ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

June 20, 2012

A regular meeting of the Orange County Industrial Development Agency was convened in public session on June 20, 2012 at 2:29 P.M. at the Orange County Business Accelerator, in 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, John Steinberg, Henry VanLeeuwen, Robert

Schreibeis, Robert Armistead, Mary Ellen Rogulski

ABSENT: None

ALSO PRESENT: James O'Donnell – Executive Director

Phil Crotty – Attorney

Laurie Villasuso – Administrative Assistant Russell Gaenzle – Harris Beach, PLLC

Peter Gregory – Orange County Business Accelerator Maureen Halahan – Orange County Partnership

Brian Gates – HVEDC Michael Oates – HVEDC

Julie Richmond - Director of Grants, Orange County General Services

Donald Green - SUNY Orange

Patrick Berardinelli - Orange County Legislature

Jim McGee – Senator Bill Larkin's office David Church – Orange County Planning Brandon Stabler – Crystal Run Healthcare Gaynor Rosenstein – Crystal Run Healthcare

Mayor Russ Potter – Port Jervis Kathleen Hendrickson – Port Jervis

Anna Tison – Port Jervis Adam Hubbard – Port Jervis

Elizabeth Greene – Town of Newburgh Council Gil Piaquadio – Town of Newburgh Council Wayne Booth – Town of Newburgh Council

Martin Kolt - Active Ventilation

Jessica DiNapoli - Times Herald Record

Jill Varricchio Ronald J. DeVito

Michael DiTullo - REDC

Victor Cornelius – Endeavor, Inc.

Steve Gruber – Renewage

Mike Finnegan – Continental Organics Tom Endres – Continental Organics

Chairman James Petro calls the meeting for the Orange County IDA, June 20, 2012 (Pledge of Allegiance is recited). Board consists of seven members. There is a quorum.

Review of the prior May 16, 2012 meeting minutes. Motion made by VanLeeuwen, seconded by Brescia to approve the minutes as presented. Affirmative votes of all members present resulted in motion carried.

Roll Call taken.

Financial Reports and/or Requests for Payment

Mr. Kleiman asks the members to refer to the Income and Expense summary in their packets, dated June 2012. The IDA has \$619K in revenues, \$590K in expenses. Revenues exceed expenses by \$28K. Mr. Kleiman then asks the members to refer to the Bank Balance spreadsheet included in their packets. He notes that as of May 31, the IDA has just over \$7M in bank accounts, money markets and CDs.

Mr. Kleiman notes that the only change to the Voucher statement is an addition of a reimbursement to Kelly Reilly in the amount of \$165.51, which brings the Requests for Payment total to \$15,493.64.

Motion made by VanLeeuwen, seconded by Schreibeis, that the Board accepts the financial report and authorization of payments and vouchers for June 2012. Open for discussion. Affirmative votes of all members present resulted in motion carried.

With no further comment on the Financial Reports, Mr. Kleiman takes the opportunity to congratulate Mr. Crotty on his retirement, and wishes him a happy and healthy retirement. In addition, he wishes the best for the resigning Chairman Petro's future endeavors.

Mr. O'Donnell reads aloud a certificate from the County Executive to recognize Mr. Crotty's years of dedication and hard work. Mr. Crotty thanks Mr. O'Donnell for the certificate, and says that it has been his pleasure to work with this IDA Board.

Mr. O'Donnell then addresses Chairman Petro. He notes that there have been a number of stories about Chairman Petro in the paper, but not enough good stories. He advises that there was recently a great story in the local Sentinel, commending Chairman Petro and his hard work. Mr. O'Donnell adds that there was recently an Honor Flight out of Stewart Airport, which flew our WWII Veterans to Washington DC for the day. Although there were fundraisers for the event, they were short on funds. Chairman Petro, of his own accord, told the organizers to send him the bill for the difference between what they had and what they needed. Mr. O'Donnell then reads aloud a certificate from the County Executive, thanking him for his service to the IDA and to the County. Chairman Petro echoes the sentiment of Mr. Crotty and says it has been a pleasure to be a part of such a wonderful organization, and to work with such wonderful people.

Mr. McGee presents Mr. Crotty with a certificate on behalf of Senator Larkin and the New York State Senate, thanking him for his service.

