

The regular 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 Wednesday, August 12, 2015 at 6:00 p.m.

Regular Meeting

Board members Michael McCarthy, James Hinkley, Frank Bell, Robert Schultz and Maria Mann were present. Council Liaison Robert Ritchie, Co-Counsel Michael Fox and City Clerk Treasurer Robin Waizenegger were also present.

Attendance

Mr. McCarthy called the meeting to order at 6:01pm as Chairman. It was noted that the minutes of the previous meetings were not yet available for approval.

Mrs. Waizenegger indicated that we have had a request from Excel/FHT to have a representative meet with us this evening. She also indicated that she is in receipt of some financial information from 100 River Road LLC which she has forwarded to Mr. Schultz. 100 River Road will have their full application in shortly

Mrs. Waizenegger also indicated that she had been contacted by BonSecours who let her know that they have a bond sinking fund in place to make the final payment in 2016 without issue.

Mr. Schultz has indicated that he has not yet reviewed the 100 River Road financials and will set up an appointment before the next meeting to do so.

Mrs. Waizenegger let the board know that the PARIS filing has not yet been done as we have yet to receive the audited financials from the new firm of Bonadio & Co. to be able to do so.

Mr. Randall Coffill attorney for FHT and Excel introduced Mr. Greg Alt of Innovative Building Systems who is here to speak on behalf of Excel Homes. Mr. Coffill also confirmed that all members present had received a copy of correspondence he sent prior to the meeting. Mrs. Waizenegger confirmed that all members had received copy via e-mail and additional hard copies are available at this meeting if necessary.

Mr. Greg Alt gave a short history of the relationship between Excel and Future Homes when excel sought an outlet to increase their production last year. Mr. Alt stated that last winter was the cause of their business demand significantly shrinking. He also stated that the purchase of the Future Home Brand did not materialize in sales gains that they had expected. Therefore he is here to request an extension of 6 months before any action is taken.

Mr. McCarthy stated that the purpose of the IDA is to bring business into the City not to give businesses tax breaks only to not be operating due to their lack of expected business expansion.

Mr. Alt stated that they could open up the factory tomorrow but expressed concern if they could keep it sustainable more long-term so they are waiting for a backlog of 4-6 months business to open the facility. Mr. Alt stated that they are frustrated by the lack of orders throughout their organization with a winter season slow down expected soon.

Mr. Coffill stated that the IDA is currently paid in full and while the IDA's purpose is to give a break to a company which is giving benefit to the community. Mr. Bell noted that the bond is paid in full to the bank. Mr. Coffill mentioned the \$1 buyout provision which Mr. Bell said he would be glad to accept. Mr. Coffill then stated that the intent of Excel was good and that IBS knows that an employer is needed in this area. Mr. Coffill stated that they have refused an offer of purchase. Mr. Alt stated that they wanted to be in business here but were misled regarding the amount of business in this area by Future Homes.

Mr. Schultz countered that there are multiple units being shipped through this area daily which we are very aware of due to the detours from Route 84. Mr. Schultz indicated that there are rumors that the facility is being dismantled. Mr. Coffill stated that the facility is being used as staging. Mr. Alt admitted that was not accurate, but that Excel is trying to establish a sales force to increase their business. Mr. Schultz indicated that he lives nearby the FHT site such that he is well aware that the site is not being used.

Mr. Bell indicated that due to recent crackdown by the NYS Comptroller who requires valid substantiation for the tax breaks and without employment it is very hard to go along with what you are requesting as well as providing assurances to the taxpayers of Port Jervis who have to pay increased taxes for any breaks given to you.

Mr. McCarthy indicated that the board will consider and further discuss the request but that he does not anticipate that any final decision will be rendered tonight.

Mr. McCarthy informed Mr. Coffill that he is invited to the next regular meeting September 9<sup>th</sup>, 2015.

Motion by James Hinkley seconded by Robert Schultz to discuss the request in executive session with advice of legal counsel at 6:27 pm.

AYE 5 NAY 0 ABSENT 0 Motion Carried

**Meeting reconvened at 6:37 pm.**

**Board members instructed Counsel to reiterate the invitation to Mr. Coffill to attend the next meeting noting that the 60 day notice remains in effect.**

**Motion to adjourn by James Hinkley and seconded by Maria Mann.**

**AYE 5 NAY 0 ABSENT 0 Motion Carried**

**Meeting adjourned at 6:39 pm. Next Meeting September 9th, 2015 at 6pm in the Council Room.**