

NEWBURGH
IDA 
INDUSTRIAL DEVELOPMENT AGENCY
MINUTES OF BOARD MEETING
October 16, 2023

Present:

Board Members: Marlon Ramos, Chairman
Adam Pollick, Treasurer
Gregory Nato, Secretary
Theresa Priester, Member
Robin Yanyiah Pearson - Member

Excused: Christina Amato, 1st Vice Chair
Michael Kelly, 2nd Vice Chair

Staff: Cherisse Vickers, Executive Director
Adriana Huaynalaya, Financial Administrator

Counsel: Robert J. McLaughlin, Esq., Whiteman Osterman & Hanna
David L. Craft, Esq., Whiteman Osterman & Hanna

Guests: None

1. **Roll Call:** Marlon Ramos, Chairman called the meeting to order at 6 pm.
2. **Proof of Meeting Notice:** Marlon Ramos, Chairman. Notice Sent and Accepted.
3. **Reading and Approval of September 18, 2023 Meeting Minutes:**

Regular Meeting: Minutes from the regular board meeting of September 18, 2023, were distributed to the board via e-mail.

Motion to approve September 18, 2023 regular meeting minutes as presented:

Ms. Pearson: Motion to approve the minutes
Ms. Priester: Motion seconded
Mr. Pollick: Abstained
VOTE: Adopted with one abstention

4. **Executive Session:**

Motion to enter into Executive Session to discuss the lease of real property and appointment or removal of agency staff.

Mr. Pollick: Motion made
Ms. Pearson: Motion seconded

Motion to end the Executive Session

Mr. Pollick: Motion made
Ms. Pearson: Motion seconded

During the Executive Session, the board unanimously decided to provide a severance package for a former employee subject to counsel's comments.

5. **Report of the Treasurer; Approval of Payment of Bills:**

Adam Pollick presented the September Treasurer's Report to the board.

Motion to approve the September 2023 Treasurer's Report

Mr. Ramos: Motion to approve
Mr. Nato: Motion seconded
VOTE: Unanimously passed

Motion to approve September 2023 Bill Payments

Ms. Pearson: Motion to approve (Checks 1197, 1198, 1199)
Mr. Ramos: Motion seconded
VOTE: Unanimously passed

The Chairman mentioned during the last board meeting, it was suggested the Treasurer's report should have a month over month overview. Executive director will send a draft for him to review for our next monthly meeting.

6. **Chairman's Report:**

Mr. Ramos met with Secretary Nato to discuss the RFP's received for the new IDA website.

The Chairman brought to the attention of the other board members the amount of

construction happening in the City of Newburgh.

7. **Counsel's Report:**

Mr. McLaughlin had a conversation with 191 Washington Street last week, they are still pursuing financing.

The hotel project has not been successful in securing financing, therefore the board should consider revising the resolutions since the dates in the agreement are no longer applicable. Ms. Pearson questioned the status of the hotel. Mr. McLaughlin reiterated they have been unsuccessful in securing financing and are still working on doing so. The Chairman asked if we have information on whom they have been speaking to which, the Executive Director stated that it is Lakeland Bank. Applicant counsel stated that the rates have changed since their resolution went into effect; the project can still move forward with higher rates however they need to find a lender that is willing to invest in the City. Chairman Ramos suggested if the EDC would have a list of bank contacts or if we could speak to other IDA's to see who they partner with. Ms. Vickers mentioned the Orange County Partnership might have such a list.

Scobie Drive - they have until the end of the year to do their investigation. We will inquire of their attorney to see where they are at and hopefully by next month have a better idea of status of the real estate contract. This has been ongoing for 3 and a half years.

Attorney, Mr. David Craft, has been looking into the cell phone tower lease agreements and their payment history due to the questions of the auditors during the spring. A packet containing each site tower license agreement summary was given to the board.

