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STATE OF NEW YORK
COUNTY OF ORANGE

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY
PUBLIC HEARING
REGARDING
191 WASHINGTON STREET LLC
CITY OF NEWBURGH, NEW YORK

February 22, 2023
Newburgh, New York
Commencing at 5:30 p.m.

Marianne Glum, Reporter

MINUTES
OF
PUBLIC HEARING

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INDUSTRIAL DEVELOPMENT AGENCY:

Cherisse Vickers, Executive Director

Adam Pollick

Theresa Priester

Yaniyah Pearson

Robert J. McLaughlin, Esq.

1 IDA HEARING 2/22/23

2 IDA EXEC. DIR. CHERISSE VICKERS:

3 Good evening. My name is
4 Cherisse Vickers, and I am the
5 Executive Director to the City of
6 Newburgh Industrial Development
7 Agency.

8 Today I am holding the
9 continuation of the public hearing
10 which was held on December 19th, 2022,
11 at 5:30 p.m. to continue to allow
12 citizens to make a statement, for the
13 record, relating to the involvement of
14 the Agency with a project for the
15 benefit of 191 Washington Street LLC,
16 New York limited limit liability
17 company, which I will refer to as the
18 company.

19 In addition, the Agency is
20 holding this public hearing to
21 consider written and verbal comments
22 on the request of the company for a
23 Payment in Lieu of Taxes Agreement,
24 which PILOT request deviates from the
25 current Uniform Tax Exemption Policy

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2 of the Agency. Pursuant to Section
3 874(4) of the General Municipal Law,
4 and in accordance with the Policy,
5 prior to taking final action on the
6 PILOT request for a deviation from the
7 Policy, the Agency must adopt a
8 resolution setting forth, with respect
9 to the proposed deviation: (a) the
10 amount of the proposed tax exemption,
11 (b) the amount and nature of the
12 proposed PILOT, and (c) indicating the
13 reasons for the proposed deviation.

14 At its regular meeting held on January
15 18, 2023, the Agency approved the
16 issuance of a letter to the affected
17 taxing jurisdictions setting forth the
18 reasons of the proposed deviation from
19 the Policy as required by the Act and
20 the Policy. This letter was mailed to
21 the affected taxing jurisdictions on
22 January 24th, 2023.

23 The Proposed Project consists of
24 the following.

25 A. (1) the acquisition of a

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2 leasehold interest in an approximately
3 40,000 square foot parcel of land
4 located at 191 Washington Street in
5 the City of Newburgh, (2) the
6 construction of two new buildings
7 totaling approximately 70,000 square
8 feet to consist of 12 residential
9 units and commercial space, including
10 offices and a farm brewery, and (3)
11 the acquisition and installation
12 therein and thereon of related
13 fixtures, machinery, equipment and
14 other personal property, which I will
15 collectively refer to this as the
16 "Project Facility."

17 B. The granting of certain
18 financial assistance with respect to
19 the Proposed Project, including
20 potential exemptions from certain
21 sales and use taxes, real property
22 taxes, real estate transfer taxes, and
23 mortgage recording taxes; and

24 C. The lease of the Project
25 Facility to the Company.

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2 I intend to provide general
3 information on the Agency's general
4 authority and public purpose to
5 provide assistance to this Proposed
6 Project. I will then open the comment
7 period to receive comments from all
8 present who wish to comment on either
9 the Proposed Project or the financial
10 assistance contemplated by the Agency
11 with respect to the Proposed Project.

12 Legal Authorization and Powers of the Agency.

13 City of Newburgh Industrial
14 Development Agency is authorized and
15 empowered by the provisions of Chapter
16 1030 of the 1969 Laws of New York
17 constituting Title 1 of Article 18-A
18 of the General Municipal Law, Chapter
19 24 of the Consolidated Laws of New
20 York, as amended, and Chapter 577 of
21 the 1982 Laws of New York, as amended,
22 constituting Section 913 of said
23 General Municipal Law (said Chapter
24 and the Enabling Act hereinafter
25 collectively referred to as the

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2 "Act").

3 Purpose of this Public Hearing.

4 Pursuant to Section 859-a(2) of
5 the Act, prior to the Agency providing
6 any "financial assistance" (as defined
7 the Act) of more than \$100,000 to any
8 project, the Agency, among other
9 things, must hold a public hearing
10 pursuant to Section 859-a of the Act
11 with respect to said project. Since
12 the proposed "financial assistance" to
13 be provided by the Agency with respect
14 to the Proposed Project may exceed
15 \$100,000, then prior to providing any
16 "financial assistance" (as defined in
17 the Act") of more than \$100,000 to the
18 Proposed Project, the Agency must hold
19 a public hearing on the nature and
20 location of the Project Facility and
21 the proposed "financial assistance" to
22 be provided by the Agency with respect
23 to the Proposed Project.

