

CITY OF NEWBURGH  
INDUSTRIAL DEVELOPMENT AGENCY (IDA)  
MINUTES OF BOARD MEETING  
June 15, 2020

Present

Board Members: Austin DuBois, Chairman  
Christine Amato, Michael Kelly, Adam Pollick, Marlon Ramos,  
and Nancy Thomas

Absent: Sarah Beckman Hooff

Staff: Cherisse Vickers, Executive Director

Counsel: Robert McLaughlin, McLaughlin Law

GUEST: Philippe Pierre and Charlie Huebner for 104 Washington Street;  
Douglas Hovey from Independent Living for West Street;  
Dominic Cordisco, Aaron Fitch, Jim McIver, Chris Cooney, and  
Erik Cooney for Scobie Drive

1. **Roll Call:** Chairman Austin DuBois called the meeting to order and conducted a roll call. A quorum is present.

2. **Proof of Notice of Meeting**

3. **Reading and Approval of minutes of the previous meeting**

Minutes from the previous board meeting of May18, 2020 were distributed to the board via e-mail. The Chairman called for a motion to accept the minutes as presented.

Motion to approve the minutes of May18, 2020 as presented:

Ms. Thomas: Motion to approve the minutes

Mr. Ramos: Motion seconded.

Discussion: None.

**VOTE: Unanimously adopted.**

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

Treasurer Marlon Ramos presented the June 15, 2020 Treasurer's Report to the board.

On a motion made by Adam Pollick and seconded by Mike Kelly, the June 15, 2020 Treasurer's Report as read by Marlon Ramos, was approved, as well as the payment of bills (check numbers 876, and 878 – 881).

On a motion made by Nancy Thomas and seconded by Adam Pollick, the board approved payment of bills (check numbers 870 and 872-875) and the May 2020 Treasurer's Report as read by Marlon Ramos.

5. **Chairman's Report**

The Chairman let the board know that Sarah Beckham-Hooff has resigned from the board of the IDA. Her resignation has been accepted, and the IDA has posted a notice on their web page seeking board candidates.

Board member Christina Amato asked about being able to serve on another board while being a board member of the IDA. Chairman Austin DuBois responded with saying that while you can, the conflict of interest issue can arise, making it easier to not serve on other boards.

The Chair sits on the city's Strategic Economic Development Advisory Committee, which issued an RFP for development along Colden Street. The committee reviewed the RFP responses, interviewed prospective developers, and a finalist has been chosen. The committee is excited about this development, bringing commercial and eateries to the area. Due to the Covid-19 distancing and quarantining, the committee is not meeting in person but continues to work at what the vision of downtown will look like. He is not sure if funding for the DRI State program will be available this year; they will continue working on applying for that program on behalf of the city.

6. **Counsel's Report**

IDA Counsel Bob McLaughlin informed the board that St. Luke's is not proceeding with the repayment of the bonds at this time. When or if this changes, he'll let the board know.

7. **Executive Director's Report**

Executive Director Cher Vickers sent the board her contract as the one year term on the contract ends. The Chair mentioned that the contract could be extended six (6) months and revisited at that time. On a motion made by Mike Kelly and seconded by Nancy Thomas, the board agreed to extend the contract with the Executive Director for six (6) months, with all terms and conditions remaining the same. At that time, the contract will be re-visited again.

8. **New Business**

104 Washington Street – Mr. Phillippe Pierre presented to the board a presentation on a parcel of land that is currently owned by the City of Newburgh Land Bank. He wants to purchase this parcel, demolish what is left on the lot, and develop a mixed-use project. The IDA Board has assisted him in the past to bring the 96 Broadway project to fruition, and he is seeking the same assistance again—sales tax abatement, PILOT assistance, and general support for the project. After much discussion and questions, IDA Legal Counsel Bob McLaughlin advised Phillippe that the best way to assess whether the IDA would be able to assist him with this project is to fill out an application. When the application is reviewed, questions may arise and more specific guidance can be given.

