

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened on March 14, 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 and was amended effective January 14, 2022 and further amended effective February 14, 2022.

The meeting was called to order by Chairperson Suzanne Loughlin, and, upon the 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, General Counsel

The following resolution was duly offered by Carol Roig, and seconded by Scott Smith, to wit:

Resolution No. 10 - 22

***RESOLUTION AMENDING, IN PART AND REAFFIRMING, IN PART THE AGENCY'S CURRENT UNIFORM TAX EXEMPTION POLICIES ("UTEP") AS HEREIN SET FORTH, ELIMINATING CERTAIN UTEPs, AND CREATING ONE (1) ADDITIONAL UTEP, TO WIT: SULLIVAN COUNTY INTERNATIONAL AIRPORT PROGRAM AS HEREIN SET FORTH***

***WHEREAS***, the Agency was created by Chapter 560 of the Laws of 1970 of the State of New York, as amended, pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York (collectively, the "Act") as a body corporate and politic and as a public benefit corporation of the State of New York; and

***WHEREAS***, on September 30, 2021, Robert Doherty, Chairman of the Sullivan County Legislature ("County Legislature"), appointed a six (6) member committee ("Committee") to review the Agency's UTEP as it now exists and assess the UTEP's strengths and weaknesses in

providing assistance to individuals or companies that seek to establish or expand businesses and create employment in the County; and

**WHEREAS**, the Committee issued a report dated February 9, 2022 entitled Report and Recommendations of Committee to Review County of Sullivan Industrial Development Agency's Uniform Tax Exemption Policy; and

**WHEREAS**, by Resolution No. 05-22, the Agency authorized and directed Agency staff to take official action necessary for the Agency to consider a resolution to (i) reaffirm its Agricultural Industry Program, Disaster Impacted Business Program, Encouraging the Return of Tax Exempt Property to Taxable Status Program and Arts Industry Program; and (ii) amend in part its General Abatement Program, Tourism Industry Program, Targeted Manufacturing Program, Retail Sales Program and Community Distributed Generation Program; and (iii) eliminate its Green Technology Manufacturing Program, Destination Resort Program and Tax Credit Participation Program; and (iv) create the Sullivan County International Airport Program as hereinabove set forth; and

**WHEREAS**, on February 17, 2022, Jennifer Flad, the Agency's Executive Director mailed a copy of a Memorandum Relating to Amendments to the Agency's UTEP ("Memorandum") together with a copy of the Report of the Committee via certified mail, return receipt requested, to the following individuals:

**VIA CERTIFIED MAIL w/ RETURN RECEIPT:**

Joshua Potosek  
Sullivan County Manager  
100 North Street  
Monticello, NY 12701

Daniel Sturm  
Town of Bethel Supervisor  
3454 Route 55, PO Box 300  
White Lake, NY 12786

Tom Bose  
Town of Callicoon Supervisor  
19 Legion Street, PO Box 687  
Jeffersonville, NY 12748

Gary Maas  
Town of Cocheton Supervisor  
74 Smales Road  
Lake Huntington, NY 12752

Scott DuBois  
Town of Delaware Supervisor  
104 Main Street, PO Box 129  
Hortonville, NY 12745

Jeffery Haas  
Town of Highland Supervisor  
4 Proctor Road, PO Box 177  
Eldred, NY 12732

Frank DeMayo  
Town of Liberty Supervisor  
120 North Main Street  
Liberty, NY 12754

Jenny Mellan  
Town of Lumberland Supervisor  
1054 Proctor Road  
Glen Spey, NY 12737

Michael Robbins  
Town of Mamakating Supervisor  
2948 Route 209  
Wurtsboro, NY 12790

Robert Eggleton  
Town of Rockland Supervisor  
95 Main Street, PO Box 964  
Livingston Manor, NY 12758

William Rieber Jr.  
Town of Thompson Supervisor  
4052 Route 42  
Monticello, NY 12701

Chris Mathews  
Town of Neversink Supervisor  
PO Box 307, 273 Main Street  
Grahamsville, NY 12740

Ben Johnson  
Town of Tusten Supervisor  
210 Bridge Street  
Narrowsburg, NY 12764

Brian Brustman  
Town of Fremont Supervisor  
12 County Road 95, PO Box 69  
Fremont Center, NY 12736

Katherine Rappaport  
Town of Fallsburg Supervisor  
19 Railroad Plaza, PO Box 2019  
South Fallsburg, NY 12779

Daniel Hogue, Jr  
Town of Forestburgh Supervisor  
332 King Road  
Forestburgh, NY 12777

Joan Collins  
Village of Woodridge Mayor  
2 Dairyland Road, PO Box 655  
Woodridge, NY 12789

Russell Wood Jr.  
Village of Bloomingburg Mayor  
PO Box 341, 13 North Road  
Bloomingburg, NY 12721

