

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

February 17, 2010

A regular meeting of the Orange County Industrial Development Agency was convened in public session on February 17, 2010 at 3:00 P.M. at the Orange County Business Accelerator, New Windsor, New York.

The meeting was called to order by the Chairman, James Petro, and upon roll being called, the following were

PRESENT: James Petro, Stephen Brescia, Robert Armistead, Robert Schreiber, Sr.

ABSENT: John Steinberg, Mary Ellen Rogulski, Henry Van Leeuwen

ALSO PRESENT: James O'Donnell – Executive Director  
Edda Eller – Recording Secretary/Bookkeeper  
Joel Kleiman – Chief Financial Officer  
Phil Crotty – Attorney  
Lorrie Dana – Administrative Assistant  
Michael DiTullo, Peter Gregory – Orange County Business Accelerator  
Daniel and Barbara Coleman  
Cheryl Cariffie – Senator Larkin  
Marissa Brett – HVEDC  
Peter Hartmayer – Cymo Gen Dx. LLC  
Michael Levensohn – Times Herald-Record

Chairman, James Petro asked for a motion to approve January 20, 2010 minutes. Stephen Brescia made a motion seconded by Robert Armistead to approve minutes as presented. Affirmative votes of all members present resulted in motion carried.

James Petro also informed members that the Governance Committee meeting scheduled for today will be postponed until March 17, 2010 at the County Executive's Conference room in Goshen. Also up for discussion at the March meeting will be OCCDC and Breonics with a full board present.

Chief Financial Officer Joel Kleiman presented the January financials, stating that expenditures exceeded revenue in the first month of this year. He also handed out copies of schedule of investments and said that final draft of the 2009 financials from the auditors would be presented at the March board meeting. Also presented were the following vouchers and payments: Philip Crotty \$6,737.50 legal fees for December 2009, Hudson Valley Awards \$98.00 plaque for Daniel Coleman, HVEDC \$20,000.00 annual agreement 2010, Lorrie Dana \$54.55 reimbursement for cassettes, Edda Eller \$1,875.00 1<sup>st</sup> quarter 2010, Orange County \$12,000.00 Administrative Director services, Orange County \$25,000.00 Foreign Trade Zone year 2010, Orange County \$25,000.00 Newburgh-Stewart Empire Zone for 2010, Orange County Partnership \$52,500.00 1<sup>st</sup> quarter 2010. Robert Armistead made a motion seconded by Stephen Brescia to approve financial report and vouchers and payments as presented. Affirmative votes of all members present resulted in motion carried.

Marissa Brett of HVEDC gave a summary and update of their 2009 accomplishments. In 2009 HVEDC met its goals despite the economy and the slow rate of activity in the region. 1,107 new jobs were created and 1,097,459 square feet were occupied. Outreach efforts resulted in 143 meetings with brokers, site selectors and corporate executives. A shovel-ready initiative was launched by HVEDC in late 2008. A third-party consultant evaluated sites throughout the region and selected the Winston Farm site in Saugerties as the site best suited for Greenfield development for high-technology manufacturing users. HVEDC worked with the owners of the site, county EDC and Town of Saugerties to carry the site through a community acceptance phase and detailed feasibility studies and master planning process. They are now in the stage of interviewing firms to guide the site through SEQRA. HVEDC has a very aggressive agenda for 2010 which includes launching of a high-tech marketing campaign to aggressively go after four industries that HVEDC has been advised by a third-party consultant they can realistically attract. Campaign will officially launch with a web site on April 1<sup>st</sup>. HVEDC is actively seeking another site to guide through the process to assist in making it shovel-ready. HVEDC has put out a request for proposals that are due back on February 26<sup>th</sup>. HVEDC will work to create a Comprehensive Regional Economic Development Plan for the Hudson Valley. They envision the plan to have not only a clear path for the region but also individual paths for each of the counties since they are unique to each other.

Presented was a Resolution approving \$22,500 grant agreement with Hudson Valley Economic Development Corporation for 2010. This IDA has considered the request of the HVEDC for a \$22,500 grant for operating expenses for calendar year 2010; and whereas, the IDA finds the request consistent with the IDA purpose of supporting economic development in the Hudson Valley; and whereas, other organizations in the region are also providing grants to HVEDC. Therefore be it resolved that the IDA

Chairman is authorized to sign a grant agreement with HVEDC in the amount of \$22,500 for operating expenses for calendar year 2010 to be used solely for economic development in the Hudson Valley. Stephen Brescia made a motion seconded by Robert Armistead to approve Resolution as presented. Affirmative votes of all members present resulted in motion carried.

Phillip Crotty told members that the annual IDA report has to be submitted along with the Orange County Partnership report by March 31<sup>st</sup> and that the Audit Committee approved the numbers of the draft audit.

Phillip Crotty also informed members that he received an email from Ernie Green of Breonics offering the IDA a stock option of \$3.00 per share. Phil would like the full board to be present in making a decision whether to take it or wait on it.

Recognized was Michael DiTullo of the OCBA presenting their January 2010 financial report. He also told members that a big event is planned for next month, which will increase revenues. Four firms have signed up for space in the first quarter and Renewable Energy Co. is another interested entity. Peter Hartmayer is a new tenant out of California with 5 or 6 employees.

Peter Gregory presented a Strategic Plan for 1<sup>st</sup> quarter 2010. Also, four more suites will be built out, of which two are already spoken for. The build-out cost was an allowance of \$300,000 of which \$59,000 is left as credit with First Columbia.

Cheryl Cariffie from Senator Larkin's office congratulated Daniel Coleman for his longtime service with the IDA on behalf of Senator Larkin, who could not be present.

Presented was a Resolution appointing special counsel for litigation. Whereas, the Town of Chester has submitted a Notice of Claim to bring legal action against the IDA for actions related to C&S Wholesale Grocers; and the IDA attorney, Executive Director, and Chairman have recommended the IDA engage special counsel for such litigation and any Article 78; and whereas, Rick Golden, Esq. is qualified to handle such matters, being the former Orange County Attorney, and has stated his willingness to take on the case for \$225.00 per hour. Therefore be it resolved that Rick Golden, Esq., and his law firm of Burke, Mele and Golden, be engaged to handle any litigation including Article 78 that may follow in the matter of Town of Chester v. IDA for C&S Wholesale Grocers. Robert Armistead made a motion seconded by Robert Schreibeis to approve Resolution as presented. Affirmative votes of all members present resulted in motion carried.

Jim Petro told members that he would like the full board to be present in making decisions regarding OCCDC. It has been going on for eight years and not much has happened. They asked the IDA to fund \$155,000 for 2010, \$500,000 for 2011 and \$350,000 for 2012. Jim does not want any action taken today.

Stephen Brescia made a motion seconded by Robert Armistead that this meeting be duly adjourned, the time being 4:30 pm.

Edda Eller  
Recording Secretary