Chairman Petro notes that he will move around on the agenda this afternoon, due to the filled agenda, but also the at the request of some attendees.

CNC Update and Resolution

Mr. Green advises the room that the first of the CNC focus groups will take place on July 21, which will host 12 people, including Mr. Armistead. The next group will meet on June 27 and will host 13 people. He also adds that anyone from the IDA who wishes to sit in is welcome to attend. On July 26, there will be a presentation of the focus groups' findings. At that point, it will be decision time for the college. Mr. Green feels quite confident about where this project is headed.

Mr. Crotty reads aloud the Resolution approving preparation of grant to National Science Foundation for Advanced Manufacturing. Motion made by Armistead, seconded by Rogulski. Affirmative votes of all members present resulted in motion carried.

Port Jervis Whitewater Park

Mayor Potter advises the board that Adam Hubbard presented the idea of the Whitewater Park about two years ago. The Park uses the Delaware River as its main base, and notes that the County of Orange and the City of Port Jervis fully embraces the idea. Mayor Potter introduces Adam Hubbard. He explains that 2 years ago, Port Jervis wanted ideas from citizens for Waterfront Revitalization. Mr. Hubbard had been to whitewater parks in other areas and presented the idea to Port Jervis.

At this time, the park is moving into official designs and permitting. They need \$55K to secure studies, design drawings and then permits. Once those are received, the construction phase will begin.

A whitewater park is a natural setting in the river, and uses natural rock to create rock features in the river, which creates waves and rapids on which kayakers and canoes can surf. It will be for both recreation and competition. He

notes that the County Executive's office aided in the preliminary design plan, in which they hired one of the five engineers in the world with expertise in this area. The engineer from Colorado floated the river with the team, took some pictures and determined that there was potential in this area. There are three distinct areas that would have quite a draw for the region.

The Whitewater Park Committee, created by Mayor Potter in 2010, researched the idea. Economic impacts are impressive – small parks draw \$1-5M annually. An Economic Impact Study prepared by the Orange County Planning Agency determined that there would be \$10-30M of economic impact into the region as a result of its location.

A mayor from Idaho with a similar park spoke to the committee, and following that, the County Executive provided \$10K of seed money to start the project. The \$55K they are requesting now would allow them to create a permanent design, to do a study that would describe what exactly can be built and what the features would look like, and then to move into the permitting process with the state agencies.

Chairman Petro clarifies that there will be no salary drawn from the requested \$55K. Mr. Hubbard confirms. He notes that once construction begins, 10-15 jobs will be created. He notes that most existing water parks like this only have a one to two month paddling season, as they are generally ski areas that need the activity during the summer months. But in this area, the paddling season is 6-10 months, and is a constant draw. He notes that the draw can increase home value, and bring name-recognition to Orange County. He aims to use local people for all jobs, and to bring more jobs long term for the county.

Chairman Petro notes that the request will go to Governance, who will review it and make a recommendation to the IDA. Mr. VanLeeuwen refers to the power point slide that Mr. Hubbard has presented and asks where the "150,000 jobs" claim has come from. Ms. Tison notes that the number came from the Orange County Planning study, and adds that the jobs would be created in industries not currently in existence in the area. The number also allows for growth over a two decade period. Chairman Petro adds that regardless of the 150,000 number, the park would draw business and the multiplier effect would positively impact the town. Ms. Hendrickson, community development director for Port Jervis, adds that a large part of this project is the businesses that the park would draw; while they will study this further, at this time they're hoping for the revitalization of a lot of downtown businesses in Port Jervis. Notably, food and beverage industries, rental and retail businesses will see the greatest impact.

Mr. VanLeeuwen also notes that it would put Port Jervis on the map. Mr. Hubbard adds that Freestyle Kayaking is being brought into the Olympics in 2016. If NYC ever bids on Olympics again, Mr. Hubbard notes that this is a built-and-ready venue within a 2 hour ride from NYC.

Mr. Armistead asks who will own the park, and is advised that, because of its location in the river, it will be owned by the state and Port Jervis. It is a free-to-use public park, essentially. All parks that they have researched are the same, and generate a positive impact due to the people visiting the region, and staying for the day or the weekend, if not longer.

