

CITY OF NEWBURGH  
INDUSTRIAL DEVELOPMENT AGENCY

## Resolution No. 2025-10-20-01

A regular meeting of City of Newburgh Industrial Development Agency (the "Agency") was convened in public session at the Newburgh Activity Center, 401 Washington Street, Newburgh, New York on October 20, 2025, at 6:30 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:

Michael Nepl	Chair
Alexandra Church	Vice Chair
Vickiana DeMora	Treasurer
Sharonda Powell	Acting Secretary

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

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

The following resolution was offered by Alexandra Church, seconded by Vickiana DeMora, to wit:

RESOLUTION AUTHORIZING THE CHAIR OR THE VICE CHAIR OR ANY OFFICER OF THE CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF 191 WASHINGTON STREET LLC, AND TO SEND A LETTER TO THE CHIEF EXECUTIVE OFFICERS OF THE AFFECTED TAXING ENTITIES INFORMING THEM OF A PROPOSED DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY IN CONNECTION WITH THE PROPOSED PROJECT.

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 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, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, on or about August 4, 2025, 191 Washington Street LLC, a New York limited liability company (the "Company"), or such other person(s) or entities as may be designated by the Company and agreed upon by the Agency (those designated persons or entities included in the definition of the Company), submitted an application to the Agency, which was revised by the Company on or about September 30, 2025 (collectively, the "Application"), a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) the acquisition of an interest in parcels of real property consisting of approximately 40,000 square foot parcel of real property located at 191 Washington Street, Newburgh, New York (the "Land"), (2) the rehabilitation and conversion of an existing historic building on the Land to a mixed-use residential and commercial building totaling approximately 22,000 square feet and the construction and improvement of two new mixed-use residential and commercial buildings each totaling 20,000 square with principal commercial uses across the buildings consisting of a brewery and commercial retail space and the Project contemplated by the Agency in connection with the foregoing is limited to the non-residential, commercial portions of such rehabilitation and new construction totaling approximately 14,000 square feet (collectively, the "Facility"), and (4) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, the Company requests the following Financial Assistance (amounts per the Application): a) a thirty (30) year payment in lieu of tax agreement ("PILOT") at an estimated value of Six Hundred Thirty-Three Thousand Five Hundred Twenty-Eight Dollars (\$633,528) on the commercial portion of the Project; b) an exemption from mortgage recording taxes at an estimated value of Two Hundred Twelve Thousand Five Hundred Thirty Three (\$212,533); and c) an exemption from New York State sales and compensating use taxes at an estimated value of Eight Hundred Thirteen Thousand Four Hundred Seventy-Five Dollars (\$813,475); and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance”, the Agency must obtain a written cost-benefit analysis of the Project, and

WHEREAS, the Agency has previously engaged a third-party municipal services firm, MRB Group, which assessed the Project, including the non-Agency project (i.e., the residential units for which the Company has applied to the City of Newburgh for a payment in lieu of tax agreement) and developed a written cost benefit analysis which identified the following economic impact and benefits to the City of Newburgh from the Project: a) the construction phase of the Project will create 34 direct/indirect jobs that generate approximately \$3,055,866 in wages; b) the Project will result in 41 permanent jobs earning approximately \$2,372,351 in wages on an annual basis; and c) Orange County will benefit from additional, one-time sales tax revenue of \$20,054 associated with construction wages earned during the construction phase and additional sales tax revenue of \$631,586 related to all sales tax earned during the operational period, both from the new jobs and the new household spending; and

WHEREAS, in connection with the Application, the Company has made a request to the Agency (the "Pilot Request") to deviate from its Uniform Tax Exemption Policy (the "Policy") with respect to the term of the payment in lieu of tax agreement by and between the Agency and the Company (the "Proposed Pilot Agreement"); and

WHEREAS, pursuant to Section 874(4) of the Act and the Policy, prior to taking final action on the Pilot Request for a deviation from the Policy, the Agency must give the chief executive officers of the County and each city, town, village and school district in which the Project is located (collectively, the "Affected Tax Jurisdictions") prior written notice of the proposed deviation from the Policy and the reasons therefore; and

WHEREAS, the Policy provides that the real property tax abatements to be provided by the Agency shall apply only to the value added by an applicant's construction or renovation activities (i.e., the “improvements” made) to the existing parcel and improvements involved (the "Added Value"); and

WHEREAS, the comparison of the proposed deviation payment proposed by the Company for the Added Value of the Project as compared to the approximate abatement percentage of tax otherwise due is set forth below:

