

NAME

05/19/2021 IDA Board Meeting Part Two <https://www.youtube.com/watch?v=ep0ZiHklrDc>

DATE

May 25, 2021

DURATION

1h 15m 25s

12 SPEAKERS

Rose Woodworth

James Malcolm

Richard Jones

Daniel Savona

Orlando Reece

All

Faye Storms

Diane Eynon

Joe Scott

Michael J. Ham

Lucia Romeo

Bill Kemberl

START OF TRANSCRIPT

[00:00:00] Rose Woodworth

There it goes.

[00:00:02] James Malcolm

OK, we're back. Thank you very much for your time waiting on us. We're going to move their financials.

[00:00:09] Rose Woodworth

Right. And for the record, no action was taken during the executive session. Rick do you want to? He's muted.

[00:00:22] Richard Jones

I'll let you do it Rose.

[00:00:24] Rose Woodworth

OK. Lucky me. There's not really much that happened, I guess, and in April. Some administrative pass though fees. So that's Loewke Brill money in and money back out. There's the administrative staff fees for the month and then there's also the negative number down on PPE grants. It looks it looks strange, but that's part of the adjustments that were made for the CRC and administrative staff time, et cetera. It'll come back over from the CRC at the end of the quarter.

[00:01:09] Daniel Savona

Rose. The eleven thousand administrative fees. Could you break that down a little bit more?

[00:01:13] Rose Woodworth

That's that's just our fees for running the office, the meetings and all the projects and year end reporting still.

[00:01:13] Daniel Savona

Year end reporting is in there.

[00:01:23] Rose Woodworth

Yeah.

[00:01:29] Daniel Savona

Thank you.

[00:01:31] Rose Woodworth

And just a reminder, Danny, the audit committee does go through our time sheets and...

[00:01:36] Daniel Savona

I was just put notes down. I just want to know what that.

[00:01:39] Rose Woodworth

Oh, yeah, that's us, that's just us. And then, like I said, the audit committee will go through the time sheets in detail at the end of the quarter.

[00:01:47] Daniel Savona

Gotcha.

[00:01:49] James Malcolm

All right, were good.

[00:01:52] Rose Woodworth

Yup. Then on the assets, nothing is really changed much. Everything is most stuff was moved over to M&T Bank. The Rhinebeck savings CD will come due in July. Rick and I discussed what to do with our finances. However, there's a monkey wrench in it that he's not heard yet either. We think it makes the most sense to renew our CDs at Rhinebeck because those are honestly the best rates right now. We also discussed some CDs at Bank of Greene County based on the rates they were offering online. When we reached out to them, though, they're not offering CDs to municipalities only for personal. So Rick and I kind of have to go back to the drawing board. Jimmy, I took your suggestion also, and I did reach out to a well-known and respected financial advisor in Kingston and asked if he had any other suggestions for us because the rates are dismal at this point. He said, you know, bond rates are not better right now and we would be locked into it for so long. And it doesn't make sense. And because of the fiduciary responsibilities you have over these funds, there's really nothing to do with this point besides wait.

[00:03:08] James Malcolm

And bond rates are horrible right now.

[00:03:10] Rose Woodworth

Yeah, everything is just it is difficult. We're in a tough spot. We can't do fun things like the stock market. So that's why we're at.

[00:03:19] James Malcolm

That's your report.

[00:03:21] Rose Woodworth

Yup.

[00:03:21] James Malcolm

I need a motion to accept the report is presented.

[00:03:21] Orlando Reece

Make a motion to accept the report

[00:03:28] James Malcolm

Do I have A second.

[00:03:29] Daniel Savona

I'll make the second. Any questions? Any more questions? None. All those in favor.

[00:03:35] All

I.

[00:03:36] James Malcolm

Opposed. Carried. All right. The chairs report. I tell you, every month, busy, busy, busy, we had some discussion recently with some members of the Ulster County leadership, it was basically where we're all at, how the relationship is working. Potential things in the future. You know, just putting people on boards. Given the fact that we're very important, potentially raising our profile a little bit by being more and more part of a decision making process when it comes to economic development in the county, nothing of any substance at this point otherwise. We would have discussed it before now, just basically quarterly, we meet with staff from the county executive's office and we go through a few of the goals that we've set with each other and to see where we sit and why we're there, why we're not there and. You know, so far, so good, I guess there's quite a bit more stuff coming out in this county and it looks as though we're going to be busy. We may in the future need to address our budget and change some numbers around as far as admin costs and legal costs and moving the money, so to speak, from your left pocket to your right pocket and just change some of the numbers around. Not not a typical three percent bump every year kind of thing. So we'll have to make it work. Rose told me the other day, your contract is coming up.

[00:05:31] Rose Woodworth

It is at the end of June.

[00:05:33] James Malcolm

Ok. Faye how are you for time.

[00:05:38] Faye Storms

How am I for time?

[00:05:38] James Malcolm

Are you that busy or can you can you participate, you and Rick sitting down with Faye and I'm sorry, sitting down with Rose and taking a look at what's there, and you'll come back with a recommendation.

[00:05:53] Faye Storms

I'd be happy to.

[00:05:54] James Malcolm

OK, so Faye and Rick and coordinate that with Rose to sit down and we have to do our diligence as well. And we don't want anybody working for nothing either. So we'll take a long, hard look at Mike says he wants you to work for nothing Rose so...

[00:06:12] Rose Woodworth

I can be like you guys then.

[00:06:15] James Malcolm

Yeah, I definitely work for nothing. So we're busy. It's the typical stuff, what pops up? It's amazing, there's a certain project that we heard every day, for every week, for every month, for about two or three years, and I've heard nothing about that as of late. So hopefully the development keeps going and people look to us as an asset rather than a hindrance. And the IDA keeps doing the things that it's doing, so that's my report. CEO report invoices for board approval,

[00:07:00] Rose Woodworth

I have a few things before that. The open meetings law has been extended. The executive order would extend that public meetings and hearings can be held remotely, has been extended again until June nine. I still don't believe the county office building is allowing people back in the building for meetings just yet. So we'll have to just continue on Zoom.

[00:07:25] James Malcolm

The Governors position is if you get vaccinated, does that have any bearing on that?

[00:07:32] Rose Woodworth

I can, I'll certainly reach out to the county building and see if there are any changes now since this was just brand new.

[00:07:39] James Malcolm

Yeah.

[00:07:42] Rose Woodworth

A few more projects are in the beginning stages, I'm meeting with one tomorrow, another one just reached out that they're finally ready to start working on their application. So I'm looking forward to those things coming in over the next few months. As per our meeting last month, I transferred all of the insurance over to Ulster Insurance. They've already been very helpful with the renewal of our DNO insurance and the applications that had to be filled out for that. On page 15 of the packet, you'll see a letter from the village of New Paltz, along with the resolution that was adopted on top of letting the whole board see the letter. I wanted to state that I reviewed everything with Joe Scott, and there isn't anything here that we don't already do. All of the information that they are talking about is kept up to date on our website. Board approval is needed to pay two UHY bills here. They have been doing progress billing and the IDA bill that's here will push the total amount budgeted for the audit over budget by a few hundred dollars. I expressed some disappointment to the auditors that we weren't warned ahead of time and I'm unsure if they plan to send another bill. And I discussed all of this with Diane this morning. So I'm not sure if you want to wait to pay this, if you want to refer back to Audit, but I just wanted to give the board the opportunity instead of me holding on to it.

[00:09:12] James Malcolm

Well, let's let's just wait to pay it until we have total resolution. Chair is that OK with you?

[00:09:19] Diane Eynon

Yes.

[00:09:20] James Malcolm

OK.

