

Dated April 22, 2021

UCIDA

Ulster County Industrial Development Agency

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY MINUTES April 21, 2021

A regular monthly meeting of the Ulster County Industrial Development Agency was held on Wednesday, April 21, 2021 at 9:00 A.M. via Zoom

Roll Call:

The following agency members were present:

James Malcolm	Chair
Michael J. Ham	Secretary
Orlando Reece	Assistant Secretary
Daniel Savona	Assistant Secretary
Richard O. Jones	Member/Chief Financial Officer

The following agency members were absent with notice:

Dr. Diane Eynon	Vice Chair/Treasurer
Faye Storms	Assistant Treasurer

Additional Attendees:

Rose Woodworth	Chief Executive Officer
A. Joseph Scott, III, Esq.	Agency Counsel

The meeting was called to order at 9:00 A.M. by Chair James Malcolm.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Roll was called, and it was noted that a quorum was present.

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: Orlando Reece, seconded by Michael J. Ham, moved to approve the minutes of the March 17, 2021 meeting as presented.

Vote: The motion was unanimously adopted (5-0).

Executive Session

Motion: Michael J. Ham, seconded by Daniel Savona, made a motion to enter Executive Session for the purpose of receiving advice from Counsel on pending litigation.

Vote: The motion was unanimously adopted (5-0)

The Board entered Executive Session at 9:03 A.M.

Motion: James Malcolm, seconded by Daniel Savona, made a motion to come out of Executive Session.

Vote: The motion was unanimously adopted (5-0).

The Board came out of Executive Session at 9:24 A.M.

No action was taken during Executive Session.

FINANCIALS

Chief Executive Officer Rose Woodworth presented the March financial report. The annual administrative fees were high for March, due to the bulk of February's fees being paid in March and having four projects in process. There were also two application fees that came in during the month of March. The CEO notes an invoice for UHY, for audit services, was accidentally paid without Board approval. Safeguards have been put in place so this does not happen again. The invoice was for (\$2,750.00) over the \$2500.00 requirement for Board-approval).

Motion: James Malcolm, seconded by Richard Jones, made a motion to approve the UHY bill in the amount of \$2,7500.00 contingent on the electronic receipt of the bill.

Vote: The motion was unanimously adopted (5-0).

Motion: Orlando Reece, seconded by Daniel Savona, made a motion to accept the financial report for March 2021 as presented.

Vote: The motion was unanimously adopted (5-0).

CHAIR'S REPORT

James Malcolm presented the Chair's Report. As part of his report, the Chair reported that it has been busy, and a number of new and existing business approaching the IDA.

CHIEF EXECUTIVE OFFICER'S REPORT

Rose Woodworth presented the Chief Executive Officer's report. As part of her report, she reported on the following:

- A. M&T Bank Transfer – The accounts are set up and a majority of money has been moved over but are wait for all checks to clear TBOGC before closing the accounts out. The CEO stated the credit card from M&T Bank has been received and has used it a couple times.
- B. Open Meetings Law – The Governor passed an Executive Order which includes the extension for public meetings and hearings to be held remotely, until May 6, 2021. It is believed the County office building is not allowing the public back in the building yet for meetings. Therefore, meetings will probably remain via zoom until that changes. The CEO will keep everyone updated on any changes.
- C. Agency Insurance – After reviewing with Rick, the offers from Marshall & Sterling and Ulster Insurance, we feel the Agency should go with Ulster Insurance.

Motion: Daniel Savona, seconded by Orlando Reece, made a motion to use Ulster Insurance as the Agency's insurance broker.

Vote: The motion was unanimously adopted (5-0)

- D. Tax Cap – The CEO has spoken with NYS Senator Michelle Hinchey about the tax cap issues for schools. Senator Hinchey’s team asked what we might change in the bill to fix the issue so the bill might pass. She spoke with the Chair and agreed to reach out to all the school districts in the County for their input. This will be worked on in the next few months.
- E. The CEO stated she has attended quite a few continuing education classes over the last month. These included, IDA workshop, a round table discussion on solar renewable and clean energy projects, and a webinar on the changes coming with the new cannabis laws.

