

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY (IDA)
MINUTES OF BOARD MEETING
April 17, 2023

Present

Board Members: Marlon Ramos, Chairman
Christina Amato, 1st Vice Chair
Michael Kelly, 2nd Vice Chair
Adam Pollick, Treasurer
Gregory Nato, Secretary
Robin Yanyiah Pearson - Member
Theresa Priester- Member

Excused: None

Staff: Cherisse Vickers, Executive Director
Counsel: Catherine Kemp, Esq., Whiteman Osterman & Hanna LLP

Guests: None

1. **Roll Call**: Marlon Ramos, Chairman
2. **Proof of Meeting Notice**: Marlon Ramos, Chairman. Notice Sent and Accepted.
3. **Executive Session**: Legal advice for contract negotiations.
No decision was made.

Motion to enter Executive Session:

Ms. Amato: Motion to enter Executive Session

Mr. Pollick: Motion seconded

VOTE: Unanimously approved

Motion to leave Executive Session:

Ms. Pearson: Motion to leave Executive Session

Mr. Pollick: Motion seconded

VOTE: Unanimously approved

4. **Reading and Approval of Minutes of the Previous Meeting**

Minutes from the regular board meeting of Apr 17, 2023 were distributed to the board via e-mail.

Motion to approve April 17, 2023 minutes as presented:

Mr. Nato: Motion to approve the minutes

Ms. Amato: Motion seconded

Mr. Kelly: Abstained

VOTE: Unanimously adopted

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

Treasurer Adam Pollick presented the March 2023 Treasurer's Report to the board.

Motion to approve the March 2023 Treasurer's Report

Mr. Kelly: Motion to approve

Mr. Nato: Motion seconded

VOTE: Unanimously adopted

Motion to approve March Bill Payments

Mr. Kelly: Motion to approve (Checks 1139-1141, 1144-48)

Mr. Amato: Motion seconded

VOTE: Unanimously adopted

6. **Chairman's Report:** Chairman Ramos met with SEDAC. SEDAC is an advisory committee. As chairman of the City of Newburgh Industrial Development Agency, Chairman Ramos automatically gets a seat on the SEDAC board. Chairman Ramos will be bringing more information gained from SEDAC participation as it becomes available. Chairman Ramos is also working closely with the City of Newburgh Mayor to find development opportunities and solutions to move them forward.

Chairman Ramos went on to discuss the NYSEDC meeting from last week. There was good attendance from the Newburgh IDA: Chairman Ramos, Secretary Gregory Nato, Board Member Robin Yanyiah Pearson, Board Member Theresa Priester, and Executive Director Cherrisse Vickers. The session was very positive and informative. Chairman Ramos feels we need to be flexible with our mission, interpreting UTEP and finding ways we can help the people of the City of Newburgh even more. He spoke particularly of the housing crisis in our city and perhaps seeking out more mixed-use residential projects. Secretary Gregory Nato added that retail projects can become a community anchor and jobs may be created around them. Anchor chain stores help bring people to other local businesses as well as create interest in people moving in and developing in areas around the anchor store.

Board member Theresa Priester feels that the Agency should promote its activity, including stepping up our social media presence. She also commented that the IDA board needs to have our mission upfront in our minds and possibly share it at the beginning of all IDA board meetings.

The board has started this process of media outreach by actively engaging a firm to create a new logo which will propel the Agency forward from there. Inspired by the conference, Ms. Pearson commented that she feels there is a need for more discussion

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and transparency at IDA board meetings. She would also like more time to discuss issues related or unrelated to resolutions at meetings.

7. Counsel's Report

Scobie Drive: due diligence period is still pending.

No other projects currently scheduled for closing.

8. Executive Director's Report:

Sams.gov Annual membership renewed. SAMS (System for Award Management) is a federal website that would allow the IDA to apply for a grant if it should ever be needed in the future.

Audit: Still pending. More of the missing information has been added. Counsel Robert McLaughlin has had discussions with the auditor. We are a lot closer to wrapping the audit up and accepting a final version.

