

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

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REGULAR MEETING MINUTES

Monday, June 12, 2017

I. CALL TO ORDER

Treasurer Siegel called to order the regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:05 AM, in the Legislative Committee Room at the Sullivan County Government Center, 100 North Street, Monticello, New York.

II. ROLL CALL

Members Present-

Suzanne Loughlin
Howard Siegel
Edward Sykes
Scott Smith
Paul Guenther
Carol Roig

Members Absent-

Ira Steingart
Sean Rieber
Joseph Perrello

Staff Present-

Jennifer Flad, Executive Director
Julio Garaicoechea, Project Manager

Staff Absent-

None

Others Present-

Steve White, Agency CEO
Andrew Ford, Sullivan County Attorney's Office
Walter Garigliano, Agency Counsel
Tara Lewis, Garigliano Law Offices
Dan Hust, County of Sullivan Director of Communications
Abhay Jain
Ken Walter

III. APPROVAL OF MEETING MINUTES

On a motion made by Mr. Sykes and seconded by Mr. Smith, the Board voted and the minutes of the May 8, 2017 regular meeting were unanimously approved. On a motion made by Mr. Guenther and seconded by Ms. Loughlin, the minutes of the May 18, 2017 special meeting were unanimously approved.

IV. BILLS AND COMMUNICATIONS

Mr. Smith made a motion to approve the schedule of payments. Mr. Sykes seconded the motion, the Board voted, and the schedule of payments was unanimously approved.

V. STAFF REPORT

Mr. Siegel asked the Board if there were any questions about the May staff report. There were none.

VI. OLD BUSINESS

Mr. Sykes made a motion to discuss the resolution authorizing the second quarter 2017 payment to the **Partnership for Economic Development in Sullivan County, Inc.** Mr. Guenther seconded the motion. Ms. Loughlin recused herself from the discussion because she serves on the Board of Directors of the Partnership. Attorney Garigliano stated that this resolution will fund one-quarter of the annual budgeted amount that the Agency pays to the Partnership. There being no further discussion, the resolution was approved with Ms. Loughlin abstaining for the reason described above.

Mr. Siegel referred to the resolutions extending the sales tax abatement periods for the following projects: **Veria Lifestyle Inc.; Montreign Operating Company, LLC; Empire Resorts Real Estate I, LLC; EPT Concord II, LLC; Rock Meadow Partners LLC; Metallized Carbon Corporation; and RJ Baker Corp. and Beaverkill Studio, Inc.** through December 31, 2017. Attorney Garigliano advised that staff has confirmed that each of these projects has filed all required reports and fees, and Chairman Steingart has suggested all resolutions be moved together. Mr. Guenther made a motion to discuss, and the motion was seconded by Mr. Smith. There being no discussion, the resolutions were unanimously approved.

Attorney Garigliano referred to the proposed resolution authorizing the extension of **EPR Concord II, LLC's** authority to act as agent of the Agency through June 30, 2017. Mr. Guenther made a motion to discuss, which was seconded by Ms. Loughlin. Attorney Garigliano stated that this resolution would extend the time to move from an Agent and Project Agreement to final Project Documents for the Company's waterpark project. The resolution would extend this date from May 31, 2017 to June 30, 2017, at the Company's request. Attorney Garigliano asked the Board to consider extending the Company's status as agent through July 31, 2017, to help manage the workload of IDA staff and counsel. Mr. Guenther made a motion to amend the resolution to extend the agency status through and including July 31, 2017. Ms. Loughlin seconded the motion to amend. The Board voted and unanimously approved the amendment. The Board voted and unanimously approved the resolution as amended.

VII. NEW BUSINESS

Attorney Garigliano referred to the proposed resolution to further modify and supplement resolutions #39-16 and #05-17 relating to the assignment of the **MG Catskill LLC** Project to Veteran NY Equity Holdings LLC, and authorization of one or more mortgages in an amount not to exceed \$1,340,000. He described the new financing arrangements for the assignment of the mortgage. This resolution authorizes the recording of a \$900,000 mortgage without payment of mortgage recording tax, while the remainder will be subject to payment of mortgage recording tax. The Board verbally approved this arrangement at a previous meeting, but the title insurance company desires a resolution setting forth the arrangement in writing. Mr. Smith made a motion to discuss the resolution, which was

seconded by Mr. Guenther. The Board voted and the resolution was unanimously approved.

Attorney Garigliano referred to the resolution authorizing the execution of an easement for the benefit of NYSEG for the additional electric service being brought in to the **BRR Brothers LLC & Sullivan County Fabrication, Inc.** Project on Glen Wild Road. On a motion made by Ms. Loughlin and seconded by Mr. Smith, the Board voted and the resolution was unanimously approved.

VIII. PUBLIC COMMENT

Mr. Siegel asked the Board and others present for comment. The Board recognized the comments of Ken Walter and Abhay Jain.

IX. EXECUTIVE SESSION

Ms. Roig made a motion to enter Executive Session to discuss the proposed lease of the food hub in the Village of Liberty. Mr. Sykes seconded the motion. The Board entered Executive Session at 11:18 AM.

On a motion made by Mr. Smith and seconded by Mr. Sykes, the Board came out of Executive Session at approximately 11:48 AM.

Mr. Guenther made a motion to authorize the lease of the **food hub** building from the Agency to Sullivan Catskills Regional Food Hub, Inc. with a term of ten years with two five-year extension terms, and an annual rent of \$0 per square foot in year one; \$1 per square foot in year two; \$2 per square foot in year three; and \$2 per square foot plus consumer price index in years four and after. During years four and after, the annual rent shall never be less than \$2 per square foot. Ms. Roig seconded the motion, the Board voted, and the motion was unanimously approved.

On a motion made by Mr. Smith and seconded by Mr. Sykes the meeting was adjourned at approximately 11:50 AM.

Respectfully submitted:
Jennifer Flad, Executive Director
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