

In The Matter Of:

*TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY
PUBLIC HEARING*

*MEDLINE INDUSTRIES, INC.
February 12, 2019*

COVERING ALL UPSTATE NEW YORK



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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY

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In the Matter of

MEDLINE INDUSTRIES, INC.

Pursuant to Section 859-a(2) of the
General Municipal Law of the State of New York

----- X

DATE: February 12, 2019
TIME: 6:48 p.m.
PLACE: Town of Montgomery
Town Hall
110 Bracken Road
Montgomery, NY 12549

BEFORE: ROBERT J. McLAUGHLIN
Hearing Officer
677 Broadway, Suite 301
Albany, New York 12207

BOARD MEMBERS: RODNEY WINCHELL
ANTHONY ZAMBROTTA
JEFFREY CRIST
JOHN DICKINSON
MATTHEW STODDARD

ALSO PRESENT: SUZANNE HADDEN, Secretary

M-F REPORTING, INC.
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Washington Avenue Extension
Albany, New York 12205
(518) 478-7220

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”) will be held by the Town of Montgomery Industrial Development Agency (the “Agency”) on the 12th day of February, 2019 at 6:15 o’clock p.m., local time, at the office of the Agency located at 110 Bracken Road in the Town of Montgomery, Orange County, New York in connection with the following matters:

Medline Industries, Inc., a State of Illinois corporation (the “Company”), has presented an application (the “Application”) to the Agency, 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 an approximately 120 acre parcel of land located at NYS Route 46 in the Town of Montgomery, Orange County, New York (tax map number 36-1-35) (collectively the “Land”), (2) the construction on the Land of an approximately 1,300,000 square foot warehouse/distribution facility with related site work and exterior improvements (the “Facility”), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the “Equipment”), all of the foregoing to constitute a warehouse/distribution facility (the Land, the Facility and the Equipment being 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.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Orange County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency’s uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the “Agreement”) requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Joseph Joy, Chief Executive Officer, Town of Montgomery Industrial Development Agency, 110 Bracken Road, Montgomery, New York 12549; Telephone: 845-457-2600.

Dated: _____, 2019.

TOWN OF MONTGOMERY INDUSTRIAL
DEVELOPMENT AGENCY

BY: _____
Joseph Joy, Chief Executive Officer

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2 HEARING OFFICER McLAUGHLIN: Once
3 again, good evening. My name is Robert J.
4 McLaughlin, I am Counsel to the Town of
5 Montgomery Industrial Development Agency and
6 I'm here tonight acting as the Hearing
7 Officer in connection with the project that
8 I'll summarize in a moment and that is the
9 subject of this public hearing.

10 Today the public hearing is being
11 held to allow citizens to make a statement
12 for the record relating to the involvement of
13 the Agency with a project for the benefit of
14 Medline Industries, Inc., a State of Illinois
15 corporation. The proposed project consists
16 of the following: the acquisition of an
17 interest in approximately 120 acres of a
18 parcel of land located at New York State
19 Route 416 in the Town of Montgomery, Orange
20 County, New York. The project also consists
21 of construction on that land of approximately
22 1,300,000 square foot warehouse/distribution
23 facility with related site work and exterior
24 improvements. The project also includes the
25 acquisition and installation therein and

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2 thereon of related fixtures, machinery,
3 equipment and other personal property, all
4 the foregoing to constitute a warehouse/
5 distribution facility on the land and to be
6 known as the project facility for purposes of
7 this hearing, the granting of certain
8 financial assistance within the meaning of
9 Section 854 of the Industrial Development
10 Agency Act with respect to the foregoing,
11 including potential exemptions from certain
12 sales tax and use taxes, real property taxes,
13 real estate transfer taxes and mortgage
14 recording taxes, all collectively referred to
15 as financial assistance, as well as the lease
16 or sale of the project facility to the
17 company or such other person as may be
18 designated by the company and agreed upon by
19 the Agency.

20 I'll provide general information
21 on the Agency's general authority and public
22 purpose to provide assistance to the proposed
23 project, and then I will then open the
24 public comment period to receive comments
25 from all of those present who wish to comment

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2 on the proposed project or the financial
3 assistance contemplated by the Agency with
4 respect to the proposed project.

5 The provisions of Chapter 1034 of
6 the Laws of 1969 of the State of New York
7 created Industrial Development Agencies under
8 Section 911(c) of the General Municipal Law,
9 collectively the Act. The act authorizes the
10 Agency to promote the development -- promote,
11 develop, encourage and assist in acquiring,
12 constructing, reconstructing, improving,
13 maintaining and equipping and furnishing of
14 manufacturing, warehousing, research,
15 commercial and industrial facilities, among
16 other things.

17 Pursuant to Section 859 of the
18 Act, prior to the Agency providing any
19 financial assistance of more than \$100,000 to
20 any project, the Agency, among other things,
21 must hold a public hearing pursuant to
22 Section 859 with respect to the project.
23 Since the proposed financial assistance to be
24 provided by the Agency with respect to the
25 proposed project may exceed \$100,000, prior

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2 to the providing of any financial assistance
3 of more than \$100,000 to the proposed project
4 the Agency must hold a public hearing of the
5 nature and location of the project facility
6 and the proposed financial assistance to be
7 provided by the Agency with respect to the
8 proposed project.