191 Washington: The project is not ready for an approving resolution.

Logo: There is a choice between three logos that were created. A survey was sent to IDA board member. The results were 50/50. 3 voted for one potential logo. The other 3 members for the same second choice. There were no votes for the third option. All comments were forwarded to the designer, Ashworth Creative. Executive Director Vickers wants board members to be aware of future charges from the designer if more revisions are needed. A follow up meeting with Executive Director Cherisse Vickers, Chairman Ramos, and Secretary Nato will be scheduled.

ABO Training: Executive Vickers attended ESD Conference. They do ABO training, which includes Board Member responsibilities. This training is required for all board members every two years.

Retreat: May or June dates are possible. After board discussion, it was agreed a weekday (Monday or Friday) would be best. The retreat must be recorded. The conference room in City Hall is ideal for recording capabilities. Other locations are being discussed. The board would like to support a local business as possible for this event.

9. New Business

Resolution # 2023-04-17-01 Authorizing Consulting Services to Revise UTEP

Resolution was tabled until next IDA board meeting. Upon consultation with Counsel Katherine Kemp, it was noted that our procurement policy requires proposals from three different vendors. Executive Director needs time to gather that information.

Resolution # 2023-04-17-02 Annual Housekeeping Resolution, Operations & Accomplishments, and Performance Measurements

Includes confirmation of agency polices, re-appointment of IDA Executive Director and bookkeeper/ administrative assistant, re-appointment of accounting firm, re-appointment of agency Counsel, and adoption of current Mission Statement. The most significant

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parts of this “housekeeping” resolution are Performance Measurements Exhibit A & Accomplishments & Operations Exhibit B. These two items are required to be filed with the state every year. The only policy not included was the UTEP.

Mr. Nato: Motion made

Ms. Pearson: Motion seconded

VOTE: Resolution unanimously adopted

9. **Old Business:**

Chairman Ramos inquired about the status of the Sims Foster Hotel project. The hotel is having difficulty with financing and will not close with the IDA until that issue is settled.

10. **Adjournment**

As there is no further business to come before the board, a motion to adjourn was made by Mr. Nato and seconded by Mr. Kelly. Unanimously passed.

**CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY
TREASURER'S REPORT APRIL 17, 2023 MEETING**

OPERATING Account #2847

Opening Balance from Bank Statement	As of Mar 1, 2023	\$119,742.68	X = Cleared Bank Acct
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Deposits	Payor	Amount	Remarks
	3/1/2023 AT&T	3,767.28 X	Cell tower
	3/2/2023 Central Hudson	2,154.31 X	Cell tower
	3/2/2023 T-Mobile	5,076.64 X	Feb
	3/2/2023 T-Mobile	2,139.33 X	Feb
	3/2/2023 Dish Network	600.00 X	Jan
	3/2/2023 Dish Network	600.00 X	Feb
	3/17/2023 Heritage Financial Credit Union	200.00 X	2022 & 2023 Lease
	3/17/2023 T-Mobile	5,076.64 X	Mar
	TOTAL DEPOSITS 2847	<u><u>\$19,614.20</u></u>	

Disbursements Check Number	Check Date	Payee	Amount	Remarks
1138	03/0/2023	VOID	0.00 X	VOID
1139	3/1/2023	Thomas Wyatt, Esq.	131.02 X	Reimbursed Expenses
1140	3/7/2023	United States Postal Service	388.00 X	PO Box
1141	3/7/2023	Mary T. Barbiarz	420.00 X	Inv #206938
1142	3/20/2023	VOID	0.00 X	VOID
1143	3/20/2023	VOID	0.00 X	VOID
1144	3/20/2023	Whiteman, Osterman & Hanna, LLP	2,113.50 X	Inv #619291,624728
1145	3/20/2023	ODP Business Solutions, Inc.	159.51 X	Inv #7001,5001,0001
1146	3/20/2023	J&G Law, LLP	210.00 X	Inv #306901
1147	3/20/2023	LocalIQ	96.13 X	Inv #5367386
1148	3/20/2023	Cherisse Vickers	147.34 X	Reimbursed Expenses
		TOTAL CHECKS 2847	<u><u>\$3,665.50</u></u>	

