

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

548 Broadway
Monticello, New York 12701
(845) 428-7575 - Voice
(845) 428-7577 - Fax
www.sullivanida.com
TTY 711

MEETING NOTICE

TO: Suzanne Loughlin, IDA Chairperson
Edward Sykes, IDA Vice Chairman
Carol Roig, IDA Secretary
Howard Siegel, IDA Treasurer & Chief Financial Officer
Scott Smith, IDA Assistant Treasurer
Paul Guenther, IDA Member
Sean Brooks, IDA Member
Chairman and Members of the Sullivan County Legislature
Josh Potosek, Sullivan County Manager
John Kiefer, IDA Chief Executive Officer
Walter Garigliano, Esq., IDA Counsel

FROM: Jennifer Flad, Executive Director

DATE: January 5, 2022

PLEASE TAKE NOTICE that there will be a Regular Meeting of the County of Sullivan Industrial Development Agency scheduled as follows:

Date: Monday, January 10, 2022
Time: 11:00 AM
Location: Via Zoom Videoconference Call

Because of the Novel Coronavirus (COVID-19) pandemic and in accordance with Chapter 417 of the Laws of 2021, which took effect on September 2, 2021 and which allows state and local government meetings that are normally held in person to be held remotely instead, this meeting will be held via Zoom videoconference call.

Members of the public may attend the meeting by dialing 929-205-6099 and entering Meeting ID 678-518-8985 or by using the following meeting link:
<https://us06web.zoom.us/j/6785188985>

This meeting video will also be livestreamed on the [IDA's YouTube Channel](#).

Meeting documents will be posted online [here](#).

SEE REVERSE FOR AGENDA

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MEETING AGENDA
Monday, January 10, 2022

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MEETING MINUTES
December 13, 2021 Regular Meeting

IV. BILLS AND COMMUNICATIONS

V. STAFF ACTIVITY REPORT

VI. NEW BUSINESS

Resolution: Extending the Sales Tax Abatement Period for the Catskill Hospitality Holding LLC and Catskill Hospitality Operating LLC Project From February 1, 2022 Through and Including July 31, 2022

Any and All Other Business Before the Board

VII. PUBLIC COMMENT AND ADJOURN

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REGULAR MEETING MINUTES

Monday, December 13, 2021

I. CALL TO ORDER

Vice Chairman Ed Sykes called to order the regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:04 AM via video conference.

II. ROLL CALL

Members Present-

Edward Sykes
Howard Siegel
Carol Roig
Paul Guenther
Scott Smith

Members Absent-

Suzanne Loughlin
Sean Brooks* (Entered the meeting at 11:07AM)

Staff Present-

John Kiefer, Chief Executive Officer
Jennifer Flad, Executive Director
Julio Garaicoechea, Project Manager

Staff Absent-

None

Others Present-

Walter Garigliano, Agency Counsel

III. APPROVAL OF MEETING MINUTES

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the minutes of the November 8, 2021 Regular were unanimously approved.

IV. BILLS AND COMMUNICATIONS

On a motion made by Mr. Guenther, and seconded by Ms. Roig, the schedule of payments showing 12 payments totaling \$12,148.38 was unanimously approved.

V. STAFF ACTIVITY REPORT

Ms. Flad noted that there are currently 2 out of 3 PILOT payments received by the December 15th due date. Mr. Garaicoechea confirmed that the Nonni's PILOT remains outstanding.

Mr. Brooks entered the meeting at 11:07 AM.

VI. NEW BUSINESS

On a motion made by Mr. Guenther, and seconded by Mr. Brooks, the Board reviewed and discussed a resolution authorizing the Agency to provide funding to the **Partnership for Economic Development in Sullivan County, Inc.** ("Partnership") for the fourth quarter of 2021. Mr. Siegel recommended meeting with the Partnership to discuss joint efforts for economic development going forward, as part of a routine review of the Agency's policies and partner relationships. On a motion made by Mr. Smith, seconded by Mr. Guenther, the Board voted to table the resolution until after a meeting with the Partnership. Mr. Sykes appointed a Committee consisting of Mr. Siegel, Mr. Guenther and Mr. Smith to meet with the Partnership leadership.