9 After consideration of the
10 application received from the company, the
11 Members of the Agency adopted a resolution on
12 January 14, 2019 authorizing the CEO of the
13 Agency to conduct this public hearing with
14 respect to the proposed project pursuant to
15 Section 859 of the Act.

16 The acting chair of the Agency
17 caused this public hearing to be noticed and
18 mailed on February 1, 2019 to the chief
19 executive officers of Orange County, the Town
20 of Montgomery and the Valley Central School
21 District, as well as publishing a
22 corrective notice of public hearing on
23 February 2, 2019 in The Times Herald Record,
24 a newspaper of general circulation available
25 to the residents of the Town of Montgomery,

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2 Orange County, State of New York. In
3 addition, the acting chair caused notice of
4 the public hearing to be posted on
5 January 28th and the corrected notice on
6 February 1st on a public bulletin board
7 located at the Town of Montgomery Town Hall,
8 Town of Montgomery, Orange County, New York.
9 Copies of the corrective public notice were
10 available to the public on the table before
11 the meeting and additional copies are
12 available on request.

13 Unless there are any objections,
14 I'm going to suggest waiving the full reading
15 of the notice of the corrective public
16 hearing and instead request that a full text
17 of such notice be inserted into the record of
18 this public hearing.

19 The comments received today at
20 this public hearing will be presented to the
21 Members of the Agency at or prior to the
22 meeting at which the Members of the Agency
23 will consider whether to approve the
24 undertaking of the project by the Agency and
25 the granting by the Agency of any financial

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2 assistance in excess of \$100,000 with respect
3 to the project.

4 The notice of this public hearing
5 indicated that written comments could be
6 addressed to Joseph Joy, CEO of the Agency.
7 No written comments have been received by the
8 Agency prior to this public hearing.

9 Mr. Gerstein of the company was
10 unable to attend tonight due to his flight
11 being canceled from Chicago. He expresses
12 his apologies for not being here.

13 Is his attorney present?

14 MR. CAPPELLO: Yes. My name is
15 John Cappello, I'm with Jacobowitz & Gubits.
16 I'm here pinch hitting this evening. Thank
17 you to the Board.

18 I don't have a lot to add. I
19 think you know a lot about the Medline
20 project. Medline is a family-owned company
21 from Chicago. They're seeking to build an
22 approximately 1,300,000 square foot
23 warehouse/distribution center for
24 distribution of medical products and supplies
25 to many of the local area hospitals and

1
2 medical facilities as well as throughout
3 the northeast.

4 The project is located, as was
5 stated, on Route 416 near the intersection of
6 Neelytown Road. This is an industrially zoned
7 property and has been industrially zoned
8 since the 1980s at least. It's the area
9 the Town has designated as an area to
10 accommodate industrial and commercial growth,
11 and as such, I think if you look at your Town
12 tax records, the majority of the top
13 taxpayers in the Town come from facilities
14 located on Neelytown Road, many of which who
15 received initial inducements to locate on
16 Neelytown Road since have burned off and, as
17 I said, have become the top taxpayers, not
18 just for the Town but for the school
19 district. But for Neelytown Road, the Valley
20 Central School District's would be much
21 higher. So they have been a boom to the
22 Town. This will be one more in that area,
23 which was developed, Neelytown Road, due to
24 it's access to 84 to accommodate that.

25 Medline builds hospital level,

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sterile equipment.

The facility will be built to LEED certifiable standards, will include a solar roof to provide 25 percent of the energy needs of the facility.

The jobs they will take -- they're moving their facilities currently located in the Town of Wawayanda in Orange County, so 340 people will be able to retain their jobs. Instead of working in Wawayanda they will relocate to the Town of Montgomery site. They also propose creating an additional 266 jobs within the first five years, and then potentially another 150 or so after that.

The project investment will be \$18,000,000 in the land purchase, \$84,000,000 in the building, \$15,000,000 in equipment, as well as engineering and soft costs.

Medline is seeking exemption from the sales tax, mortgage tax and real estate taxes for a portion of time.

With that, I will leave it to take the comments.

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2 One thing I would add is that the
3 applicant is in the process of preparing it's
4 draft environmental impact statement, will be
5 submitting that to the Planning Board we hope
6 very soon. We anticipate hopefully within
7 the next thirty to sixty days that there
8 would be a public hearing at the Planning
9 Board on the environmental impact statement
10 on the overall impacts of this development.

11 HEARING OFFICER McLAUGHLIN: Thank you.

12 I will now open the public hearing for
13 additional comments at 6:58 p.m. If you wish to
14 make a public comment, please raise your hand and
15 I will call on you. Please wait to be
16 recognized. Once recognized, stand, state your
17 name and what town you are from.

18 Yes, ma'am.

19 MS. SNYDER: My name is Nina Snyder and
20 I live in the Town of Montgomery and have most of
21 my life.

22 I'm strongly passionately opposed to
23 offering tax breaks.

24 I want to thank the committee for your
25 service with Government.

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2 I feel like a novice. I just started
3 attending meetings in the past couple months, so
4 I don't have all the lingo but I do have some
5 great concerns about the process.