***[SEE FOLLOWING PAGE]***

<b>PILOT TAX YEAR</b>	<b>PILOT PAYMENT DUE</b>	<b>APPROXIMATE PILOT ABATEMENT PERCENTAGE*</b>
1	\$5,709	76%
2	\$5,880	76%
3	\$6,057	75%
4	\$6,239	75%
5	\$6,426	75%
6	\$6,618	75%
7	\$6,817	75%
8	\$7,022	74%
9	\$7,232	74%
10	\$7,449	74%
11	\$7,673	74%
12	\$7,903	73%
13	\$8,140	73%
14	\$8,384	73%
15	\$8,636	72%
16	\$8,895	72%
17	\$9,162	72%
18	\$9,436	72%
19	\$9,719	71%
20	\$10,011	71%
21	\$10,311	71%
22	\$10,621	70%
23	\$10,939	70%

24	\$11,268	70%
25	\$11,606	70%
26	\$11,954	69%
27	\$12,312	69%
28	\$12,682	69%
29	\$13,062	68%
30	\$13,454	68%
TOTAL	\$271,616	

\*Chart is for illustrative purposes only.

WHEREAS, pursuant to Section 858(15) of the Act, unless otherwise agreed by the Affected Tax Jurisdictions, payments in lieu of taxes must be allocated among the Affected Tax Jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each Affected Tax Jurisdiction had the Project Facility not been tax exempt due to the status of the Agency; and

WHEREAS, pursuant to Section 874(4) of the Act and the Policy, prior to taking final action on the request for a deviation from the Policy, the Agency must adopt a resolution setting forth, with respect to the proposed deviation: (a) the amount of the proposed Tax Exemption, (b) the amount and nature of the proposed PILOT, (c) indicating the reasons for the proposed deviation, and (d) whenever possible, provide the Affected Tax Jurisdictions prior written thirty (30) days' notice of the proposed deviation from the Policy and the reasons therefore; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a and 874(4) of the Act with respect to the Project by scheduling a public hearing for the Project.

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

Section 1. The Agency hereby induces the Project and authorizes the Chair, the Vice Chair or any Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the "Public Hearing"); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act and shall be at least ten (10) days prior to the date of such Public Hearing; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Sections 859-a and 874(4) of the Act at least ten (10) days prior to the date of such Public Hearing; (D) to conduct or cause the holding of such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the

“Report”) to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. Having considered both the Application, the Pilot Request and the Policy, the Agency hereby authorizes the Chair, the Vice Chair or any Officer of the Agency, to send a written notice to the chief executive officers of each of the Affected Tax Jurisdictions informing them that (A) the Agency is considering a proposed deviation from the Policy with respect to the Project and the reasons therefore (in substantially the form of the draft of said letter attached hereto as Exhibit A) at least ten (10) days prior to the date of such Public Hearing; (B) soliciting any comments that such Affected Tax Jurisdictions may have with respect to said proposed deviation; and (C) inviting attendance of any representative of the Affected Tax Jurisdictions to attend the Public Hearing.

Section 3. The Chair, the Vice Chair and/or any Officer of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and such other entities as required by the Act, and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 4. All action taken by the Chair, the Vice Chair and/or any Officer of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 5. This Resolution shall take effect immediately.

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

Michael Neppi	VOTING	YES
Alexandra Church	VOTING	YES
Vickiana DeMora	VOTING	YES
Sharonda Powell	VOTING	YES

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of the City of Newburgh Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that

I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on October 20, 2025 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein 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 duly 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 22 day of October, 2025.

  
Secretary

(SEAL)

**EXHIBIT A**

NOTICE OF DEVIATION TO THE AFFECTED TAX JURISDICTIONS ISSUED IN ACCORDANCE  
WITH AGENCY RESOLUTION DATED OCTOBER 20, 2025

CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY  
83 Broadway, Third Floor  
Newburgh, New York 12551-1298  
Tel: 845-569-7369

October 23, 2025

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

The Honorable Steven M. Neuhaus  
County Executive of Orange County  
Orange County Government Center  
255 Main Street  
Goshen, New York 10924

The Honorable Torrance Harvey, Mayor  
City of Newburgh  
83 Broadway  
Newburgh, New York 12551

The Honorable Todd Venning, City  
Manager  
City of Newburgh  
83 Broadway  
Newburgh, New York 12551

The Honorable Ramona Monteverde,  
Council Member, City of Newburgh  
83 Broadway  
Newburgh, New York 12550

The Honorable Patty Sofokles, Council  
Member, City of Newburgh  
83 Broadway  
Newburgh, New York 12550

The Honorable Matthew McCoy, Board  
Clerk  
Newburgh Enlarged School District  
124 Grand Street  
Newburgh, New York 12550

Jackielyn Manning Campbell.  
Superintendent of Schools  
Newburgh Enlarged School District  
124 Grand Street  
Newburgh, New York 12550

John Doerre, Board President  
Newburgh Enlarged School District  
124 Grand Street  
Newburgh, New York 12550

