

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2025-12-15-03

**RESOLUTION DETERMINING THAT THE ACTION TO UNDERTAKE A PROJECT FOR
THE BENEFIT OF 191 WASHINGTON STREET LLC WILL NOT HAVE A SIGNIFICANT
EFFECT ON THE ENVIRONMENT**

A regular meeting of the 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 December 15, 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	First Vice Chair
Vickiana DeMora	Treasurer
Sharonda Powell	Acting Secretary

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Cherisse Vickers	Executive Director
Adriana Huaynalaya	Financial Administrator
Robert J. McLaughlin, Esq.	Agency Counsel

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

WHEREAS, 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, 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 22, 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)(1) 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 (3) 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, on April 13, 2022, the Company submitted an application to the Agency, as amended by letter dated October 18, 2022 (the “2022 Application”), requesting that the Agency consider undertaking a larger project which consisted of the following: (i) the acquisition of an interest in an approximately 40,000 square foot parcel of real property located at the Land, (ii) the construction and improvement of two (2) new buildings on the Land totaling approximately 70,000 square feet to consist of twelve (12) residential

units and commercial space including offices and a farm brewery and (iii) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively referred to as the “2022 Project Facility”); and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 N.Y.C.R.R. Part 617.1, et. seq., as amended (the “Regulations” and collectively “SEQRA”), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, the Agency is an involved agency in the SEQRA review of the Project, and as an involved agency is required to analyze the Project to determine whether it has the potential to have a significant adverse impact on the environment; and

WHEREAS, to aid the Agency in its review pursuant to SEQRA for the 2022 Project Facility, the Agency retained Lanc & Tully Engineering and Surveying, P.C. (the “Consultant”) to review whether the Project has the potential to have a significant adverse impact on the environment; and

WHEREAS, to further aid the Agency’s review of the 2022 Project Facility, the Company submitted and the Consultant completed an Environmental Assessment Form and related documents (the “EAF”), a copy of which is on file at the office of the Agency; and

WHEREAS, by Resolution No. 2023-06-12-05 dated June 12, 2023, the Agency (i) declared the 2022 Project Facility constituted an “Unlisted Action” (as said quoted term is defined in the Regulations) and therefore determined that a coordinated review and notification of other involved agencies was strictly optional; (ii) determined not to undertake a coordinated review of the Project, and did not seek lead agency status with respect to the 2022 Project Facility; determined that the 2022 Project Facility will result in no major impacts and, therefore, is one which will not cause significant damage to the environment and (iv) determined that (a) the 2022 Project Facility would not have a significant effect on the environment, and (b) the Agency was not required to prepare an environmental impact statement with respect to the 2022 Project Facility; and

WHEREAS, as a consequence of the foregoing, the Agency decided to prepare a negative declaration with respect to the Project; and

WHEREAS, in connection with the 2022 Project Facility, the City of Newburgh Planning Board declared itself as Lead Agency on November 21, 2023 and issued a Negative Declaration pursuant to SEQRA on that and made available a Full EAF parts 1, 2 and 3; and

WHEREAS, the Agency has reviewed its findings under Resolution No. 2023-06-12-05 as well as the Planning Board Determination and has determined that there is no material difference in the Project with the 2022 Project Facility.

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

Section 1. Based upon the review set forth above, the Agency reaffirms the determination for the Project previously made by Resolution No. 2023-06-12-05.

Section 2. The Chair, any Vice Chair and/or Chief Executive Officer of the Agency is hereby directed to (A) send a copy of this Resolution to the chief executive officer of the City of Newburgh, New York; (B) send a copy of this Resolution to the City of Newburgh Planning Board; (C) send a copy of this Resolution to each entity identified by the Agency as an “involved agency” with respect to the Project (as such quoted term is used in SEQRA), (D) send a copy of this Resolution to the Company; (E) send a copy of this Resolution to each other person who has requested a copy of same, and (F) place a copy of this Resolution in the files of the Agency that are readily accessible to the public and made available on request.

Section 3. 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 December 15, 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 5th day of ~~December~~ 2025.

January, 2020


Secretary

(SEAL)