West Street parcels – Mr. Doug Hovey gave the board a small background of the agency and what they are trying to accomplish by obtaining the IDA parcel on West Street. As other lots they were interested in have been purchased by a development company, the original project has been scaled down. Mr. Hovey is in discussion with the developer's representative to obtain their interest and cost in possibly selling the lots that they currently own. Should Independent Living be able to obtain those lots or even

one of them, their project would expand. They are building workforce housing on the lot(s) and know that the need is great in the City of Newburgh for such housing. They service both the elderly and the disabled population.

9 **Executive Session**

On a motion made by Christina Amato and seconded by Nancy Thomas, the board went into Executive Session to discuss litigation and properties held by the IDA. The following people were invited to attend the executive session--Dominic Cordisco, Aaron Fitch, Jim McIver, Chris Cooney, and Erik Cooney.

On a motion made by Christina Amato and seconded by Nancy Thomas, with the Chair abstaining from voting, the board came out of Executive Session.

Upon exiting the Executive Session, Resolution No. 2020-06-15-01 was approved unanimously after a roll call vote (see resolution following minutes).

10 **Adjournment**

As there is no further business to come before the board, a motion to adjourn was made by Marlon Ramos, seconded by Nancy Thomas, and unanimously passed.

**CITY OF NEWBURGH  
INDUSTRIAL DEVELOPMENT AGENCY**

Resolution No. 2020-06-15-01

**RESOLUTION AUTHORIZING THE AGENCY TO EXECUTE  
A CONTRACT FOR THE SALE OF THE REAL PRPOERTY LOCATED AT  
5 SCOBIE DRIVE, NEWBURGH, NEW YORK**

A regular meeting of the City of Newburgh Industrial Development Agency (the "Agency") was convened by video conference call in accordance with the State of Emergency declared by the City Mayor on March 16, 2020 and Governor Cuomo's Executive Order Nos. 202.1 and 202.15, as amended and extended, on June 15, 2020 at 6:00 o'clock p.m., local time.

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

PRESENT:

Austin DuBois	Chairperson
Nancy Thomas	Vice Chairperson
Marlon Ramos	Treasurer
Christina Amato	Secretary
Michael Kelly	Member
Adam Pollick	Member

ABSENT:

Sarah Hooff	Member
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Robert J. McLaughlin, Esq.	IDA Counsel

The following resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 2020-06-15-01

**RESOLUTION AUTHORIZING THE AGENCY TO EXECUTE  
A CONTRACT FOR THE SALE OF THE REAL PRPOERTY LOCATED AT  
5 SCOBIE DRIVE, NEWBURGH, NEW YORK**

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") 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 manufacturing, warehousing, research, commercial and industrial 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, the Agency owns certain real property located at 5 Scobie Drive, Newburgh, New York (the "Property") by deed from the City of Newburgh; and

WHEREAS, the Property has been accepted into the Brownfields Cleanup Program sponsored by the State of New York through its agency, the Department of Environmental Conservation; and

WHEREAS, the Agency authorized an appraisal of the Property in accordance with the requirements of the Agency Disposition Policy; and

WHEREAS, the Agency issued a Request for Proposals for the sale and development of the Property on or about June, 2019 (the "RFP"); and

WHEREAS, in response to the RFP, the Agency received two proposals; and

WHEREAS, at the meeting of the Agency held on September 16, 2019, the Agency determined that the proposal of BQ Energy was non-responsive; and

WHEREAS, at the meeting of the Agency held on September 16, 2019, the Agency determined that further clarification and information were required from Eric Cooney, on behalf of a company to be formed, as the remaining bidder to the RFP and instructed the Agency Executive Director to work with such bidder for a period of 90 days; and

WHEREAS, at the meeting of the Agency held on December 16, 2019, the Agency terminated the 90 day period and instructed its counsel to negotiate the terms of a contract of sale with the bidder upon such terms and conditions as were satisfactory to the Agency and its counsel; and

WHEREAS, the Agency Counsel has reported at this meeting that the terms, provisions and conditions of the proposed contract have been fully negotiated with the bidder and a copy of the draft contract has been provided to the Board of the Agency at this meeting

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

Section 1. The Agency hereby authorizes the Chair, Vice Chair and/or the Executive Director of the Agency to execute the Contract substantially in the form placed before the Board at this meeting.