Mr. Craft went through the cell tower acknowledgments to understand their terms and the rents that are owed. He found some agreements did disclose the escalation rates, the percentage and at what point in time they go into effect during the term while other agreements mention rates escalations but they are pursuant to what is in the master service agreements. He reached out to the attorney for Crown Castle to figure out the rent we can expect going forward assuming there are no more amendments or changes that we need to be aware of. The Chairman mentioned the importance of these reports for the audit. Counsel stated this summary of the cell tower agreements can shown to the auditors to clarify their findings from the previous audit.

8. **Executive Director's Report:**

The application was received for Newburgh South Logistics Center. Ms. Vickers will be working on that during the next month.

Ms. Vickers is working with NDC, now known as Grow America, consultant we engaged in with the UTEP, to have a meeting to go over an overview of what has been done so far with the audit/finance committee - Mr. Pollick and Ms. Amato, including Mr. Ramos as well. The goal is to have a presentation available for November's meeting and have a rough draft of what the UTEP would look like.

The PR firm, website, advertising and marketing RFP's have been posted on the website and expires November 17th. Ms. Pearson inquired if any applications have been received to which Ms. Vickers responded a lot of questions have been received in regards to proposal details.

Introduction of new financial administrator, Adriana Huaynalaya to the board.

Ms. Vickers reached out to the City for a member to replace board member Michael Kelly. They responded that they are not ready yet and would be discussing it at an upcoming meeting.

The Executive Director has been following up with those whom have expressed interest in IDA benefits.

The annual budget has been delayed due to change over in staff. The goal is to have it ready for next month's meeting and to meet with Ms. Amato and Mr. Pollick of the audit/finance committee.

9. **New Business:**

Resolution 2023-10-16-01 Extension of 2 Corwin Court Lease

The Agency is the owner of real property commonly known as 2 Corwin Court in the City of Newburgh. The Tenant has exercised an option under the Lease Agreement to extend the term of their lease. The Board of the Agency has determined that is it in the best interest of the Agency to enter into the Lease Agreement. The Chairperson or the Executive Director of the Agency is authorized, on behalf of the Agency, to execute and deliver the Lease Agreement.

Mr. Nato: Motion made

Mr. Pollick: Motion seconded

VOTE: Resolution unanimously adopted

Resolution 2023-10-16-02 Lease Renewal Agreement

This is in respect to the cell tower agreement discussed earlier. To renew the Crown Caste Lease, the Agency must first secure the renewal of the City-NIDA Lease with the City for the Property. This resolution will allow the IDA to engage in negotiations with Crown Castle for the renewal of the Crown Castle Lease for the Subleased Premises, and to take all necessary actions to ensure the renewal of said Crown Castle Lease.

Mr. Nato: Motion made

Ms. Priester: Motion seconded

VOTE: Resolution unanimously adopted

Resolution 2023-10-16-03 For Website Design and Hosting Services

The Agency solicited responses from independent companies pursuant to Resolution 2023-06-12-01 for a consultant to assist the Agency in website design and hosting services. The Agency received 8 responses. A small committee of Mr. Ramos and Mr. Nato reviewed responses. Black Dog is a local company in the Hudson Valley that has experience working with similar agencies to the IDA.

Ms. Priester: Motion made

Mr. Pollick: Motion seconded

VOTE: Resolution unanimously adopted

Resolution 2023-10-16-04 Authorizing Agency Staff

A correction was made to make the resolution say financial administrator, not bookkeeper.

Mr. Nato: Motion made

Ms. Priester: Motion seconded

VOTE: Resolution unanimously adopted

10. **Old Business:**

None.

11. **Adjournment**

As there is no further business to come before the board, a motion to adjourn was made by Mr. Nato and seconded by Ms. Pearson. Unanimously passed at 7:45 pm.

**CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY
TREASURER'S REPORT OCT 16, 2023 MEETING
September**

OPERATING Account #2847

Opening Balance As of Sept 1, 2023 **\$129,123.31**
from bank statement

Deposits

<u>Payor</u>	<u>Amount</u>	<u>Remarks</u>
9/5/2023 Central Hudson	2,154.31	
9/7/2023 Orange County Department of Finance	39,705.78	
9/7/2023 AT&T	3,880.29	
9/7/2023 Dish Network	600.00	
9/7/2023 T-Mobile	5,139.76	
9/21/2023 Orange County Department of Finance	39,705.78	
9/29/2023 Interest Paid	590.21	Interest Rate 4.00%
TOTAL DEPOSITS 2847	<u><u>\$91,776.13</u></u>	

Disbursements

<u>Check Number</u>	<u>Check Date</u> <u>Payee</u>	<u>Amount</u>	<u>Remarks</u>
1196	9/18/2023 Cherisse Vickers	59.21	Reimbursed Expenses
	TOTAL CHECKS & DISBURSEMENTS 2847	<u><u>\$59.21</u></u>	

Closing Balance As of Sept 30, 2023 **\$220,840.23** **Op Acct #2847**

PAYROLL Acct #8243

Opening Balance As of Sept 1, 2023 **\$64,160.19**

Debit	9/6/2023 Payroll Fees month Aug 2023	55.14	
Debit	9/6/2023 Net Pay (part of gross wages)	3,179.50	8/21 - 9/3/23
Debit	9/5/2023 Employer Payroll Tax + Employee WH (part of gross wages)	1,133.94	8/21 - 9/3/23
Debit	9/19/2023 Net Pay (part of gross wages)	3,134.53	9/04 - 9/17/23
Debit	9/19/2023 Employer Payroll Tax + Employee WH (part of gross wages)	1,114.34	9/04 - 9/17/23
	Total Monthly Payroll Expense	<u><u>8,617.45</u></u>	

Closing Balance As of Sept 30, 2023 **\$55,542.74** **Payroll Acct #2843**

APPLICATIONS FUND Account #2855			
Opening Balance	As of Sept 1, 2023	\$14,151.44	
Closing Balance	As of Sept 30, 2023	<u>\$14,151.44</u>	App Fund Acct #2855
LESSOR/TENANT Account #2863			
Opening Balance	As of Sept 1, 2023	\$2,402.37	
Closing Balance	As of Sept 30, 2023	<u>\$2,402.37</u>	Lessor Acct #2863
LABOR MONITORING Account #7072			
Opening Balance	As of Sept 1, 2023	\$15,014.79	
Closing Balance	As of Sept 30, 2023	<u>\$15,014.79</u>	Labor Monitor Acct #2863
MONEY MARKET Account #2871			
Opening Balance	As of Sept 1, 2023	1,218,784.85	
Interest Income	9/29/2023 Interest Paid	4,006.92	
Debit	9/18/2023 Service Charge, Analysis Fees	30.00	
Closing Balance	As of Sept 30, 2023	<u>\$1,222,761.77</u>	MM Acct #2871
LAKELAND BANK Account #4346			
Opening Balance	As of Sept 1, 2023	0.00	
Closing Balance	As of Sept 30, 2023	<u>0.00</u>	LAKELAND BANK Account #4346
LAKELAND BANK Account #5683			
Opening Balance	As of Sept 1, 2023	4,000,000.00	
Closing Balance	As of Sept 30, 2023	<u>4,000,000.00</u>	LAKELAND BANK Account #5683

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2023-10-16-01

**RESOLUTION AUTHORIZING THE AGENCY
TO ENTER INTO A RENEWAL OF A LEASE AGREEMENT**

A regular meeting of City of Newburgh Industrial Development Agency (the "Agency") was convened in public session at City Hall, 83 Broadway, Newburgh, New York on October 16, 2023, at 6:00 o'clock p.m., local time.