[00:09:22] Richard Jones

Rose, I have a question, if I may. On the letter from New Paltz, I would just suggest that you write back to them and write about what you just informed us.

[00:09:22] Rose Woodworth

Yes, that's the plan.

[00:09:35] Richard Jones

This is something that I don't want them to think we're ignoring them.

[00:09:39] Rose Woodworth

Yep, that's the plan.

[00:09:43] Joe Scott

I'm sorry Rose I'd like to look at the draft letter before it goes out.

[00:09:47] Rose Woodworth

Yes, absolutely. It sounds great. And now tax season finally ended on Monday, so I'm looking forward to jumping back into a few other larger projects that have been on the backburner, as well as the policy changes, et cetera, that we're looking to do through audit committee and kind of getting back into the full swing of things. And I have a plan to have an update for you all next month. That's it.

[00:10:12] Daniel Savona

Thank you.

[00:10:13] James Malcolm

Can I get a motion to accept the CEOs report.

[00:10:17] Faye Storms

I'll make that motion.

[00:10:19] James Malcolm

Thank you Faye. Second, Rick. Thank you. Anyone else on a question? No, they're for all those in favor.

[00:10:27] All

I

[00:10:27] James Malcolm

Opposed. Carried. Thank you very much. That brings us to committee reports. Dr. D. do we have anything or no.

[00:10:27] Diane Eynon

Just one thing. Thank you, Chair. So on page 20, Loewke Brill the report on Inness for the month of April, they had a eighty one point four eight percent overall compliance, 95 percent for monthly compliance as compared to last month at ninety two percent. So they continue to trend upward. The other thing I wanted to mention is we need to schedule an audit meeting. And I'd like to know if the audit committee would be available on Tuesday, June. Twenty second from nine to 11 a.m..

[00:11:19] James Malcolm

Well, how about Rose sends out an email and you respond in kind and see where it puts us? I do have one question. I remember going back, Diane, that when it came to the construction monitoring reports, and I don't know if we said, well, we'll change it in the job description. I had a concern over ten ninety nine. And if that was reflected or it was just maybe it was faxed or whoever was over there, but were we getting the full picture of who's on that site or just who we were asking a report from.

[00:11:58] Diane Eynon

Yeah, I believe it's the practice itself has not changed yet because I also believe that part of that is we would have to change the terms of our contracts and engagement with them in terms of providing us with more of the information that we're looking for.

[00:12:12] James Malcolm

OK

[00:12:12] Diane Eynon

So I think we were at the opinion we would continue what we're doing and then once their contract is up, is to renegotiate the terms of the contract.

[00:12:21] Rose Woodworth

That's part of what will be on the audit committee meeting next month for sure.

[00:12:25] James Malcolm

Ok, good stuff. Thank you.

[00:12:27] Diane Eynon

Thank you, Chair.

[00:12:27] James Malcolm

I appreciate it. That it with you.

[00:12:32] Diane Eynon

Yes it is. Thank you.

[00:12:33] James Malcolm

Do I have a motion to accept the audit report as presented.

[00:12:37] Orlando Reece

Make a motion to accept the Audit report.

[00:12:39] James Malcolm

Hey Orlando. I didn't know you were here.

[00:12:41] Orlando Reece

I've been here all the time. I've been making motions.

[00:12:46] James Malcolm

And Rick Jones seconded that, right?

[00:12:48] Michael J. Ham

Yes, he did.

[00:12:49] James Malcolm

All those in favor.

[00:12:51] All

I.

[00:12:52] James Malcolm

Opposed. Carried. Thank you. Faye, finance.

[00:12:56] Faye Storms

Nothing chair for this month.

[00:12:59] James Malcolm

All right. Brings us to governance chair, Mr. Ham.

[00:13:04] Michael J. Ham

Governance. So we met the governance committee, met on April 7th to discuss several different policies. Also, we'll be voting on them today, am I correct? Yes. So we'll get to that last here in my report chair. I'd just like to let you know that with the mentoring program, we'll be finalizing that. We'll get a final draft over to you for the June meeting. OK, to take a look at it for the to review. OK, I sent stuff over to Rose. Rose has been in contact with Joe, I believe. Correct. OK, so we should have something by the next meeting for that and outline what we want to do with the mentoring and present to the full board.

[00:13:46] James Malcolm

Mike, if I could just just one second Rick can you tell me where that puts us on our community benefit?

[00:13:53] Michael J. Ham

OK, I was going to get to that next. More so on the community benefits. We discussed it as a governance board and we moved ahead. Where we Rick is Rick is on the front of that, Rick, to introduce the community benefits paperwork over already to the CEO. And then with that, we asked Rick to rally around, Rick who did you pick for your second there?

[00:14:22] Richard Jones

Dan and Orlando?

[00:14:22] Michael J. Ham

OK.

[00:14:26] Richard Jones

My totally, my business on a host of other things. I haven't done much, OK, including but not limited to getting a hold of Orlando. So I will do that. I have a little bit more time over the next week and a half to wrap it up.

[00:14:41] Michael J. Ham

You've got good ground work working there already. I mean, it looks really good. So if you guys could circle around so we can probably present a full report for the community involvement for June also. That would be great. OK,

[00:14:54] Richard Jones

Just procedurally, Mike and Chair, we finish our work. You want me to send it to you, Mike, and to the chair?

[00:15:03] James Malcolm

Governance chair first and as CEO and after they've vetted it, they can send it to myself and the rest of the board.

[00:15:09] Richard Jones

OK.

[00:15:10] Michael J. Ham

Perfect. OK, perfect.

[00:15:13] James Malcolm

Send it the council as well.

[00:15:15] Michael J. Ham

So we've got the community, the community involvement program, Rick, heading that up. The mentoring is coming through. All right. Let's look to present that at June's meeting. We are also going to be scheduling a governance committee meeting for next month. Also, there's a couple of other things to go over. We do have two resolutions that we need to vote on today. We have the sexual harassment policy.

[00:15:38] Rose Woodworth

We did it last month. Mike, I'm sorry.

[00:15:40] Michael J. Ham

We did do it last month.

[00:15:41] Rose Woodworth

Yeah, yeah, yeah. I spaced. We you're saying,

[00:15:43] Michael J. Ham

You know, I'm sorry. I apologize. You know what? I got it in my notes, OK? And and I was looking at both of those resolutions for that discrimination, so. OK, other than that chair, once again, we'll be scheduling meeting for June. And that's my report.

[00:16:03] Michael J. Ham

You want on the agenda here. We have two subsections with Greenhouse and Darian Lake. Oh, I apologize.

[00:16:13] Richard Jones

Mike before you go there. When you schedule the meetings for June.

[00:16:16] Michael J. Ham

Yeah.

[00:16:17] Richard Jones

Can you to do it before the regular board meeting so I can...

[00:16:22] Michael J. Ham

Absolutely. No, absolutely. Rick. So we have the proposed PILOT, the adjustment for the PILOT, for Darian Lake and for the Greenhouse's. The Greenhouse's have they were very good to work with, they they said they agree to what our PILOT our new PILOTY would be moving along, adjusting it to the work numbers of the employment numbers. They were good. Darian Lake has circled back around and council, can you touch base on Darian Lakes issue at this time?