Section 2. 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:

Austin DuBois	VOTING	Yes
Nancy Thomas	VOTING	Yes
Marlon Ramos	VOTING	Yes
Christina Amato	VOTING	Yes
Sarah Hooff	VOTING	ABSENT
Michael Kelly	VOTING	Yes
Adam Pollack	VOTING	Yes

The foregoing resolution was thereupon declared duly adopted.

**CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY**  
 Treasurer's Report for the IDA June 15, 2020 Board Meeting

**OPERATING Account**

**Opening Balance** As of May 18, 2020 **\$ 254,114.59**  
*from Quickbooks*

<i>Deposits</i>	<b>Payor</b>	<b>Amount</b>	<b>Remarks</b>
5/18/2020	AT&T	3,447.59	Cell tower
6/15/2020	Central Hudson	1,971.50	Cell tower
6/15/2020	Sprint	2,016.53	Cell tower
6/15/2020	T-Mobile	4,263.34	Cell tower
	<b>TOTAL</b>	<b>\$ 11,698.96</b>	

*Disbursements*

<b>Check Number</b>	<b>Check Date</b>	<b>Payee</b>	<b>Amount</b>	<b>Remarks</b>
876	6/1/2020	Salvick Corp.	\$914.99	Inv. # 147
877		VOID		
878	6/15/2020	BST & Cos., CPAs LLP	3,650.00	Inv. #365224
879	6/15/2020	Jacobowitz and Gubits LLP	1,076.50	Inv. # 286604
880	6/15/2020	Kennedy & Graven, Charter	4,735.04	Inv. # 154954
881	6/15/2020	Salvick Corp.	1,110.00	Inv. # 148
		<b>TOTAL</b>	<b>\$11,486.53</b>	

**Closing Balance** As of June 15, 2020 **\$ 254,327.02**  
*from Quickbooks*

**APPLICATIONS FUND Account**

**Opening Balance** As of May 1, 2020 \$ 14,137.50  
**Closing Balance** As of May 31, 2020 \$ 14,137.50

**LESSOR/TENANT Account**

**Opening Balance** As of May 1, 2020 \$ 2,400.00  
**Closing Balance** As of May 31, 2020 \$ 2,400.00

**MONEY MARKET Account**

**Opening Balance** As of May 1, 2020 \$ 749,016.87  
**Interest credit** 126.88  
**Closing Balance** As of May 31, 2020 \$ 749,143.75



# 104 WASHINGTON

City of Newburgh - IDA

Mistral Construction, LLC - 6/15/2020



# 104 WASHINGTON

## Proposed Development

### Size

- Six stories
- 23-25 Residential Unit (1BR & 2BR)
- 2-4 Live/Work Spaces

### Team

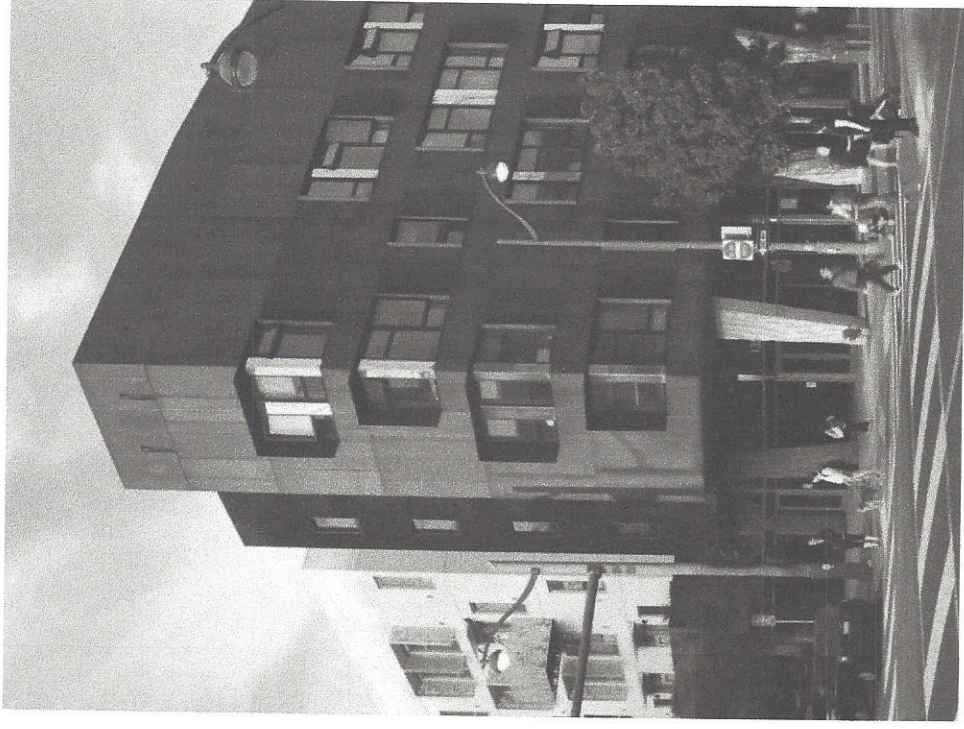
- Mistral Construction (Newburgh, NY)
- Aryeh Siegel (Beacon, NY)
- Baxter Corporation (Poughkeepsie, NY)