The meeting was called to order by the Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Marlon Ramos	Chairperson
Adam Pollick	Treasurer
Gregory Nato	Secretary
Theresa Priester	Member
Robin Yanyiah Pearson	Member

ABSENT:

Christina Amato	First Vice President
Michael Kelly	Second Vice President

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Robert J. McLaughlin, Esq.	Agency Counsel
David Craft, Esq	Agency Counsel

The following resolution was offered by Gregory Nato, seconded by Adam Pollick, to wit:

WHEREAS, the City of Newburgh Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act" or the "Act") and Chapter 577 of the 1982 Laws of New York, as amended, constituting Section 913 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial,

manufacturing, warehousing, commercial, and research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, under Section 858(9) of the Act, the Agency is authorized and empowered to make contracts and leases, and to execute all instruments necessary or convenient to or with any person, firm, partnership or corporation, either public or private; and

WHEREAS, the Agency is the owner of that certain real property commonly know as 2 Corwin Court in the City of Newburgh, State of New York (the "Property"); and

WHEREAS, the Newburgh Teachers Federal Credit Union, n/k/a Heritage Financial Credit Union (the "Tenant") has occupied the Property since on or about September 1983 pursuant to a written lease(the "Lease Agreement"); and

WHEREAS, the Tenant has exercised an option under the Lease Agreement to extend the term thereof and the Agency has considered such an extension in accordance with the form attached hereto as Exhibit A; and

WHEREAS, the Board of the Agency has determined that is it in the best interest of the Agency to enter into the Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby approves the extension of the Lease Agreement in the form attached hereto as Exhibit A. Notwithstanding the foregoing, the Agency's approval shall be subject to the Agency's submission of a Notice of Disposition of Property by Negotiation to the Authorities Budget Office pursuant to Section 2897(6)(d) of the New York Public Authorities Law, if applicable.

Section 2. The Chairperson or the Executive Director of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Lease Agreement.

Section 3. The Chairperson and the Executive Director of the Agency are each hereby authorized to take all reasonable actions necessary to implement the provisions hereof.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Marlon Ramos	VOTING	YES
Christina Amato	VOTING	ABSENT
Michael Kelly	VOTING	ABSENT
Adam Pollick	VOTING	YES
Gregory Nato	VOTING	YES
Theresa Priester	VOTING	YES
Robin Yanyiah Pearson	VOTING	YES

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

I, the undersigned Secretary of City of Newburgh Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on October 16, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this __ day of October, 2023.

Secretary 11.6.23

(SEAL)


Corwin Court, Newburgh branch response to IDA request for what benefit the credit union can offer the community

9/29/23

As a community-based credit union that was founded in 1940 by Newburgh teachers, Newburgh represents the spirit of the Credit Union's founding. Heritage Financial Credit Union is committed to creating opportunities for people by providing necessary tools, resources and education to make possible the achievement of their goals, hopes and dreams. We are proud that HFCU is the only Community Development Financial Institution in the Hudson Valley as certified by the CDFI Fund under the US Treasury. This federal designation supports our efforts to extend our mission to all communities, with a focus on historically disadvantaged and underserved communities; many of which are un-banked or underbanked.

With community support as a guiding core principle, the Credit Union along with our Corwin Court branch has committed time, effort and charitable donations to the Newburgh community. Whether it is through volunteerism at the St. Francis of Assisi Church food pantry or seasonal toy drive, supporting the National Night Out against crime event and the Newburgh Illuminated festival or sponsoring youth and adult recreation sports teams; HFCU is actively engaged in community outreach and support.

Credit Union staff at our Newburgh branches, in conjunction with those from other branches and those from our Financial Development Center in Poughkeepsie, are pursuing working with local community organizations to conduct adult and youth financial education workshops for our communities at the Newburgh Armory Unity Center. Branch managers will continue to work with organizations such as Habitat for Humanity, the NYCLU and our Hispanic community to increase awareness of our services and how we can best provide for our diverse communities. HFCU is developing a Commercial Services Department that in 2024 expects to have a full suite of commercial products and services for our local businesses.