[00:17:03] Joe Scott

Yes. And just stepping back for a second and discussing these issues with the CEO, we thought it would be prudent to actually formally have a resolution adopted by the board on these two projects showing the adjusted employment numbers. The adjusted employment numbers were discussed as part of the original enforcement discussion. But again, we've come up with the idea of document, document, document, which is what the ABO and the OSC has been stressing with respect to administration of projects. We thought that would be the prudent course to go. So as you indicated, Mr. Hamm, the Greenhouse people felt very comfortable with the revised job number and the revised PILOT schedule. There has been some pushback and some discussion with the Darian Lake parties. They suggested, rather than the adjustment from twenty seven FTE to nineteen point sixty five, which is what they showed and were able to report in twenty nineteen, they wanted a number in the 14 range that has been discussed at the staff level. It's not something for a number of reasons that we can't recommend, and that's the background with respect to the numbers here.

[00:18:22] Richard Jones

Joe, if I may. Not not to drag it along, but for anybody who's hazy on what the old UTEP was for both of these projects or schedule was for both these project and what the new one is going to be, maybe either you or Rose can just indicate the old 15 year PILOT schedule, what that was versus the new one, I, I don't have it.

[00:18:53] Rose Woodworth

We voted on the PILOT changes in November. Right. So the only thing we had to review here and just vote on was the employment changes.

[00:19:01] Richard Jones

OK. Those changes were the old 15 year for the benefit of those who are not aware of it. Used to be, as I recall, the first four or five years were no taxes. I think and then it would go to a very small incremental and it was built up to ramp up at the end of the 15 years, the new 15 year that we're implementing. We did implement already is level setting everything for each of the 15 years. So it's a gradual phasing in. So anyway, as I said, not not to delay this Joe.

[00:19:43] Joe Scott

And just to supplement what you indicated, Mr. Jones, is that your consideration, the committee's consideration of the job numbers was part of your analysis with respect to the adjusted pilot schedule. And it was critical that they achieved the nineteen point six five numbers in order to support the revised pilot abatement schedule that the idea agreed to approve in with their monitoring and review of the project.

[00:20:21] Richard Jones

That's correct. Mike, you remember the detailed discussion we had around that, so. Yeah.

[00:20:29] Joe Scott

Thank you,

[00:20:30] James Malcolm

Mike.

[00:20:31] Michael J. Ham

Yes.

[00:20:33] James Malcolm

Anything else?

[00:20:34] Michael J. Ham

No, that's it. Chair.

[00:20:37] Rose Woodworth

So we just need to have a roll call, a motion and the roll call vote on the job, number change for Greenhouse's, so it would bring it. If you look on page fifty one, it shows you it's bringing it from sixteen point six one to eight point to five. And again, that was to bring them in line with what they had reported in twenty nineteen.

[00:20:59] James Malcolm

All right, let's make a call for the roll call.

[00:21:06] Rose Woodworth

I need a motion.

[00:21:10] James Malcolm

OK. I make a motion that we have a roll call vote. Can I get a second?

[00:21:14] Michael J. Ham

Second.

[00:21:15] James Malcolm

I have a second. Anyone else on the question?

[00:21:18] Rose Woodworth

James Malcolm.

[00:21:22] James Malcolm

Yes.

[00:21:23] Rose Woodworth

Diane Eynen.

[00:21:25] Diane Eynon

Yes.

[00:21:26] Rose Woodworth

Faye Storms.

[00:21:27] Faye Storms

Yes.

[00:21:28] Rose Woodworth

Michael Ham.

[00:21:29] Michael J. Ham

Yes.

[00:21:30] Rose Woodworth

Orlando Reece.

[00:21:32] Orlando Reece

Yes.

[00:21:33] Rose Woodworth

Daniel Savorna.

[00:21:34] Daniel Savona

Yes.

[00:21:35] Rose Woodworth

And Richard Jones.

[00:21:36] Richard Jones

Yes.

[00:21:37] Rose Woodworth

OK. So then we just need the motion and a roll call. Vote on changing Darian Lake from twenty seven to nineteen point six five.

[00:21:47] James Malcolm

I make a motion that we have a roll call vote on that. Do we have a second.

[00:21:52] Michael J. Ham

Second.

[00:21:54] James Malcolm

All those in favor.

[00:21:57] All

I.

[00:21:57] James Malcolm

Opposed. Carried.

[00:21:59] Rose Woodworth

James Malcolm.

[00:22:00] James Malcolm

Yes.

[00:22:02] Rose Woodworth

Diane Eynon.

[00:22:02] Rose Woodworth

Yes.

[00:22:04] Rose Woodworth

Faye Storms.

[00:22:04] Faye Storms

Yes.

[00:22:05] Rose Woodworth

Michael Ham.

[00:22:07] Michael J. Ham

Yes.

[00:22:07] Rose Woodworth

Orlando Reece.

[00:22:08] Orlando Reece

Yes.

[00:22:08] Rose Woodworth

Daniel Savona.

[00:22:11] Daniel Savona

Yes.

[00:22:11] Rose Woodworth

And Richard Jones.

[00:22:11] Richard Jones

Yes.

[00:22:14] Rose Woodworth

Great, thank you.

[00:22:16] James Malcolm

Next on the agenda there is the Ulster NH Reality. Mike.

[00:22:16] Michael J. Ham

Yeah, we have, um, we have Sol coming in from NH Reality to discuss the drops in the agreement we had, as per what the current numbers are up at the Golden Health Facility.

[00:22:39] James Malcolm

Is he here?

[00:22:40] Rose Woodworth

He's not here. He said he would be, but he's not.

[00:22:44] James Malcolm

But clearly, we're not that...

[00:22:47] Daniel Savona

Making friends, making friends.

[00:22:48] James Malcolm

(inaudible) I'm not going to speculate on why he is or isn't here. So let me please just finish. OK, but apparently there's a tremendous drop in the jobs he promised versus the jobs that are there. And for him or anyone in his organization not to make time or be involved in this at that time is really kind of insulting. So let's move on. And old business status of pending projects.

[00:23:20] Rose Woodworth

Joe, are you able to do that on page fifty eight?

[00:23:22] Joe Scott

Yes, thank you. Thank you. Rose. Page eight fifty eight, Wildberry Lodge. We had discussion at the last board meeting. I jiggled the company council, company council in turn jiggled Wilberry and told them or ask them to contact you. Chairman, I don't know if they've done that. If they haven't done that, I will,

[00:23:48] James Malcolm

No, no.

[00:23:48] Joe Scott

I will push. OK, so I will push your company council again. Kingstonian I've had intermittent contact with them. They are moving slowly toward. Directing me to get the IDA documents done, I expect it closing third quarter, maybe fourth quarter of this year. I understand that there was some positive news reported in this morning's newspaper so that matter continues to move, but move slowly Apherea we have a public hearing,

[00:24:28] James Malcolm

Tonight.

[00:24:30] Joe Scott

Tonight scheduled for that matter. Magruder is, we're still working on that with respect to the PILOT structure, RBW, our documents are out on that transaction and are being negotiated. And I would expect the closing and the very near future. Two weeks, three weeks and Romeo Enterprises, that's on the agenda today for final consideration. And then we'll take direction from the project applicant as to what their closing schedule is. So things are moving forward early on every front chair, and I'm opening it up for any comments or questions. Thank you.

[00:25:14] James Malcolm

Just to revisit the Ulster NH Reality, if we don't hear something by the close of business day today, counsel, I want you to move forward with actions that need to be taken.

[00:25:14] Daniel Savona

I second that.

[00:25:27] James Malcolm

I'm not going to chase the guy around. It's not happening. I'm not looking for a motion or a second, I'm saying move forward.

[00:25:36] Rose Woodworth

(inaudible) I'll be in touch with Joe after the meeting.

[00:25:40] Richard Jones

Chair I do have a question on one of the projects that Joe Scott went through, if I could ask that.

[00:25:46] James Malcolm

Sure. Go ahead, brother.