24 Pursuant to Section 874(4) of
25 the Act, and in accordance with the

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2 Policy, prior to taking final action
3 on the PILOT request for a deviation
4 from the Policy, the Agency must adopt
5 a resolution setting forth, with
6 respect to the proposed deviation:

7 (a) the amount of proposed Tax
8 Exemption, (b) the amount and nature
9 of the proposed PILOT, and (c)
10 indicating reasons for the proposed
11 deviation. At its regular meeting
12 held on January 18th, 2023, the Agency
13 approved the issuance of a letter
14 setting forth the reasons of the
15 proposed deviation from the policy as
16 required by the Act and the Policy.
17 The proposed PILOT agreement would be
18 for a term for up to 14 years with the
19 Company making the payments in each
20 year of the PILOT in accordance with
21 the schedule previously published by
22 the Agency. A copy of the letter to
23 the taxing authorities is incorporated
24 into this transcript by this
25 reference.

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2 The Executive Director of the
3 Agency caused notice of this Public
4 Hearing to be (A) mailed on June 24th,
5 2023 to the chief executive officers
6 of Orange County, the City of
7 Newburgh, and the City of Newburgh
8 School District, and (B) published on
9 January 26th, 2023, in the Times
10 Herald Record, a newspaper of general
11 circulation available to the residents
12 of the City of Newburgh, Orange
13 County, New York. In addition, the
14 Executive Director of the Agency
15 caused notice of this public hearing
16 to be hand delivered to each of the
17 chief executive officers of the City
18 of Newburgh on January 24th, 2023, and
19 posted on January 23, 2023, on the
20 Agency's website and also on a public
21 bulletin board on January 24th, 2023
22 located at City Hall, 83 Broadway,
23 Newburgh, New York.

24 Now, unless there is any
25 objection, I am going to suggest

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2 waiving the full reading of the notice
3 of this public hearing and instead
4 request that the full text of the
5 notice of this public hearing be
6 inserted into the record of this
7 public hearing as Schedule A.

8 The comments received today at
9 this public hearing will be presented
10 to the members of the Agency at or
11 prior to the meeting at which the
12 members of the Agency will consider
13 whether to approve the undertaking of
14 the Proposed Project by the Agency and
15 the granting by the Agency of any
16 "financial assistance" in excess of
17 \$100,000 with respect to the Proposed
18 Project.

19 Written Comments.

20 The notice of this public
21 hearing indicated that written
22 comments could be addressed to
23 Cherisse Vickers, Executive Director
24 of the Agency. I have received none.

25 I will now invite the project,

1 IDA HEARING 2/22/23

2 Sisha Ortuzar, to talk about what he
3 is proposing.

4 BY MR. SISHA ORTUZAR:

5 Thank you for having us again.
6 In light of our extensive remarks last
7 time we were here, we will be very
8 brief this time. So, we are here
9 again to ask for this -- for the
10 PILOT. As you know, the project that
11 we are contemplating is the renovation
12 of the existing school building, 191
13 Washington, and the construction of
14 the two new buildings, which will --
15 the project will be a total of 70
16 residential units and about 50,000
17 square feet of commercial space. We
18 are moving through the different
19 boards and we are getting ready to
20 mobilize this project as soon as we
21 can.

22 This project, in order for it to
23 move forward, we need this PILOT. In
24 our last presentation and
25 conversations with the Board, we've

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2 shown why. And at the last public
3 hearing we had, I think we were very
4 glad to receive a lot of support from
5 the community, which tells us that
6 we're on the right track with this.
7 And we are looking forward to getting
8 started. That's all I have.

9 IDA EXEC. DIR. CHERISSE VICKERS:

10 Thank you. I will now open this
11 public hearing open for public comment
12 at 5:43 p.m. Is there anyone that
13 wishes to comment that has not signed
14 in? Okay.

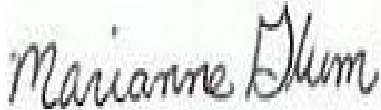
15 So I guess I will conclude this
16 public hearing at 5:43 p.m. Thank you
17 for attending.

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19 (Time noted: 5:43 p.m.)
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C E R T I F I C A T I O N

I, MARIANNE GLUM, a Court Reporter
and Notary Public within and for the State of
New York, do hereby certify that the
foregoing is a true and accurate record of
what transpired before me in the above
captioned matter at the above mentioned time
and place.



MARIANNE GLUM

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