

**COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY**

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**REGULAR MEETING MINUTES**

**Monday, February 14, 2022 (Recessed) and Thursday, February 24, 2022 (Reconvened)**

**I. CALL TO ORDER**

Chairperson Suzanne Loughlin called to order the regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:01 AM via video conference.

**II. ROLL CALL**

***Members Present-***

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

***Members Absent-***

***Staff Present-***

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

***Staff Absent-***

None

***Others Present-***

Walter Garigliano, Agency Counsel  
Phil Vallone  
Lowell Feldman, Chairman of the Board of the Sunset Lake Local Development Corporation  
Richard Robbins, Forestburgh Planning Board Member  
Katharine Barnhart, Forestburgh Planning Board Member  
Michael McGuire, County Attorney  
Ken Walter

**III. APPROVAL OF MEETING MINUTES**

On a motion made by Mr. Sykes, and seconded by Mr. Smith, the minutes of the January 10, 2022 Meeting recessed to January 24, 2022 were unanimously approved.

**IV. BILLS AND COMMUNICATIONS**

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the schedule of payments showing 8 payments totaling \$8,631.69 was unanimously approved. Ms. Flad noted that the Agency received and disbursed \$1,971.146.16 in PILOT.

**V. STAFF ACTIVITY REPORT**

Ms. Flad stated that the annual audit is underway. Site work was performed on February 10, 2022 by RBT CPAs and Agency staff will continue working with auditors for the next few weeks. Ms. Flad reviewed the Quarterly Financial Statements. There were no questions.

**VI. NEW BUSINESS**

On a motion made by Mr. Sykes, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution accepting the conveyance of real property from the **Sunset Lake Local Development Corporation**, and

authorizing the execution and delivery of a Lease to Agency, Leaseback to Company, PILOT Agreement and related documents. Attorney Garigliano stated that the resolution proposes to take a straight lease with the LDC that owns the Adult Care Center and enter into a fixed-payment PILOT Agreement for a period longer than 20 years. He stated that this request requires a deviation from the UTEP policy, and that the Agency notified the taxing jurisdictions of the proposed deviation. The Agency received an objection from the Liberty Central School District on Friday, February 11 and the revised resolution takes into account receipt of the objection from the School District. He stated that the proposed PILOT provides certainty to the taxing jurisdictions. Chairperson 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 authorizing the Agency to take **Official Action** to reaffirm, in part and amend, in part its current **Uniform Tax Exemption Policy** and create one additional program, to wit: Sullivan County International Airport Program in accordance with the Report of the Committee to Review the Agency's Uniform Tax Exemption Policy and the recommendations as hereinafter set forth; and authorizing the Agency's staff to provide notice to all affected taxing jurisdictions of the proposed recommended amendments to the Agency's Uniform Tax Exemption Policy. Chairperson Loughlin called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Sykes, and seconded by Mr. Siegel, the Board reviewed and discussed a resolution authorizing a Second Amendment to the Payment In Lieu of Taxation Agreement related to the **Forestburgh Property LLC** and **Forestburgh Hospitality, LLC** project. Ms. Flad Chairperson Loughlin 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 authorizing and approving the execution and delivery of any and all agreements, certificates, documents and instruments necessary to apply to the **United States Department of Agriculture for Rural Business Development Grants** or other available grant funds. Chairperson Loughlin 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. Sykes, the Board reviewed and discussed a request for amendment of an AgriBusiness Lease to **SVG 26, LLC**. The Company requests that the Agency procure additional items of equipment to be used in conjunction with bottling equipment currently owned by the Agency and leased to the Company, and amend the existing lease agreement to include these items. Chairperson Loughlin called the motion to question, the Board voted, and the request was unanimously approved. Staff will proceed with equipment procurement.

On a motion made by Mr. Sykes, and seconded by Mr. Guenther, the Board reviewed and discussed a request for amendment of a building lease and 6 AgriBusiness leases to the **Sullivan Catskills Regional Food Hub, Inc.** Chairperson Loughlin called the motion to question, the Board voted, and the request was unanimously approved.

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the Board reviewed and discussed a proposed AgriBusiness lease to **AMJR, LLC**. The Company requests that the Agency procure various items of equipment to be installed in a new brewery in the Town of Tusten, and lease the equipment to the Company through the Agency's Agribusiness Revolving Loan and Lease Fund. Chairperson Loughlin called the motion to question, the Board voted, and the request was unanimously approved. Staff will proceed with equipment procurement.

On a motion made by Mr. Sykes, and seconded by Mr. Guenther, the Board reviewed and discussed the **Agency's Procurement Policy, Investment Policy, and Property Disposal Policy**. Chairperson Loughlin called the motion to question, the Board voted, and the policies were unanimously approved.

On a motion made by Mr. Sykes and seconded by Mr. Guenther, the Board reviewed and discussed the **Agency's Mission Statement and Performance Measurements**. Chairperson called the motion to question,

the board voted, and the Mission Statement was unanimously approved. Additionally, each Board member answered “Yes” to the 5 questions pertaining to the Performance Measurements.

**VII. PUBLIC COMMENT AND RECESS**

Chairperson Loughlin asked those present for public comment. The Board recognized the comments of Ken Walter. On a motion made by Mr. Smith, and seconded by Mr. Brooks, at approximately 12:08 PM the meeting was recessed to the Sullivan County Government Center on February 24, 2022 at 12:00 PM.

**VIII. RECONVENE**

Chairperson Loughlin reconvened the recessed regular meeting of the County of Sullivan Industrial Development Agency at approximately 12:01 PM via video conference on February 24, 2022.

**IX. ROLL CALL**

***Members Present-***

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

***Members Absent-***

Sean Brooks

***Staff Present-***

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

***Staff Absent-***

None

***Others Present-***

Walter Garigliano, Agency Counsel  
Phil Vallone  
Ken Walter  
Dan Grecco, Fallsburg Central School Treasurer

**X. BILLS AND COMMUNICATIONS**

There was none.

**XI. NEW BUSINESS**

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution amending and superseding Resolution No. 04-22 authorizing a straight lease transaction between the Agency and the **Sunset Lake Local Development Corporation** and execution of a Payment In Lieu of Tax Agreement and related documents with respect to the County of **Sullivan Adult Care Center**. Attorney Garigliano noted the proposed resolution includes an analysis of all considerations required by the **Section 203 of the Agency’s Uniform Tax Exempt Policy**. He shared with the Board that the Liberty Central School District withdrew its objection after discussion. Chairperson Loughlin called the motion to question, the Board voted, and the resolution was unanimously approved.

Ms. Flad updated the Board on 2022 PILOT payments. She stated all projects made their PILOT payments. but one project did not make its annual lease payment. Board, staff, and counsel agreed to discuss this matter in executive session.

Ms. Flad reviewed the performance of the **AgriBusiness Revolving Loan and Lease Fund** and discussed the need for additional funding.

Mr. Sykes made a motion to enter Executive Session to discuss the financial history of a particular corporation. Mr. Smith seconded the

motion, and the Board entered into Executive Session at approximately 12:24 PM.

Mr. Smith made a motion to exit Executive Session. Mr. Guenther seconded the motion, and the Board exited Executive Session at approximately 12:26 PM.

**XII. PUBLIC COMMENT AND ADJOURN**

Chairperson Loughlin asked those present for public comment. The Board recognized the comments of Ken Walter. On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the meeting was adjourned at approximately 12:31 PM.

Respectfully submitted:

Julio Garaicoechea, Project Manager

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