[00:25:47] Richard Jones

Joe, you and I had spoken around the time after we voted on Kingstonian that there are one. We wanted to make sure that many of the things that there were lots of stuff that was agreed to by Kingstonian. Off the top of my head, the two that are most concerning to me and it sort of reminded by the letter from New Paltz, had to do with the investors. There was some suggestion that investors might change. And I just want to make sure that we're transparent when I talk about a review of the documents to make sure that things like who the investors are is covered. And the other piece that comes to mind that we're very concerned with is the way in which they address the rents of the apartments. And there were many, many more. So I no question it's still your intention to allow. To go through some of these details with a member or members of the board to make sure everything's covered.

[00:26:48] James Malcolm

I think if I'm not mistaken and please counsel, let me know if I'm off track. Procedurally we asked for an affidavit prior to a vote or confirmation, but once that's over and done in, the vote is in. I don't know at that point what...

[00:27:10] Richard Jones

One of the provisions is...

[00:27:12] James Malcolm

We have the right or responsibility, if tomorrow a guy comes in and says, well, listen, we'd like to get involved in a project now, can I buy into the project. Is at that point they're responsible to notify the IDA?

[00:27:28] Richard Jones

Well before.

[00:27:30] James Malcolm

I'm asking the lawyer, Rick. I'm asking a lawyer at the time,

[00:27:33] Richard Jones

I want to explain my position.

[00:27:36] James Malcolm

Rick, Rick, I'm the chair, please. At the time that we voted, we had assurances from them. So after the vote, I'm asking that I'm asking council procedurally if we're responsible to know everything. If they make changes, someone buys and that's the only thing I'll miss them. So when I have the floor, please let me finish my thought.

[00:28:02] Richard Jones

Can I ...

[00:28:06] James Malcolm

Counsel. Joe.

[00:28:07] Joe Scott

Chair, to be honest, I need to go back and look at the minutes and look at what we discussed. Typically what happens is that we get an application, it lists who the owners are, the investors are, and we close on that and we don't get involved on any changes...

[00:28:26] James Malcolm

After that.

[00:28:27] Joe Scott

or management after that unless it triggers one of the document provisions in our IDA documents. So typically, there's no follow up, if you will, or review between approval and closing.

[00:28:42] James Malcolm

So to Rick's point, if it's not, it's conceivable that we still are responsible, Rick, and this is to your point that we get that information. I don't want to know what it's and maybes. Are we responsible to have the information or not?

[00:28:58] Richard Jones

Well, if I could, if I could...

[00:29:00] James Malcolm

Asking the lawyer, Rick.

[00:29:02] Richard Jones

Well, I still want to explain (inaudible)

[00:29:04] James Malcolm

I'm asking counsel. You'll get your opportunity. You want to jump in on it? I'm trying to get a legal opinion from counsel, so I don't want to know what if or maybe or possibly are we responsible to know?

[00:29:19] Joe Scott

Chair, the what I need to do is that there was significant discussion about this, this particular project, and there were concerns raised about the investment in the investors and who the investors were. So I have to go back and look at some of that.

[00:29:19] James Malcolm

That's months ago.

[00:29:37] Joe Scott

Right? Exactly.

[00:29:38] James Malcolm

Months ago.

[00:29:40] Joe Scott

No but the discussion, I believe, and this is ongoing on my memory now, I don't have materials in front of me, is that there was there were questions raised about who the investors were. And people want, people to board, the IDA Board wanted a bringdown, if you will, between the between the gap of when the application was submitted and when actually was voted on. The investors are

[00:29:40] James Malcolm

OK. That was a couple of months ago. Right. That means we don't have that answer at this point.

[00:30:12] Joe Scott

Well, because we're nowhere near closing on this, I expect. And at the risk of being flip, I have in red lines on my file that Mr. Jones is going to be involved in reviewing these documents because he's told me or ask me several times.

[00:30:31] James Malcolm

I'll tell you who will be involved. It's who I appoint to be involved on the documents. So please Rick finish your thought.

[00:30:38] Richard Jones

Well, a couple of things. And if I wasn't clear, my vote, my positive vote for the Kingstonian and I made it clear and it's in the minutes that the issue of investors was an unanswered question and needed to be resolved. Likewise, I made the point in the meeting where the vote took place for the meeting before that, a very rigorous review of what's in that document, because there were so many things agreed to have to do with price points on the rent, the way in which those price points would change with federally, federal numbers, income numbers. And it was pretty clear, at least in my mind, that my vote was contingent upon ensure that these things were included in the documentation and to those comments about underlining all of those things that were agreed to. I was simply asking and mentioning that two of the items that I remember very clearly being concerned about the rent increases and who the investors are, I made a very public and in my mind made that contingent on my yes vote was contingent on that being accomplished.

[00:31:56] James Malcolm

Was your concern on the affordable housing rents, Rick or the other the other units that I can understand the affordable housing.

[00:32:05] Richard Jones

(inaudible) the applicant had proposed to us in the detailed presentation that all the units would be pegged to federally established numbers based upon median income. That was my concern.

[00:32:21] James Malcolm

So that the affordable housing one.

[00:32:21] Richard Jones

No, not just the affordable housing, all of them.

[00:32:26] James Malcolm

OK.

[00:32:27] Richard Jones

Because that's what the applicant agreed to. And on the investor's, Chair, if you remember, there was a comment made by somebody and I don't personally believe it, but there was a comment made by the public. Remember the public at the at the public hearing that claiming that there was somebody who voted on the project either from the town...

[00:32:52] James Malcolm

Public sector school.

[00:32:54] Richard Jones

Right. Who was an investor or was going to become an investor. OK, you can make whatever claim you want is very simple to get that resolved is to make sure the closing documents that all the investors as of that time, which was my point as of that time of closing, have been divulged publicly. And that's all I was asking.

[00:33:18] James Malcolm

I guess what my point is, you can't make a vote contingent on something if you then voted.

[00:33:24] Richard Jones

Well, yeah,

[00:33:26] James Malcolm

I mean it we should have...

[00:33:28] Richard Jones

Had agreed Chair.

[00:33:29] James Malcolm

What we should have done was get them to sign an affidavit at the point. So these questions aren't left unanswered. And in that affidavit, make them say, OK, if there's any change in this prior to closing, then please, it's your responsibility to let us know.

[00:33:46] Richard Jones

Well, again, what they told the board and the board seemed OK with that. All the members of the board, including the chair, was what we don't know between now and closing at the end of the third quarter, fourth quarter of this year, we may have some additional investors there. And so the board said. My recollection, that's fine, we need it disclosed. OK, fine vote took place, so their word in my mind should be their seal of honor.

[00:34:18] James Malcolm

Absolutely.

[00:34:19] Richard Jones

I remember that discussed very clearly. And by the way, just for the newspaper, for the public, I don't believe that the claim made in the public hearing is true. And the simple way of attesting to that is for the applicant to make sure that all investors are disclosed. It's very simple. And they agreed publicly,

[00:34:43] James Malcolm

I guess. I guess, you know what? Prior to closing that, maybe send a letter off now, maybe we address it periodically. Has there been any change? Is there an update in the principles of the property? Are we looking at principles, minority investors? What are we doing?

[00:34:59] Richard Jones

It was clearly the who, the investors.

[00:35:02] Rose Woodworth

We only look at anybody over five percent.

[00:35:05] Daniel Savona

Over five percent. Five percent doesn't matter.

[00:35:08] Rose Woodworth

Yes.

[00:35:09] Richard Jones

Right.

[00:35:11] James Malcolm

Anything else?

[00:35:16] Michael J. Ham

Chair, I like to make a comment.

[00:35:18] James Malcolm

Sure. OK.

