

UCIDA

Ulster County Industrial Development Agency

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY MINUTES APRIL 12, 2017

A regular monthly meeting of the Ulster County Industrial Development Agency was held at 8:00 a.m., Wednesday, April 12, 2017, Karen Binder Library, 6th Floor, Ulster County Office Building, 244 Fair Street, Kingston, NY.

Roll Call:

The following agency members were present:

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|-------------------|------------------------|
| John Morrow | Vice Chair |
| James Malcolm | Assistant Treasurer |
| John Livermore | Assistant Secretary |
| Randall Leverette | Treasurer |
| Michael Bernholz | Member (excused early) |

The following agency members were excused (absent with notice):

| | |
|-------------------|-----------|
| Robert Kinnin | Secretary |
| Michael Horodyski | Chair |

Office of Economic Development Staff:

Suzanne Holt
Timothy Weidemann
Bernadette Andreassen

UCIDA Attorney and Bond Counsel:

A. Joseph Scott Hodgson Russ LLP

Chief Financial Officer:

Christopher Rioux

Additional Attendees:

Timothy McColgan, Esq. (Attorney for 2-4 Kieffer Lane LLC)
Bipin Patel (Saugerties NY Development LP)
Khattar I. Elmassalemah, PE, Senior Project Engineer (Praetorius & Conrad, PC)
Henry Stout (Creative Environments LLC, d/b/a Full Moon Resort)
Michael Densmore (Creative Environments LLC, d/b/a Full Moon Resort)

Geddy Sveikauskas, Ulster Publishing
William Kemble, Daily Freeman
Jennifer Schwartz-Berky, Legislature

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

PLEDGE OF ALLEGIANCE

The members of the Agency participated in the Pledge of Allegiance to the flag.

READING OF THE UCIDA MISSION STATEMENT

The mission of the Ulster County Industrial Development Agency is to advance the job opportunities, general prosperity and long-term economic vitality of Ulster County residents by targeting tax incentives, bonding and other assistance to foster creation and attraction of new business and the retention and expansion of existing business.

MINUTES

Motion: Randall Leverette, seconded by John Livermore, moved to approve the Minutes of the March 8, 2017 meeting. A copy of said Minutes is on file.

Vote: The motion was adopted.

FINANCIALS

Chief Financial Officer, Christopher Rioux, reported that the rates for the Certificate of Deposits have gone down. Mr. Rioux has previously consulted with Chair Michael Horodyski, with regard to the same; and as a result of their discussions, the possibility of finding another bank with better rates will be investigated.

Attorney A. Joseph Scott, reported that the PARIS reports and the Audits have been completed and were timely.

Motion: Randal Leverette, seconded by John Livermore, moved to accept the financials for the periods ending March 31, 2017. A copy of said financial is on file.

Vote: The motion was adopted.

COMMITTEE REPORTS

Audit Committee

Randall Leverette, Audit Committee Chair, reported that there was nothing new.

Governance Committee

John Morrow, Governance Committee Chair, reported that there was nothing new.

RESOLUTION 157 REPORT

John Morrow stated that the Ulster County Legislature, via Resolution 157 of 2012, requested that the UCIDA annually provide financial statements/annual report, agency overview, projects – pending and complete, 5 year project summary and the most recent PARIS report. A copy of said report is on file.

Motion: James Malcolm, seconded by Randall Leverette, moved to approve the Report for submission to the Ulster County Legislature.

Vote: The motion was adopted.

2-4 KIEFFER LANE, LLC

Timothy P. McColgan, Corporate Counsel for 2-4 Kieffer Lane, LLC and also US Crane, LLC, addressed the Board members. The company was formed for the purpose of the operation and lease of large mobile cranes covering the area from Kingston to Buffalo. 2-4 Kieffer Lane, LLC is the Real Estate Holding Company and the sole member is Thomas Auringer. US Crane, LLC is the Operating Company and tenant company. Thomas Auringer is the sole member of US Crane, LLC. The project is located at 2-4 Kieffer Lane, in the Town of Ulster, Ulster County, New York. A copy of said application is on file.

Discussion included but not limited to the following:

- 2-4 Kieffer Lane, LLC will not be seeking a PILOT. They are solely seeking sales and use tax exemption since the premises were previously purchased and the building thereon is in good shape.
- As a question of market share, these types of cranes do not exist anywhere nearby.
- The equipment has been ordered and financing is in place; however, until approval is obtained, they cannot continue with their business plan.
- The number of jobs created as listed on the application is conservative. Mr. McColgan is confident that number will increase.
- The sales tax exemption is just for the initial acquisition. It does not apply to any operation costs. It is solely for the equipment as described in the application.