William Chellis  
Village of Jeffersonville Mayor  
17 Center Street  
Jeffersonville, NY 12748

Joan Stoddard  
Village of Liberty Mayor  
167 N Main Street  
Liberty, NY 12754

George Nikolados  
Village of Monticello Mayor  
2 Pleasant Street  
Monticello, NY 12701

Frank Sisco  
Village of Wurtsboro Mayor  
7 Pennsylvania Ave  
Wurtsboro, NY 12790

Lisa Wiles  
Superintendent, Ellenville CSD  
28 Maple Avenue  
Ellenville, NY 12428

Michael Rydell, Superintendent  
Port Jervis City Schools  
9 Thompson Street  
Port Jervis, NY 12771

Donna Geidel, Interim Superintendent  
Pine Bush Central School District  
156 State Route 302  
Pine Bush, NY 12566

John Evans, Superintendent  
Livingston Manor CSD  
PO Box 947  
Livingston Manor, NY 12758

John Evans, Superintendent  
Roscoe Central School District  
6 Academy Street  
Roscoe, NY 12776

Dr. John Morgano, Superintendent  
Eldred Central School District  
600 Rt. 55, PO Box 249  
Eldred, NY 12732

Dr. William Silver, Acting Supt.  
Tri-Valley Central School District  
34 Moore Hill Road  
Grahamsville, NY 12740

Dr. Patrick Sullivan, Superintendent  
Liberty Central School District  
115 Buckley Street  
Liberty, NY 12754

Dr. Ivan Katz, Superintendent  
Fallsburg Central School District  
115 Brickman Rd, PO Box 124  
Fallsburg, NY 12733

Stephen Walker, Superintendent  
Sullivan West Central School District  
33 Schoolhouse Road  
Jeffersonville, NY 12748

Dr. Matthew Evans, Superintendent  
Monticello Central School District  
60 Jefferson Street  
Monticello, NY 12701

Brian C. Monahan, Superintendent  
Minisink Valley Central School District  
PO Box 217, 2320 Route 6  
Slate Hill, NY 10973

; and

**WHEREAS**, on or about February 17, 2022, the Executive Director hand delivered a copy of the Memorandum together with a copy of the Report of the Committee to the following individuals:

**VIA HAND DELIVERY:**

Robert Doherty, Chairman  
Sullivan County Legislature  
100 North Street  
Monticello, NY 12701

Nadia Rajs  
Sullivan County Legislator (District 2)  
100 North Street  
Monticello, NY 12701

Michael Brooks  
Sullivan County Legislator (District 3)  
100 North Street  
Monticello, NY 12701

Nicholas Salomone Jr.  
Sullivan County Legislator (District 4)  
100 North Street  
Monticello, NY 12701

George Conklin  
Sullivan County Legislator (District 5)  
100 North Street  
Monticello, NY 12701

Luis Alvarez  
Sullivan County Legislator (District 6)  
100 North Street  
Monticello, NY 12701

Joseph Perrello  
Sullivan County Legislator (District 7)  
100 North Street  
Monticello, NY 12701

Ira Steingart  
Sullivan County Legislator (District 8)  
100 North Street  
Monticello, NY 12701

Alan Sorensen  
Sullivan County Legislator (District 9)  
100 North Street  
Monticello, NY 12701

AnnMarie Martin, Clerk  
Sullivan County Legislature  
100 North Street  
Monticello, NY 12701

; and

**WHEREAS**, the Agency received a letter from the Town of Forestburgh dated January 10, 2022 requesting the Agency suspend certain tax abatement programs in the Town ("Forestburgh Request Letter").

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:**

Section 1. The Agency hereby reaffirms without modification the following UTEPs:

Agricultural Industry Program  
Disaster Impacted Businesses Program  
Encouraging the Return of Tax Exempt Property to Taxable Status Program  
Arts Industry Program

Section 2. The Agency hereby amends in part its General Abatement Program so that the total value subject to payment in lieu of taxes ("TVSP") is fixed by the Agency for only the first ten (10) years of the program. After the ten (10) year "freeze period", the assessed value established by the assessing jurisdiction will be utilized in computing payments in lieu of taxes ("PILOT Payments") for the remaining ten (10) years of the program.

Section 3. The General Abatement Program is further amended to require distribution center projects to provide, through construction or renovation, market rate workforce housing at a minimum rate of one (1) housing unit per twelve thousand five hundred

(12,500) square feet of distribution center space and a maximum of one (1) housing unit per five thousand (5,000) square feet of distribution center space, in order to be eligible for benefits under the General Abatement Program. Market rate workforce housing units must be renovated or constructed within Sullivan County, and within twenty-five (25) miles of the distribution center project. Qualifying housing shall receive an abatement of fifty (50%) percent of real estate taxes on the new improvements for a period of fifteen (15) years. The newly developed housing units shall have occupancy controlled by deed restrictions approved by the Agency.

