

# UCIDA

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Ulster County Industrial Development Agency

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## ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY MINUTES June 16, 2021

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A regular monthly meeting of the Ulster County Industrial Development Agency was held on Wednesday, June 16, 2021 at 9:00 A.M. via Zoom.

**Roll Call:**

The following agency members were present:

James Malcolm	Chair
Dr. Diane Eynon	Vice Chair/Treasurer
Faye Storms	Assistant Treasurer
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:

Additional Attendees:

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

The meeting was called to order at 9:01 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:** Michael J. Ham, seconded by Daniel Savona, moved to approve the minutes of the May 19, 2021 regular meeting as presented.

**Vote:** The motion was unanimously adopted (7-0).

### **Executive Session**

**Motion:** Orlando Reece, seconded by Michael J. Ham, made a motion to enter Executive Session for the purpose of discussing pending litigation and personnel matters.

**Vote:** The motion was unanimously adopted (7-0)

The Board entered Executive Session at 9:05 A.M.

**Motion:** Faye Storms, seconded by Richard O. Jones, made a motion to come out of Executive Session.

**Vote:** The motion was unanimously adopted (7-0).

The Board came out of Executive Session at 10:02 A.M.

No action was taken during Executive Session.

### **FINANCIALS**

Chief Executive Officer Rose Woodworth presented the May financial report. The administrative fees have decreased by almost half of what they were in April. Other expenses for the month of May include livestreaming for multiple meetings, public hearings, and special meetings. Money from M&T Bank will be moved back to the Bank of Greene County account due to a better interest rate.

**Motion:** Michael J. Ham, seconded by Faye Storms, made a motion to accept the financial report for May 2021 as presented.

**Vote:** The motion was unanimously adopted (7-0).

### **CHAIR'S REPORT**

James Malcolm presented the Chair's Report. As part of his report, the Chair reported that it has been busy. The Chair is continuously speaking with potential applicants. He reports that expansion and development seem to be increasing due to movement into the area from New York City.

### **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. Open Meetings Law – The Governor passed an Executive Order which includes the extension for public meetings and hearings to be held remotely, until July 5, 2021. The County office building is open. Therefore, meetings can resume in person for next month's meeting.
- B. Projects – There are a few projects that are in the beginning stages. The CEO is looking forward to their applications coming in over the next few months.
- C. Agency Insurance – The insurance bill was significantly higher this year (approximately a 25% increase). It has been sent back to the broker to find out why and to see if we need to shop around.
- D. Tax Cap Bill – The CEO has been back in touch with Senator Hinchey's office about scheduling a meeting with local school districts to go over issues with the PILOTS and tax cap.
- E. The Spotted Dog Ventures AKA The Emerson – Their paperwork has finally been sent to the County Clerk. Counsel is reviewing the documents. This is the last expired project that needed finalized.
- F. Project Post-Closing Affidavits – The Affidavits have been sent to several projects with a firm deadline of June 30. These documents should have been sent to our office when the projects were completed, but that did not happen.
- G. Star Estate – The Project has not paid their tax payments for 2020 and 2021. As of the last update, the Project had paid the County but not the Town or School. The CEO has confirmed with the bank that payments will be in escrow for the future.
- H. Board Training Day – This will be scheduled for August or September. There is currently discussion on several potential topics for training day.

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

**Vote:** The motion was unanimously adopted (7-0).

## **COMMITTEE REPORTS**

### **Audit Committee**

The Audit Committee report was presented by Committee Chair Dr. Diane Eynon. Dr. Eynon presented the monthly Construction Labor Monitoring Report from Loewke Brill which reported Inness to be at 93% total average monthly compliance. The next Audit Committee meeting will be June 22, 2021 at 9:00 am.

### **Finance**

No financial committee meeting this month.

### **Governance**

Governance Committee Chair Michael J. Ham presented the Governance Committee report. The FOIL Policy will be reviewed at the next Governance meeting on June 22, 2021. Richard O. Jones and the CEO have been working on the Community Investment Program. The information will be presented at the June 22, 2021 meeting. A copy of the Mentoring Program Q & A will be sent to all Board members for their review. This will also be discussed at the June 22, 2021 meeting. Solomon Klein, a member of Ulster NH Realty, LLC was again invited to attend the Board meeting. He will be invited to the Governance meeting on June 22, 2021. If Mr. Klein does not respond or attend the meeting, the Board will move forward with taking action without input from the Project.

## **OLD BUSINESS**

### **Status of Pending Projects**

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

- Wildberry Lodge, LLC – Project applicant is completing SEQR process. UCIDA cannot take any action until SEQR process is complete.
- Kingstonian Development, LLC – The Project is getting ready to move forward to have finalize UCIDA documents. There is pending litigation challenging the Agency's approval of the Project.

- Apherea, Inc. – The Project’s public hearing was on May 19, 2021, and it is on today’s agenda for consideration.
- Magruder Solar, LLC – The Project is working on finalizing their application in order to move forward with scheduling a Public Hearing.
- RBW Studio LLC – Ready to close once UCIDA documents are finalized.
- Romeo Enterprises, LLC – Public Hearing was held on April 9, 2021. The closing timetable and remaining procedural requirements are being reviewed.

**Apherea Inc.**

Discussion and review were held on the public hearing transcript, public comment, and internal cost benefit analysis report.

SEQR Resolution

The SEQR Resolution was reviewed; it is all in order with the requirements of the UCIDA.

**Motion:** Faye Storms, seconded by Richard O. Jones, made a motion to vote on the SEQR Resolution regarding the Apherea Inc./RTH Realty Holdings LLC, Project.

**Vote:** The Board voted as follows:

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

Approving Resolution

The resolution formalizes findings that the Project meets criteria of the UCIDA.

**Motion:** Michael J. Ham, seconded by Daniel Savona, made a motion to vote on the Approving Resolution regarding Apherea Inc./RTH Realty Holdings LLC Project.

**Vote:** The Board voted as follows:

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

NEW BUSINESS

**Contract for Administrative Staff**

The contract for the CEO and administrative staff expires at the end of this month. At the direction of the Chair, Orlando Reece and Richard O. Jones had a discussion with the CEO, Rose Woodworth and reviewed the contract. They are comfortable making the recommendation to continue the contract without any changes.

**Motion:** Richard O. Jones, seconded by James Malcolm, made a motion to approve the contract employing Christopher J. O'Connor CPA as Administrative Staff.

**Vote:** The motion was unanimously adapted (7-0).

**Inness NY, LLC – Project Modification**

Richard O. Jones recused himself due to being on the Planning Board for the Town of Rochester. The CEO presented a letter from the Project addressing the proposed amendment to the current Project. The Project is waiting for the new SEQR to be completed and then is hoping to have a public hearing within the next month.

PUBLIC COMMENT

There was no public comment.

**ADJOURNMENT**

**Motion:** Michael J. Ham, seconded by Orlando Reece, moved to adjourn the meeting.

**Vote:** The motion was unanimously adopted (7-0).

The meeting was adjourned at 11:05 A.M.

Respectfully submitted,

Michael J. Ham, Secretary