

CITY OF NEWBURGH  
INDUSTRIAL DEVELOPMENT AGENCY (IDA)  
MINUTES OF MEETING  
January 27, 2014

Present

Board Members: Joshua Smith, Chairman  
Richard Bedrosian, Mike Curry, John Penney, Nancy Thomas  
Excused: Jerry Maldonado  
Counsel: Thomas Whyatt  
Staff: Theresa Waivada, Executive Director  
Craig Skelly, CFO

1. **Roll Call:** Mr. Smith called the meeting to order at 6:39 pm. A quorum is present.
2. **Proof of Notice of January 27, 2014 Meeting**
3. **Approval of the December 9, 2013 Minutes**

Mr. Bedrosian: Motion to approve the December 9, 2013 minutes  
Mr. Curry: Motion seconded.  
Discussion: No discussion.  
**VOTE: Unanimously passed.**

4. **Actions**

**2014 Mission Statement:** The Executive Director presented the 2014 Mission statement for discussion. It was agreed that the Agency's goals remain the same, that the priority for the 2014 is facilitating the Hudson Valley Lighting Project, and that we continue to work jointly with local resources to support private investment into Newburgh's economy. Resolution No. 2014-1-27-2 was moved:

Mr. Penney: Motion to approve Resolution 2014-1-27-2  
Mr. Bedrosian: Motion seconded.  
Discussion: No discussion.  
**VOTE: Unanimously passed.**

**West Street, license to City of Newburgh:** IDA Counsel Tom Whyatt reported that he met with the city manager and discussed a license agreement rather than a lease agreement. The city would make improvements to the lot and operate it as a parking lot and potentially the city would charge residents for using the lot for parking. The license agreement would have a two-month termination clause and if the lot is not used for 3 months, reverts to the IDA, including improvements made by city, at no cost to the IDA. Outreach could be made to local residents in the affected area about the availability of the lot.

Resolution No. 2014-1-27-1, Authorizing License Agreement with The City of Newburgh, was presented to the Board for their approval.

Mr. Penney: Motion to approve Resolution 2014-1-27-1  
Ms. Thomas: Motion seconded.  
Discussion: No discussion.  
VOTE: Unanimously passed.

5. **Request for Communications**

IDA received a request from AT&T regarding a generator to be placed on the cell tower property. Counsel is following up on the issue.

6. **Request for Bills; Treasurer's Report**

IDA Treasurer Mike Curry gave the Treasurer's Report as of January 27<sup>th</sup>. The opening balance is \$724,266.25, disbursements totaling \$5,686.94, deposits totaling \$8,301.81, with an ending balance of \$726,901.12.

Mr. Penny: Motion to pay checks numbered 2128 through 2133 as presented and approve the Treasurer's Report as of January 27, 2014  
Mr. Bedrosian: Motion seconded.  
VOTE: Unanimously passed.

7. **Report from the Chair**

The Chairman reported on concerns of development, a new Crystal Run Medical Center in the Town of Newburgh and its potential impact on the City's reservoir. He attended a hearing at which the City presented testimony about potential degradation of the city's water. (The City contingent was represented by the City Manager, Engineer, Planner and various Committees.) The Chair will continue to monitor the project as protection of the City's water is important to its citizens and economic development.

Ann Street – Habitat for Humanity inquiry: The Chairman mentioned that Habitat approached him concerning a piece of property that they are interested in. He told them to write a letter to the IDA stating their inquiry so that it can be addressed. As of this date, no letter has been received from them concerning the property.

8. **Executive Director's Report**

Hudson Valley Lighting project update. There was a meeting on January 30<sup>th</sup>. Testing of the site is concluded. The level of remediation is far larger than anticipated. The IDA, City and Hudson Valley Lighting continue to pursue assistance from Empire State Development and the U.S. Economic Development Administration to close the project's financial gap.

START-Up NY program – The Executive Director met with the Vice President in charge of the program. As the Orange County Community College has two campuses—Middletown and Newburgh—and each campus could have 100,000 square feet of space within a one-mile radius of the campus, included in the program for start ups. The College must prepare a plan to participate in the program.

PARIS IDA reporting requirements: Collection of data is underway. The final report must be submitted by March 31, 2014.

9. **Counsel Report**

IDA Counsel presented the quarterly report required from The Foundry Development Group for the period September 2013 to January 2014 (attached).

Counsel is also reviewing the lease agreement to determine impact of Nextel lease termination.

10. **Old Business**

Mr. Bedrosian suggested that the website include information on various property tax abatement programs. The board discussed progress on PACE University recommendation for streamlining internal reviews and project/permitting processes.

11. **New Business**

The Chairman urged members to attend a public presentation on a proposed zoning ordinance for the city.

IDA Treasurer Mike Curry advised the board that he signed the engagement letter with the auditors, BST, for the 2013 audit of the IDA.

With no other business to come before the board, a motion to adjourn was made by Mike Curry, seconded by Jack Penney, and unanimously passed.

The February meeting of the Agency was cancelled as several members will be unavailable to attend. The next meeting of the Agency is scheduled for March 24<sup>th</sup>, at which time all actions required to submit the 2013 PARIS report will be acted on.

The meeting was adjourned at 8:18 p.m.