Closing Balance from Bank Statement	As of Mar 31, 2023	<u><u>\$135,691.38</u></u>	Op Acct #2847
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Outstanding Checks	Feb 2023 Outstanding Checks Cleared in March	3,342.30	
Outstanding Checks	Dec 2022 Outstanding Check	12.50	
Closing Balance From Bank Statement		<u><u>\$132,336.58</u></u>	Matches Quickbooks
PAYROLL Acct #8243			
Opening Balance	As of Mar 1, 2023	\$116,241.15	
Credit	Transfer from Op Acct to Fund Payroll	0.00	
Debit	3/6/2023 Payroll Fees month of Feb 2022	55.14	
Debit	3/9/2023 Net Pay (part of gross wages)	2,702.54	
Debit	3/9/2023 Employer Payroll Tax + Employee WH (part of gross wages)	1,047.81	
Debit	3/23/2023 Net Pay (part of gross wages)	2,427.74	
Debit	3/23/2023 Employer Payroll Tax + Employee WH (part of gross wages)	833.67	
Debit	Net Pay (part of gross wages)	0.00	
Debit	Employer Payroll Tax + Employee WH (part of gross wages)	0.00	
Closing Balance	As of Mar 31, 2023	<u><u>\$109,174.25</u></u>	Payroll Acct #2843
APPLICATIONS FUND Account #2855			
Opening Balance	As of Mar 1, 2023	<u>\$14,137.50</u>	
Closing Balance	As of Mar 31, 2023	<u><u>\$14,137.50</u></u>	App Fund Acct #2855
LESSOR/TENANT Account #2863			
Opening Balance	As of Mar 1, 2023	<u>\$2,400.00</u>	
Closing Balance	As of Mar 31, 2023	<u><u>\$2,400.00</u></u>	Lessor Acct #2863
LABOR MONITORING Account #7072			
Opening Balance	As of Mar 1, 2023	\$15,000.00	
		\$0.00	
Closing Balance	As of Mar 31, 2023	<u><u>\$15,000.00</u></u>	Labor Monitor Acct #2863
MONEY MARKET Account #2871			
Opening Balance	As of Mar 1, 2023	\$4,758,930.61	
TRANSFER IN			
Interest credit		10,104.58	
Closing Balance	As of Mar 1, 2023	<u><u>\$4,769,035.19</u></u>	MM Acct #2871

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2023-04-17-01

**RESOLUTION AUTHORIZING
CONSULTING SERVICES**

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 April 17, 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
Michael Kelly	Second Vice Chairperson
Adam Pollick	Treasurer
Gregory Nato	Secretary
Theresa Priester	Member
Robin Yanyiah Pearson	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Catherine D. Kemp, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, 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, subsection (4) of Section 874 of the Act, as added by Chapters 356 and 357 of the Laws of 1993 of the State of New York, requires that the Agency establish a uniform tax exemption policy, with input from affected tax jurisdictions; and

WHEREAS, in accordance with the Act, the Agency has adopted a uniform tax exemption policy (the “Existing Policy”) providing for guidelines for the claiming of real property, mortgage recording and sales tax exemptions; and

WHEREAS, the members of the Agency are conducting a review of the Existing Policy as required under the Agency’s Policy Manual; 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 desire to engage a consultant to assist with the review of the Existing Policy; and

WHEREAS, the Agency previously engaged MRB Engineering, Architecture and Surveying, DPC to undertake certain economic development consulting services (the “Consulting Services”).

WHEREAS, the Agency now desires to expand the scope of the Consulting Services to include the review of the Existing Policy.

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

Section 1. The Agency hereby confirms the appointment of MRB Group with respect to Consulting Services and the expansion of the Consulting Services to include the review of the Existing Policy.

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	_____
Christina Amato	VOTING	_____
Michael Kelly	VOTING	_____
Adam Pollick	VOTING	_____
Gregory Nato	VOTING	_____
Theresa Priester	VOTING	_____
Robin Yanyiah Pearson	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

TABLED

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 April 17, 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 April, 2023.

