Joe Scott**

Well they've done they're the reason why we are involved with with the Amthor refinancing is that they want us to sign over the mortgage. Viking didn't need any of that activity. So they have told us that they've refinanced. I have not gotten any evidence of that yet. I'm asking them for the evidence so that we have something for our file. But they're making the same comment of, well, we're completing our transaction. We're all done. Why do we need to complete an annual report? They don't recognize or they do recognize, but they're pushing back that you need to file your annual report for every year that the IDA is involved with the project. But, you know, the issue is, do we chase them for that or do we put in our notes? The the company didn't complete the annual report. So, you know, the data for this particular entry is not complete.

**[00:40:55] James Malcolm**

We're does that put us for this next year. Where is that boat is moving on?

**[00:41:00] Joe Scott**

Well, there'll be a lag because for next year, next year's report this year will have the same issue. So I think what I need to do is call their lawyer and I'll I'll do that. I'll call both lawyers and say, look, you know, just send us what, you know, basically update the numbers. They did what they did. They did send us a report last year. But, you know, it's they it's back and forth. I mean, we're we're forcing these these companies...

**[00:41:34] James Malcolm**

Here's here's what I want you to do. I want you to call the DiNapoli's office or Elliot Auerbach or whoever and get a position from them on it. The IDA's answer to the comptroller.

**[00:41:46] Joe Scott**

OK.

**[00:41:47] James Malcolm**

OK, so here's a situation, it's not the rule, it's the exception. We have two people that aren't in compliance based on we're seeking a little bit of input from your office that way, if we get it from them, chapter and verse, we don't have to worry about someone coming back to us and saying, well, that's not what we would have done. So get a position from their office, if not, and just let everybody in the world know that's what you did and then proceed, if you don't get anything back, proceed the way we discussed and say we made every effort to to get a decision, a position from you. All right. Does that work board.

**[00:42:26] Richard Jones**

Works for me.

**[00:42:27] Rose Woodworth**

If I'll send an email to ABO.

**[00:42:30] Joe Scott**

And I don't want anyone to lose sight of what we've accomplished here, though, to companies with existing bond financings, and we've made them refinance those financings with conventional financing with their bank.

**[00:42:47] James Malcolm**

Listen,

**[00:42:48] Joe Scott**

It's a pretty significant action.

**[00:42:51] James Malcolm**

Right? We did what we had to do. And at this point, it's called CYA.

**[00:42:51] Joe Scott**

Yeah.

**[00:42:58] James Malcolm**

You know.

**[00:42:58] Joe Scott**

Agreed.

**[00:42:59] James Malcolm**

Anything else?

**[00:43:01] Michael J. Ham**

Where are we at with with the greenhouse's.

**[00:43:08] Joe Scott**

Well, that was part of my report on Greenhouse and Darrian Lake Michael. (inaudible)

**[00:43:14] Michael J. Ham**

Altogether, I didn't hear a greenhouse. I just heard Darrian Lake. I'm sorry.

**[00:43:17] Joe Scott**

Greenhouse is OK, they thought. They thought the proposal was very reasonable.

**[00:43:23] Michael J. Ham**

Yeah, I think so, too. You better stop paying people two hundred fifty thousand dollars a year and say that's 20 jobs, right? Is that the guy?

**[00:43:23] Rose Woodworth**

Yeah.

**[00:43:36] James Malcolm**

OK, if nothing else, does that bring us into new business, the PPE grant applications for the consideration from the board? Do we have to go through these individually? Have you all taken a look at them? And are there any that stand out or are there any that are incomplete, Rose?

**[00:43:55] Rose Woodworth**

So there's only one here for the IDA. And as you see before this board meeting, we did an update with our staff time. There's three hundred and fifty to three hundred and fifty three dollars left in the IDA, out of the two hundred thousand dollars that we allocated in this last one here was for just under three hundred dollars. So this would essentially wipe out the funds available in the IDA, although there is still money in the CRC.

**[00:44:25] James Malcolm**

All right.

**[00:44:26] Orlando Reece**

What was the day, Rose, that we said that the last application had to be in?

**[00:44:30] Rose Woodworth**

March thirty first and yes, you're right, this one was finalized. I don't know if you saw that. That's why you're asking. There were some that were finalized after March thirty first. But we put it here and let you guys know what time and date it was. What happened was with all of them, it wasn't that they submitted everything after the date. It's that they were missing stuff. And by the time we went back, we said, you have to get it back to us the next day by X o'clock or whatever. And so that's why this one was finalized. They sent the rest of the stuff at eight thirty pm the next day.

**[00:45:03] Orlando Reece**

I got it. Thank you.

**[00:45:07] Richard Jones**

So Rose do you need a motion to approve this? So I'll make that motion to approve the single application for PPE funds from the (inaudible).

**[00:45:17] James Malcolm**

I'll second that.

**[00:45:17] Orlando Reece**

I'll make a second.

**[00:45:19] Rose Woodworth**

OK.

**[00:45:20] James Malcolm**

All those in favor.

**[00:45:22] All**

Aye.

**[00:45:22] James Malcolm**

Opposed. Carried. A public comment, agenda items only. Yes, Rick, Bill, I'm sorry. Apologize. Go ahead.

**[00:45:37] Bill**

I have to wait to be unmuted, this is two things, same sort of topic. One is the you went into executive session to discuss pending litigation. Could you provide the litigants in that unless of course, this is contemplated to be brought by the agency against someone, it's not an actual case in the system. Otherwise, I would hope that you could provide the actual case.

**[00:46:09] James Malcolm**

Counsel.

**[00:46:11] Joe Scott**

Yeah, this is the Ellenbogen matter.

**[00:46:14] Bill**

Ok, thank you.

**[00:46:16] James Malcolm**

Next question.

**[00:46:18] Bill**

Not necessarily a question so much as you discussed going into executive session at some point to discuss Inness, and I would note that the public officers law, the provision to go into executive session to discuss pending litigation is based on preserving litigation strategy so that the board would not have to give up its litigation strategy. But it's specifically not to prevent embarrassment. I wasn't sure if that was the inference. I don't necessarily think it was.

**[00:46:53] James Malcolm**

I think I popped off Bill and I was a little annoyed.

**[00:46:56] Bill**

So I yeah, I gathered that, but I just wanted to make sure I got that out there because. Well. Actually, that's what I do. Thank you. Appreciate it.

**[00:47:07] James Malcolm**

Ok, that's it.

**[00:47:11] Bill**

God, I hope so.

**[00:47:12] James Malcolm**

Anybody else for public comment. No. Well, I'll entertain a motion to adjourn.

**[00:47:22] Richard Jones**

I'll move.

**[00:47:23] Michael J. Ham**

Second.

**[00:47:24] James Malcolm**

Second. All those in favor.

**[00:47:26] All**

Aye.

**[00:47:27] James Malcolm**

Let the record show that we're adjourning at 10:11 a.m. and we'll take five minutes. I guess that should work prior to the next meeting.

**[00:47:40] Rose Woodworth**

Aaron can you please shut off the recording and the YouTube so we can.

END OF TRANSCRIPT



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