

Town of Montgomery Industrial Development Agency Meeting  
Town of Montgomery Government Center  
110 Bracken Road, Montgomery, New York 12549  
<https://www.facebook.com/TownofMontgomeryOfficial/>

Tuesday, October 13, 2020  
1:00 PM

Present: Jeffrey D. Crist, Chairman  
Edwin Williams, First Vice-Chairman  
John Dickson, Second Vice Chairman  
Matthew P. Stoddard, Treasurer and Member  
Randi Greene, Member  
Tom Jones, Member  
Robert Santo, Member

Also Present: Conor Eckert, Executive Director  
Robert McLaughlin, Attorney for the IDA  
William Ibberson, Acquisitions Marketing, Live Stream Technician  
Suzanne Hadden, Secretary  
Members of the Audience

AGENDA

1. Welcome new Board Member-Thomas Jones
2. Call to Order and Declaration of Quorum
3. Public Hearing on Draft Updated Uniform Tax Exemption Policy
4. Approval of the September 8<sup>th</sup>, 2020 Meeting Minutes
5. Public Comment on Items on the Agenda
6. Corridor Study Update
7. Consideration of Local Labor Waiver-Project Sailfish
8. Local Labor-Monthly Update
9. Executive Director's Report
10. Financial Report for September 2020
11. Other Business
  - a. Website and logo update

Next meeting scheduled for November 10, 2020  
Adjournment

Call to Order

Chairman Crist called the meeting to order.

Welcome new Board Member-Thomas Jones

Chairman Crist welcomed new Board Member Tom Jones.

Declaration of Quorum

Chairman Crist introduced the board and staff. The full board was in attendance.

Public Hearing on Draft Updated Uniform Tax Exemption Policy

Roberta Schmidt, Court Stenographer was present for the Draft Updated Uniform Tax Exemption Policy Public Hearing and a transcript will be provided.

The draft updated UTEP policy public hearing was adjourned to Tuesday, October 27, 2020 at 7:00 p.m.

Approval of the September 08, 2020 Meeting Minutes

Second Vice Chairman Dickson motioned to accept the September 08, 2020 meeting minutes as presented, seconded by Member Greene. A roll call of the board was taken, all in favor, all ayes, motion carried.

Public Comment on Items on the Agenda

Fred Mertz, audience - Village of Montgomery and member of RPM. I see on here the consideration for a local labor waiver for Project Sailfish. A lot has been done for this project by this board in form of waivers. Given they put an application in requesting a PILOT and you gave them a PILOT and there were conditions and now you want to give them waivers to those conditions. When is it going to stop? When are you going to stop catering to a project that nobody really wanted in the first place, except for you guys and also Sailfish or Amazon or whatever you want to call them? They wanted to, residents didn't need that eyesore, nor do we need Medline, though we got them. When is it going to stop, when are you going to stop catering? Draw the line somewhere, thank you.

Donald Berger, audience – Village of Montgomery, in continuation with the good spirit that we have had so far today. There are some things that have troubled me in the past couple of months, as you guys may be aware of. I'm going to be as simple as I can with it, poor information coming from your board. I will start off with the notice for the corridor study group. We are all familiar with this here and we did discuss it at the meetings itself. The problem with this notice is, you weren't including the other part of the corridor study. By looking at this letter from a regular resident, I'm not aware that 416 and 211 were included. It should have been put up there, it should have been all inclusive on that sort of thing and you didn't do that. the excuse that was given, it was too much space and that doesn't cut it, we're better than that; I wasn't happy with that.

Public Comment on Items on the Agenda

Mr. Berger - At the meetings we learned from Marybeth about certain things that were going on and she talked about and referenced meetings that the corridor study was having with the comprehensive plan committee, meaning the chair and the planner. At the October 1<sup>st</sup> town board meeting, chairperson and town board council woman Cindy Voss denied meetings ever took place, I find that to be improper. Delaware is saying there are meetings taking place, the chairperson of that committee says there aren't. She claimed that there was one meeting and that was a scheduling meeting and that was it; that's a problem. You know who is telling the truth. Also, I had had conversation way back in April or maybe May, I'm not quite sure with the executive director. I went to his office and I asked him one straight out question, before I even got to the chair. What was the Orange County Partnership influence on the corridor study, did they request it? Conor said no, they had no input on that study. I have a document here that says the Orange County Partnership was involved in the study and requested it as far back as October of 2019. The document holds the seal of the Town of Montgomery. I will go ahead and share it with all of you. I find that to be a problem that when I ask a question, I'm getting different answers. Also, at the corridor study meetings, you had a meeting at 7 am in the morning to 9 and one at 6 to 8 and it was learned at my meeting and the second meeting, that certain individuals were having outside meetings and Marybeth referenced that committee as a steering committee. Marybeth said it, not us. So, in development, what exactly is a steering committee? Come to find out and I had this conversation Friday with Conor, that there were two meetings that day. One at one, one at four, with the same people that we have been, meaning RPM and the residents, for two-years have been having problems with and I don't want to go over the list of names. I think you all know the list of names and it starts off with the gentleman that spoke here first. I have a real problem with that. I was hoping that these meeting would be open and transparent, but I'm just wondering what the hell can you be talking to them about, that's a problem. Now I want to go back to this waiver. You have a waiver on the agenda. You know how I feel about the waivers of Sailfish a couple months ago. You have a waiver and you say you can only speak about what's on the agenda. How can you possibly expect us to speak about a waiver, when we don't see it? I don't know what the waiver is. You're not presenting a waiver to us. How do you expect us to speak on the waiver, when you don't present it to the public? Does anybody have an answer to that? It's very simple, but yet you are going to address this waiver. I have no clue what it is. Maybe they are getting the wrong coffee truck up there, I don't know what is going on, but we can't discuss it because you haven't presented it, but it's on the agenda. You could have put it out there as a pdf, so we could have opened it up and looked at it, and have some sort of education on it, but you chose not to do it and you did that on the other three also. I don't think that is proper. I think you guys talk about being transparent, that's part of transparency. I want to know what's in that waiver before you even vote and approve it; I'd like to see that waiver. Thank you.