6 First of all, I think it's very
7 contradictory and irrational to be having a time
8 for public comment on a day that you closed the
9 offices here in the Town because the roads were
10 bad. I personally am a little concerned about
11 driving home tonight. I just feel like that was
12 -- just makes no sense to me. I just don't -- I
13 don't get it. That just didn't sound right to
14 me.

15 I have nothing opposed to Medline. I
16 think it's a great company and they are very
17 highly successful and profitable, but I am
18 opposed to giving tax breaks for a number of
19 reasons.

20 First of all, what I kind of see
21 happening from the meetings that I've started to
22 attend, and I wish I was a better citizen before.
23 I voted all the time but I didn't participate as
24 much as I could have. But I almost find in my
25 observations like there's a machine at work when

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2 I go to a meeting. It's this kind of forward
3 moving process with kind of key players who have
4 notable roles. The County Development folks are
5 often in support of anything that's build, build,
6 build. There's also related folks who gain for
7 the employment of the construction aspect of the
8 huge warehouse or project but not necessarily for
9 the ongoing keep of it.

10 What I've been concerned about was a
11 couple of things that I've been hearing about and
12 have also read. One of the things that I noticed
13 in a meeting was when there was a solar farm that
14 was presented before the Town, I was like so
15 impressed with our Planning Board, the way they
16 were like well what if this doesn't work, what
17 are you going to do to remove it and bring the
18 land back to the way it was.

19 I, one, believe in the environment and
20 caring for it greatly. There's a fast moving
21 trend in our country right now, the hottest
22 commodity is huge warehouses, and I'm concerned
23 with us as a County being known as a crossroads,
24 because we do have a real prime location to 84
25 and the Thruway and we're in the metropolitan

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2 area which is wonderful, but I don't want the
3 Town of Montgomery and the beautiful Hudson
4 Valley to just be warehouse after warehouse after
5 warehouse. Not only that, but the Town giving
6 money for them to come. I feel like this is not
7 what most citizens really bargain for, myself
8 included.

9 I'm concerned about a number of
10 things. One thing, our Town plan that we really
11 look at. Are we just going to -- I think we're
12 going to get knocks on the door for more and more
13 buildings of this type. When we're talking
14 1,000,000 square feet, there's so many
15 implications on so many levels. As a town
16 supervisor and boards, I don't even know how you
17 can really digest all this and have time to study
18 it all because it's massive to the human mind to
19 really understand all the nuances of what does
20 this mean for our Town and how are we going to
21 protect our citizens in the future. The economy
22 is not doing so bad right now, and my thought is
23 offering all these incentives to very successful,
24 profitable businesses, what is this going to take
25 away from the generation that's coming up next?

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2 So I'm opposed to any type of incentives or tax
3 breaks, et cetera. I feel like you're setting a
4 precedent because you are going to get more and
5 more businesses, huge warehouses and the like,
6 coming to our Town, and I don't think that's in
7 the best interest of the citizens. I feel like
8 there's a machine at work that's just moving
9 forward so quickly without even taking the time
10 to breathe and think where are we going.

11 For example, why was this meeting not
12 canceled? Like nonessential serious stuff is
13 canceled. I mean nonessential stuff should be
14 canceled. The serious stuff, you know, you keep
15 the roads open for ambulances and police,
16 et cetera. To have the public come comment
17 on a night like this is just, in my mind,
18 crazy.

19 Let me just see if there's
20 anything else in my mix-mash of notes.

21 I've been reading about corporate
22 welfare and I feel like sitting these past
23 couple months in the rooms of my Town, I'm
24 like I get it now, I really get it now. You
25 know, just being a regular citizen, I feel

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2 like we all need to just take a minute and
3 really think clearly about where are we going
4 and not to let business rule our process over
5 community.

6 That's my feelings.

7 HEARING OFFICER McLAUGHLIN: Thank you.

8 Yes, sir.

9 MR. BYSTRAK: Richard Bystrak,
10 Montgomery.

11 Very good. I second that.

12 With all due respect, I think we should
13 have Social Services here. With the way you were
14 talking before about the need for this and that
15 and who needs it, they're very much into who
16 needs. So if Social Services were here, they
17 could help us out. Welfare.

18 I worked for the power authority, the
19 New York Power Authority. The New York Power
20 Authority used to have a program, and they still
21 do I believe, that they give away free
22 electricity to people that they like. Not a good
23 program. You don't do that.

24 I'm against this one, too. We have a
25 plague of these Butler buildings coming in. I'm

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2 against any welfare to these corporations for all
3 this. I hope the rest of the people in this Town
4 start to see that this welfare is not the way to
5 go.

6 That's all I have to say.

7 HEARING OFFICER McLAUGHLIN: Thank you,
8 sir.

9 Anyone else on the Medline project?

10 Yes, sir.

11 MR. BERGER: Don Berger, Montgomery.

12 A couple months ago I think I remember
13 reading in The Times Herald Record that Orange
14 County in the State of New York had the second
15 lowest unemployment rate. Second lowest. So you
16 have these two massive projects going on, the
17 promise of all these low, low paying jobs. It's
18 very important that everybody understands low
19 paying jobs. We have them before the IDA looking
20 for corporate welfare. Again, these are billion
21 dollar corporations where a guy -- another guy
22 who owns the other -- the Bluewater, you know,
23 he's fighting over his wife for billions of
24 dollars of settlement in a divorce and here we're
25 talking about taking money away from us. It's

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2 ridiculous, guys. I know I said that before but
3 it just doesn't -- I try to get involved in the
4 Town and the Village as much as I possibly can.
5 This whole thing with the IDA just blows my mind.
6 The odacity of these companies and that we would
7 even consider, after all these years of Neelytown
8 Road. Remember Wakefern, guys? Remember that
9 one? That was a beaut. They took off just like
10 you're going to take off and Medline is going to
11 take off.