RESOLUTION AUTHORIZING THE DIRECTOR, OFFICE OF ECONOMIC DEVELOPMENT OF ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF 2-4 KIEFFER LANE LLC.

Motion: James Malcolm, seconded by Randall Leverette, moved to approve said resolution.

Vote: The motion was adopted.

SAUGERTIES NY DEVELOPMENT, LP

Bipen Patel explained that his company is proposing to build an 86-room Holiday Inn Express in Saugerties, New York. With that, the presentation was turned over to Khattar I. Elmassalemah, P.E., Senior Project Engineer for Praetorius and Conrad, P.C. Mr. Elmassalemah gave the Board a visual and verbal overview of the project which included drafts and photos of the proposed project. The building will be located on a ten-acre lot, being a part of the Winston Farm and located across from the Southbound New York State Thruway entrance/exit in Saugerties, New York. It will consist of a 4-story Holiday Inn Express Hotel and a pad for a future restaurant. A copy of said application is on file.

Discussion included but not limited to the following:

- The road improvements and the infrastructure are all a part of project cost, and in effect, will be public improvements.
- Water and sewer will be sought through a separate agreement with the Town and/or Village of Saugerties.
- The project will not have an impact on the historical stone house which is located near the project site.
- 10-12 local jobs will be created upon opening and will not fluctuate with the seasons. Approximately 50 plus jobs are expected to be created for local contractors and landscapers.
- Completion of the project is expected within 12-18 months.

RESOLUTION AUTHORIZIING THE DIRECTOR, OFFICE OF ECONOMIC DEVELOPMENT OF ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF SAUGERTIES NY DEVELOPMENT LP.

Motion: John Livermore, seconded by Randall Leverette, moved to approve said resolution.

Vote: The motion was adopted.

EXECUTIVE SESSION

Motion: James Malcolm, seconded by Randall Leverette moved to enter Executive Session for the purpose of obtaining advice of counsel.

Vote: The motion was adopted.

The Board of Directors moved into Executive Session at 8:31 AM

Motion: John Morrow, seconded by Randall Leverette, moved to come out of Executive Session.

Vote: The motion was adopted.

The Board of Directions moved out of Executive Session at 9:05 AM

No official action was taken by the Board during Executive Session.

DISCUSSION

At the conclusion of the Executive Session, the public was invited to return to the meeting and continue with the remaining items on the Agenda. At that time, Mr. William Kemble of the Daily Freeman disclosed that he inadvertently left his recorder in the room during the Executive Session. He offered to erase his recording in the presence of the Board. Mr. Kemble then began to delete the recording. Upon completion, he agreed to surrender the recorder to Randall Leverette for his examination and confirmation that the recording was, in fact, erased. Attorney A. Joseph Scott raised the question as to the actual permanency of such a deletion and made a speculation as to whether or not it could be recovered. Due to the compromising situation of the matter, it was recommended to confiscate the recorder; however, that was not acceptable to Mr. Kemble. James Malcolm remarked that the relationship between Mr. Kemble and the Board in past years has been one of mutual respect and trust. In order to avoid any further deliberation, and at the recommendation of Chair John Morrow and Attorney A. Joseph Scott, it was requested that Mr. Kemble give his assurance to the Board that the recording was erased and no attempts will be made to recover the same at any time in the future. Mr. Kemble reaffirmed his assurance to the Board that he has deleted the file from his device and he will not attempt to recover the recording in the future.

It was unanimously agreed by the Board that Mr. Kemble's personal assurance to them was sufficient; and thereafter a decision was made to resume the meeting.

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

Henry Stout introduced himself and his business partner, Michael Densmore to the Board. Full Moon Resort is occupying a business location which has been in existence since the late 1800's. The premises was purchased by the applicants in 2000. It is their intention to carry on the tradition of a lodging business in the Catskill Forest Preserve. Events include destination weddings which require guest accommodations through a weekend as well as other one-day events. The facility is in need of an upgrade to better accommodate their guests. A copy of said application is on file.