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution extending the Sales Tax Abatement period for the **RGG Realty LLC** and **Columbia Ice & Cold Storage**

LLC project *nunc pro tunc* from December 1, 2021 through and including May 31, 2022. Vice Chair Sykes called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Ms. Roig, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution extending the sales tax abatement period for the **Doetsch Family I, LLC** and **Doetsch Family II, LLC** project from January 1, 2022 through and including June 30, 2022. Attorney Garigliano recommended clarifying what expenditures are still to be made. Staff will get clarification from the project. Vice Chair Sykes called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution extending the Sales Tax abatement period for the **Montreign Operating Company LLC** project from January 1, 2022 through and including January 31, 2022. Attorney Garigliano recommended clarifying the need for further extensions to be reviewed at the next meeting. Staff will get clarification from the project. Vice Chair Sykes called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Guenther, and seconded by Ms. Roig, the Board reviewed and discussed a resolution extending the sales tax abatement period for the **Rock Meadow Partners, LLC; Great Pine, LLC; NARO Building, LLC; and Indian Fields, LLC** project from January 1, 2022 through and including June 30, 2022. Vice Chair Sykes called the motion to question, the Board voted, and the resolution was unanimously approved. The Board discussed the Master Development and Agent Agreement (MDAA), which set forth a Development Period of five years after the date the MDAA took effect on July 1, 2015. On a motion made by Mr. Siegel and seconded by Ms. Roig, the Board authorized the amendment of the MDAA to extend the Development Period to seven years, and directed staff to inform the project that there will be no sales tax exemption beyond June 30, 2022.

On a motion made by Mr. Guenther, and seconded by Mr. Smith, the Board reviewed and discussed a resolution authorizing an amendment of the Payment in Lieu of Taxation (PILOT) Agreement relating to the **SVG 26, LLC** project. Attorney Garigliano stated that according to the project's request, the project received liquor licenses later than anticipated, and has been unable to meet the employment goal set forth in the PILOT Agreement. The proposed resolution adjusts the dates for which the employment goal applies, so the first applicable year will be October 1, 2021 through September 30, 2022. Ms. Flad noted that three parcels were added to the project documents in May 2021, and the 2021-2022 school taxes on these parcels are outstanding. She recommended that the Board condition the PILOT amendment on payment of these taxes and the upcoming 2022 town and county taxes. Board directed staff not to release the PILOT Amendment until these taxes have been paid. Vice Chair Sykes called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution authorizing the execution and delivery of one or mortgages (and related financing documents) in an amount not to exceed \$23,125,000.00 relating to the **MHC 83 (HW Portfolio) LLC** project. Vice Chair Sykes called the motion to question, the Board voted, and the resolution was unanimously approved.

VII. PUBLIC COMMENT AND ADJOURN

Vice Chairperson Sykes asked those present for public comment. There was none. On a motion made by Mr. Smith, and seconded by Mr. Guenther, the meeting was adjourned at approximately 11:44 AM.

Respectfully submitted:

Julio Garaicoechea, Project Manager

##

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

548 Broadway, Monticello, NY 12701

845-428-7575

SCHEDULE OF PAYMENTS: JANUARY 10, 2022

No.	Vendor	Description	Amount
1	Cardmember Services	Zoom, Adobe	\$ 31.18
2	Credit Bureau of Monticello, Inc.	Public Record Bulletin Subscription 2022	\$ 270.00
3	e-Nable Business Solutions	Antivirus Renewal	\$ 143.76
4	Flad, Jennifer	Expense Reimbursement: 6/1/21 - 12/31/21	\$ 1,802.51
5	Garigliano Law Offices	Retainer- January 2022	\$ 250.00
6	Garigliano Law Offices	Sales Tax Exemption Legal Fee: Catskill Hospitality Holding LLC & Catskill Hospitality Operating LLC (<i>pass-through</i>)	\$ 250.00
8	New Southern Tier Title Agency LLC	Office Rent- February 2022	\$ 2,700.00
9	New York State Economic Development Council	2022 Membership Renewal Dues	\$ 1,500.00
10	Time Warner Cable	Telephone and Internet Service- January 2022	\$ 259.95
11	USDA Rural Development	RMAP Loan Repayment - January 2022	\$ 2,370.41
TOTAL			\$ 9,577.81