12 By the way, they are already taking
13 off from Wawayanda. The writing is on the wall,
14 guys. It's ridiculous what's happening here. We
15 just give them, give them, give them. I'm one of
16 those guys what am I getting in return. I really
17 see very little.

18 I see this Medline, they were before
19 you last month. Once again, their big number was
20 -- boy, they beat you -- they were \$33,000. What
21 a great company. \$33,000, folks. That's
22 beautiful.

23 On top of that, my man on the end
24 over there asked the question about labor. They
25 didn't guarantee anything either, did they? Not

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2 a thing. Not only for the construction, not only
3 for the employees that's going to be in the
4 building, but for the maintenance of that
5 building, for outside contractors. They wouldn't
6 even get into that. Am I correct?

7 So Mr. Winchell, you're the Town
8 Supervisor here. What are the benefits to us
9 that these companies are coming in here? The
10 young lady, she's right. There's no benefits to
11 the Valley Central School District. The Valley
12 Central School District, as a lot of people know,
13 I fought that budget last year. It's a disgrace.
14 The school gets nothing, or pennies, and we
15 should thank them to get that \$100,000? That's
16 great. That's great that VC gets \$100,000 from
17 these billion dollar corporations. We consider
18 this?

19 Through the Neelytown Road we should
20 have learned our lessons. Here we are back,
21 we're going to make a new corridor. You know
22 that new corridor guys, it's 416. 416, man,
23 right up until it gets down into 211. You wait,
24 another company is going to come in there who you
25 guys are going to welcome. You're going to

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welcome them. Please.

You know, I forget who said it, it really seems like all this stuff is a done deal. That's the impression I get. This is all a done deal. We're just wasting our time here talking. What we have -- I'm going to have a big mouth so I'll say it. We have to think better. We have a Village of Montgomery, by the way, that wasn't even in the plan. You didn't even consider the Village of Montgomery until we brought it up. The Village of Montgomery, if Medline comes in here, I promise you will never be the same. It's a beautiful village. These guys don't care. They don't live here. They don't care about the village. It's a beautiful village. We all know that. It's not going to be that way in five years, folks.

I'm going to end it with this. My friends out here, interesting reading. FOIL for Mr. Cappello's e-mails to the building inspector. You'll find some interesting things in that.

Thank you.

HEARING OFFICER McLAUGHLIN: Thank you.

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2 I'll remind everyone to address
3 comments to the Hearing Officer, not to any
4 members of the Agency. We're just here to get
5 comments.

6 Anyone else on the Medline project?
7 Yes, ma'am.

8 MS. TIPTON: I'm Karina Tipton, Town
9 of Montgomery. I'm actually a Village of
10 Montgomery resident, in the beautiful scenic
11 Village of Montgomery.

12 Again, if I'm looking at this from a
13 taxpayer's perspective, from a partnership
14 perspective, Medline might be a better partner to
15 the Town because they have stated their name and
16 they are willing to show up to these meetings,
17 and I appreciate that the representative was
18 willing to fly here from Chicago.

19 I feel that they may be an unreliable
20 investment. As was previously stated, they were
21 party to a ten-year PILOT program in Wawayanda.
22 As soon as that PILOT expired they expressed an
23 interest to expand. They sold their warehouse
24 immediately. They didn't consider possibly
25 expanding in two locations. They sold their

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2 warehouse, a white line that they created and
3 moved on. They tried two other locations. Each
4 of those locations were turned down by either the
5 board of that location or for permitting issues,
6 if I recall correctly. I'm just concerned that
7 their habit of immediately selling out of a
8 community and moving on, it gives them the
9 appearance of being an unreliable partner. I
10 don't want to invest in somebody for ten years if
11 they are not going to be a good neighbor to me.
12 And they will be my neighbor. I live around the
13 corner on 211. I'm in the last house that
14 Chauncy Brooks built, if you listen to his story
15 with Marian Wild. I'm right around the corner,
16 just up from the airport. I'm up on a hill.
17 It's going to be an impact and I want to know
18 that this impact is going to be worth it.

19 Additionally, as mentioned before,
20 this was only -- the DEIS was only scoped on
21 January 12th. I do feel that this hearing, if
22 this is to be closed at any time soon, the
23 expectation that any ruling by this Board will be
24 contingent on the ruling of the Planning Board.
25 I feel that's really out of order and I think

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2 that there's such significant issues from the
3 traffic that will be passing through the Village
4 of Montgomery, the 211 corridor. Transportation
5 is a huge issue right now. The infrastructure of
6 the intersection with 416 and 211, it's
7 profoundly degraded. Those are both State roads
8 but they impact our communities. I think there's
9 a lot of big concerns when it comes to that.