Secretary

(SEAL)



March 29, 2023

Ms. Cherisse Vickers, Executive Director
City of Newburgh IDA
City Hall, Third Floor
83 Broadway
Newburgh, NY 12550

Via email: IDADirector@cityofnewburgh-ny.gov

RE: UTEP REVISIONS

Dear Cher:

Please accept this letter as a description of the services we can provide under our existing contract with the IDA, related to assisting the IDA Board in revising its Uniform Tax Exemption Policy (UTEP).

I. Project Understanding

The City of Newburgh Industrial Development Agency (the "Client" or "IDA") has noted that many of the projects that come before it for the granting of IDA assistance do not conform to the IDA's existing UTEP. Due to this trend, the IDA would like to revise and update its UTEP.

II. Scope of Services and Estimated Hours

MRB Group will assist the IDA to revise its UTEP with the following tasks:

- Review the existing UTEP.
- Work with the Executive Director to identify areas where the UTEP is most often in conflict with proposed projects the IDA wishes to induce.
- Create options for the IDA Board to consider.
- Where necessary, we will tap into our other IDA client's UTEPs for "best practices" and other ideas.
- Participate in an IDA Board meeting to discuss and seek consensus.
- Draft revision language for the UTEP in those areas and test for consistency across all aspects of the UTEP.
- Present revised UTEP to the Board.
- Make any final edits.

Estimated hours:

As noted above, MRB Group is already a retained consultant to the IDA for ad hoc assistance on such matters on a time-and-expense basis. Therefore, I provide an estimate, below, on the number of hours and any expenses that I might incur related to the above tasks.

- Michael N'dolo, 20 hours @ \$225 = \$4,500
- Senior Economic Analyst, 8 hours @ \$185 = \$1,480
- Total = ~\$6,000

The above estimate assumes my participation in IDA meetings would be fully remote. If the IDA would like me to be physically present at the meetings, there would be additional hours for travel and related mileage expenses.

The above is an estimate and does not represent a fixed-fee proposal. Instead, we will bill the IDA for actual time/expenses.

Thank you for your consideration of our firm. We look forward to working with you on this project.

Sincerely,



R. Michael N'dolo
Director of Economic Development

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2023-04-17-02

ANNUAL HOUSEKEEPING RESOLUTION 2023

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 April 17, 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
Michael Kelly	Second Vice Chairperson
Adam Pollick	Treasurer
Gregory Nato	Secretary
Theresa Priester	Member
Robin Yanyiah Pearson	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Catherine Kemp, Esq.	Agency Counsel

The following resolution was offered 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, under Section 858 of the Act, the Agency has the power to make certain appointments and approve certain administrative matters; and

WHEREAS, under Section 856 of the Act, the members of the Agency shall elect the officers of the Agency; and

WHEREAS, under the Agency's Policy Manual, the Agency shall review its policies and by-laws on an annual basis;

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

Section 1. The Agency hereby takes the following actions:

(A) Approves and confirms the existing policies and procedures of the Agency described on **Exhibit A**, as the same may have been amended previously to or at this meeting;

(B) Approves and confirms the 2023 Performance Measurements of the Agency attached hereto at **Exhibit B**;

(C) Approves and confirms the 2022 Operations and Accomplishments at **Exhibit C**;

(D) Approves and confirms the 2022 Certified Annual Audit of the Agency and the 2022 Investment Report of the Agency; and

Section 2. The Agency hereby authorizes the Chairperson, the Executive Director and Agency Counsel to take all steps necessary to implement the matters described in **Exhibit A**, **Exhibit B** and **Exhibit C** attached.

Section 3. The Agency further authorizes the Chairperson and the Executive Director to certify the submission of the 2022 Annual PARIS Report to the New York Authorities and Budget Office and the New York Office of the State Comptroller.

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	Yes
Michael Kelly	VOTING	Yes
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.

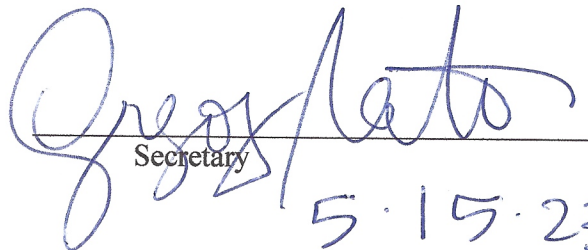
STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

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 April 17, 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 April, 2023.