Chairman Crist – Anyone else? Hearing nobody else inclined to speak, we will move on to the local labor waiver request from Project Sailfish. Conor would you review that for us please?

Consideration of Local Labor Waiver-Project Sailfish

Conor Eckert, Executive Director – I spoke with our labor consultant, Kevin of Loewke Brill this morning and this is a local labor waiver request for the installation of loading docks for the Sailfish project.

#### Consideration of Local Labor Waiver-Project Sailfish

Mr. Eckert - Entrematic loading dock product is the name, they are a certified installer and the base of this waiver are significant cost differential and warranty for the certified installer. Entrematic loading dock products is a certified installer of the Kelly Company products. One of the two products specified in the project. The other project Rite-Hite Corp. could be installed by Argon Equipment, who would have been able to perform the installation with local workers, however the price Arbon gave was 33% higher than Entrematic, thus significantly higher in price. We reached out to the other local company, Loading Dock Incorporated, however they are not a certified installer of the Kelly Company products and would void the warrantee. I spoke directly to Kevin, our local labor monitor, with the manufacturer who confirmed this information. Loewke Brill considers the waiver request to be valid based on those significant cost differentials and the warranty and thus recommends this waiver to be approved.

Chairman Crist – I would point out that the board has a Local Labor Policy and that policy in considerable detail has the avenues for a company, a project to request a waiver. So, that policy can be changed going forward, but the policy related to an approved project is the one in force when that project is approved. So, this board needs to abide by that policy and that has various parameters related to the availability as well as the cost differentials and the board, as we are looking at our UTEP changes, may want to reevaluate the Local Labor Policy at a future date, but at the moment we are bound by that policy. We do have a monitor who is specialized in this field of local labor and that company visits these project sites every month. Sometimes more than once a month, confirms who is on site and also helps us document the validity of a waiver request and that has been done in this case with the loading docks as Conor just stated. I would ask for the board's comments, input, consideration.

A discussion was held regarding the waiver request, the warranty terms, the possibility of revisiting the current Local Labor Policy to lower the number of possible exemptions and the terminology in the current policy.

Chairman Crist – We will have Conor report on the Local Labor monthly update while we wait for our secretary to bring us a copy of the Local Labor Policy.

#### Local Labor-Monthly Update

Mr. Eckert reviewed the reports he had previously forwarded to the members. Stewart Holdings Group LLC is nearing completion and is still 100% local labor compliant and on times where Loewke Brill did visit Sailfish, they reported 100% local labor compliant. He then reviewed the September monthly ida report provided by Loewke Brill, Consultant to the ida.

A brief discussion was held regarding construction jobs not under the ida jurisdiction.

#### Consideration of Local Labor Waiver-Project Sailfish

Attorney McLaughlin reviewed the Local Labor Policy language with the board and another discussion was held.

Consideration of Local Labor Waiver-Project Sailfish

Member Santo motioned to grant the Sailfish Local Labor Waiver as requested, seconded by First Vice Chairman Williams. A roll call of the board was taken. All in favor, all ayes, Member Greene and Member Jones voted nay, motion carried.

Second Vice Chairman Dickson and Member Greene then left the meeting.

Executive Director's Report

Mr. Eckert reported on the actions taken by the executive staff during the month of September.

A brief discussion was held on the possible logos provided by Acquisition Marketing.

Financial Report for September 2020

Treasurer Stoddard reviewed the September 2020 financial report.

First Vice Chairman Williams motioned to accept the September 2020 report as presented, seconded by Member Santo. A roll call of the board was taken. All in favor, all ayes, Second Vice Chairman Williams, and Member Greene were absent, motion carried.

Member Jones left the meeting at this time.

Other Business/website and logo update

Mr. Eckert – Regarding the website, the board approved an update for \$1,800.00 for the website. After taking back newer comments from the board and working with the local website firm and based on our new additions it is going to be \$2,100.00.

Treasurer Stoddard motioned to increase the allocation for website design up to \$2,100.00 from \$1,800.00, seconded by Member Santo. All in favor, all ayes, Second Vice Chairman Dickson, Member Greene and Member Jones were absent, motion carried.

No other business was discussed.

Next regular meeting is scheduled for November 10, 2020 and the public hearing for the draft updated Uniform Tax Exemption Policy was extended to October 27, 2020 at 7:00 p.m.

Member Santo motioned to adjourn the meeting, seconded by Vice Chairman Williams. All in favor, all ayes, Second Vice Chairman Dickson, Member Greene and Member Jones were absent, motion carried.

Respectfully Submitted,

Suzanne Hadden, Secretary