



**REGULAR MEETING OF THE  
TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY**

*110 Bracken Road  
Montgomery, New York 12549  
www.montgomeryida.com  
(845) 457-2600*

**September 9, 2023  
1:00 P.M.**

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**PRESENT:**

Jeffrey Crist – Chairman  
J. Thomas Jones – Second Vice Chairman  
Matt Stoddard – Treasurer  
George DeClue – Member  
Robert Santo – Member  
Felicia Kalan – Executive Director TOMIDA  
Ashley Torre – Naughton & Torre LLP  
Jose Rojas – Livestream Services (Acquisitions Marketing)

**ABSENT:**

John Dickson – First Vice Chairman  
Lauren Rowley – Secretary TOMIDA

**NOTE: Conference Call Line – No Calls**

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**AGENDA**

- 1. Call to Order and Declaration of Quorum**
  - 2. Approval of the August 8, 2023 Meeting Minutes**
  - 3. Public Comment on Items on the Agenda**
  - 4. Public Hearing- Hudson Valley Country Club**
  - 5. Consideration for October Public Hearing – Hawkins Drive, LLC**
  - 6. Executive Director’s Report**
  - 7. Financial Report**
  - 8. Procurement Request Discussion and Consideration for Approval**
  - 9. Other Business**
    - a. IDA Fee Form Schedule Discussion & Vote Consideration
    - b. 2024 Budget Proposal Vote
  - 10. Adjournment**
  - 11. Next regular meeting of the Montgomery IDA: October 10, 2023 at 1pm**
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## MEETING

1. Chairman Jeffrey Crist called the meeting to order and introduced the board members in attendance. A quorum was present.
2. A motion was made by Robert Santo to approve the August 8, 2023 meeting minutes, which was seconded by George DeClue. All board members were in favor, none opposed, motion accepted.
3. There were no public comments on items on the agenda.
4. Public Hearing – Hudson Valley Country Club – please see transcript of Public Hearing which is attached to these minutes and were done by Felicia Kalan, Executive Director TOMIDA.

Felicia Kalan: Ashley, can you read the Approving Resolution?

Ashley Torre: This is considered a commercial property since it's promoting employment opportunities and preventing economic determination of the area. As far as the Resolution it classifies Type two action under SEQRA and sales tax exemption not to exceed 289,000 dollars, and then we have Exhibit A expected public benefits, creating 19 full time equivalent jobs, average 5-10 full time construction jobs, private sector investment. Exhibit B: the recapture agreement for example that have to create at least 85% local labor within the construction period identified commencing at the start of the benefits within 3.5 years. So if they are unable to meet any of the 10 items in Exhibit B, the Board has the right to recapture.

Tom Jones: Do we have the opportunity to modify Exhibit B- maintaining that for the life of the PILOT?

Ashley Torre: It's not a PILOT.

Tom Joes: Or whatever the sunset is for the period we are incentivizing.

Ashley Torre: For item number 4- we could maintain.

Felicia Kalan: We can't hold them accountable to anything past the three-year period of the exemption I believe.

Lino Sciarretto: We have a 3.5 year window, we have the opportunity to come back to the Board to extend that in case construction is delayed- are you looking to extend it beyond the 3.5 years?

Ashley Torre: So at least 2 years after exemption?

Jeffrey Crist: So is there something we need to add here?

Ashley Torre: I'll add that language under item 4.

Lino Sciarretto: Ok, we are fine with that.

Jeffrey Crist: Any other thoughts board members? Anything else to consider before voting on the Resolution, comments Ashley or Felicia?

Felicia Kalan: We do have the updated cost benefit analysis for your review as well. It includes the local private benefit as well the 19 employee's salary will go back into the community as they spend those dollars so that's included on the economic benefit as is industry standard.

Jeffrey Crist: Motion to approve Approving Resolution?

A motion was made by Matthew Stoddard to approve the resolution, which was seconded by Robert Santo. All board members were in favor, none opposed, motion accepted. A vote was taken by roll call.

J. Thomas Jones – Aye  
Matthew Stoddard – Aye  
Jeffrey Crist – Aye  
Robert Santo – Aye  
George DeClue – Aye

Chairman Crist stated that 5 were in favor, 1 absent, John Dickson, motion accepted.