[00:35:20] Michael J. Ham

So I feel as though this board really turned over every stone on this with the Kingstonian. And, you know, Rick, we're I think our problem here is, is we're only as good as the information that we can receive. OK, so I remember when that issue went around that a certain person was an investor and was voting on it, some on the level. But, you know, somebody was all it was all bull crap, you know, it was all crap. That's all there was to it. OK, I think it's awful tough. And Joe is Joe has been involved, the CEO, they do a great job. They ask for every drop of information presented to us. And you want to know something? I come from the world where one person introduce one person, introduce innuendo or rumor. And it's like a wild fire, Rick, amongst five or six hundred people, you know, and it's a problem. But I think this board. And including yourself, we turned over every stone, we look behind every tree for any investor, and that's what we ran by. So, you know, moving ahead, we can only do what this board can do. You know, we rely on the applicants, also.

[00:35:20] Richard Jones

I understand, Mike, and I think that you're saying or maybe you're not I don't know is how I feel, which is I would be very disappointed if anybody who has a financial interest in this project wound up voting either as a member of the county legislature, the school board or the city of Kingston Common council voting on this project.

[00:37:02] Michael J. Ham

You know, Rick, I've been in a position before where I've seen this what you're talking about, and somebody left the board, somebody left the municipality, somebody did something. And they circled around a year later and they invested money into a project. And I'm not saying morally that's acceptable. I'm just saying that it happens.

[00:37:22] James Malcolm

(inaudible) voted no.

[00:37:23] Michael J. Ham

We could do at that point.

[00:37:26] Richard Jones

I agree with you. Yeah. And certainly if somebody was to leave the legislature and later on invest in the Kingstonian OK, the only thing that could be done for somebody who is still in the legislature and voted positively and went and became an investor, that would be a matter for the legislature to refer to the Ethics Committee, and they may decide that there's no problem. So simply a matter of, you're right, people can make all sorts of wild ass claims or, you know, what the way in which to bring these things to the light of day and to reassure the public that everything is open up at the time before the votes at the time of the vote, was that at that time and in close proximity to that time, there was nobody voted yes on the project who also was an investor or shortly becoming an investor, shortly being within a few months. I think that's reasonable to simply say, don't you want your, don't you want to dispel that kind of comment from that individual as nothing more than poppy cock?

[00:38:32] James Malcolm

Unfortunately, you're never going to be able to do that, Rick, because there's a subset of people out there that don't believe in the things that we're doing. They're entitled to their opinion and whatever direction it takes them. I've always been a big proponent of expediting the process. Well, with that being said, it's always good to have any board member who brings up a point that's valid and it's something that we should do. But sometimes we end up getting not not we as a group, but people in general, they get mixed up in the minutia, in the details and anybody can throw money at the wall and it sticks and they're the process again gets dragged down. What you're saying is very valid when you're in a when you're in a position of public trust and you're taking a vote on this as a legislator or a city council member, a school board member, transparency's the key. But there's something there, too, to be said for those bodies taken care and questioning their own members as opposed to us being the watchdog.

[00:39:39] Richard Jones

Yeah.

[00:39:40] James Malcolm

They have to sign financial disclosure things as well as we do. Correct?

[00:39:44] Richard Jones

I don't disagree with that. There's a certain amount of responsibility on their part, and I'd be concerned with the integrity of our documentation and our process as the overarching as an overarching goal.

[00:39:57] James Malcolm

It's garbage in, garbage out. We can only act on what we get.

[00:40:01] Michael J. Ham

It's tuff being the honorable person. You know, that's the way I look at it.

[00:40:06] Richard Jones

Well, you know, we got really stringent on background checks because to the Chair's point, garbage in, garbage out. So we said, well, you know what? We want to make sure that we don't have garbage in, garbage out and that we're dealing with people we want to deal with.

[00:40:06] James Malcolm

But to your point there, the chair also is discussed with the CEO and governance. What part of background checks are overkill that we don't need? So we'll find our rhythm there, but in this one, the high profile as it was, and the concerns that warranted or not, it's good to take the extra step. So whatever that puts us is it's still Tuesday, no, it's Wednesday, right? All right, Lucia, aren't you glad you don't own a hotel? All right, can I get a motion to accept counsel's report on status of pending projects please.

[00:41:10] Faye Storms

I'll make that most.

[00:41:12] James Malcolm

Orlando, Second it. Anyone else on a question. No. All those in favor.

[00:41:17] All

I

[00:41:17] James Malcolm

Opposed. Carried. Romeo KIA of Kingston. Rose.

[00:41:23] Rose Woodworth

Ok, so starting on page fifty nine, we have public comments that came in, there were only a few, as well as a public hearing from April 9th on page one twenty- six is the cost benefit analysis. Sorry, I'm just turning the page to that. Too many pages here, guys. It came up between twenty five to one. Most of that is obviously because of the benefits of the permanent ongoing payroll. And the regional costs were going to be mostly the sales tax and property tax exemptions, but it's still a benefit of twenty five to cost of one ratio. And then on page one thirty-three, one thirty-seven and one forty-two are the resolutions that will need to be voted on today. If anybody has any questions on those couple of items that I have, then I think Joe is better suited to discuss the resolutions.

[00:42:36] Joe Scott

So would you like me to move forward chair, or are there any questions for the CEOs of part of this report?

[00:42:42] James Malcolm

I want you to move forward to.

[00:42:44] Joe Scott

Thank you, Chair. So if you go to page one thirty-three, as Rose indicated, that's the first resolution of the three resolutions for consideration by the board as a governmental body. And I apologize. You've heard this before as a governmental body before you can take final action with respect to a project, you have to give consideration to potential environmental impacts. The operating policy of this IDA is to defer to the local permitting entity with respect to seeker compliance and seek a review. That's what we've done in this resolution where we've deferred to the local permitting entity. The local permitting entity has considered the potential environmental impacts of this project and issued a negative declaration. And the purpose and the the impact of this resolution is that we're concurring in the determination by that local permitting entity. And with that, I'll open it up for any comments or questions.

[00:43:41] Richard Jones

Chair.

[00:43:43] James Malcolm

Sure.

[00:43:44] Richard Jones

On the issue of the secret at the White House, at the public hearing, I had mentioned that I had some questions about the review done by the planning, Town of Ulster planning board that either missed or whatever the presence of bald eagles on the Romeo property. So I compiled some questions for Romeo in Romeo project that Rose forwarded to the chair, and Lucia came back with an answer. I'll just summarize what that says. And perhaps if you want me to comment further, fine. I had a question of did the SEQT original, SEQR process, identify the presence of bald eagles? And it did. It suggested that there was a high likelihood that Bald Eagles were present in the reviewing the minutes of the planning board meeting. No action was taken regarding that, from what I could tell, and Romeo KIA confirmed that no action was taken regarding that by that board in referring it to the DEC and so the DEC did not review the presence or absence of eagles or the possibility that there are bald eagles there. For what reason? I don't know. So the applicant has proposed a solution which is (inaudible). I don't know whether I'm the only one concerned with it, but what it was simply it's enough of a distance between where the project is and where the where the nest is. I didn't check the D.C. rules, but according to the applicant, it's within the parameters set by the DEC that makes me comfortable. The second thing that Romeo here indicated they would do is not begin construction until mid to late July, which is beyond the time that the eaglets who are there would be fledgling from the nest and would be leaving. So that seemed something that the DCE would have asked for, probably had it been referred to the DEC. and the last thing that they agreed to do was, to make sure that all outside work, raising the structure, putting in the steel, the sidings and everything on the building will be completed before the Eagles may return to the nest, which would be in the late November, December timeframe. They agreed to do that by that time. If all goes well, they'll be doing all of the interior work to the building. So it was three things that Romeo KIA came back and reassured the concerns that I had and the board had, presumably that make me feel comfortable with accepting the SEQR report done by the town planning board with perhaps the note Joe Scott of, it appears incomplete with respect to the review of the presence of an endangered species. And or the applicant has made three assertions, which would seem to assure me and the board, presumably, that we can accept the SEQR report from the planning board with those notes. So long winded way of saying I'm satisfied that the applicant. Is attempting to clean up perhaps the what was missed last year in the SEQR review and that the Eagles will not be impacted. And Rose, rather Chair you may want to ask Lucia if she has any other comments. She wrote a long,

[00:48:02] James Malcolm

Less is more Lucia, anything you want to say?