Mr. Brescia adds that the project appears to meet the three criteria of the grants program. Mr. Armistead asks for the total project cost, and is advised that, including all excavation, permitting, some money already spent and all three of the river sectors that will be altered and the access trails, the entire cost is roughly \$2.5M. Ms. Hendrickson notes that once they receive the \$55K, they will be able to develop plans to take to the permitting agencies. Once they've gone to the regulatory bodies, and find out what they will allow in the river, and then that will determine the final cost. They would like to have a shovel in the ground by next year. At that point, they may use bonding, fund raising, or investment to finance the job. The park will be accessible to anyone who drives into Port Jervis, and anyone who floats down the river. They will forward a grant application to Mr. O'Donnell's office.

Executive Director Report

Mr. O'Donnell advises that he attended the Council of Industry Manufacturing awards breakfast where the County Executive received an award. There was also a Stewart Airport Commission meeting; they are about to go to bid on redoing their runway, and it is a \$100M capital project. To date, since Stewart was taken over by PA, they have spent over \$75M in capital improvements there, which has provided a lot of opportunity for local businesses. On June 6, Mid-Hudson Regional Economic Development held their council meeting. Mr. O'Donnell also met with Father Kevin at MSMC, and it looks like their redevelopment of the Dominican Building will be one of the county's priority projects. They recently acquired the building and it will allow them to take in 300-400 more students, it will also allow them to expand their school of business. On June 7, there was a triathlon meeting to discuss the triathlon on July 8th at the river. Details are at orangecountytri.com. On June 9th, West Hill Country Club – formerly Orange County Golf Club – had their grand

opening. There was an investment in the property of over \$5M to rescue the former Orange County Golf Club, including landscaping, expansion of and addition to the catering hall. Susan Hawvermale of Orange County Tourism met with Mike Oates and HVEDC with great success. Mr. O'Donnell and Ms. Halahan visited Albany with Senators Bonacic and Larkin and the Alliance For Balance Growth, to meet with the DEC Commission on the wetlands proposal. Although the law has already been passed, he feels that the group attracted the DEC's attention.

PTAC – Resolution

Mr. DiTullo introduces Liz Kallan, who maintains office hours in Orange County. Ms. Kallan meets with clients at Orange County Business Accelerator, and has hours twice a month in addition to being available as needed. The program has grown to include more clients, and PTAC clients received over \$33M in awards in 2011. PTAC is a resource for small businesses to find government procurement opportunities. Mr. DiTullo adds that there has been a significant effort in reaching out to veterans in the last few months. Additionally, they hold seminars and workshops to help clients.

Chairman Petro asks Ms. Kallan which days find her in the Accelerator. She is in the Accelerator on the first Thursday and the last Wednesday of every month, along with events and any other as-needed appointments

Mr. Crotty reads the Resolution approving a \$24K grant agreement with Rockland County PTAC aloud. Motion made by Brescia, seconded by VanLeeuwen. Affirmative votes of all members present resulted in motion carried.

Marketplace

Chairman Petro reminds the room that Marketplace has made an application to the IDA. Chairman Petro, Mr. O'Donnell and Mr. Crotty have been involved in a number of emails, phone calls and meetings with regard to this project. Marketplace has paid their \$5K application fee, and has recently submitted a letter in which they requested no PILOT at all, as the 485-b is available at the town, while still requesting Mortgage Tax and Sales Tax abatements. Today, Chairman Petro received a letter from Mr. Booth and his counsel, stating that they are not in favor of relief of any kind to Marketplace, other than the Sales Tax Abatement which is $8^{1}/_{8}$ %. They are not in favor of the Mortgage Tax Abatement, as Newburgh does receive a large portion of the tax.

What Chairman Petro would like to do is entertain a motion to do the STE for Marketplace, and table the remainder of the outstanding request. The Marketplace can reapply in the future if they wish. Mr. Gaenzle confirms that legally, at this time it is a matter of what decision the Board wishes to make. He also confirms that if the town and Marketplace reach an agreement in the future, and Marketplace would like to come back to the IDA, the Board may reopen the application. The town cannot offer sales or mortgage tax abatements. Chairman Petro notes that the fee to the applicant is one-half of one percent if the applicant does not receive a PILOT.

