

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

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MEETING MINUTES

Monday, March 13, 2023

I. CALL TO ORDER

Chairperson Loughlin 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 12701.

II. ROLL CALL

Members Present-

Suzanne Loughlin

Edward Sykes

Carol Roig

Scott Smith

Sean Brooks

Members Absent-

Howard Siegel

Paul Guenther (*By telephone)

Philip Vallone

Staff Present-

John Kiefer, Chief Executive Officer

Jennifer Flad, Executive Director

Julio Garaicoechea, Project Manager

Bethanii Padu, Economic Development Coordinator

Staff Absent-

None

Others Present-

Walter Garigliano, Agency Counsel

William Frank, Agency Special Counsel

III. APPROVAL OF MEETING MINUTES

On a motion made by Mr. Sykes, and seconded by Ms. Roig, the Board approved the January 9, 2023 Regular Meeting and February 7, 2023 Special Meeting minutes.

IV. BILLS AND COMMUNICATIONS

Ms. Flad presented the Board with a Revised Schedule of Payments showing 20 payments totaling \$166,986.00. On a motion made by Mr. Sykes, and seconded by Ms. Roig, the Board voted and the Revised Schedule of Payments was unanimously approved.

Attorney Garigliano reviewed correspondence from the Town of Neversink and West Delaware Hydro Associates, L.P. requesting an extension of the PILOT Agreement with West Delaware Hydro Associates for an additional 10 years with an annual PILOT payment of \$175,000.00.

Attorney Garigliano reviewed correspondence from the New York State Senate Standing Committee on Investigations and Government Operations requesting information on aspects of the form and substance of applications for financial assistance made to Industrial Development Agencies throughout the State. Attorney Garigliano stated that he reviewed a response with Ms. Flad, and that a response will be sent by the March 15th deadline.

V. STAFF REPORT AND QUARTERLY FINANCIAL REPORT

Ms. Flad presented the Board with the Staff Report and the 4th Quarter 2022 Financial Report. There were no questions.

VI. NEW BUSINESS

On a motion made by Mr. Brooks, and seconded by Mr. Smith, the Board reviewed and discussed a resolution authorizing the Agency to provide funding to the **Partnership for Economic Development in Sullivan County, Inc.** for the First Quarter of 2023. 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. Smith, the Board reviewed and discussed a resolution directing the **Recapture of Unauthorized Sales and Use Tax Benefits from Amytra Development, LLC, Eldred Entertainment, LLC, and Eldred Hospitality, LLC.** Chairperson Loughlin called the motion to question, the Board voted, and the resolution was unanimously approved.

Mr. Garigliano left the room and recused himself from the next portion of the discussion. Will Frank represents the Agency on this matter and gave an overview of the resolution before the Board, which will put in place a requirement for financial security to secure PILOT payments. On a motion made by Ms. Roig, and seconded by Mr. Sykes, the Board reviewed and discussed a resolution authorizing the amendment of the PILOT Agreement dated August 1, 2022 between the Agency, **FSH Lodge at Neversink, LLC and 7491 State Route 55 Property Co., LLC** and authorizing the Chairman, Chief Executive Officer or Executive Director of the Agency to effectuate the foregoing. Chairperson Loughlin called the motion to question, the Board voted, and the resolution was unanimously approved. Mr. Garigliano returned to the room.

On a motion made by Mr. Smith, and seconded by Mr. Sykes, the Board reviewed and discussed a resolution authorizing an amendment of the **Adelaar Developer, LLC** Payment in Lieu of Taxation Agreement to authorize Acceptance of a Guaranty from EPR Properties as Financial Security for the 2024 PILOT Payment. Chairperson Loughlin called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Smith, and seconded by Ms. Roig, the Board reviewed and discussed a resolution authorizing an extension of the sales tax abatement period for the **Doetsch Family III, LLC Old Ross House Project** from April 1, 2023 through and including September 30, 2023. 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 Ms. Roig, the Board reviewed and discussed the **Agency's Procurement Policy, Investment Policy, and Disposition of Real Property Guidelines.**

Chairperson Loughlin called the motion to question, the Board voted, and the policies and guidelines were unanimously approved.

On a motion made by Mr. Smith, and seconded by Mr. Sykes, the Board reviewed and discussed the **Agency's Mission Statement and Performance Measurements**. Chairperson Loughlin called the motion to question, the Board voted, and the statement and measurements were unanimously approved.

On a motion made by Ms. Roig, and seconded by Mr. Smith, the Board entered into Executive Session to discuss current litigation at approximately 11:25 AM.

On a motion made by Mr. Smith, and seconded by Ms. Roig, the Board exited Executive Session at approximately 11:42 AM.

IV. PUBLIC COMMENT AND ADJOURN

On a motion made by Mr. Smith and seconded by Mr. Sykes, the Board adjourned the meeting at approximately 11:43 AM.

Respectfully submitted:
Julio Garaicoechea, Project Manager
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