Motion: Richard Jones, seconded by Daniel Savona, made a motion to accept the CEO’s Report as presented.

Vote: The motion was unanimously adopted (5-0).

Committee Reports

Audit Committee

Audit Committee report was presented by Rose Woodworth in the absence of Chair Dr. Diane Eynon.

- A. Construction Labor Monitoring Report – Loewke Brill reported Inness to be at 92% total monthly compliance average. was completed.
- B. Annual Report – The CEO has been working with UHY to finish everything. There was an extension due to COVID. We were waiting on a couple of projects to submit their information. The information has been received; Rose will be submitting the information to the auditors for completion.

Finance

No financial committee meeting this month.

Governance

Governance Committee Chair Michael J. Ham presented the Governance Committee report. The Community went over several policies. The Discrimination/Harassment Prevention Policy and the Sexual Harassment Prevention Policy. These policies were sent to Council for review and to be tailored to the needs of the UCIDA. There was discussion on the Community Investment Program as to how to best service the area. Discussions will continue for this program. The Mentoring Program discussion included a checklist and Q&A that were put together to help applicants. Work is also still be done on this program.

Motion: Richard Jones, seconded by James Malcolm, made a motion to vote on the resolution for the Discrimination/Harassment Prevention Policy and Sexual Harassment Prevention Policy.

Vote: The Board voted as follows:

James Malcolm	Aye
Faye Storms	Absent
Dr. Diane Eynon	Absent
Michael J. Ham	Aye
Orlando Reece	Aye
Daniel Savona	Aye
Richard O. Jones	Aye

OLD BUSINESS

Status of Pending Projects

Board Counsel A. Joseph Scott, Esq. reported on the status of pending projects:

- Wildberry Lodge, LLC – No change. Project is completing SEQR process. No action can be taken until the process is completed.
- Kingstonian Development, LLC – Ready to move forward to closing once the Project finalizes timetable.
- Apherea, Inc. – Ready to schedule public hearing once Project Applicant finalizes application.
- Magruder Solar, LLC – Ready to schedule public hearing once project applicant finalizes Application.
- RBW Studio LLC – Public hearing has been scheduled and held, and Agency has scheduled a special meeting for the purpose of final approval for Project.
- Romeo Enterprises, LLC – Public hearing has been scheduled and held on April 19, 2021.

At this time, it was brought to the Board's attention that Inness brought a change of their site plan to include an additional separate parcel of land before the local Planning Board. Agency Counsel will discuss with the Project's Counsel.

Status of Project Revision

It was report that Darien Lake has not yet signed the documents, but we know their position. The Greenhouse Project is good, no push back from them. Amthor is working on refinancing their bond. We are still waiting for their reporting. Viking Industries has indicated that they refinanced their bond. We have asked for proof of the refinance but have not yet received it. Reporting is needed for each year the project is involved with the IDA.

NEW BUSINESS

PPE Grants for Board Consideration

The Board reviewed the application from Anneliese Mordhorst for the PPE Grant. The CEO stated that the funds under the IDA for the grants will be close to being exhausted after this grant.

Motion: Richard Jones, seconded by James Malcolm, made a motion to approve the grant to the applicant on the list presented.

Vote: The motion was unanimously adopted (5-0).

PUBLIC COMMENT

Bill Kemble, a reporter from the Daily Freeman, asked who the litigation that was discussed during Executive Session is with. He also spoke of the Public Officer's law in regard to the discussion about Inness, to bring to the Board's attention.

ADJOURNMENT

Motion: Richard Jones, seconded by Michael J Ham, moved to adjourn the meeting.

Vote: The motion was unanimously adopted (5-0).

The meeting was adjourned at 10:11 A.M.

Respectfully submitted,

Michael J. Ham, Secretary