Secretary
5.15.23

(SEAL)

EXHIBIT A

CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY

HOUSEKEEPING MATTERS

1. Approval and Confirmation of Agency Policies and Procedures for Calendar Year 2023:

- By-laws
- Anti-Harassment
- Code of Ethics
- Conflicts of Interest
- Board of Directors Duties and Responsibilities
- Internal Controls
- FOIL Policy
- Investment Policy
- Local Labor Policy
- Policies Governing the Use of Agency Discretionary Funds
- Procurement Policy
- Property Acquisition Policy
- Property Disposition Policy
- Retaliatory Action policy (Whistleblower Policy)
- Recapture Policy
- Uniform Criteria for the Evaluation of Projects Policy

2. Appointment of Executive Director and Staff to the Agency

- Cherisse Vickers – Executive Director
- Michele Gruber – Bookkeeper and Administrative Assistant

4. Appointment of Accounting Firm of the Agency

- PKF O’Connor Davies

5. Appointment of Agency Counsel and Bond Counsel to the Agency:

- From Whiteman Osterman & Hanna LLP:

- Robert J. McLaughlin, Esq. Bond and Agency Counsel

EXHIBIT B

2023 PERFORMANCE MEASUREMENTS

City of Newburgh Industrial Development Agency
Mission Statement and Performance Measurements
January 1 to December 31, 2023

Mission Statement:

The mission of the City of Newburgh Industrial Development Agency is to help attract and contribute to: Newburgh's job opportunities, a diverse and net positive tax base to provide long term economic prosperity and sustainability, and advance the general welfare and standard of living for the city and its residents through the promotion, development, encouragement and assistance of commercial, technology, tourism initiatives, recreational facilities, warehousing, manufacturing and industrial facilities, utilizing Green practices and adaptive re-use where available.

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 and all subsequent and applicable regulations and laws of the State of New York.

Stakeholders: City of Newburgh government and school district
City of Newburgh residents and businesses

Performance Goals and Measures:

Goal #1: Promote private investment for development, job creation and retention.

Measures.

- Facilitate disposition and development of vacant IDA industrial/commercial properties.
- Support new business, business retention, and job generation through coordination with the City of Newburgh and involved economic development organizations -- respond to leads, determine eligibility for IDA financing and other business assistance, make referrals, and support/facilitate regional economic development initiatives beneficial to the City.
- Marketing and Outreach Post Pandemic: Sponsor a workshop for economic facilitators to learn about IDA and other benefits available for re- development of existing facilities, expansion of existing businesses, and development of vacant sites in the City of Newburgh. Attend other sponsored workshops.
- Induce and execute eligible projects that generate private investment and create or retain jobs.

Goal # 2: Dispose of agency-owned property.

- Scobie Drive Brownfield: This property was put out to RFP and is in contract.

- West Street, Keefe Street and Cassedy Street properties: The Agency has been readily available to answer multiple requests regarding the purchase of these properties.

Goal # 3: Maintain the Agency in Compliance with all applicate New York State requirements

- Hold at least two Governance and Audit Committee Meetings a year.
- Annually review and adopt/re-adopt policies and operations.
- Monitor economic data.
- Conduct open monthly meetings.
- Video record meetings and post them to IDA website and YouTube.
- Complete an annual audit.
- Monitor projects.
- Complete PARIS reporting.
- Maintain and update web page.
- Manage the Agency in conformance with all applicable state laws and regulations.

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 the appointment of its chief executive and chief financial officers consistent with the qualifications stated in the Agency’s By-Laws. The Governance Committee screens applicants’ qualifications and experience; suitable candidates are interviewed; the finalist is voted on by the Board.

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.

The Board establishes Agency goals, and monitors achievements/completion of tasks. They communicate by phone, zoom, meetings, and e-mail discussion. Decisions are voted on at monthly meetings.