10 I would ask the Board if they can
11 consider keeping this hearing open, having
12 additional opportunity for public comment after
13 the environmental impact statement process is
14 completed. Apparently it's just going to be a
15 couple months out, so it's not really going to be
16 that bad.

17 Also, I've lived in Montgomery for
18 ten years. I moved here for love. I love
19 Montgomery. I came here and I'd like to stay
20 here. Montgomery is a community that's proud of
21 it's farming history, with good reason.

22 The Medline property, the parcel,
23 because they've already bought the land, it's in
24 a farming area. The 416 corridor is
25 agricultural. This land is actually on a County

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2 -- it's within a County agricultural district. I
3 would clarify -- I would ask the Board to clarify
4 while it is an industrial zone, it's a mixed use
5 agricultural and industrial zone. For the Town
6 of Montgomery to remain so proud of it's farming
7 heritage, I think it's important that we consider
8 our open space planning and we try to find a way
9 that we can genuinely dedicate our resources to
10 preserve that farming heritage deliberately so we
11 can, with no red face, say to people we're a
12 farming community.

13 I would like to say some of the other
14 concerns about the use of this area. 416 as an
15 industrial corridor, it does have access to 84
16 but it's not guaranteed or easy access to 84. In
17 order to leave the parcel that Medline has
18 purchased and travel to 84, you have to make a
19 left turn out to 416, travel through a special
20 flood hazard area that has flooded three times
21 with significant week-long road closures in the
22 ten years I've lived in Montgomery, go underneath
23 84, make another left-hand turn onto Neelytown
24 Road before you've got straight and direct access
25 to 84. It's not guaranteed. The road could be

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2 closed, it could be flooded. I think that's one
3 of the things that the scoping document requested
4 consideration in the draft environmental impact
5 statement. If the trucks can't go directly onto
6 84, they're going to have to travel through the
7 Village of Montgomery, make a right-hand turn, a
8 difficult right-hand turn onto 17K, they're going
9 to go past three of our schools on the way to 84.
10 I think that's another thing that really merits
11 consideration. Understanding that this is in an
12 area that is zoned for industrial use, it's not
13 guaranteed or easy access to 84. A warehouse
14 project may not be the best thing.

15 Also, as I mentioned before, 416 is
16 an agricultural corridor. For comparison, this
17 project is over 1,000,000 square feet. It is two
18 times as big as the UNFI building. Two times as
19 big. That big Amscan warehouse that's on the
20 hill in Newburgh, it's two times as big as that.
21 It's going to require significant movement of
22 earth. It's going to be 100 foot cut from the
23 back of the property elevation down to the 416
24 elevation. We're talking about huge earthwork.
25 It's going to be a massive change in character

1
2 and the visual effect from it looks like right
3 now.

4 Honestly, I drive down 416 every day to
5 get to work. It's my favorite drive. It's the
6 best part. I ride a motorcycle. It's a lovely
7 way to go. Selfishly I don't want to lose that
8 either, regardless of any of the other impacts.
9 I don't want to lose my pretty commute.

10 I'll just close with I'm a huge fan of
11 privately held family owned businesses. Huge fan.
12 I think that's one of the best ways for America
13 to stay strong. Medline is a \$10,200,000,000 a
14 year company. They're based out of Chicago.
15 They don't pay a lot of money to New York State.
16 They're asking to not pay a lot of money to the
17 Town of Montgomery, to Orange County also through
18 the PILOT.

19 I also am concerned, I feel like
20 they've got two strong-arm tactics already under
21 their belt. They have purchased this land before
22 even approaching the Planning Board or starting
23 the environmental impact statement. I feel
24 that's kind of a strong-arm tactic.

25 I also am concerned about their

1
2 statements on their IDA request that have been in
3 front of the County for two different parcels
4 previously. You can go back and read through
5 each one. They've had very quick like change of
6 address kind of things as part of the processes,
7 but also this one where they say they'll move.
8 They're considering New York, New Jersey and
9 Pennsylvania. They don't have to stay in New
10 York if they don't want to. Based on those two
11 strong-arm tactics while they end their previous
12 experience in Wawayanda, at least they're willing
13 to show up and work with us, I'm concerned
14 they're going to be an unreliable investment.

15 Thank you.

16 HEARING OFFICER McLAUGHLIN: Thank you.

17 Yes, sir.

18 MR. DEVINE: I just want to make a
19 quick comment.

20 HEARING OFFICER McLAUGHLIN: Your name
21 and --

22 MR. DEVINE: William Devine, Town of
23 Montgomery.

24 HEARING OFFICER McLAUGHLIN: Can you
25 come up a little bit further, please?

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2 MR. DEVINE: I just want to make a
3 comment how beautiful these farms are on the
4 wall. All the pictures and the woodwork that you
5 guys are sitting on and the woodwork in the
6 background, I assume they're all gone.

7 I'd like to make a request from Rod if
8 you don't mind. I'd like to take a picture of my
9 farm, since I do pay a hefty amount of taxes.
10 Maybe I can put it up on the wall here. Maybe
11 Len Brown, since he's one of the only two --

12 HEARING OFFICER McLAUGHLIN: Is this
13 related to the Medline project?

14 MR. DEVINE: No.

15 HEARING OFFICER McLAUGHLIN: Thank you.
16 Any other comments on the Medline
17 project?

18 MR. FIORAVANTI: This should be the
19 last you're hearing from me tonight, I promise.
20 I'm Bill Fioravanti, Orange County Economic
21 Development.