Mr. O'Donnell asks how the mortgage tax is divided. Mr. Booth advises that the town receives the majority of the mortgage tax. Mr. Gaenzle offers that the state receives one portion of the tax and the local municipalities receive a portion; he notes that one IDA that Harris Beach works with exempts the state portion, but not the local portion so that the locals are not impacted by the full exemption. Chairman Petro notes that this Board has taken that approach before. He suggests the Board offers a Sales Tax Exemption, and the *state side* of the Mortgage Tax Exemption.

Mr. Crotty reads aloud the Resolution approving IDA action on the Marketplace in the Town of Newburgh, granting the entire Sales Tax Exemption and only the state side of the Mortgage Tax Exemption. Motion made by VanLeeuwen, seconded by Brescia. Resolution carries with six in favor and one opposed.

Mediacom - Resolution

Mr. Crotty notes that the resolution just pushes everything back a year during the construction phase.

Mr. Crotty reads aloud the Resolution ratifying the execution, delivery and filing to the First Amendment to the Lease Agreement, First Amendment to the PILOT Agreement and related documents in connection with the Mediacom realty, LLC Project. Motion made by Rogulski, seconded by VanLeeuwen. Affirmative votes of all members present resulted in motion carried.

IDA Attorney Crotty Retirement and Resignation of Chairman Petro

Mr. Crotty advises he will be retiring as of June 30, plus however long it takes to find a replacement. The IDA has begun the interview process. There have been 7 applications received, plus one by phone, and three attorneys so far have been interviewed, and there are plans to interview more the following week. He also advises that there is an automatic succession of Vice Chairman to Chairman, and Second Vice Chairman to Vice Chairman. This means that, as of midnight on 6-20-12, Mr. Armistead becomes the IDA Chairman and Ms. Rogulski becomes Vice Chairman.

Micro-Loan Program - Update

Mr. Steinberg advises that Micro-Loan Committee met today. They discussed continuing review of the policy and procedure documents, with Ms. Rogulski leading the charge on that issue. They will try to have a draft document completed before July. Ms. Rogulski adds that establishing the P&P is the first step, and then they will work on the mechanics of the funding. The goal is to have it all completed by the end of July, at which time they hope to write their first loan.

CRH Realty VI, LLC

Mr. Stabler, of Columbia Development Companies, and Ms. Rosenstein, SVP of Operations at Crystal Run Healthcare, introduce a project as proposed by CRH Realty on Rykowski Lane in the Town of Wallkill. The building itself will be 3 stories and 60K square feet. Crystal Run has a need for expansion of their back office space at this time. This is a proposed project; Crystal Run needs space right now, but they don't yet need the entire 60K square feet of space. There are some options that they are considering – including outsourcing or moving elsewhere, since these employees don't necessarily need to be in Middletown – but Crystal Run is committed to the area. They prefer to move this project forward, knowing that over the next five years, they will need all 60k square feet. They are asking for the Enhanced 10 Year PILOT, along with Mortgage Tax and Sales Tax Exemption. There is a need for some of the space as soon as possible. They would like to start construction late this summer and then finish by May of 2013.

The total capital expenditure will be \$14.6M, with retention of 300 existing at-risk jobs – which will come from existing Crystal Run Healthcare locations – and the creation of 200 new permanent full-time jobs over the next five years. The average salary is \$42K. This location, Ms. Rosenstein adds, will house an entire call center, business and billing office, finance division and credentialing. The call center, Ms. Rosenstein clarifies, are not sales-calls, they are handling all calls into Crystal Run for all doctors and offices.

Chairman Petro advises that the Orange County Industrial Development Agency will need a letter from the Wallkill IDA that they defer to the Orange County IDA, and will also need a letter from the town supporting the request for the PILOT.

Mr. Crotty reads aloud the accepting the application of CRH Realty VI, LLC. Motion made by Armistead, seconded by Rogulski. Affirmative votes of all members present resulted in motion carried.

Chairman Petro notes that a public hearing will be scheduled in Wallkill.

OCP Report

On behalf of the Orange County Partnership, Ms. Halahan thanks Mr. Crotty for all of his support through the years. She presents him with a letter from her Board of Directors. Turning her attention to Chairman Petro, Ms. Halahan presents him with an award for his dedicated support of economic development in Orange County, NY.