NEWBURGH
IDA 
INDUSTRIAL DEVELOPMENT AGENCY

October __, 2023

Via First-Class Mail & E-Mail

Heritage Financial Credit Union
Attn: Kimberly Miller
25 Rykowski Lane,
Middletown NY, 10941
(kimberly.miller@contacthf.com)

RE: Lease Agreement, dated as of September 23, 1983 (the "Lease"), by and between City of Newburgh Industrial Development Agency (the "IDA") and Newburgh Teachers Federal Credit Union, n/k/a, Heritage Financial Credit Union (the "Company")

Dear Kimberly,

With respect to the above-referenced Lease, this letter shall serve as confirmation that the Term of the Lease is hereby extended in accordance with Section 4.4(b) thereof for an additional period of twenty (20) years, to commence on November 1, 2023, and expire on October 31, 2043.

All other terms and provisions of the Lease shall remain unmodified and in full force and effect. Should you have any questions, please do not hesitate to reach out.

Sincerely

**CITY OF NEWBURGH INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Name:
Its:

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2023-10-16-02

**RESOLUTION AUTHORIZING THE AGENCY
TO RENEW LEASE AGREEMENT WITH CITY OF NEWBURGH**

A regular meeting of City of Newburgh Industrial Development Agency (the “Agency”) was convened in public session at City Hall, 83 Broadway, Newburgh, New York on October 16, 2023, at 6:00 o'clock p.m., local time.

The meeting was called to order by the Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Marlon Ramos	Chairperson
Christina Amato	First Vice Chairperson
Adam Pollick	Treasurer
Gregory Nato	Secretary
Theresa Priester	Member
Robin Yanyiah Pearson	Member

ABSENT:

Michael Kelly	Second Vice Chairperson
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Robert J. McLaughlin, Esq.	Agency Counsel
David Craft, Esq.	Agency Counsel

The following resolution was offered by Gregory Nato, seconded by Robin Yanyiah Pearson, to wit:

WHEREAS, the City of Newburgh Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act” or the “Act”) and Chapter 577 of the 1982 Laws of New York, as amended, constituting Section 913 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring,

constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, and research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration ; and

WHEREAS, pursuant to the Act, the Agency is authorized to lease property; and

WHEREAS, the Agency entered into a lease agreement with the City of Newburgh (the "City"), dated December 31, 1997, whereby the City leased to the Agency certain land situated in the City of Newburgh, Orange County, New York, shown on the City of Newburgh Tax Maps as Section 50, Block 1, Lot 5, (the "Property"), said map having been filed in the Orange County Clerk's Office on September 27, 1996 as Map No. 201-96 (the "City-NIDA Lease"); and

WHEREAS, the City leased the Property to the Agency for purpose of arranging the construction of communication facilities for use by City Departments and the broader community; and

WHEREAS, the Agency entered a land lease and construction agreement with Crown Atlantic Company, LLC ("Crown Castle"), as successor in interest to Orange County-Poughkeepsie MSA Limited Partnership, dated February 9, 1999, whereby the Agency subleased a portion of the Property (the "Subleased Premises") to Crown Castle for purpose of constructing and establishing a communication facility for use by City Departments and the broader community (the "Crown Castle Lease"); and

WHEREAS, the term of the Crown Castle Lease is set to expire in February of 2024, and the Agency seeks to renew the term of the Crown Castle Lease for an additional twenty-five (25) years to ensure the continued provisions of reliable communication services to the community; and

WHEREAS, it has been determined that in order to renew the Crown Caste Lease, the Agency must first secure the renewal of the City-NIDA Lease with the City for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby approves the Chairperson or the Executive Director to send the City-NIDA Lease Renewal Request in substantially the form attached to this Resolution, to the City Manager of Newburgh and City Council of Newburgh, and to take all necessary actions to facilitate the time renewal of the City-NIDA Lease.