# 104 WASHINGTON

## Scope

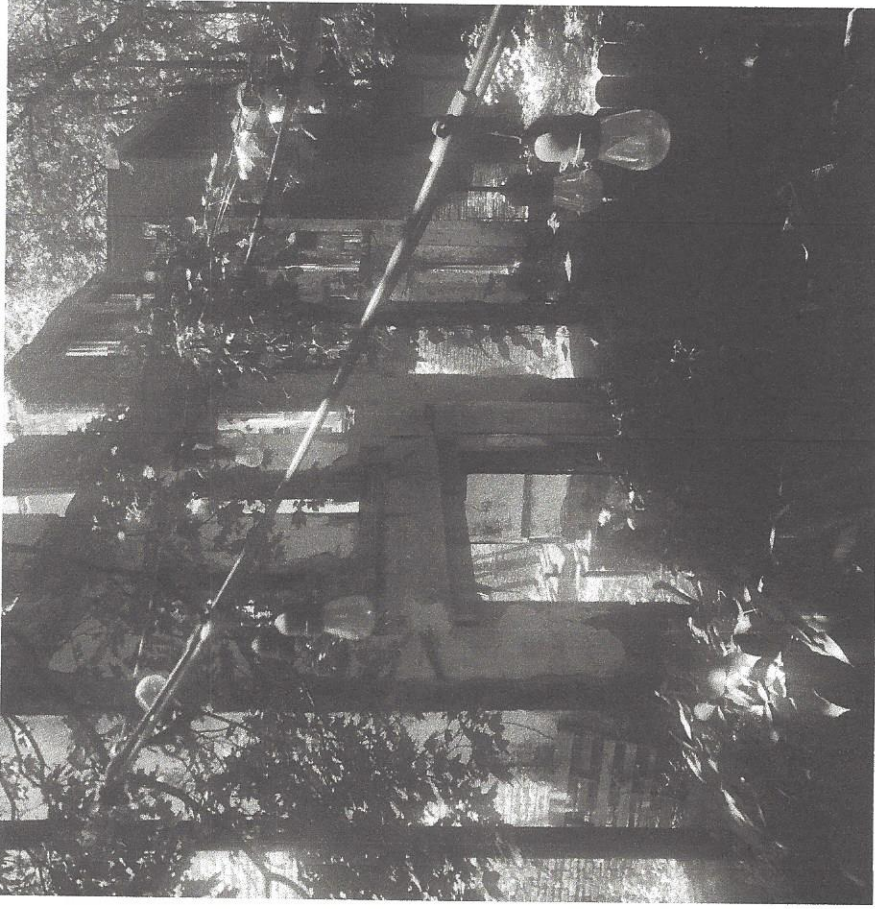
- Mixed-Income
- All Units restricted to 120% of AMI (\$116k/year)
- 3 Units restricted to 60% of AMI (\$58k/yr)
- 1BR ~ \$1350
- 2BR ~ \$1650
- Mixed-Use
- Ground floor live/work spaces (2 to 4)



# 104 WASHINGTON

## Project Sources & Uses

- ~ \$6.5MM total development costs
- ~ \$1-1.5MM private equity (LSP)
- ~ \$3.5MM private mortgage (CPC)
- ~ \$1.3MM NY HCR-PLP (120% AMI)
- ~ \$500K OC HOME (3 units @60%)