[00:48:05] Lucia Romeo

No. I think Rick covered exactly what we were proposing and where we're at. I mean, the only caveat I might say is just because of how building materials are right now. Obviously, getting the structure up by December is dependent on that. But we're I mean, hopefully with an approval will move full steam ahead to get this done as quickly as possible.

[00:48:26] James Malcolm

Look, we know as Rick brought it up before on our on our lengthy review of of Kingstonian and in process, things change in a scope of time. And right now, especially with costs of building and not just cost, but availability of building materials, you do your utmost to to keep to the promises made. But please, with all due respect, if there are any changes in that as a courtesy to this board, could you please let us know? And I guess that would suffice for all the board members. I don't want to put somebody out of business for months and months and months with material sitting on the ground. There's got to be some sort of happy medium there. So thank you for following through. Thank you for sitting and spending the extra time with our board members and thank the board members for asking the questions.

[00:49:27] Faye Storms

Lucia I do have a quick question. Do you are you going to be using your old location once you move to the new location or will you be renting it out or selling it or what?

[00:49:39] Lucia Romeo

We've actually already sold it. Are you currently leasing it back from the new owners? Yes. So I'm on extension number three, I think, to our lease right now. And they've pretty much told me that we're in the last extension. So, yeah.

[00:49:56] Faye Storms

You have to move.

[00:49:56] Lucia Romeo

Yeah. We have to move.

[00:49:59] Faye Storms

Right. OK.

[00:50:02] James Malcolm

Anyone else for LUCIA? Where does that bring us retail resolutions?

[00:50:15] Joe Scott

We need a motion and a second for the SEQR resolution and then a vote. So that's what we are.

[00:50:19] James Malcolm

Motion for the SEQR resolution.

[00:50:22] Richard Jones

I'll make that motion.

[00:50:24] James Malcolm

I need a second.

[00:50:26] Faye Storms

I'll second.

[00:50:27] James Malcolm

Can I have a roll call vote?

[00:50:31] Rose Woodworth

James Malcolm,

[00:50:32] James Malcolm

Yes,

[00:50:34] Rose Woodworth

Diane Eynon.

[00:50:35] Diane Eynon

Yes.

[00:50:36] Rose Woodworth

Faye Storms.

[00:50:37] Faye Storms

Yes.

[00:50:38] Rose Woodworth

Michael Ham.

[00:50:39] Michael J. Ham

Yes.

[00:50:41] Rose Woodworth

Orlando, Reece.

[00:50:42] Orlando Reece

Yes.

[00:50:43] Rose Woodworth

Daniel Savona.

[00:50:45] James Malcolm

He's muted, but he said, yes.

[00:50:48] Rose Woodworth

Stop muting yourself, but, yeah.

[00:50:51] Daniel Savona

Phone was ringing in the background. Yes, absolutely, yes.

[00:50:54] Rose Woodworth

(inaudible) Italian, Richard Jones.

[00:50:56] Richard Jones

Yes.

[00:50:58] Rose Woodworth

Ok.

[00:51:03] Joe Scott

Thank you Chair. So I'll move to the second resolution and a brief summary. The second resolution at the retail resolution under the IDA (inaudible). There are restrictions on the ability of the IDA to do retail projects, retail projects are projects very broadly defined where people come on site to buy goods or services. A car dealership is clearly a retail project. This project is located in a distressed area as defined under the IDA statute. Accordingly, it qualifies for one of the exceptions contained under the retail prohibitions, and this resolution formalizes that finding. And with that, I'll open it up for any comments or questions.

[00:51:47] James Malcolm

Anyone comment? Question.

[00:51:52] Faye Storms

I have a question. Does with all the building and the new everything in Kingston and the craziness with three thousand people moving in this last year alone, are the distressed areas going to be changed to non distressed areas?

[00:52:11] James Malcolm

I guess that's a state thing, I would assume Faye.

[00:52:16] Faye Storms

I mean, to me, these distressed areas are no longer distress, they're very vibrant.

[00:52:24] Daniel Savona

If you look in the back, if you look in the back of those areas, there is that area does need to be redeveloped. If you go back, neighborhood road back and through that area, parts of Lake Katrina, that does have to be rezoned, but there are there are still some areas in there that do need help. Now, the nine W area, I get what you're saying, but if you go back down, go down, Lake Katrina a little bit go back in there, that area is kind of needs little help. (inaudible) We need to find out who's responsible to do the survey. As to what.

[00:52:58] Daniel Savona

I'm sorry.

[00:53:00] Faye Storms

I'm sorry.

[00:53:00] James Malcolm

(inaudible) What we need to do is find what agency does the survey and gives them the status of, they need for a vibrant or what? So is that a state thing council?

[00:53:17] Joe Scott

Yes, it is. It's a combination of state and federal agencies that do analysis based on income, poverty levels, lunch for, free lunch for students, that sort of thing. And that does change over time. So we imagine a situation where a physical, an area was distressed and then in a later year becomes not distress.

[00:53:41] James Malcolm

Do they do these things cyclically or is it by request?

[00:53:45] Joe Scott

It's an annual it's an annual computation chair. And we look at it. So we look at it. Obviously, it's not done in real time. We would look at data for the prior year. And so as the as the the site improves or the area improves, perhaps in the future it may not be eligible for exception.

[00:54:09] James Malcolm

Unless I'm mistaken Faye and just correct me if I'm wrong. Is it appropriate or I shouldn't say appropriate. That's the wrong way to phrase it. Would it be out of line if there was such an influx and built, say, Amazon came over and took over Enterprise Drive? Would it be possible at that point, would it be in our purview to be able to ask the state to review it and change how it's denoted?

[00:54:38] Faye Storms

Is that a question Joe.

[00:54:39] James Malcolm

Yeah.

[00:54:41] Joe Scott

We could certainly make note to that, but, I mean, to be honest Chair the people that do these, what I guess what would I would do is I would suggest that we and I can work with them with the CEO on this is that we talk to your regional ESD issue, ESD person on this, because the people that actually do the calculations, it's not subjective. It's objective. They they collect the data, run them through their computers and then boom, it spits out the answer either above the line, below the line.

[00:55:14] James Malcolm

Or they were just trying to get a little bit more of an understanding and what you know, what we can or can't do, and it's just to answer a board members questions, so we'll wait for you to get back after your discussion. And that was an excellent question Faye. Thank you. So are we going what are we moving on to next? We take a vote yet on the retail findings.

[00:55:41] Rose Woodworth

No. We need a motion.

[00:55:42] James Malcolm

Can we have a motion to go and take a vote on the retail Findings resolution. I'll make that motion. Do we have a second.

[00:55:51] Daniel Savona

Second.

[00:55:51] Rose Woodworth

Thank you Danny. Anyone else on the question? No, all those in favor.

[00:56:02] All

I

[00:56:03] James Malcolm

Opposed. Carried. Please.

[00:56:03] Rose Woodworth

James Malcolm.

[00:56:04] James Malcolm

Yes.