To start her report, Ms. Halahan gives an update on the WSJ ad campaign and commercial. They experienced roughly 1200 total visitors since the campaign launch, 828 of which were unique first-time visitors. The average time of the web visits is 4.5 minutes, with quite a few international visits – many of which came from India. Ms. Halahan believes that the international interest is due to the International Trade Expo along with the WSJ campaign. There have been 258 QR code scans to date, twelve of which came directly from the WSJ insert, and led directly to the OCP commercial. Both WSJ inserts are completed, both in NJ and CT. Directly from those ads, there have been four visits to the office; two resulted in a site tour and one has resulted in the prospective client getting additional information. The project would produce 30 jobs, with a capital investment yet to be determined.

OCP is working with a wholesale distributer of GM auto parts, who is interested in a site at the airport property. It is roughly a \$250K upfit to the building and the creation of about 15 jobs. They are negotiating that with the Port Authority right now. It is a fast moving project, and if it works in this area, they will construct a new facility within two years.

Project Gypsum, the data center, is still moving forward with their desire for the old Warwick correctional facility site. They are speaking with the supervisor, and are hoping to move forward, but they may look at another site in Orange County.

Project Blue, which came through a local broker, is looking for a site for a regional distribution center; the requirement is 800K square feet, build to suit, with a job creation of 700. They'd like to be finished by end of 2013.

Project Drink found the OCP through the website with a search for commercial space in Orange County. They're looking for a building in Newburgh, New Windsor, Walden or Fishkill, 14-20K square feet, with drive-through capabilities a must. No capital investment announced yet, but between 30 and 35 jobs created.

There is also a second data center looking in Orange County, who requires about 300K square feet. Hunter Panels (Carlisle Construction) has closed and they would like to start as soon as possible.

Ms. Halahan notes that at a recent conference, a representative of New Jersey announced that their goal was to take as many businesses from New York as possible. She notes that it is important, locally, that we fight to keep businesses.

Active Ventilation

Mr. Kolt from Active Ventilation, located in the city of Newburgh, advises the room that his company is a sheet metal business. They are a mini-factory whose largest customer is Home Depot for their Solar Attic Fan. They would like to expand from their 50k square feet to meet the demand they are experiencing, but cannot expand where they are. They are in negotiations for a building in Wawayanda which used to house the Controls West Factory. The building has potential to expand from 25 employees to at least 35.

Mr. Kolt also notes that his company will use CNC Machines. In addition, Active Ventilation is currently storing CNC Machines for the Advanced Manufacturing program. Mr. Crotty notes that because of their storage of the machines, there has been discussion for waiving a portion of the IDA application fee.

Chairman Petro advises that the IDA offers incentives on improvements, not on the existing structure or the land value. He advises that Mr. Kolt should speak with Mr. O'Donnell to discuss a cost-benefit analysis of the project.

Renewage

Victor Cornelius, a local grant writer in the Hudson Valley, is working with Mr. DeVito of Concordia on his Hamptonburgh Project. In an effort to reduce the cost of infrastructure development, so that Concordia may maintain a very high quality of service in the assisted living facility, Mr. Cornelius is helping to reduce the infrastructure costs for the site development. Mr. Cornelius has brought in Mr. Gruber, principal of Renewage. They have been successful at implanting storm water-management technology in Wappingers Falls already, through a grant process with New York State. Today, they would like to discuss implementing this system as a waste water treatment concept. Currently, this waste water treatment is already in place in Buffalo Airport, and has been permitted in a variety of public places across the country. They are requesting that the IDA become their applicant in the CFA process for grant funding to support the project.

Mr. Gruber explains that Renewage offers alternative means of treatment for waste water management, which replicates natural wetlands and works year round without danger of freezing. Wetlands have the ability to clean waste water, in addition to mitigating storm water issues and to clean water that flows into another body of water. Wastewater is brought to a central place and treated underground, which is aerated. This technology is being used at Buffalo International Airport, as well as Islip Airport, to treat the run off from de-icing airplanes. This has been used residentially and commercially across the country. They are working with NY DEC to obtain approvals for domestic wastewater application. Mr. Gruber was approached by Mr. DeVito's organization, Concordia, with regard to their assisted living center. The site for center is landlocked, and the cost for bringing a sewer pipe to the site would cost a few million dollars, which makes this process much more sustainable than sewer. Sustainability is important from both economic and ecological perspectives. The wastewater is clean and will be used for agricultural purposes and a variety of other applications, and the site has the appearance of a garden.