Section 4.

The Agency hereby amends in part its Tourism Industry Program to offer two levels of real property tax abatements. The first level is identical to the current abatement schedule: real estate taxes will be abated on the increased value resulting from improvements at one hundred (100%) percent for years one (1) through five (5) with the abatement decreasing ten (10%) percent per year for years six (6) through fifteen (15). The second level will be as follows: real estate taxes will be abated on the increased value resulting from improvements at one hundred (100%) percent for years one (1) through eight (8), with the abatement decreasing twelve and a half (12.5%) percent per year for years nine (9) through sixteen (16). To be eligible for the enhanced sixteen (16) year abatement schedule, a project must meet two criteria: 1) the project must create one full-time equivalent employment position for every two (2) rooms constructed as part of the Tourism Industry project, and 2) the project must provide, through construction or renovation, market rate workforce housing at a minimum of one (1) unit for every four (4) rooms and a maximum of one (1) unit for every one (1) room renovated or constructed as part of the Tourism Industry project. Market rate workforce housing units must be renovated or constructed within Sullivan County, and within twenty-five (25) miles of the Tourism Industry project. Qualifying housing shall receive an abatement of fifty (50%) percent of real estate taxes on the new improvements for a period of fifteen (15) years. The newly developed housing units shall have occupancy controlled by deed restrictions approved by the Agency.

Section 5.

The Agency hereby amends in part its Targeted Manufacturing Program to include green technology manufacturing businesses in the list of SIC codes that are eligible for Agency benefits.

Section 6.

The Agency hereby amends in part its Retail Sales Program to exactly mirror the current requirements of Section 862 of the General Municipal Law.

Section 7.

The Agency hereby amends in part its Community Distributed Generation Program to eliminate the limitation that the Agency only provide financial assistance in areas where no taxing jurisdiction has opted out of RPTL Section 487.

Section 8.

The Agency hereby amends in part its Green Technology Manufacturing Program to eliminate the Green Technology Manufacturing Program as a standalone program and instead integrate green technology manufacturing into the Agency's Targeted Manufacturing Program.

Section 9. The Agency hereby amends in part its Destination Resort Program to eliminate the Destination Resort Program as a standalone program and instead integrate it into the Tourism Industry Program.

Section 10. The Agency hereby eliminates the Tax Credit Participation Program.

Section 11. The Agency hereby creates the Sullivan County International Airport Program ("SCIA Program"), which shall be available to developers proposing the construction of aircraft hangars or other aviation-related facilities.

The SCIA Program shall include following program benefits:

Sales. Sales tax abatement on all taxable purchases made in connection with acquisition, construction, installation and equipping of the project.

Mortgage. Mortgage tax abatement on all loans financing projects under this program.

Real Estate. A thirty (30) year abatement schedule whereby seventy-five (75%) percent of the assessed value resulting from improvements as established by the assessing jurisdiction is abated for thirty (30) years.

Location Restriction.

Only projects located on the approximately six hundred (600) acres owned by the County of Sullivan and operated as the Sullivan County International Airport will be eligible for benefits under this program.

Employment Goals.

No employment goals are proposed.

Section 12. The Agency hereby amends its UTEPs to document the lifting of the location restriction imposed on September 14, 2004, which eliminated benefits under the Tourism Industry Program, General Abatement Program, and Retail Sales Program for applicants proposing tourism destination facilities within the Town of Thompson.

Section 13. Agency staff is hereby directed to arrange a meeting with Forestburgh Town officials to gather additional information in order to properly and thoughtfully respond to the Forestburgh Request Letter.

Section 14. This Resolution shall take effect immediately.

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

The resolution was thereupon duly adopted.

STATE OF NEW YORK :  
:SS  
COUNTY OF SULLIVAN :

I, the undersigned Secretary of the Agency DO HEREBY CERTIFY THAT:

1. I have compared the foregoing copy of a resolution of the County of Sullivan Industrial Development Agency ("Agency") with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.
2. Such resolution was passed at a meeting of the Agency duly convened via video conference call on March 14, 2022 at 11:00 a.m. at which the following members were present:

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

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

and therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, (ii) pursuant to Sections 103(a) and (c) and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public via videoconferencing and public notice of the time and place of said meeting was duly given in accordance with such Sections 103(a) and (c) and 104, (iii) the meeting in all respects was duly held via videoconference as authorized by Chapter 417 of the Laws of 2021, and (iv) there was a quorum present throughout.

***IN WITNESS WHEREOF***, I have hereunto set my hand and seal on the 14<sup>th</sup> day of March, 2022.

  
\_\_\_\_\_  
Carol Roig, Secretary