Steve Porath: Thank you to the Board and staff, and Orange County appreciate all the public comments appreciate the transparency not only the IDA, it's been a welcoming positive experience coming here and we are looking forward to being your neighbors here for a long-time.

5. Jeffrey Crist stated that the board would be considering an October public hearing for Hawkins Drive, LLC.

Felicia Kalan stated she had spoken to the applicant and we are just waiting for an updated application that would include a tenant.

Ashley Torre stated that the public hearing was originally going to be scheduled for this month, but then the applicant requested that it not be this month, but in October.

Jeffrey Crist stated that the public hearing had been approved in last month's minutes, just not the timing.

Ashley Torre clarified that it had originally been scheduled for September and that public hearing resolution allows for the chairman or Executive Director to set the date, unless the board is prepared and you want to tentatively set the public hearing today for October.

Jeffrey Crist stated that that makes sense at this point.

Ashley Torre stated that the motion would be to schedule the public hearing for Hawkins Drive, LLC for October 10<sup>th</sup> at 1pm or soon thereafter.

A motion was made by Robert Santo, which was seconded by George DeClue. A vote was taken by roll call.

J. Thomas Jones – Aye  
Matthew Stoddard – Aye  
Jeffrey Crist – Aye  
Robert Santo – Aye  
George DeClue – Aye

Motion accepted.

6. Felicia Kalan gave her Executive Director's Report to the board. (See attached.)
7. Matt Stoddard read the April Financial Report to the board. (See attached.)

A motion was made by J. Thomas Jones to approve the financial report, which was seconded by George DeClue. All board members were in favor, none opposed. Motion accepted.

8. Felicia Kalan stated that there were no procurement memos to vote on this month. There will be one to vote on next month as Felicia needs to speak further with Ashley about what types of events the IDA can sponsor.

9. Felicia Kalan stated that there is an updated version of the IDA Fee Form Schedule. Ashley made a very good suggestion of basing the IDA fees on the percentage of abatement value for the sales and mortgage recording tax exemption so it doesn't change the current fee structure we have for our PILOTS in the application. This is solely for if someone applies to us for sales tax as well as mortgage recording tax. The current schedule has it proposed as 10% of the abatement value, which is open to discussion by the board members. If we base it solely on the project cost percentage right now how it is proposed is ½ % of the project cost. What if the project cost that percentage is even more than the exemption is worth so we think this is the best way to address the variability in costs.

Ashley Torre added that it would basically be for any non-PILOT or non-bond projects. It would be for either sale or mortgage recording or both of them. It'll be a more straight forward way to calculate it.

Jeffrey Crist just confirmed that if a project is going for a PILOT as well then everything is encompassed in the PILOT fees.

Ashley Torre confirmed that yes, that is the case.

Felicia Kalan stated that the other change is that the IDA will charge a percentage for refinancing. We've had a few projects that have come back to us and we have never charged for that, while most IDAs do.

Felicia Kalan also stated that there is no rush to vote on this either, people can take time to digest it further.

J. Thomas Jones stated that he felt it would be better to get this done.

Ashley Torre also stated that the one other thing to consider would be when the effective date of this schedule would be. J. Thomas Jones had previously proposed the start of the new year.

Jeffrey Crist stated there was some thought of why wait that long.

J. Thomas Jones added that we make sure we clear any projects that are currently under consideration so it doesn't appear that we are changing the schedule for any one project.

Ashley Torre suggested that it be made effective for any new applications received on or after September 13<sup>th</sup>.

A motion was made by George DeClue to approve the Montgomery IDA amended fee schedule and amended application form that will reflect these new fees and will clearly state that it is for applications received on or after September 13<sup>th</sup>, which was seconded by J. Thomas Jones. A vote was taken by roll call.

J. Thomas Jones – Aye  
Matthew Stoddard – Aye  
Jeffrey Crist – Aye  
Robert Santo – Aye  
George DeClue – Aye

Motion accepted.