Discussion included but not limited to the following:

- The resort currently has 33 guest rooms. Through this project, an additional 10 rooms would be sought.
- Improvements would also include replacing an existing wedding tent with a permanent roof structure (pavilion) to mitigate unfavorable weather conditions.
- The resort has been in business for seventeen years and is starting their eighteenth season.
- 1.5 million dollars has been invested in the project to date.
- Currently the resort provides approximately 40 full-time and part-time jobs with the addition of another 20 jobs during the summer.
- It is believed that with the current business model, the facility is working at a fraction of its ability.
- 5-6 new jobs are anticipated to be created.

- Local and regional workers will be contracted for the improvements.

FIRST: RESOLUTION AUTHORIZING THE DIRECTOR, OFFICE OF ECONOMIC DEVELOPMENT OF ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF CREATIVE ENVIRONMENTS, LLC AND HENRY STOUT.

Motion: Randall Leverette, seconded by John Livermore, moved to approve said resolution.

Vote: The motion was adopted.

SECOND: RESOLUTION (A) ACCEPTING THE DETERMINATION BY THE TOWN OF SHANDAKEN PLANNING BOARD TO ACT AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF A PORTION OF THE CREATIVE ENVIRONMENTS, LLC AND HENRY STOUT PROJECT (THE "PROJECT") AND ACKNOWLEDGING RECEIPT OF THE NEGATIVE DECLARATION ISSUED WITH RESPECT THERETO AND (B) DETERMINING THAT ACTION TO UNDERTAKE THE REMAINING PORTION OF THE PROJECT IS A "TYPE II ACTION" AND THAT NO FURTHER ACTION IS REQUIRED UNDER SEQRA WITH RESPECT THERETO.

Motion: Randall Leverette, seconded by James Malcolm, moved to approve said resolution.

Vote: The Motion was adopted.

THIRD: RESOLUTION APPOINTING CREATIVE ENVIRONMENTS, LLC AND HENRY STOUT AS AGENTS OF ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR THE PURPOSE OF UNDERTAKING AND COMPLETING A PROJECT FOR THE BENEFIT OF THE CREATIVE ENVIRONMENTS, LLC AND HENRY STOUT.

Motion: Randall Leverette, seconded by John Livermore, moved to approve said resolution.

Vote: The motion was adopted.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Approval of Renewal Contract With CGR (InformAnalytics)

Motion: Randall Leverette, seconded by John Livermore moved to approve the renewal Contract with CGR (InformAnalytics) for one year in the amount of \$625.00.

Vote: The motion was adopted.

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

Attorney and Bond Counsel, A. Joseph Scott reviewed the letter received from DOL with the members and stated that due to a discrepancy between the terms of the cover letter and the actual form to be signed by the UCIDA, the Association of the IDA'S is looking into the matter with DOL to see what the stimulus is for sending the letter. NYEDC will then recommend a response to the letter. In the interim, it was suggested that the Board authorize Suzanne Holt to sign the form on behalf of the Agency once the same has been determined acceptable.

Motion: James Malcolm, seconded by John Morrow, moved to concur with the advice of counsel to empower Suzanne Holt to execute the DOL form once it has been approved by NYEDC.

Vote: The motion was adopted.

Invoice from Galileo Technology Group, Inc.

A copy of the invoice from Galileo Technology Group, Inc. was presented to the Board for informational purposes only. They prefer to submit a bill monthly together with a report. No approval of the same is required since payment has been previously approved by the Board.

PUBLIC COMMENT

Geddy Sveikauskas , Ulster Publishing, raised a question concerning the Executive Session, which he withdrew after being advised that the session was called in order to seek advice of counsel.

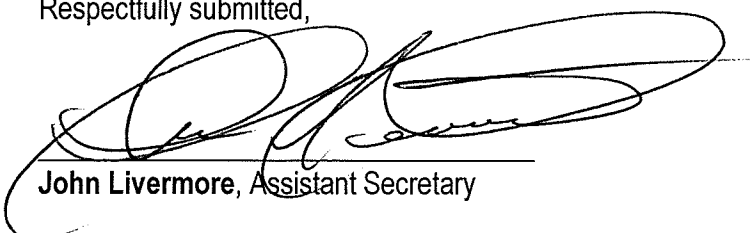
ADJOURNMENT

Motion: James Malcolm, seconded by Randall Leverette, moved to adjourn the meeting

Vote: The motion was adopted.

The meeting was adjourned at 9:45 a.m.

Respectfully submitted,


John Livermore, Assistant Secretary