The Honorable Giselle Martinez, Council  
Member, City of Newburgh  
83 Broadway  
Newburgh, New York 12550

The Honorable Robert Sklarz, Council  
Member, City of Newburgh  
83 Broadway  
Newburgh, New York 12550

The Honorable Robert McLymore, Sr.,  
Council Member, City of Newburgh  
83 Broadway  
Newburgh, New York 12550

The Honorable Omari Shakur, Council  
Member, City of Newburgh  
83 Broadway  
Newburgh, New York 12550

October 23, 2025

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RE: Proposed Deviation from Uniform Tax Exemption policy by the City of Newburgh Industrial Development Agency ("Agency") in connection with its Proposed 191 Washington Street LLC Project

Honorable Sirs and Madame:

This letter is delivered to you pursuant to Section 874(4)(b) of the General Municipal Law (the "Act").

191 Washington Street LLC, a New York limited liability company, or such other person(s) or entities as may be designated by the Company and agreed upon by the Agency (collectively, the "Company"), submitted an application to the Agency, which was revised by the Company on or about September 30, 2025 (collectively, the "Application"), a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) the acquisition of an interest in parcels of real property consisting of approximately 40,000 square foot parcel of real property located at 191 Washington Street, Newburgh, New York (the "Land"), (2) the rehabilitation and conversion of an existing historic building on the Land to a mixed-use residential and commercial building totaling approximately 22,000 square feet and the construction and improvement of two new mixed-use residential and commercial buildings each totaling 20,000 square with principal commercial uses across the buildings consisting of a brewery and commercial retail space and the Project contemplated by the Agency in connection with the foregoing is limited to the non-residential, commercial portions of such rehabilitation and new construction totaling approximately 14,000 square feet (collectively, the "Facility"), and (4) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

At its regular meeting held on October 20, 2025, the Company made a request to the Agency (the "Pilot Request") to enter into a payment in lieu of tax agreement (the "Proposed Pilot Agreement") on the commercial portions of the Project only, which terms deviate from the Agency Uniform Tax Exemption Policy (the "Policy"). (Capitalized terms not otherwise defined herein are defined in the Policy which can be viewed at <https://newburghindustrialdevelopmentagency.org/wp-content/uploads/2025/01/2025-Uniform-Tax-Exempt-Policy-UTEF.pdf>. At the Agency meeting, the Agency approved a Public Hearing Resolution. The public hearing (the "Public Hearing") to consider the Project will be held on **November 17, 2025**.

Pursuant to Section 874(4) of the Act, and in accordance with the Policy, prior to taking final action on the Pilot Request for a deviation from the Policy, the Agency must adopt a resolution setting forth, with respect to the proposed deviation: (a) the amount of the proposed Tax Exemption, (b) the amount and nature of the proposed PILOT, and (c) indicating the reasons for the proposed deviation. At its regular meeting held on October 20, 2025, the Agency approved the issuance of this letter setting forth the reasons of the proposed deviation from the Policy as required by the Act and the Policy.

The Proposed Pilot Agreement would be for a term of up to 30 years, with the Company making the payments in each year as a Pilot Payment as follows:

[DRAFT - TO BE FINALIZED AFTER COMMENTS RECEIVED]

<b>PILOT TAX YEAR</b>	<b>PILOT PAYMENT DUE</b>	<b>APPROXIMATE PILOT ABATEMENT PERCENTAGE*</b>
1	\$5,709	76%
2	\$5,880	76%
3	\$6,057	75%
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28	\$12,682	69%
29	\$13,062	68%
30	\$13,454	68%
TOTAL	\$271,616	

\*Chart is for illustrative purposes only.

The purpose of this letter is to inform you of such Pilot Request and that the Agency is considering whether to grant the Pilot Request and to approve a Proposed Pilot Agreement conforming to the terms of the Pilot Request. The Agency expects to consider whether to approve the terms of the Proposed Pilot Agreement at the Public Hearing scheduled for **November 17, 2025 at 6:30 p.m. at the Newburgh Activity Center, 401 Washington Street, Newburgh, New York**. You are encouraged to submit written comments to the Agency prior to or provide verbal comments at the Public Hearing date. This letter is forwarded to you for purposes of complying with Section 874 of the Act and the Policy, which requires notice prior to the Agency taking final action with respect to the Proposed Pilot Agreement (if said Proposed Pilot Agreement may deviate from the provisions of the Policy).

