

# UCIDA

---

Ulster County Industrial Development Agency

---

## ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY MINUTES May 19, 2021

---

A regular monthly meeting of the Ulster County Industrial Development Agency was held on Wednesday, May 19, 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 Richard Jones, moved to approve the minutes of the April 21, 2021 regular meeting and April 28, 2021 special meeting as presented.

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

### **Executive Session**

**Motion:** Michael J. Ham, seconded by Daniel Savona, made a motion to enter Executive Session for the purpose of discussing the financial history of an applicant.

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

The Board entered Executive Session at 9:04 A.M.

**Motion:** Richard Jones, seconded by Daniel Savona, 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 9:15 A.M.

No action was taken during Executive Session.

### **FINANCIALS**

Chief Executive Officer Rose Woodworth presented the April financial report. There were administrative pass-through fees for Loewke Brill and administrative staff fees. The negative number for PPE Grants expenses is part of the adjustment for the CRC administrative staff time, etc. and will come back over from the CRC at the end of the quarter. Most of the money from the Bank of Greene County has been moved to M&T Bank. The CDs are due to renew in July. Other options were reviewed, but the recommendation is to leave them at Rhinebeck Bank.

**Motion:** Orlando Reece, seconded by Daniel Savona, made a motion to accept the financial report for April 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. There has been discussion with the Ulster County leadership, and there are plans to meet quarterly with staff and the County Executive Office. The contract for the administrative staff expires at the end of June. The Chair would like Faye Storms and Richard O. Jones to review contract with the Chief Executive Officer.

### **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 June 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 reach out to the County for an update and keep everyone updated on any changes.
- B. Projects – There are a few projects that are in the beginning stages. The CEO has a meeting today with a potential project who would like to start the application process.
- C. Agency Insurance – All insurance policies have been transferred to Ulster Insurance.

- D. New Paltz Request – The CEO reviewed the email sent from the Village of New Paltz with Counsel, And noted that the IDA already does everything requested. All of the information requested is on the website for transparency.
- E. UHY Invoices – UHY has started doing progressive billing this year. The bills received will push the budgeted amount over by a few hundred dollars. The CEO spoke with UHY and expressed disappointment that the Agency was not advised ahead of time. The Board decided to wait to pay invoices until there is a resolution.

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

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

### **COMMITTEE REPORTS**

#### **Audit Committee**

Audit Committee report was presented by Committee Chair Dr. Diane Eynon.

- A. Construction Labor Monitoring Report – Loewke Brill reported Inness to be at 95% total average monthly compliance.
- B. Audit Committee Meeting – Next meeting will potentially be June 22, 2021 at 9:00 am. The CEO will send an email for confirmation of scheduling.

#### **Finance**

No financial committee meeting this month.

#### **Governance**

Governance Committee Chair Michael J. Ham presented the Governance Committee report. The Community Investment Program is moving ahead. Rick Jones is working on putting information together with Rose. The information will be presented at the June meeting. An outline of the Mentoring Program is being put together and will also be presented at the June meeting.

The Greenhouses Hotel, LLC Project – The Project agrees to the adjustment to the PILOT and changing required employment from 27.0 full-time equivalent employees (FTEs) to 19.65 FTEs.

**Motion:** James Malcolm, seconded by Michael J. Ham, made a motion to vote on the Resolution Regarding Enforcement Action - Supplement for The Greenhouses Hotel, 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

Darienlake Kingston, LLC Project – As part of the change to the Project’s PILOT, the Board had agreed to change the FTEs required to match those during 2019 (19.65 FTEs). The Project requested a change for employment from 27 FTEs to 14 FTEs, but the Board did not support this further adjustment.

**Motion:** James Malcolm, seconded by Michael J. Ham, made a motion to vote on the Resolution Regarding Enforcement Action - Supplement on the Darienlake Kingston, 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

Ulster NH Realty, LLC – Solomon Klein, a member of Ulster NH Realty, LLC was expected to attend the meeting to discuss the drop in employment and ratings from what was promised to what was reported at year-end. The Chief Executive Officer will reach out to him, and if no response by the end of the day, 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 – IDA Counsel spoke with the Project’s counsel and asked for the Project to reach out to the IDA Chairman. As of date, no contact has been made. IDA Counsel will be in touch with the Project’s counsel again.
- Kingstonian Development, LLC – The Project is getting ready to move forward to have finalize IDA documents. The closing is expected to be in the third or fourth quarter of this year.
- Apherea, Inc. – The Project has its public hearing on May 19, 2021 at 7:00pm.
- Magruder Solar, LLC – The Project is working on PILOT structure.
- RBW Studio LLC – The closing should be in the next 2-3 weeks.
- Romeo Enterprises, LLC – This Project is on today’s agenda for final consideration.

**Romeo KIA of Kingston**

Discussion and review were held on the public hearing transcript, public comment, and CBA Report.

- The SEQR Resolution was reviewed, and a concern about the Bald Eagles was addressed. Romeo KIA has agreed to not start construction until all eaglets have left the nest, and they will have outside construction completed prior to the eagles returning. The building will be located enough of a distance from the nest to comply with DEC recommendations.

**Motion:** Orlando Reece, seconded by Faye Storms, made a motion to vote on the SEQR Resolution regarding Romeo Enterprises, 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

- Retail Findings Resolution – The resolution formalizes findings that the Project meets the IDA exception for working with retail business due to being located in a distressed area.

**Motion:** James Malcolm, seconded by Daniel Savona, made a motion to vote on the Retail Findings Resolution regarding Romeo Enterprises, 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 criteria for the Project have been reviewed by the IDA and meets IDA requirements.

**Motion:** Daniel Savona, seconded by Orlando Reece, made a motion to vote on the Approving Resolution regarding Romeo Enterprises, 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

There was a brief discussion about the Inness Project. Building on the new parcel of land will require a change in the PILOT for this Project.

#### **NEW BUSINESS**

No new business.

#### **PUBLIC COMMENT**

Bill Kemble, a reporter from the Daily Freeman, wanted to be clear on Romeo KIA’s construction plan so it does not interfere with the eagles and eaglets. Romeo KIA will be following instruction from professionals in regard to the eagles and eaglets.

**ADJOURNMENT**

**Motion:** Richard Jones, seconded by Orlando Reece, moved to adjourn the meeting.

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

The meeting was adjourned at 10:31 A.M.

Respectfully submitted,

Michael J. Ham, Secretary