Although the Agency functions on a part-time basis, the Executive Director is responsible for the day-to-day operations of the Agency and for compliance with state laws, regulations and best practices, and maintaining ongoing communication with the Board and Counsel via e-mail.

The Board approves all expenditures.

The Agency's Committees undertake their duties consistent with adopted Charters recommended by the Authorities Budget Office.

5. Has the Board acknowledged that they have read and understand the responses of each of these questions? Yes, by annual adoption of the Mission Statement.

EXHIBIT C

2022 OPERATIONS AND ACCOMPLISHMENTS

City of Newburgh Industrial Development Agency
2023 Mission Statement
Operations and Accomplishments
January 1-December 31, 2022

Mission Statement

The mission of the City of Newburgh Industrial Development Agency is to help attract and contribute to: Newburgh's job opportunities, a diverse and net positive tax base to provide long term economic prosperity and sustainability, and advance the general welfare and standard of living for the city and its residents through the promotion, development, encouragement and assistance of commercial, technology, tourism initiatives, recreational facilities, warehousing, manufacturing and industrial facilities, utilizing Green practices and adaptive re-use where available.

Operations

The City of Newburgh Industrial Development Agency (NIDA) is a public authority of the State of New York organized under Article 18-A of the New York State General Municipal Law to serve the City of Newburgh.

The mission of the Agency is to encourage economic development throughout the city, to assist in the retention of existing jobs, and the creation and attraction of new jobs. The NIDA programs are discretionary and provide companies with access to tax-exempt bond financing and/or tax benefits to acquire or create capital assets, such as purchasing real estate, constructing, or renovating facilities, and acquiring new equipment. All applicants must satisfy eligibility requirements and demonstrate a need for assistance. NIDA administers its programs within the requirements of regulations enacted by New York State.

The Agency has two employees. Legal and auditing services are provided under contract.

The Board makes policy, establishes best practices, and directs the management of the Agency.

The Board establishes Agency goals and monitors achievements/completion of tasks through email discussion and review of activities at monthly meetings.

Staff are responsible for the day-to-day operations of the Agency and for compliance with state laws, regulations, and best practices.

As needed, the Board will hold work sessions to permit active participation of its members in the management of the Agency.

The Agency's funds are maintained and secured in several interest-bearing accounts at TD Bank. All expenditures must be approved by the Agency.

Accomplishments

#1 Promote private investment for development, job creation, and retention.

Facilitate job generation, assist in the creation of new business, expansion of existing businesses. In cooperation with the City of Newburgh, Orange County, Economic Development facilitators, and property owners, review potential eligible projects and authorize incentives consistent with all applicable legislation.

The Agency responds to inquiries for potential projects to determine applicability for sites and properties in the City and eligibility for IDA Assistance.

The Agency approved one project in 2022 – FSH Newburgh Hotel. This project represents an investment of over \$29 million in the City of Newburgh. The Project is expected to create approximately 67 construction jobs and over 60 full-time on-site jobs. It will be the first hotel in the City of Newburgh, expanding tourism opportunities for the city. A total of three historic buildings that were never on the tax rolls will now produce over \$3.7 million in tax dollars over the life of the PILOT. The hotel will also allow the city to collect hotel occupancy tax. The adaptive re-use of these buildings will prevent the economic deterioration of businesses and neighborhoods in the City of Newburgh.

#2 Dispose of agency-owned property.

Scobie Drive Brownfield: A RFP was prepared and distributed. The Agency is in contract to sell the property and is awaiting the property to be entered into a Brownfield Cleanup Agreement with NYS Department of Environmental Conservation to complete the sale.

West Street, Keefe Street and Cassedy Street properties: The Agency has received multiple requests regarding the purchase of these properties and will continue to field calls till a sale can be completed.

#3 Undertake compliance requirements.

Administer the Agency in compliance with enabling legislation.

- Hold at least two Governance and Audit/Finance Committee Meetings a year.
- Review, edit as necessary and re-affirm policies and operations.
- Monitor economic data.
- Conduct open monthly meetings.
- Video record meetings and post them to IDA website/YouTube.
- Monitor projects.
- Complete an Annual Audit and submission of PARIS.
- Maintain and update web site.