Felicia Kalan stated that the 2024 Budget was posted and distributed. Four-year projections were included as are required to include. They are estimated projections. The finance committee decided last month on a 3% escalation. The final projected expenses for fiscal year 2023 was \$196,500 and the proposed projected expenses for next year would be \$203,500. The secretary wages have remained the same for 3-4 years so we're hoping to bump that up. Everything else is really based on the 3% or it remains the same based on projections from this year. The projected revenue for 2023-24 are very rough estimates as to not be presumptuous about projects being approved.

Ashley Torre stated that the motion would be to approve the 2024 Budget and to authorize the Executive Director to file the 2024 PARIS Budget Report.

A motion was made by Robert Santo, which was seconded by J. Thomas Jones. A vote was taken by roll call.

J. Thomas Jones – Aye  
Matthew Stoddard – Aye  
Jeffrey Crist – Aye  
Robert Santo – Aye  
George DeClue – Aye

Motion accepted.

Felicia Kalan read a letter received from Thomas Wutz, thanking the IDA and the board for the wonderful experience and valuable lessons learned during his summer fellowship.

10. J. Thomas Jones made a motion to adjourn the meeting, which was seconded by George DeClue. All board members were in favor, none opposed. Motion accepted.
11. Next regular meeting of the Montgomery IDA: October 10, 2023 at 1pm.

*These minutes were transcribed by Lauren Rowley, Secretary of the Montgomery IDA.*

9/12/2023 Town of Montgomery Industrial Development Agency

Public Meeting  
Tuesday, September 12, 2023

(The meeting commenced at 1:04 p.m.)

Chair Jeffrey Crist: The public hearing is now open and I'd like to welcome the project applicant up to the podium to review this project.

Lino Sciarretto : This is our third meeting with your Board we updated a couple a things on our application working with Counsel, updated the EAF and figures in the application for the Hudson Valley Country Club known as Lake Osiris, the applicant is seeking sales tax exemption only at this point.

Mr. Crist: Can you please give us a summary of the updated application for the project?

Lino Sciarretta: Yes, within the application we provided job information figures with respect to the sales tax exemption 3,731,000 sales tax exemption not to exceed 289,000 in exemptions, and updated the retention of existing jobs, and that sums of the clarification made in respect to the application. We do plan on returning back to the TMIDA as the project progresses to the next Phase.

Mr. Crist: I'd like to open the comment up to members of the public

Don Berger: The last meeting we had a discussion about the sales tax and I asked one of the Board members a question, it's not a public entity but a private course, but they said a portion for wedding venue would be open to the public. One of the board members and I got into the discussion about sales tax- is that for the entire project because we objected to that at the last meeting? I felt that it should only be applicable to what is open to the public. I'm suggesting sales tax be only for the public portion not the private portion.

Felicia Kalan: That amount is for their total project cost, not the total amount of exemption. The sales tax exemption we are giving is not local, it's county, and is the 289,000 amount. That exemption would be for the entire project.

Don Berger: Felicia, you keep mentioning it's County sales tax, that tax comes back to all municipalities, so we need to keep that in mind. Whatever the cost of it is again I'll reiterate I believe should only be for the project public section of the project, give it to that portion that's fine, but not for the whole project.

Felicia Kalan: Appreciate your comments, the 19 additional jobs income tax revenue also helps to offset those costs to the county as a result of any sales tax exemption, the idea of giving the exemption is taking income from those jobs into consideration.

Don Berger: We asked the project to identify those jobs, and when they would be working. I brought up nobody golfs November-April- is that then jobs considered full-time, this Board suggested that they would identify those jobs, and when they would be working. Has that been updated?

Felicia Kalan: 19 jobs- they break it up in the application.

Robert Santo: First year full time jobs, 19 total on page 14.

Felicia Kalan: On page 14 of the application there is a table that outlines jobs.

Don Berger: Can we identify where these jobs are- the catering hall or where? Again, Jeff I mentioned I'm not against, I like sports, I like golf- but it needs to be fair that we use the word public here, public compared to private- give them what you want but make sure it's not private.