22 I want to start by saying I live here
23 in Orange County as well. I'm not born and bred
24 here but I've been here twenty years. My first
25 nine years were spent in the Village of

1
2 Montgomery. I lived here with my wife and
3 children. I love it here. It's one of our
4 signature towns. Trying to have the right kind
5 of balance between commercial growth, industrial
6 growth and beautiful, bucolic settings, green
7 pastures and all that, you've got it in
8 Montgomery. We do need to preserve that.

9 By the way, the two projects that are
10 being talked about tonight are zoned properly.
11 They're industrial, even the former farm where
12 Medline would go. It was part of Montgomery's
13 planning to extend the industrial corridor to
14 include those properties.

15 There's not much left on 416. There
16 was a proposal that I was a part of in
17 Hamptonburg to rezone property for industrial.
18 It didn't happen. It pushed back. I understand
19 that and respect that.

20 Also out of respect for the comments
21 that were made, I do respect what people said,
22 unfortunately there's a lot of misunderstandings
23 about the incentives. I'd like to take one
24 minute to further what Mr. Diorio said and clear
25 up some of those misconceptions.

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2 First of all, there are no payments
3 out. A lot of people are saying we're paying,
4 we're giving. That's never happened. That's not
5 what we're doing. IDAs do not give out dollars
6 like that. It's all about not charging them full
7 taxes but easing it in. I'll explain what they
8 are quickly. One is sales tax, as was mentioned,
9 on any building materials used to build a project
10 like this and on furniture, fixtures and
11 equipment as was mentioned. That's 8.125 percent
12 sales tax in this area. They're exempt from
13 that. That's a tax revenue that would not be
14 realized if these projects didn't happen. Again,
15 we're not losing something there.

16 The second one is kind of minor as
17 well. Mortgage recording tax. There's a 1.05
18 percent tax on the principal if you're getting a
19 mortgage for property. That can be exempted as
20 well. Again, if these projects don't happen, that
21 kind of revenue would never be realized. We're
22 not losing something that we would expect to get.

23 The big magilla is the property tax
24 abatement, the PILOT, the payment in lieu of
25 taxes. No one is getting money. The taxes only

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2 go one way, up. They start with whatever the raw
3 land. In examples like this where we're building
4 on raw land, whatever that land is generating,
5 let's say \$40,000, \$50,000 a year, they always
6 start with that and go up. Most PILOTs, the term
7 is say around ten years. The property taxes go
8 up steadily over those ten years. Half the time
9 -- in five years, for example, they're paying
10 half of their full taxes already. That's what's
11 happening with UNFI. I'm sorry but that was some
12 misinformation. They're paying much more than
13 \$100,000. They're into their fifth year already.
14 They're going to be paying around \$1,000,000 a
15 year in property taxes.

16 I also should note that special
17 districts, fire and police, they are not exempted
18 ever. They have to pay the full rate for that.
19 So of course it's going to be an additional
20 strain on fire and police. They have to pay into
21 that always. They get no break on that.

22 What's the impact? That was a very,
23 very fair question. What do we get? What does
24 Montgomery get? The best story we can tell in
25 Orange County, the best story for the impact of

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2 inducements like this is Neelytown Road. They
3 get several million dollars. I believe it's in
4 excess of \$10,000,000 on Neelytown Road is
5 generated for school and property taxes. Just
6 the companies on Neelytown that received PILOTs,
7 just those companies are paying in school tax
8 alone of \$3,500,000. That's towards, I think
9 it's \$104,000,000 budget for Valley Central. I
10 think our Town budget is something like
11 \$16,000,000.

12 MR. WINCHELL: 12.

13 MR. FIORAVANTI: Is it 12? Adding in
14 districts I think it gets up to 16. That is
15 significant. I shutter to think what would
16 happen to our schools and everyone's property
17 taxes. A gentleman asked what about my taxes.
18 Why don't I get a savings. Neelytown Road,
19 projects like this. We're extending it, looking
20 at 747. Imagine what your taxes would be without
21 these.

22 How do we get those companies? How
23 do we grow Neelytown Road? We did that through
24 inducements like PILOTs.

25 One last thing on PILOTs. The big

1
2 fear everyone has, and I heard it a couple times
3 tonight, when these PILOTs run out these
4 companies are leaving. You know how many times
5 that's happened with us? Zero times. That's not
6 what's going on with Medline. They've outgrown
7 their 500,000 square foot facility. They need
8 1,300,000 square feet. They tried like mad
9 working with us to stay here. We tried to make
10 it work in Hamptonburg. We didn't. They're so
11 grateful that they are being welcomed in
12 Montgomery. That's how we're saving an employer
13 like that, it's through these inducements. It's
14 not bad. It's a good thing. These companies all
15 have the option, by the way, to go very close to
16 Pennsylvania, for example. Lehigh Valley, one of
17 our big competitors. They pay much less in
18 property taxes. They're not that far away. We're
19 a little closer to New York City and such but it
20 could be worth it. Again, this helps level the
21 playing field. I appreciate you letting me
22 clarify that.

