

December 3, 2013

A meeting of the City of Port Jervis Industrial Development Agency (IDA) was held in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Tuesday, December 3, 2013 at 6:00 p.m.

Mr. James Hinkley, Mr. Robert Schultz, Mr. Michael Worden, Mr. Frank Bell, City Council Liaison Robert Ritchie, Counsel David Gubits, Councilman at Large Kelly Decker, and City Clerk-Treasurer Robin Waizenegger were present.

Attendance

Mr. Michael Worden as acting chairman and opened the meeting at 6:05 p.m. with the pledge of allegiance.

Mr. Gubits opened the meeting by stating that he did not realize that there was not a standing archive of standard operating procedures. His stated goal is that when someone goes over our files in the future that they are of superior quality. For the 100 Pike Street Plaza project he indicated that he wants to hold another public hearing so that required notices can be mailed to all taxing authorities. He will do a revised public hearing notice for this. He also wants to generate a pro-forma pilot as standard. Mr. James Hinkley indicated that in his experience no one has ever questioned the IDA documents. It was agreed that the compliance environment has changed and we want to do this appropriately.

100 Pike Plaza

Discussion was had regarding possibly using the Orange County IDA fee schedule. Mr. Gubits indicated that he will draft a fee schedule with the goal of having the applicant pay the costs. In addition he will draft a standard PILOT agreement and procedures for deviation, as 100 Pike Plaza will be deviating from the standard.

Mr. Gubits inquired about the 100 Pike Plaza planning process and the SEQRA determination. He was informed that that is all documented in the planning minutes which are available on our website.

Mr. Gubits will construct a standard procedures document, application and fee schedule adapted from the Orange County existing documents for our next meeting.

It was noted that time is of the essence. The developer wants everything in place by March 1st for assessment, pilot implementation beginning in 2014 for school taxes, sales tax exemption and mortgage tax exemption. The construction on the main plaza is slated to begin as early as January.

It was decided to hold the public hearing and next meeting on Monday, December 30th, 2013 at 6 pm.

Mr. Gubits will prepare necessary resolutions and documentation for approval at our next meeting.

There was some discussion regarding the repetitive nature of the delinquencies with Future Homes. There is a history of delinquencies that date back to Mr. Worden's terms as Mayor. The committee is not taking any action at this time other than to continue to demand full payment.

Old Business

Mrs. Waizenegger will update the committee as to the amounts still due. It was noted that Mr. Longabucco is trying to discuss the matter with the Mayor-Elect. As the IDA is the listed owner, should we default the agreement due to non-payment, the site could possibly be used as a DPW facility. Mr. Gubits commented on a similar action that was done by the City of Middletown. Mrs. Waizenegger also indicated that Future Homes may be seeking additional financing as the City processed a tax search recently for that property. Additionally it was noted by the school district attorney that any further forgiveness could be construed as a gift of public funds, which is prohibited in NYS law.

There was a motion by James Hinkley, seconded by Michael Worden, to approve the September 25th and November 20th meeting minutes.

New Business

AYE: 4 NAY: 0 ABSTAIN: 0 ABSENT: 0 CARRIED

Motion by Frank Bell, seconded by James Hinkley, to approve a zero budget for the purpose of compliance filing. Any subsequent activity would be dealt with as a budget amendment at future meetings.

AYE: 4 NAY: 0 ABSTAIN: 0 ABSENT: 0 CARRIED

Motion by Mr. Worden, seconded by Mr. Hinkley, to adjourn the meeting at 6:40 p.m.

Adjournment

AYE: 4 NAY: 0 ABSTAIN: 0 ABSENT: 0 CARRIED

Draft