# 104 WASHINGTON

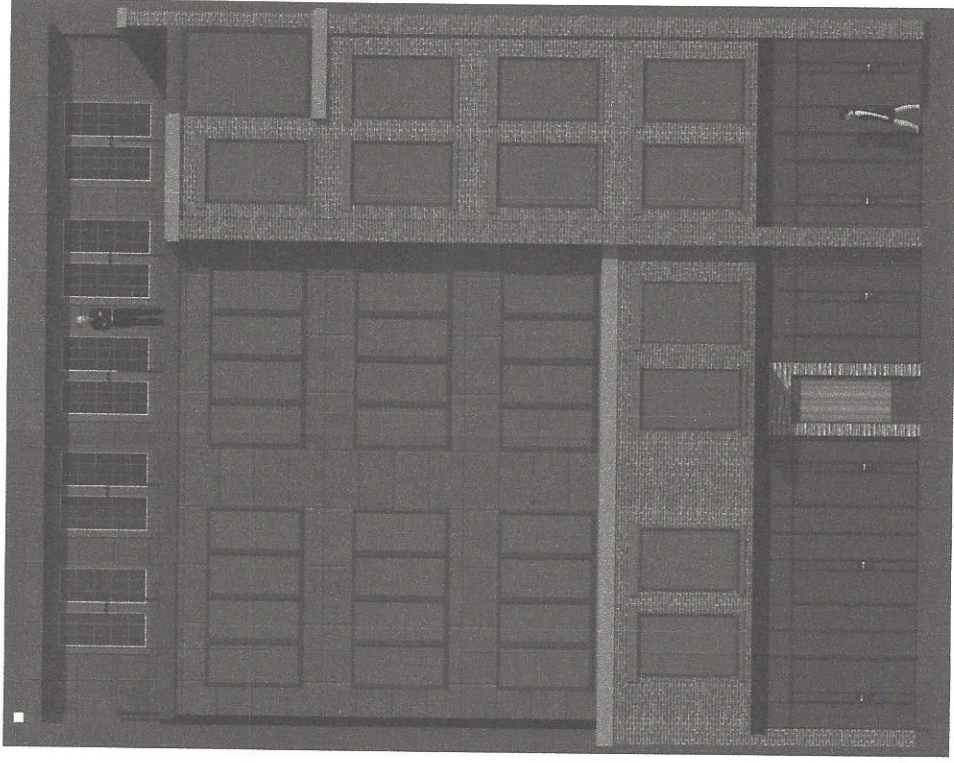
## IDA Assistance

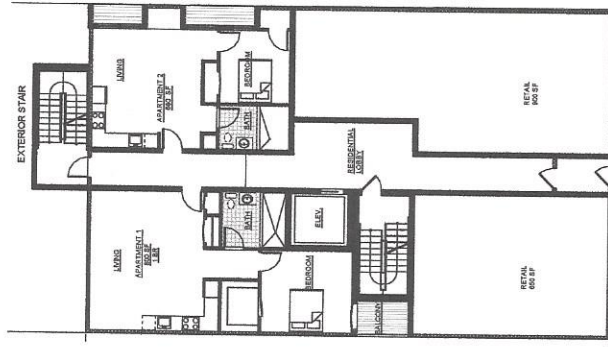
### Benefit

- Tax PILOT
- Match affordability Period
- Sales Tax Abatement
- Mortgage Recording Tax

