

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

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MEETING MINUTES

Monday, APRIL 8, 2019

I. CALL TO ORDER

Chairman Steingart opened the regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:07 AM, in the Legislative Hearing Room at the Sullivan County Government Center, 100 North Street, Monticello, NY 12701.

II. ROLL CALL

Members Present-

Ira Steingart
Sean Rieber
Joseph Perrello
Edward Sykes
Scott Smith
Howard Siegel
Carol Roig

Members Absent-

Suzanne Loughlin *By Phone
Paul Guenther *By Phone

Staff Present-

Jennifer Flad, Executive Director
Julio Garaicoechea, Project Manager
Cassandra Egan, Administrative Assistant

Staff Absent-

None

Others Present-

Walter Garigliano, *Agency Counsel*
Tara Lewis, *Garigliano Law Offices (*By Phone)*
Andrew Arias, *Cooper Arias LLP*
Dan Hust, *Sullivan County Director of Communications*
Matthew Nanci, *Times Herald Record*
Patricio Robayo, *Sullivan County Democrat*
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 March 11, 2019 Recessed Meeting, March 25, 2019 Reconvened Meeting and the March 29, 2019 Special Meeting were unanimously approved.

IV. BILLS AND COMMUNICATIONS

Ms. Egan handed out a revised schedule of payments. Ms. Egan gave a brief description of the additions to the schedule of payments. A motion was made by Mr. Siegel to accept the schedule of payments. Mr. Sykes seconded the motion, the Board voted, and the schedule of payments was unanimously approved.

V. STAFF REPORT

There were no comments.

VI. NEW BUSINESS

The Board discussed a Resolution to extend the sales tax abatement period for the **Amytra Development LLC, Eldred Entertainment, LLC and Eldred Hospitality, LLC Project** through and including October 31, 2019. Mr. Rieber made a motion to accept the resolution extending the sales tax abatement period. The motion was seconded by Mr. Siegel, the Board voted and the resolution was unanimously approved.

The Board discussed Resolutions approving the **NY Thompson I, LLC and NY Thompson II, LLC Projects** from May 1, 2019 through and including October 31, 2019. Mr. Garaicoechea shared with the Board that the Projects are mechanically complete, with the structural and electrical components being complete. He stated that they are working on the final electrical and performance tests and are planning on these being complete in the next six months. Attorney Garigliano stated that they also must remove their temporary road and that at this time the project is generating electricity and feeding it into the grid, but they still have cleanup work at the site to complete. Ms. Roig made a motion to accept the resolutions. The motion was seconded by Mr. Perrello, the Board voted and the resolutions were unanimously approved.

The Board discussed a Resolution approving the **NY Tusten I, LLC Project**. Ms. Flad shared with the Board that the SEQR process through the Town of Tusten is complete and the town issued a Negative Declaration. She stated that the Town of Tusten Board shared information with the IDA throughout the process. Attorney Garigliano shared with the Board information from the New York State Department of Taxation and Finance which clarified that the IDA exemption only applies to a small part of the project. The production exemption and manufacturing exemption have been determined by the State to apply to the Project's panels and racking. This information caused the IDA sales tax abatement to fall below the public hearing threshold. Mr. Perrello inquired as to the amount of the IDA abatement. Attorney Garigliano noted that the threshold for public hearing is \$100,000 and that the IDA is using a conservative \$875,000.00 for the estimated value of goods and services exempt from New York State and local sales and use tax which results in an estimated exemption of \$70,000.00. A motion was made by Ms. Roig to accept the Resolution. Mr. Sykes seconded the motion, the Board voted, and the Resolution was unanimously approved.

Mr. Arias presented an IDA Audit presentation to the Board for fiscal year 2018. Afterwards, Ms. Flad inquired with the Board as to whether they would like to view separate

presentations for both the Sullivan County Infrastructure LDC and the Sullivan County Funding Corporation Audits for fiscal year 2018. The Board requested to have the Audit Presentations for TSILDC and SCFC emailed to them for their review.

VII. PUBLIC COMMENT

There were no comments.

VIII. EXECUTIVE SESSION

On a motion made by Mr. Siegel and seconded by Mr. Sykes, the Board entered executive session at 11:30 A.M. to discuss legal advice regarding projects in default.

On a motion made by Mr. Siegel and seconded by Ms. Roig, the Board exited executive session at 12:04 P.M.

IX. RECESS

On a motion made by Mr. Siegel and seconded by Mr. Sykes, the meeting was recessed at 12:05 P.M. in the Hearing Room to be reconvened at 11:00 A.M. on April 29th in the Hearing Room.

Respectfully submitted:
Cassandra Egan, Administrative Assistant

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