Section 2. The Agency authorizes and directs its Executive Director and Agency Counsel, Whiteman Osterman & Hanna LLP, to engage in negotiations with Crown Castle for the renewal of the Crown Castle Lease for the Subleased Premises, and to take all necessary actions to ensure the renewal of said Crown Castle Lease.

Section 3. The Chairperson and the Executive Director are each hereby authorized to take all necessary actions and to execute any and all documents necessary to effectuate the renewal of both the City-NIDA Lease and the Crown Castle Lease, including but not limited to, lease amendments, addendums, and any other relevant agreements.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Marlon Ramos	VOTING	YES
Christina Amato	VOTING	ABSENT
Michael Kelly	VOTING	ABSENT
Adam Pollick	VOTING	YES
Gregory Nato	VOTING	YES
Theresa Priester	VOTING	YES
Robin Yanyiah Pearson	VOTING	YES

The foregoing resolution was thereupon declared duly adopted.

CITY-NIDA LEASE RENEWAL REQUEST



October 16, 2023

VIA EMAIL AND US MAIL

City of Newburgh
Attn: City Manager and City Council
83 Broadway
Newburgh, New York 12550

**Re: *City of Newburgh Industrial Development Agency (“NIDA” and “Tenant”)
All that certain piece or parcel of land shown on the City of Newburgh Tax
Maps as Section 50, Block 1, Lot 5 (the “Premises”)
City of Newburgh (the “City” and “Landlord”)
Lease renewal request for lease dated December 31, 1997***

Dear City Manager and City Council:

We write to you regarding the impending expiration of the NIDA’s lease agreement with the City for the Premises on which a cell tower currently sits (“City-NIDA Lease”). The City-NIDA Lease Agreement will expire on December 31, 2027.

The NIDA has been working diligently to ensure the cell tower's operation, a crucial communication infrastructure for city departments and the broader community. The current land lease and tower construction agreement we have with Crown Atlantic Company, LLC (“Crown Castle”), responsible for the construction, maintenance, and leasing of the cell tower (the “Crown Caste Lease”) expires in **early February 2024**.

To facilitate the continued provision of reliable communication services to our community, we must secure the renewal of the City-NIDA Lease well in advance. The renewal of the City-NIDA Lease will, in turn, allow us to renew the Crown Castle Lease and maintain the integrity and functionality of the cell tower.

In light of our commitment to the City and its residents, we request the renewal of the City-NIDA Lease for twenty-five (25) years on all the same terms and conditions of the current lease, extending our partnership and ensuring the stability of this vital infrastructure. A longer-term lease will not only provide continuity for our operations but also demonstrate a mutual commitment to the long-term development and prosperity of our City.

We understand the importance of such decisions and are open to any discussions or requirements the City may have regarding the City-NIDA Lease renewal. We will provide additional information or attend meetings to address any concerns.

A signature below by the City Manager will indicate an agreement and acceptance of the above proposal.

Sincerely,

Marlon Ramos
Chairman of the Board NIDA

cc: Cherisse Vickers
Executive Director NIDA

**AGREED TO AN ACCEPTED BY
CIT OF NEWBURGH, AS LANDLORD:**

By: Todd Venning
Its: City Manager

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

I, the undersigned Secretary of City of Newburgh Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on October 16, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ___ day of October, 2023.


Secretary 11.6.23

(SEAL)

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2023-10-16-03

RESOLUTION AUTHORIZING THE AGENCY
ENGAGE A CONSULTANT

A regular meeting of City of Newburgh Industrial Development Agency (the "Agency") was convened in public session at City Hall, 83 Broadway, Newburgh, New York on October 16, 2023, at 6:00 o'clock p.m., local time.