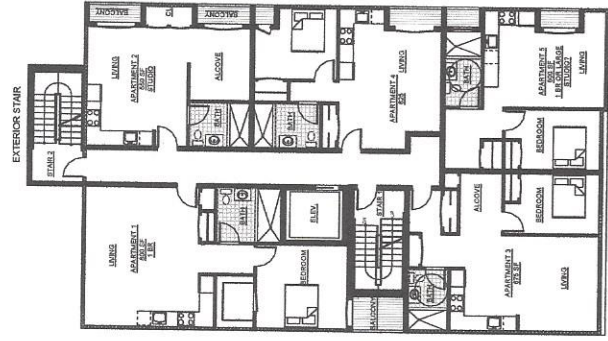
### Jobs

- Construction
- Permanent

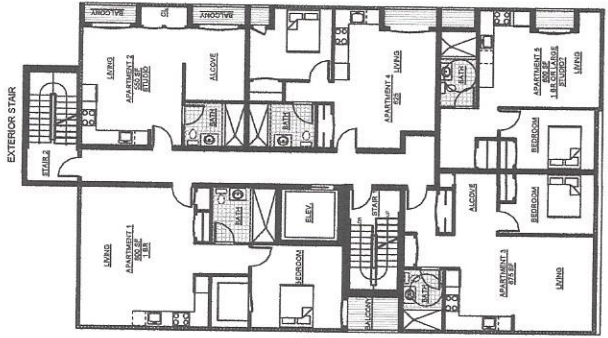




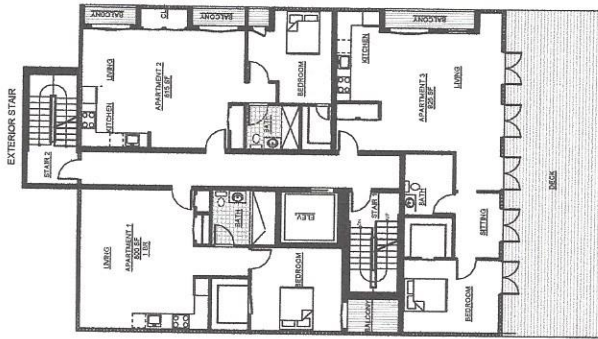
1st Floor Plan  
1/4" = 1'-0"



2nd & 3rd Floor Plans  
1/4" = 1'-0"



4th & 5th Floor Plans  
1/4" = 1'-0"



6th Floor Plan  
1/4" = 1'-0"

104 Washington Street  
Newburgh, New York  
Gorham, New York  
May 26, 2020

Architect:  
**Aryeh Siegel, Architect**  
64 Mission Circle  
Beverly, NY 13608

Developer:  
**Mistral Construction, LLC**



June 10, 2020

Austin Dubois, Chairman  
City of Newburgh Industrial Development Agency (IDA)  
83 Broadway  
Newburgh, NY 12550

Dear Mr. Dubois:

Following up from our telephone conversation last week I'm writing to express interest in the West Street Parcel of land owned by the City of Newburgh IDA (14-3-26.1).

Ideally we would like to acquire the six lots in this small subdivision, enabling us to re-design the property including the road system to accommodate 250+ units of workforce housing and related parking. We would be responsible for improving the road and address the environmental concerns that currently exist. My request is to gain the support of the IDA and purchase the lot 14-3-26.1 (again we would be responsible for environmental cleanup). If IDA is amenable, we would then make an offer to purchase the remaining lots and move forward with our project plan. It's also important to note that as a not for profit agency, while we cannot pay property taxes per se, we will pay an annual Payment in Lieu of Taxes (PILOT) that contributes to the City's operational base. IF we are not able to purchase all 6 lots right away, we would be interested in developing a complex with 42 units and 48 parking spaces per the attached concept drawing.

As you know Jonah Mandelbaum was the developer for the Independence Square Complex on Lake Street. As a demonstration of need for workforce housing, Independence Square received 850 applications for 74 apartments and we currently have an active waiting list of over 427. Jonah has an impeccable reputation in NYS for getting projects completed on time and on budget. Moreover, these beautifully appointed complexes provide safe and attractive homes for over 3500 people throughout Orange County. We are confident that this particular project would be completed in 12-18 months from acquisition of the properties and would provide much needed housing for hundreds of City of Newburgh residents in need. So many of our city residents need safe, attractive, well maintained, affordable housing.

Please let me know if you have any questions and if the IDA board will support this exciting plan for development that would create a beautiful addition to the residential community and benefit many city of Newburgh residents in a time where such housing is desperately needed.

Sincerely,

Douglas Hovey, President and Chief Executive Officer

cc: Nancy Thomas, Vice Chairwoman  
Marlon Ramos, Treasurer-Secretary  
Christine Amato, Director  
Adam Pollack, Director  
Sarah Hoof, Director  
Michael Kelly, Director

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5 Washington Terrace, Newburgh, NY 12550

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441 E. Main Street, Middletown, NY 10940  
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