The Agency has considered the following factors in considering the proposed deviation from the Policy:

1. The nature of the Project: Development, rehabilitation and conversion of an existing historic building on the Land to a mixed-use residential and commercial building totaling approximately 22,000 square feet and the construction and improvement of two new mixed-use residential and commercial buildings each totaling 20,000 square with principal commercial uses across the buildings consisting of a brewery and commercial retail space and the Project contemplated by the Agency in connection with the foregoing is limited to the non-residential, commercial portions of such rehabilitation and new construction totaling approximately 14,000 square feet.
2. The present use of the property: Abandoned buildings. The proposal would qualify as an adaptive reuse of the currently abandoned structures, transforming these structures into a vibrant business bringing sales tax revenue to the City.
3. The economic condition of the area at the time of the request of the Company and the economic multiplying effect that the Project will have on the area: At the time of the filing of the Application, the economic condition of the area in which the Project Facility is to be located is distressed.

4. New revenue from development of the Project is projected to be (in accordance with the Agency Cost-benefit Analysis): \$ 1,108,253 in new property tax revenue; \$20,054 in sales tax revenue related to construction; \$631,586 in sales tax revenue related to operating the Project Facility during the period of the proposed PILOT as well as sales tax resulting from new household spending.

5. The extent to which the Project will create or retain permanent, private sector jobs and the number of jobs to be created or retained and the salary range of such jobs:

(a) The Agency Cost-benefit Analysis stated that the Project will create approximately 41 jobs generating approximately \$96 million in wages over the life of the proposed PILOT.

(b) The construction phase of the Project is anticipated to create approximately 34 direct and indirect jobs. The Applicant has indicated that the majority of the construction jobs will be filled by local labor in compliance with the Agency's Local Labor Policy.

6. The estimated value of new tax exemptions to be provided: Real property tax exemption benefit of approximately \$633,528 (estimated per the Agency Cost-Benefit Analysis); mortgage recording tax exemption of approximately \$212,533 (per the Application); and sales tax exemption benefit of approximately \$813,475 (per the Application).

7. The economic impact of the Proposed Pilot Agreement on affected tax jurisdictions: The economic impact of the Proposed Pilot Agreement on affected tax jurisdictions is positive. The existing assessments at the Project site will be paid in full for the first time in decades. The proposed PILOT Agreement will only apply to the commercial improvements made to the Project site and will result in an inflow of net revenue to the City, the County and the School District where today there is none. The development of the Project Facility is expected to result in local construction jobs, the creation of permanent jobs and the development of additional retail.

8. The impact of the Proposed Pilot Agreement on existing and proposed businesses and economic development projects in the vicinity: The impact of the Project is a positive one on the community. The area around the Project is deteriorated due the building included in the Project being vacant.

9. The amount of private sector investment generated or likely to be generated by the Proposed Pilot Agreement: \$31,733,173.

10. The effect of the Proposed Pilot Agreement on the environment: The Project is consistent with prior approvals for similar sites which previously determined that there would be no detrimental impact on the environment.

11. Project timing: Anticipated to be completed within two (2) years of the commencement date of approximately second quarter 2026.

12. Development/redevelopment impacts: Newburgh's Downtown Revitalization Plan seeks redevelopment of derelict buildings, new housing, more jobs and investments in the community. The City's Downtown Revitalization Plan specifically focuses on improving historic buildings near the waterfront.

13. Type of development: the rehabilitation and conversion of an existing historic building on the Land to a mixed-use residential and commercial building totaling approximately 22,000 square feet and the construction and improvement of two new mixed-use residential and commercial buildings each totaling 20,000 square with principal commercial uses across the buildings consisting of a brewery and commercial retail space and the Project contemplated by the Agency in connection with the foregoing is limited to the non-residential, commercial portions of such rehabilitation and new construction totaling approximately 14,000 square feet and is an adaptive reuse of the existing building which is vacant and has been deteriorating for decades without any revenue to the City or the County.

14. Creation of tourism/cultural destinations: The Project is located near the historic Washington Headquarters and the restaurants and shops on Liberty Street. Completing construction of the Project will induce further tourism and cultural opportunities in the surrounding area.

15. Development of architecturally and historically significant properties: The Project will complete the renovation of an historic structure which has been vacant and deteriorating for decades.

16. Energy efficiency: The Project will be built in accordance with New York State Building and Energy codes.

The Agency will consider the Proposed Pilot Agreement (and the proposed deviation from the Policy) at the Meeting. The Agency would welcome any written comments that you might have on this proposed deviation from the Policy. In accordance with Section 874(4)(c) of the Act, prior to taking final action at the Meeting, the Agency will review and respond to any written comments received from any affected tax jurisdiction with respect to the proposed deviation. The Agency will also allow any representative of any affected tax jurisdiction present at the Meeting to address the Agency regarding the proposed deviation from the Agency's Uniform Tax Exemption Policy.

If you have any questions or comments regarding the foregoing, please do not hesitate to contact me at the above telephone number.

Sincerely,

Michael Nepl, Chair  
City of Newburgh  
Industrial Development Agency