I certify that the payments listed above were audited by the Board of the IDA on January 10, 2022 and allowed in the amounts shown. You are hereby authorized and directed to pay each of the claimants in the amount opposite its name.

1/10/2022

Signature	Date
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Expenses Approved and Paid Since Last Regular Meeting (12/13/21)

No.	Vendor	Description	Amount
	none		
TOTAL			\$ -

Other Expenses and Items Paid Since Last Regular Meeting (12/13/21)—no approval required

No.	Vendor	Description	Amount
1	Francotyp Postalia	Postage for Postage Meter 12/23/21	\$ 200.00
2	Payroll Expenses	Payroll Check Dates: 12/17/21, 12/31/21	\$ 17,341.90
TOTAL			\$ 17,541.90

PILOT Dist. #1, 12/16/21	Frito-Lay PepsiCo	Four Goats LLC	Nonni's	Taxing Juris. Totals
Sullivan County	\$ 62,799.55	\$ 5,520.24	\$ 26,911.94	\$ 95,231.73
Town of Liberty	\$ 42,048.90			\$ 42,048.90
Town of Neversink		\$ 3,382.25		\$ 3,382.25
Town of Thompson			\$ 11,397.20	\$ 11,397.20
Village of Liberty	\$ 137,014.93			\$ 137,014.93
Liberty CSD	\$ 200,832.46		\$ 86,827.13	\$ 287,659.59
Liberty Public Library	\$ 5,372.61		\$ 2,322.77	\$ 7,695.38
Tri-Valley CSD		\$ 12,540.29		\$ 12,540.29
Daniel Pierce Library		\$ 264.58		\$ 264.58
Project Totals	\$ 448,068.45	\$ 21,707.36	\$ 127,459.04	\$ 597,234.85

ACTIVITY REPORT – DECEMBER 2021
COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY (IDA), SULLIVAN
COUNTY FUNDING CORPORATION (SCFC), THE SULLIVAN COUNTY
INFRASTRUCTURE LOCAL DEVELOPMENT CORPORATION (TSCILDC)

January 5, 2022

At its regular monthly meeting on December 13, the IDA Board approved extensions of the sales tax abatement periods for the **RGG Realty LLC and Columbia Ice and Cold Storage Corp.** project for the development of an ice distribution facility in the Village of Monticello; the **Doetsch Family I LLC and Doetsch Family II LLC** project for the development of a cidery and tasting room in the Town of Delaware; the **Montreign Operating Company LLC** project for the development of Resorts World Catskills Casino in the Town of Thompson; and the **Rock Meadow Partners LLC** project for the redevelopment of the former Narrowsburg School in the Town of Tusten. The Board also authorized an amendment of the **SVG 26 LLC** project's Payment in Lieu of Taxation Agreement, relating to the project's full-time employment goal. This is the former Catskill Distilling Co. Ltd. project in the Town of Bethel. Finally, the Board authorized mortgage financing relating to the **MHC 83 (HW Portfolio) LLC** project, a storage facility in the Town of Liberty. This mortgage is part of a larger refinance relating to several storage facilities.

The Boards of the Sullivan County Funding Corporation and The Sullivan County Infrastructure Local Development Corporation (TSCILDC) also met on December 13 to conduct routine business.

During December IDA staff collected and disbursed the first of its 2022 payments in lieu of taxes (PILOTs). This first distribution totaled \$597,234.85. We will continue billing, collecting, and disbursing PILOT payments during January and February.

The Committee appointed by Legislative Chairman Doherty to review the IDA's Uniform Tax Exempt Policy met several times in December and January to review public input received. IDA staff is now working to prepare a report and recommendations for consideration by the IDA Board in the coming weeks.