[00:56:05] Rose Woodworth

Diana Eynon.

[00:56:06] Diane Eynon

Yes.

[00:56:08] Rose Woodworth

Faye Storms.

[00:56:08] Faye Storms

Yes.

[00:56:09] Rose Woodworth

Michael Ham.

[00:56:10] Michael J. Ham

Yes.

[00:56:11] Rose Woodworth

Orlando Reece.

[00:56:13] Orlando Reece

Yes.

[00:56:13] Rose Woodworth

Daniel Savona.

[00:56:15] Daniel Savona

Yes.

[00:56:17] Rose Woodworth

And Richard Jones.

[00:56:19] Richard Jones

Yes.

[00:56:20] James Malcolm

That brings us to the approving resolution for Romeo KIA. Joe.

[00:56:25] Joe Scott

Yes, thank you, Chair. This resolution was distributed in advance of the meeting at the 50 thousand foot level. What it does is approve the documents and authorize the chairman to sign the documents. There's three things that I want to outline in the resolution. One is that if you look at Page One forty-six of the resolution, it's subsection E where we indicate that the project is resulting in a move from one jurisdiction to another. There are findings that we need to make with respect to that. And those findings are supported in the IDA application, namely that they need to make the move for competitive purposes. And we we've we've got the documentation for that. We've made the findings in the resolution and we've gone through the procedural steps to reflect that. The second item is if you go to page 150. There's a series of criteria that this IDA has identified that they review in connection with the review of any IDA project, what I want to do is just very briefly go through those criteria starting at the top. There is a retention of existing jobs. There is a creation of new permanent jobs. The project applicant has committed to local labor construction. There is private sector investment of almost six million dollars. We've outlined the value of the tax exemptions and the value of those tax exemptions vis a vis the value of the benefits from the company were described by the CEO, namely twenty five to one, which is a very high ratio. The company has a proven commercial track record. So item six is checked yes. Item seven is checked yes. Because of the related to be generated by the project. Item eight of bootstraps off of the comments from Ms. Storms about the benefits, additional benefits, there's development in a distressed area also touches base with Mr. Savona's, comments about the need for additional development in those in that area. Item nine, there is alignment with local planning and development. It's gotten all the local approvals. There is local support for the project. No brownfield remediation here. This is not a brownfield site and there is compliance with the agency policies. With respect to, for instance, the adoption or I'm sorry, not the adoption, but the approval of a claw back agreement. The last point that I want to make is that the CEO has included in the package, the public hearing record. And I think it's appropriate for either the chair or the CEO to comment briefly on the public comments received during the public hearing so that the board hears them directly in addition to the written comments that you reviewed in connection with your preparation for this meeting. And with that, I'll pass it back to you, Rose, and or the chair.

[00:59:59] Rose Woodworth

Do you mean the email public comments Joe?

[01:00:02] Joe Scott

No, I meant I think just really and I'm sorry. I don't mean to put you on the spot, Rose. It's just a general description of the there were people from the public I attended also. There were people that frankly, many of the comments seemed to focus on planning issues and environmental issues.

[01:00:21] Rose Woodworth

The people that took issue with those things were in favor of, it seemed to me, if they were all in favor of mostly in favor of the project, they just had some issues with some prior things that were more of the planning department's issue. And I also know that Lucia and her engineer have also taken care of the issues from an old site that they had started develop...

[01:00:49] Daniel Savona

Original site.

[01:00:51] Rose Woodworth

That had caused some issues for the park trailer park behind them. So all of that's been taken care of.

[01:01:00] James Malcolm

I want to thank Lucia for taking the extra steps.

[01:01:04] Rose Woodworth

Yes.

[01:01:05] James Malcolm

We certainly will and we expect the applicant to do that. And again, thank you for your time and patience. I need to get a motion to vote on the approving resolution and...

[01:01:17] Daniel Savona

I make a motion to vote on the resolution.

[01:01:21] James Malcolm

We have a second.

[01:01:25] Orlando Reece

Second.

[01:01:25] James Malcolm

Thank you, Orlando. Anyone on the question, no, all those in favor.

[01:01:29] All

I.

[01:01:30] James Malcolm

Will move to vote. Thank you.

[01:01:32] Rose Woodworth

James Malcolm.

[01:01:34] James Malcolm

Yes.

[01:01:35] Rose Woodworth

Diane Eynon.

[01:01:36] Diane Eynon

Yes.

[01:01:38] Rose Woodworth

Faye Storms.

[01:01:39] Faye Storms

Yes.

[01:01:40] Rose Woodworth

Michael Ham.

[01:01:41] Michael J. Ham

Yes.

[01:01:42] Rose Woodworth

Orlando Reece.

[01:01:43] Orlando Reece

Yes.

[01:01:45] Rose Woodworth

Daniel Savona. Danny.

[01:01:49] Daniel Savona

Yes.

[01:01:52] Rose Woodworth

And Richard Jones.

[01:01:53] Richard Jones

Yes.

[01:01:53] Daniel Savona

Yes, I said.

[01:01:54] Rose Woodworth

Rick you said yes?

[01:01:58] Richard Jones

Yes.

[01:02:00] Rose Woodworth

Ok, thank you.

[01:02:01] James Malcolm

Graduation's Lucia.

[01:02:03] Lucia Romeo

Thank you so very much. I appreciate all of your work and all of your efforts in trying to address every issue that we have with us. So thank you very much. And we'll do our best to get it done fast and within the constraints that we've set forth.

[01:02:18] Daniel Savona

Congratulations.

[01:02:18] James Malcolm

It just proves one thing, especially the public hearing and those of you who weren't privy to it, we may have touched on it before. This board does everything they can to answer questions on on anything. But I would say Joe, Rose, maybe ninety five percent of the questions were matters for four different governmental entities. But. And then that's not to characterize or color anybody else in a certain way, we just we do the best we can to answer whatever we can. Yes, Joe

[01:02:55] Joe Scott

And. Pardon my Chair at the risk of getting on a soapbox, I think the...

[01:03:01] James Malcolm

Feel free. I'm getting off on, you can borrow it.

[01:03:03] Joe Scott

The number of comments received about other governmental entities reflects the level of transparency of this entity vis a vis the other entities. One of the constant, if you will, complaints of IDA's is that they don't operate in the public. They're not transparent, they're not responsive. Here we had a public hearing. We published a public hearing. We noted it on our website. We advised (inaudible) the public hearing. We had a lot of people from the general public attending, and yet they were complaining and commenting on actions of other Governmental entities, which suggests that there is a level of transparency that that should be had with those governmental entities. And I just want to reflect or make that point, because it was certainly at least apparent to me as I witnessed what was going on during the public hearing.

[01:04:03] James Malcolm

Just on a final note on that. And, Rick, you can speak as soon as I'm done. A lot of people have said, well, you know, the way this board does business is change. But I'll tell you something right now, it doesn't change unless the people who are on this board buy in and the people that are on this board have bought it. And that they're the they're the ones that applicants should be thanking up and down because they're the guys who do what needs to be done. But go ahead, Rick Jones.

[01:04:33] Richard Jones

Thank you Chair, and by the way, thank you for your patience with me at every meeting. I have one...

[01:04:40] James Malcolm

Danny Savona says, take him for a walk, but bring him back.

[01:04:45] Richard Jones

Danny, I love your haircut. Who does it?

[01:04:48] James Malcolm

Somebody hit him with a brick on that side.. (inaudible).

[01:04:51] Richard Jones

I need a haircut.

[01:04:52] James Malcolm

Lucia is also giving haircuts up at the dealership.(inaudible)

[01:04:56] Daniel Savona

To try to save money.