23 The last thing about these types of
24 jobs, they're not all for Montgomery residents.
25 I admit that. We have on Neelytown alone

1
2 thousands of jobs that have provided not just for
3 Montgomery but from Newburgh to Port Jervis, Pine
4 Bush to Tuxedo and beyond.

5 I will add, especially for people
6 concerned about our school district budget, that
7 that is a good thing and that they're not causing
8 additional strain on the school district but
9 we're getting the tax revenue from it. This is
10 all going to benefit the school district and the
11 Town budget, and often times without greater
12 impacts.

13 The now last thing about Medline.
14 Yes, Medline is a successful company, as is
15 Bluewater and some others. I think it's wrong
16 for us to demonize successful companies just
17 because they are successful. To me, I want them
18 here. If they are successful, a fortune 50
19 company, they're viable, we want them investing
20 here because they're going to be around. It
21 doesn't mean they don't have a right to try and
22 get a good deal. Again, they could pay less
23 elsewhere. They have a right to these types of
24 incentives. I don't want to demonize them.

25 Medline to me is the kind of employer

1
2 that these inducements, these incentives are made
3 for. It's the kind of company that's invested
4 here, created good jobs here. You may call them
5 bad jobs. I look forward to Medline employees
6 coming and talking about how their jobs are
7 important to them and valuable to them and they
8 want to keep them. We want to use these types of
9 incentives to keep them here. They have looked
10 outside the area. Again, they've made every
11 effort to stay invested in Orange County. They
12 found a home in Montgomery, it's zoned for it,
13 it's the right kind of project, the right kind of
14 employer and we need the support.

15 Again, I'm here on behalf of the
16 County supporting Medline, supporting this
17 project, and I encourage you to award them their
18 incentives.

19 I'm happy to talk to any resident or
20 business in Orange County about what we're trying
21 to do, why we're doing it, why we're backing
22 these projects. I'm more than happy to do that.

23 Thanks for the time tonight.

24 HEARING OFFICER McLAUGHLIN: Thank you.

25 Yes, sir.

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2 MR. SMITH: My name is R.J. Smith. My
3 family moved to Montgomery in 1720. They moved
4 from Kingston where they arrived in 1710, farmed
5 for two centuries, three centuries in Montgomery/
6 Crawford. Crawford used to be part of
7 Montgomery, so it was all Montgomery.

8 I've had the pleasure of working with
9 this Town on farmland preservation and economic
10 development to address the question. There's no
11 town in Orange County that cherishes it's farming
12 heritage as much as Montgomery. I've worked with
13 the Town and farm families and they have
14 preserved in perpetuity over ten farms. Working
15 with the Planning Board, they have had additional
16 farms they preserved by having cluster
17 development and open space, open conservation
18 easements, open space conservation easements. So
19 the Town has preserved those areas on Albany Post
20 Road, Hill Avenue, River Road, Wallkill Avenue,
21 Plains Road.

22 At the same time they identified the
23 Route 84 corridor as the area to facilitate
24 economic development. They have an employment
25 center and a center that would generate revenues

1
2 for public education and for the general
3 government operations, both Town and County. In
4 their master plan they said we want to cluster.
5 Just like in some places you cluster housing to
6 preserve open space, you cluster the economic
7 development along I-84. And they said from
8 airport to airport. That's where you see
9 everything zoned on both sides of I-84 from
10 airport to airport is zoned to accommodate them.

11 The Town got the County to build
12 County Route 99 for the sole purpose of
13 facilitating economic development. A company
14 like Cardinal Healthcare pays \$1,400,000 in taxes
15 and over \$1,000,000 a year taxes to the school.
16 UNFI is slated to pay \$1,600,000 when their PILOT
17 expires. Other companies like Home Depot pay
18 \$750,000 a year in school tax alone, over
19 \$1,000,000 in taxes. These companies here
20 tonight will also pay. Orange County Ironworks
21 pays a hefty tax bill.

22 Ten companies on Neelytown Road,
23 including Staples and Yellow Freight, ten
24 companies pay eight percent of the Valley Central
25 tax levy.

1
2 As far as jobs are concerned, you can
3 go into Cardinal Healthcare and talk to the
4 people who work there. A couple who works at
5 Cardinal Healthcare is knocking down \$80,000 a
6 year. Very secure. A Fortune 500 company. Very
7 secure employment, full health benefits,
8 retirement benefits, education benefits.

9 Medline, who I've had the opportunity
10 to work with them ten years ago when they moved
11 to Wawayanda, grew so much and so fast. It's a
12 privately held company. They don't have
13 shareholders. They're not looking at the
14 shareholder value. They put a lot of attention
15 on their employees.

16 Employees at Medline on average
17 working the floor, and it's a very technical job
18 because they're working with computers, robots.
19 It's a very impressive operation. It's not a
20 warehouse like we know warehouses in the past.
21 They're knocking down \$40,000 a year. They have
22 a base salary, they have bonuses for production
23 and safety, and then they have all the benefits.

24 The day I was there -- just a small
25 thing. The day I was there they were having

1
2 problems with their computer system which was
3 giving everybody a little frustration and they
4 ordered 75 pizzas to give everybody lunch. That
5 just tells me something about a company. And I
6 happened to be able to share in that lunch.