##

**Catskill Hospitality LLC
DBA- Hampton Inn
16, RACEWAY ROAD,
MONTICELLO, NY 12701**

January 4th, 2022

Board of Directors
County of Sullivan Industrial Development Agency
548 Broadway
Monticello, NY 12701

RE: New York State Sales and Use Tax Exemption
Request for 6 Month Extension
Catskill Hospitality

Ladies and Gentlemen of the Board of Directors,

Please allow this letter to serve as a formal request for a 6 month extension of our Sales and Use Tax Abatement Letter currently expiring January 31, 2022.

We anticipate the project to be completed before the end of the next extension Construction activities to occur during this period include, but are not limited to:

Final electrical, Final plumbing, FF&E install, Wallpaper, carpet, Low Voltage and Front Area.

Thank You
Brijesh Patel
Catskill Hospitality Inc

Brijesh Patel

RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency (“Agency”) was convened on January 10, 2022 at 11:00 a.m. local time via videoconference as authorized by Chapter 417 of the Laws of 2021, which took effect on September 2, 2021.

The meeting was called to order by Chairperson Suzanne Loughlin, and, upon roll being called, the following members of the Agency were:

	<u>PRESENT</u>	<u>ABSENT</u>
Suzanne Loughlin	[]	[]
Edward T. Sykes	[]	[]
Carol Roig	[]	[]
Howard Siegel	[]	[]
Scott Smith	[]	[]
Paul Guenther	[]	[]
Sean Brooks	[]	[]

The following persons were also present:

Jennifer M. Flad, Executive Director
John W. Kiefer, Chief Executive Officer
Julio Garaicoechea, Project Manager
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by _____, and seconded by _____ to wit:

Resolution No. ____ - 21

RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE CATSKILL HOSPITALITY HOLDING LLC (“CATSKILL HOLDING”) AND CATSKILL HOSPITALITY OPERATING LLC (“CATSKILL OPERATING”) TOGETHER WITH CATSKILL HOLDING COLLECTIVELY, THE “COMPANY”) PROJECT FROM FEBRUARY 1, 2022 THROUGH AND INCLUDING JULY 31, 2022

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York ("State"), as amended, and Chapter 560 of the Laws of 1970 of the State, as amended and codified as Section 960 of the General Municipal Law (collectively, the “Act”), the Agency was created with the authority and power to own, lease and sell property as authorized by the Act; and

WHEREAS, on April 5, 2016, the Company and Catskill Hospitality Operating LLC presented an application to the Agency, a copy of which is on file with the Agency, requesting the Agency’s assistance with respect to a certain project consisting of the: (i) acquisition, construction, installation and equipping of an approximately 56,000 square foot building intended to be used as a limited service hotel (“Building”) situate on one (1) parcel of real estate consisting of approximately

6.59± acres located along Golden Ridge Road, Town of Thompson (“Town”), County of Sullivan, State of New York and identified on the Town tax map as a portion of Section 13, Block 3, Lot 38.1 (“Land”); (ii) acquisition, construction and equipping of the Building; (iii) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Equipment”); (iv) construction of improvements to the Building, the Land and the Equipment (collectively, the Building, the Land and the Equipment are referred to as the “Facility” or the “Project”); and (v) lease of the Project from the Agency to the Company; and

WHEREAS, on or about August 1, 2018, the Agency and the Company entered into an Amended and Restated Agent and Project Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

WHEREAS, contemporaneously with the execution of the Amended and Restated Agent and Project Agreement, the Agency delivered to the Company a Sales Tax Exemption Letter, which letter will expire; and

WHEREAS, by letter from Brijesh Patel, dated January 4, 2022, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

NOW, THEREFORE, BE IT RESOLVED, that the sales tax abatement period for the Project be, and hereby is, extended from February 1, 2022 through and including July 31, 2022.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Suzanne Loughlin	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Carol Roig	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Paul Guenther	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Brooks	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.