The meeting was called to order by the Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Marlon Ramos	Chairperson
Adam Pollick	Treasurer
Gregory Nato	Secretary
Theresa Priester	Member
Robin Yanyiah Pearson	Member

ABSENT:

Christina Amato	First Vice Chairperson
Michael Kelly	Second Vice Chairperson

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Robert J. McLaughlin, Esq.	Agency Counsel
David Craft, Esq.	Agency Counsel

The following resolution was offered by Robin Yanyiah Pearson, seconded by Adam Pollick, to wit:

WHEREAS, the City of Newburgh Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act" or the "Act") and Chapter 577 of the 1982 Laws of New York, as amended, constituting Section 913 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, and research and recreation facilities, among others, for the

purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, under Section 858(9) of the Act, the Agency is authorized and empowered to make contracts and leases, and to execute all instruments necessary or convenient to or with any person, firm, partnership or corporation, either public or private; and

WHEREAS, the Agency solicited responses from independent companies pursuant of Resolution 2023-06-12-01 for a consultant to assist the Agency in website design and hosting services; and

WHEREAS, the Agency received eight (8) responses to the solicitation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby engages Black Dog Designs, LLC, a/k/a BLK Dog (the "Consultant") to provide website design and hosting services to the Agency upon a contract to be agreed to between the Agency and the Consultant.

Section 2. The Chairperson and the Executive Director of the Agency are each hereby authorized to take all reasonable actions necessary to implement the provisions hereof.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Marlon Ramos	VOTING	YES
Christina Amato	VOTING	ABSENT
Michael Kelly	VOTING	ABSENT
Adam Pollick	VOTING	YES
Gregory Nato	VOTING	YES
Theresa Priester	VOTING	YES
Robin Yanyiah Pearson	VOTING	YES

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

I, the undersigned Secretary of City of Newburgh Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on October 16, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this __ day of October, 2023.

 11.6.23
Secretary

(SEAL)

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2023-10-16-04

**RESOLUTION AUTHORIZING THE AGENCY
TO EMPLOY A FINANCIAL ADMINISTRATOR**

A regular meeting of City of Newburgh Industrial Development Agency (the "Agency") was convened in public session at City Hall, 83 Broadway, Newburgh, New York on October 16, 2023, at 6:00 o'clock p.m., local time.

The meeting was called to order by the Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Marlon Ramos	Chairperson
Adam Pollick	Treasurer
Gregory Nato	Secretary
Theresa Priester	Member
Robin Yanyiah Pearson	Member

ABSENT:

Christina Amato	First Vice Chairperson
Michael Kelly	Second Vice Chairperson

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Robert J. McLaughlin, Esq.	Agency Counsel
David Craft, Esq.	Agency Counsel

The following resolution was offered by Gregory Nato, seconded by Theresa Priester, to wit:

WHEREAS, the City of Newburgh Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act" or the "Act") and Chapter 577 of the 1982 Laws of New York, as amended, constituting Section 913 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, and research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance

the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration ; and

WHEREAS, under Section 858(7) of the Act, the Agency is authorized and empowered to appoint officers, agents and employees, to prescribe their qualifications and to fix their compensation and to pay the same out of funds of the Agency; and

WHEREAS, the members of the Agency have determined that the position of Financial Administrator (the "Administrator") will promote the efficient day-to-day operations of the Agency; and

WHEREAS, the Agency now desires to employ Adriana Huaynalaya for the position of Bookkeeper; and

WHEREAS, the Agency and the Administrator have discussed the provision of wages and benefits to the Bookkeeper.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby approves the employment of Adriana Huaynalaya for the position of Financial Administrator under the terms discussed.

Section 2. The Chairperson is hereby authorized to take all reasonable actions necessary to implement the provisions thereof.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Marlon Ramos	VOTING	YES
Christina Amato	VOTING	ABSENT
Michael Kelly	VOTING	ABSENT
Adam Pollick	VOTING	YES
Gregory Nato	VOTING	YES
Theresa Priester	VOTING	YES
Robin Yanyiah Pearson	VOTING	YES

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

I, the undersigned Secretary of City of Newburgh Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on October 16, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ___ day of _____, 2023.

 11.6.23
Secretary

(SEAL)