7 So the Town, while it's preserving
8 it's heritage, it's historical heritage, it's
9 farming heritage in certain parts of the Town, it
10 identified the 84 corridor for economic
11 development. It is the most successful Town in
12 Orange County having done that. If not for
13 Neelytown Road, the 84 corridor, Exit 5A that was
14 built, Exit 5 that was redesigned all to
15 facilitate that development corridor, if not for
16 that, Valley Central Schools, either you'd have
17 very high taxes or substantially reduced
18 programming or both. So these companies play a
19 big role in the success of this community and
20 creating both the quality of life for the
21 residents, and even residents who have family
22 that's lived here for 300 years.

23 Thank you.

24 HEARING OFFICER McLAUGHLIN: Thank you,
25 sir.

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Yes, ma'am.

MS. CHAPMAN: Lori Chapman.

I am also a resident in the Village of Montgomery. I'm not opposed to either of these plans. I understand forward progress. I get it a hundred percent.

Why should we wait five to ten years for them to pay their fair share with the possibility of a \$200,000,000 company and a \$10,200,000 company? Why should we wait?

Is Medline going to build if they don't get this? We don't know. Has anybody asked them if that's their plan? If we don't give them this tax break are they still going to build this and then we'll get our tax dollars now as opposed to five to ten years later? Why should we grant breaks to them? If they don't build we didn't gain anything, we didn't lose anything. It's do it now, build it now, pay it now. If I went and built a new house right now, I have to pay my taxes right away. Nobody is giving me five to ten years in a PILOT program. It doesn't work that way. Why are we doing it for them? There's no tax incentives for existing businesses.

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2 You talk about Neelytown Road. The
3 Taylor Montgomery family owned business doesn't
4 get any tax incentives. I'm sure Bryne Dairy
5 doesn't get any tax incentives. Why are we doing
6 it for new businesses? There's no incentives.

7 HEARING OFFICER McLAUGHLIN: Thank you.

8 Yes, ma'am.

9 MS. SNYDER: I just want to say that I
10 think Medline received some breaks from the
11 County when they went to Wawayanda. I feel like
12 okay, wait a minute, you already did that.

13 There are 350 employees I know there
14 existing. They'll be coming to our location. If
15 we want more jobs, and that's what a lot of this
16 is about, good paying jobs, I don't know if this
17 is a good match.

18 HEARING OFFICER McLAUGHLIN: Thank you.

19 Any other comments?

20 MR. BERGER: Yeah. You know, I
21 listened to these guys over here and they're all
22 pro Medline and pro Bluewater and all that kind
23 of stuff, the big business guys over here, the
24 Orange County guys over here. They have nothing
25 to lose. They've got nothing to lose. We as

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taxpayers feel that we pay our share here.

Mr. Smith, I'm a homeowner. I pay my taxes. Do you?

MR. SMITH: Yeah.

MR. BERGER: I'm sure you do. I just feel that these businesses that come in here should pay theirs. We are not into welfare here. They don't need that money. It's probably a tenth of their profit margins. What's the big deal here?

The other thing that you have to understand is that I hear you talking about great jobs. What great jobs? Can you identify the great jobs? You keep talking about it. The numbers that I've given you are from the mouths of the corporations that want to come in here at last month's meeting. 31, 33. Those are the numbers that should be ringing in your head, not --

HEARING OFFICER McLAUGHLIN: Mr. Berger, is there anything new that you're adding?

MR. BERGER: Excuse me?

HEARING OFFICER McLAUGHLIN: Is there anything new that you want to add to your

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original public comment?

MR. BERGER: No.

HEARING OFFICER McLAUGHLIN: I'm not interrupting. I just don't want --

MR. BERGER: You did interrupt. That's called an interruption.

HEARING OFFICER McLAUGHLIN: Okay. I just don't want to have --

MR. BERGER: You interrupted.

HEARING OFFICER McLAUGHLIN: Are you done? I just don't want you to repeat yourself. Is there a new comment that you want to make, I'm happy to hear it?

MR. BERGER: I'll give you back the floor, buddy. All right.

HEARING OFFICER McLAUGHLIN: Any other public comment? Yes, sir.

MR. BROWN: Leonard Brown. I wanted to say Mr. Smith brought up an interesting comment -- a concept really.

HEARING OFFICER McLAUGHLIN: I'm sorry, sir. Are you from Montgomery?

MR. BROWN: Yes. The Town of Montgomery.

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2 Mr. Smith brought up an interesting
3 concept of farmland preservation. I'd like to
4 say that the estimates are that by the year 2050
5 the world population will increase approximately
6 35 percent. To feed that population our crop
7 production will need to double. So farmland
8 preservation is an important thing that we really
9 need to consider. I would like to keep this in
10 the ag district and consult the Agricultural
11 Review Board.

12 HEARING OFFICER McLAUGHLIN: Thank you,
13 sir.

14 Any additional public comments?

15 (No response.)

16 HEARING OFFICER McLAUGHLIN: Thank you
17 all for participating tonight.

18 As a reminder, further written comments
19 may be submitted to the Agency in accordance with
20 the public hearing notice.

21 If there are no further comments, I'm
22 going to close this public hearing at 7:34 p.m.
23 Thank you all for attending.

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25 (Time noted: 7:34 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 18th day of February 2019.

Michelle Conero

MICHELLE CONERO

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