[01:04:57] Rose Woodworth

My question my quick question. I hope that's what it is. Hey, Joe, I'm led to believe in another board that I'm on that Inness is chatting with you about modifying the agreement to add a piece of property that they're adding to the inducement property is that, is that happening and should that be added to our list of pending project items?

[01:05:29] James Malcolm

Rick just did, but I had a brief conversation with the owner of Inness and explained to him what you had brought to us, and I the guy says, but the building is going on the new parcel. And Rose and I were together on the phone call and told, well, that changes everything. So whatever it is you're going to do, you have to notify us prior so we can make the documents reflect it. So they're. Well, understand. And thank you for letting them know, because if it wasn't for you, let them know they'd have been on their merry way and we'd have had another one for governance. So good one, Rick. Joe, you want to add to that?

[01:06:16] Joe Scott

Just for purposes of a follow up chair I did at the CEO's request, I did reach out to company counsel. I had a very detailed conversation with company counsel. He forwarded to me the new site diagram, and they are adding (inaudible) to the project site and they're moving the building, one of the buildings to that new land. And I made clear to the company council that they need to have an amendment of the IDA documents to include that added site or that added piece of property so that no one is subject to the PILOT. And number two, it's counted for purposes of the job numbers. He understands that we walk through a series of questions. I told him he needs to get that to me. I would then review it with the CEO. And I would expect that this will be on the June agenda for a for an amendment to the IDA documents to add that site. There's no additional benefits. There's no additional issues that require, for instance, a public hearing. But there's certainly a a potential issue if they didn't add that piece of property.

[01:07:28] James Malcolm

Absolutely suggested in lay terms, Joe, would I be wrong in saying if they picked up a building and moved it on that new piece of property without letting us know, then that would be on the tax rolls. None of those jobs would count and they'd be responsible and on the hook. So while sometimes people will come in thinking that we don't want to do it for them, if it wasn't for us, we just saved them a ton of money. So good stuff and again, Rick, thank you for bringing it to our attention and actually letting the property owners know I love you, Rick, and I would never be without you. Swear to God.

[01:08:05] Richard Jones

Make sure that's in the minutes.

[01:08:15] Rose Woodworth

Jimmy, I'm sorry. Go ahead.

[01:08:18] James Malcolm

No, no. Do we have new business or do you have something prior?

[01:08:21] Rose Woodworth

No, it was prior. I just had an update, but I can wait.

[01:08:26] James Malcolm

What's the update?

[01:08:26] Rose Woodworth

I had reached out to Jay Mahler in the meantime, about updates for the county building. They don't have any new guidance yet. It's being discussed right now. So I will let everybody know when there's more...

[01:08:38] James Malcolm

You reached out to John Mullen?

[01:08:40] Rose Woodworth

Jay Mahler.

[01:08:41] James Malcolm

Oh Mahler, Mahler.

[01:08:42] Rose Woodworth

About, Jay Mahler, about the county building, taking public meetings yet. So the county building, because of its guidance, came out so quickly. They don't have an answer, but they're working on figuring that out.

[01:08:54] James Malcolm

I thought I saw the county executive was all over that, along with Mark Molinaro about...

[01:09:00] Rose Woodworth

He was.

[01:09:01] James Malcolm

Everybody reads the paper. So, you know, I think it'd be nice where this is great. It's convenient for people, but it would be nice to be able to have a meeting and have the public there. And I know Bill's in the corner. I haven't seen him, but I know he's down there in a corner. He likes to show up. So hopefully sooner rather than later. Right? Hi Bill. So, OK, when you find out, you'll let us know. All right, new business. Nothing, public comments on agenda items, anyone, Bill?

[01:09:37] Rose Woodworth

Bill, has been. Hold on, Bill. I'm not. Well, there you go, you unmuted yourself. You got it.

[01:09:43] Bill Kemberl

Everybody thinks I'm a mutant, so. Just so that I'm really clear on the KIA plan, is the plan, OK. This particular eagle's nest over the past couple of years? Yeah, the Eagles like the fledge in late July. I know this from observational and I follow about six nests in different locations. And the tendency for bald eagles is it's not like we can kick the eagle out and it goes off to college, what bald eagles like to do is gradually take their eaglet off and further and further from a nest. But some little eaglets, fully grown little eaglets like to return back. So it usually takes anywhere between two to six weeks for any eaglet to not return to the nest. The past, and the other thing is I they fly over a busy intersection, (inaudible). But my question is the plan not to build until they are fully fledged. In other words, you do not see a eaglet in the nest at all. That's my question.

[01:11:16] James Malcolm

How do you determine question for you then? How do you do if you sit anywhere between two and six weeks? How do you determine that they're just not off for a long time not to be flip that they're just not off for a long weekend kind of thing?

[01:11:28] Bill Kemberl

Yeah, I know. I know what you're saying (inaudible).

[01:11:33] James Malcolm

I guess what I'm getting at is, you know, Lucia and the Romeo KIA people are certainly trying to work hand-in-hand with people that are very in touch with the conservation and the wildlife. So how are we to determine if we're gone for good? I mean, is there a number, two weeks would you say?

[01:12:00] Bill Kemberl

Those that those of us who are usual suspects in photography and photographing eagles call it eagle time and it's like a baseball game. It's like my wife says, how long are you going to be out at the end of nine innings. You do not know how long it's really going to be. And I don't mean to be little Johnny Rain Cloud here, but I'm just asking. My question was what will be the benchmark for determining that it has Fledge? Because quite honestly, you have a really great observation area. If you wanted to if you wanted to be really great conservationist, that far southern end of the property makes a great viewing area for the nest, but. It can be the nest. You can see the young and so that's it. I mean, that would be my answer when you don't see it over the course of two or three days.

[01:13:04] James Malcolm

I'm not being flip either. I'm just trying to find something that accommodates each side, that that's all.

[01:13:15] Bill Kemberl

I understand that. And I find that important to this story. But my question is, if you're saying that they talk this, they're talking to people who are familiar with it, what are they telling them? Should be the measurement before they actually start construction.

[01:13:37] James Malcolm

They should probably follow whatever the experts are telling them and they can embrace. But as, again, if we use the time frame of two to six weeks, I can tell you that's a long time, a month in between the bottom end and the top end on a project. So I'm sure we can find a happy medium, something that all sides can agree on. You see that they're going to be gone. They've left. You get a general idea, but it's an interesting question and we'll do our best to to fall within the acceptable range for all parties. OK. All right. I noticed by the eyes moving around in the nodding going on what we're good at. So any other public comment on agenda items? I'll entertain a motion to adjourn. Thank you very much. I want Rick to sign it.

[01:14:43] Richard Jones

I'll make a motion.

[01:14:45] Orlando Reece

I'll second.

[01:14:47] James Malcolm

All those in favor.

[01:14:49] All

I.

[01:14:49] James Malcolm

Opposed. Carried. Thank you, everyone, for your time. See you soon enough.

[01:14:54] Richard Jones

Thank you.

[01:14:56] Rose Woodworth

Thanks, guys.

[01:14:58] Orlando Reece

Thanks, Rose.

[01:14:59] Faye Storms

No, CRC meeting now.

[01:15:02] Rose Woodworth

We're done with the Grants.

[01:15:04] Faye Storms

Oh, good. OK.

[01:15:05] Rose Woodworth

No policies for both. So. Yeah.

[01:15:09] Faye Storms

OK.

[01:15:09] Rose Woodworth

First time in a year.

[01:15:11] Faye Storms

I know. That's amazing.

[01:15:13] Rose Woodworth

Buy guys and Aaron you can stop the recording to. Hey, Rick.

END OF TRANSCRIPT



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