Renewage needs a government agency to lead the grant process, and the IDA would become the lead agency in the grant process, so that this process could be used at the Hamptonburgh site. Their CFA process would primarily target

ESD funds and some clean water state-revolving funds. The assisted living center in Hamptonburgh, on Neelytown Road, would ultimately create over 100 FTEs.

Mr. Crotty reads aloud the approving IDA as municipal grant application for Renewage. Motion made by Brescia, seconded by VanLeeuwen. Affirmative votes of all members present resulted in motion carried.

[Mr. Brescia exits the meeting]

OCBA Report

Mr. Gregory begins by noting that two investors of Roadlok have moved into the Accelerator. Mr. Gregory notes that clients enjoy the networking factor to the Accelerator. There are three prospects in the pipeline for the Accelerator. One is Walls of America, which has a patent on a building product. Another prospective client operates a business of medical devices – such as titanium screws and plates – and is an international company ready to put a footprint in New York, and needs a location near the airport. The last prospective client deals with very secure cloud computing. All three would be resident clients.

Mr. Gregory advises that Frugaldoo's service, which triangulates cell phones and offers local coupons based on the user's location, continues to grow. He adds that FutrFab is looking to build a site within the airport property, and that CymogenDX's continue to increase. Sugar Websites, a unique website development platform, is becoming more and more recognized for their strengths. He notes that some of those companies may be Micro-Loan fund candidates.

Mr. Gregory then distributes a Marketing and Advertising Refocus summary. He notes that OCBA needs to put together a world-class promotion package for the Accelerator, and proposes a program to bring in a different set of marketing and advertising vendors. He adds that the Accelerator may have outgrown their current marketing firms, and he would like to attract business from the New York City metro areas, as well as international business. The marketing would focus on the lower cost of business in our area, the post-revenue that international companies would need to accelerate their presence in US markets, and establish an OCBA "Center of Excellence in Marketing." To do this, there is a three-pronged plan of adjusting the Accelerator's public relations, search engine optimization and social media.

He notes that there is a chart indicating the budget reallocation, which uses the uncommitted salary for enterprise development director of \$56,429.97, coupled with the remaining 2012 marketing and advertising budget of \$68,008.49. The total of those two budget items is \$124,258.46, \$75K of which will be used for this new, higher-cost campaign.

Ms. Rogulski notes that she would like to know who decided that the uncommitted salary was to be used for marketing. Mr. Gregory advises her that it is just a suggestion. Mr. Armistead notes that he asked Mr. Gregory to present this to the board as a suggestion, and is not committed at all. Mr. Gregory continues that the marketing team is detailed on the final page, and is made up of three firms with expertise in social media, PR and reputation monitoring and management.

Chairman Petro advises that he wishes no action be taken today. Ms. Rogulski notes that before she takes action, she would like more information. Mr. Schreibeis makes a motion to table the issue, seconded by VanLeeuwen. Motion carries with five in favor, one opposed.

Such other and further business

Mr. Finnegan and Mr. Endres of Continental Organics advise the Board that they are up to 26 jobs, 11 of which are veterans. In addition, they have broken ground on Phase II, thanks to the IDA's assistance at the last meeting. Misters Finnegan and Endres thank the IDA for their hard work, and advise the Board that it has been a pleasure to deal with the Orange County Industrial Development Agency. They thank Mr. Crotty and Chairman Petro for their service, and add that they will be sorry to see the current attorney and chairman leave the Board. Misters Finnegan and Endres present Mr. Crotty and Chairman Petro with some Continental Organics product, and thank them once again for all of their help.

Chairman Petro presents Mr. Crotty with a gift from the IDA. Mr. Crotty issues a special thanks to those who brought him into the IDA in the first place.

The members tell Chairman Petro that they are sorry to see him go. Chairman Petro reminds the board that he has enjoyed his time and likes every single person he's worked with over the course of his time at the IDA.

With no further busi seconded by Schrei	ibeis, the time bein	g 4:53p.m.	-	-	·