

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

**One Cablevision Center
Ferndale, New York 12734
(845) 295-2603 – telephone
(845) 295-2604 – fax**

RECONVENED MEETING MINUTES

Monday, June 20, 2016

I. CALL TO ORDER

Chairman Steingart called to order the reconvened meeting of the County of Sullivan Industrial Development Agency at approximately 9:33 AM, in the Legislative Committee Room at the Sullivan County Government Center, Monticello, New York.

II. ROLL CALL

Members Present-

Ira Steingart
Suzanne Loughlin
Sean Rieber
Charles Barbuti, Jr.
Paul Guenther
Joseph Perrello
Carol Roig

Members Absent-

Howard Siegel
Scott Smith

Staff Present-

Ed Sykes, Executive Director
Jen Flad, VP Govt. Affairs & Bus. Devt.
Julio Garaicoechea, Project Manager

Staff Absent-

None

Others Present-

Steve White, Agency CEO
Walter Garigliano, Agency Counsel
Barbara Garigliano, Garigliano Law Offices
Tara Lewis, Garigliano Law Offices
George Duke
Charles Degliomini
Abhay Jain
Star Hesse
Ken Walter
Dan Hust, *Sullivan County Democrat*
Hema Easley, *Times Herald-Record*

III. NEW BUSINESS

Mr. Garigliano handed out a proposed resolution appointing **Metallized Carbon Corporation** as Agent of the Agency, and authorizing and approving the project documents. He explained that the Agency does not wish to rely on the Town of Fallsburg's review of the

project and therefore Mrs. Garigliano has also completed a separate review under the State Environmental Quality Review Act (SEQR). The action is an unlisted action and the proposed resolution includes a negative declaration. On a motion made by Mr. Perrello and seconded by Ms. Loughlin, the Board voted and the resolution was unanimously approved.

Mr. Garigliano handed out a proposed resolution appointing **Empire Resorts Real Estate I, LLC (ERREI)** as agent of the Agency and authorizing and approving the project documents. Chairman Steingart reminded the Board that the Agency held a public hearing on this project earlier this month. George Duke spoke on behalf of the project, stating that ERREI will develop the golf course in lieu of EPT, the owner of the property. The project includes a merging and reconstruction of the International and Monster Golf Courses. The gaming facility license that has been granted to Montreign requires certain components, including the golf course which is an essential element that will fulfill the intent of the gaming facility license to develop a resort destination. He expressed his appreciation to Garigliano Law Offices and to the Agency for their professionalism and prompt work to review and approve the project, in accordance with New York State requirements.

Charlie Degliomini of ERREI and Montreign Resort Casino spoke on behalf of the project. He emphasized that without the Agency's involvement, his project would be much smaller, bringing significantly less investment and creating fewer jobs.

Mr. Rieber commented that the Monster Golf Course was once an elite course and he looks forward to its redevelopment. Golfers bring much disposable income and the course will have a significant economic impact on the County.

Mr. Guenther added that the golf course is essential to the overall development of the casino resort.

Mr. Garigliano stated that, because the golf course project has changed since it was approved by the Town of Thompson Planning Board, the Agency has undertaken a separate SEQR review. Mrs. Garigliano has prepared the Agency's long Environmental Assessment Form. Mrs. Garigliano added that the Town has done a significant SEQR review and she has incorporated the Town's documents in her review for the Agency. She has found that the project is an unlisted action and will have little environmental impact. Based on this review, the proposed resolution includes a negative declaration. On a motion made by Mr. Perrello and seconded by Mr. Rieber, the Board voted and the resolution was unanimously approved.

Chairman Steingart referred to the proposed resolution appointing **Catskill Hospitality Holding LLC and Catskill Hospitality Operating LLC** as agents of the Agency and authorizing and approving the project documents. Mr. Garigliano reminded the Board that this project is for the development of a limited service hotel off Route 42 in the Town of Thompson. On a motion made by Ms. Loughlin and seconded by Mr. Guenther, the Board voted and the resolution was unanimously approved.

Chairman Steingart referred to the proposed resolution approving a mortgage to **Veria Lifestyle Inc.** Mr. Barbuti made a motion to discuss the resolution. Mr. Guenther seconded the motion. Abhay Jain spoke on behalf of the project. He thanked the Board for their

assistance and stated that site work is underway, building foundations have been completed, and steel is going up. He invited Board members for a tour of the site at their convenience.

Mr. Garigliano stated that Veria seeks a \$45 million mortgage. Veria has a \$25 million commitment from Canara Bank and loose commitments for the remaining \$20 million. The security is the entire former Kutsher's property, and the Agency has an interest in all of the property being mortgaged. The Board voted and the resolution was unanimously approved.

Mr. Steingart began a discussion of an easement for **Rock Meadow Partners LLC**. Mr. Garigliano noted that the project has asked the Agency to join in an easement for underground propane storage tanks. On a motion made by Mr. Guenther and seconded by Mr. Rieber, the Board voted and the request for consent to the easement was unanimously approved.

On a motion made by Mr. Barbuti and seconded by Ms. Loughlin, the Board entered closed attorney-client privileged session at approximately 9:53 AM to seek legal advice regarding loans that are not current.

On a motion made by Mr. Barbuti and seconded by Ms. Roig, the Board came out of closed session at approximately 10:19 AM.

Mr. Rieber made a motion to engage M.L. Zager P.C. as special counsel to handle collection efforts on two loans. Mr. Barbuti seconded the motion, the Board voted and the motion was passed with Ms. Loughlin abstaining because she is of counsel to M.L. Zager P.C.

VIII. PUBLIC COMMENT AND ADJOURNMENT

Chairman Steingart asked the Board and others present for comment. The Board recognized the comments of Ken Walter. On a motion made by Mr. Perrello and seconded by Mr. Rieber, the meeting was adjourned at approximately 10:25 AM.

Respectfully submitted:
Jen Flad, VP Govt. Affairs & Business Development

##