**CITY OF NEWBURGH  
INDUSTRIAL DEVELOPMENT AGENCY**

**RESOLUTION NO. 2014-1-27-1**

**AUTHORIZING LICENSE AGREEMENT WITH  
THE CITY OF NEWBURGH**

**WHEREAS:**

The Agency is the owner of a parcel of land located at 105 West Street (the "Parcel"), also known as Section 14 Block 3 Lot 35 on the City of Newburgh Tax Rolls;

The Parcel has remained vacant and unused for many years, without serving the Agency's economic and job development purposes;

The Agency and the City of Newburgh wish to cooperate in developing the Parcel as a public parking lot, so as to encourage economic growth and development within the vicinity of the Parcel by creating additional off-street parking opportunities on the Parcel;

The Agency and the City are prepared to enter into a licensing agreement, substantially in the form annexed hereto, in which the City will be allowed to develop, maintain and operate the Parcel as a public parking lot.

The Agency has examined the Licensing Agreement, and has determined that entry into the Licensing Agreement will advance the Agency's economic development goals by encouraging economic growth and development within the vicinity of the Parcel by creating additional off-street parking opportunities on the Parcel;

Licensing of the Parcel without bidding, for use as proposed, is consistent with the Agency's Property Disposition Policy because the City is the Agency's only appropriate partner in creating public parking.

Licensing of the Parcel to the City of Newburgh for public parking purposes is intended to further the economic development of the City of Newburgh in accordance with the Agency's Property Disposition Policy.

**NOW THEREFORE BE IT RESOLVED:**

The Agency directs the Executive Director to obtain a statement of Fair Market Value for the Parcel and, in consultation with Counsel, make such findings and reporting as may be required under the Agency's Property Disposition Policy;

Upon the appropriate findings of the Executive Director, the Agency hereby authorizes and directs its Chairman, in consultation with counsel, to execute and the License Agreement substantially in the form annexed hereto.

The City of Newburgh  
Industrial Development Agency

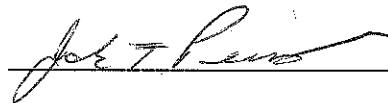
RESOLUTION NO.: 2014-1-27-2

Be it resolved, that the Board of Directors of the City of Newburgh Industrial Development Agency, in compliance with the compliance and transparency requirements of the New York State Authorities Budget Office, does hereby approve a Mission Statement for 2014 as follows:

1. The Members of the Agency reviewed and revised its 2014 Mission Statement.
2. The Members of the Agency answered all "Additional Questions."

The foregoing resolution was duly put to vote, which resulted as follows:

Yea 5 Nay 0 Absent 1 Abstain     



John Penney, Recording Secretary

January 27, 2014

# **City of Newburgh Industrial Development Agency**

## **Mission Statement and Performance Measurements**

January 1 to December 31, 2014

### **Mission Statement:**

The mission of the City of Newburgh Industrial Development Agency is to advance the job opportunities, health, general prosperity and economic welfare of the people of the City of Newburgh and to improve its recreation opportunities, prosperity and standard of living, through the promotion, development, encouragement and assistance of industrial, manufacturing, warehousing, commercial, research and recreation facilities, educational or cultural facilities, health care facilities and continuing care retirement communities, in the City of Newburgh.

### **Enabling Legislation:**

The City of Newburgh Industrial Development Agency was formed under Article 18 A of the NYS General Municipal Law as a public benefit corporation. It can provide financial assistance consistent with the aforementioned law. It is subject to compliance with the Public Authorities Accountability Act of 2005 and Public Authorities Reform Act of 2009.

**Stakeholders:** City Council and City Government

Residents of the City

Newburgh's business Community

### **Performance Goals for 2014:**

- In cooperation with the City of Newburgh Department of Planning and Development work to continually assess the needs and opportunities of the City's business community, and to strive to apply the Agency's services to spur private investment and facilitate retention and create jobs, with emphasis on rehabilitation of vacant and substandard buildings, redevelopment of brownfields and public and privately owned sites and buildings.
- Provide IDA benefits the Newburgh's small businesses through the Agency's Small Business Lease Program for projects requiring less than \$100,000 in abatement.
- Business Attraction: join with the city and economic development organizations, to promote the positive aspects of the city, and market development of available sites in the city.
- To educate and encourage local businesses and potential relocating businesses of the programs of the Agency in coordination with the City of Newburgh's Department of Development and Community Development Block Grant program and state Agencies.
- To meet the economic and sustainability needs of the community, through support and application of various economic incentives and programs.
- To cultivate community trust and engagement by operating in a transparent and easily accessible manner and in compliance with state laws and best practices.
- Facilitate development of the IDA owned properties/dispose of residential parcels.
- Stabilize neighborhoods by providing benefits to develop decent, affordable rental housing.

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- Stabilize neighborhoods by providing benefits to develop decent, affordable rental housing.

Additional Questions:

1. Have the board members acknowledged that they have read and understood the mission of the public authority? YES

2. Who has the power to appoint the management of the public authority?

The Members of the Agency approve appointment following full board interview, and review of the applicant's experience by the Governance Committee.

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority.

Yes, the Agency's by-laws establish responsibilities and experience required for its management positions.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The Board makes policy, establishes best practices and directs the management of the Agency with advice from Counsel. It directs Agency goals, and monitors achievements/completion of tasks. Management implements policy and is responsible for the day to day operations of the Agency in compliance with state laws, regulations and best practices.

5. Has the Board acknowledged that they have read and understand the responses of each of these questions?

Yes.

Adopted on January 27, 2014