Chair Crist- Typically, projects we do encompass a public benefit, but it doesn't mean every resident has the opportunity to access it. That tie into public benefit is that the benefit to the public involves having a viable business that would help pay taxes. The club has been in a state of disrepair, Felicia and I visited a few months ago- so I have to evaluate the whole group of benefits – doesn't mean everybody can go and be a member. I would ask the applicant if they have any other thoughts on this subject?

Steve Porath: I can certainly appreciate where the questions is coming from –when giving a public benefit to a private entity on a high level, Jeff you hit the nail on the head, almost every project is private entity that pays back into the community through jobs and taxes paid- so that rationale is accurate. In respect to your question, the 19 jobs are for golf course and property maintenance, the vast majority are for the clubhouse and facilities- catering jobs weren't listed on the application those are seasonal. Without a viable golf course there is not a clubhouse or catering, that's why they are linked in that regard, wanted to echo that.

Chair Crist- Can I ask how we are going to get the original members of the club and where they might come from?

Steve Porath: We don't have them today, but former members at one point were 300 members and we were down to 50 when we acquired. Members have started to come back after seeing some work that had to be done and the investment making the club better, we are working on marketing efforts to attract new members and I can speak on behalf of the owner, until we have a product to sell, it's not fair to start attracting- we want to make it a community asset. As far as what we've seen plenty



of golfers in Orange County. So, residents of the County and surrounding areas interested could apply.

Chair Crist: That would include marketing to Town of Montgomery residents, correct? So in that fact- there is a public invite- like any other business- you have to pay for what you get- so you aren't excluding Town of Montgomery residents?

Steven Porath: Absolutely not

Robert Sano: Just a question- can you fix that back parking lot?

Steve Porath: Yes that needs to be cleaned up.

Robert Santo: Yes, please put lights on it.

Tom Jones: So, the public benefit is the economic benefit not the ability to play there. We do have the ability to claw back if the 19 jobs aren't created or maintained full-time, we have the right to claw back, correct?

Steve Porath: Yes, you are giving us a benefit and we are in turn giving you our commitment to jobs created.

Jeff Crist- thank you, any other questions- I should have asked do we have any written comments?

Felicia Kalan: No, not at this time

Chair Crist: I have spoken to one of member of the Home Owners Association, he said they support this phase of the project to get it back in operating order and fixed up. I think it shows that we don't have negative comment from them.

Felicia Kalan: We have received several calls over the last few months, the applicant did a good job of answering questions residents have had so far and meeting with the Homeowners Association.

Chair Crist: Ok, I would like to make a motion to close the public hearing for Hudson Valley Country Club

Tom Jones made the motion, seconded by George Declue

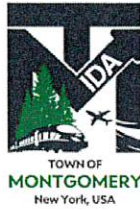
Roll Call Vote:

Tom Jones- Aye  
Matt Stoddard- Aye  
Robert Santo- Aye

George Declue- Aye  
Jeffrey Crist- Aye

Chair: With 5 in favor, 1 absent motion approved, hearing is now closed.

(The proceeding concluded at 1:29 p.m.)



## Executive Director Report September 2023

*This report highlights the ideas, efforts and actions taken by executive staff.*

### Key Actions:

- 8/9- Spoke and gave a powerpoint presentation at Rotary Club on the vision of the MIDA and the current projects we have pending, and also had a Q&A time, mostly well received.
- 8/16- Attended Orange Chamber event featuring Congressman Pat Ryan with small business owners, Q & A session.
- 8/30- Met with Montgomery Business Council Randi Picarello to discuss current IDA projects, Business Council expressed need for more hotels to meet demand
- 8/30- Met with Casey McDonald of the Hudson Valley Resource Center region's only independent oncology resource organization to assist patients regardless of cancer diagnosis, income level or treatment center helping with resources, education and financial assistance.
- 8/30- Bi-monthly meeting with Valley Central School District to review current/pending projects and a general relationship building/touch-base meeting. Superintendent requested to be connected with local businesses and I'm working through making introductions.

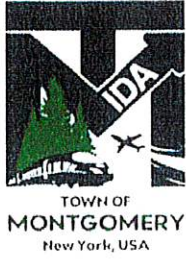
### Matters to take note of:

- UNFI filed for a 1 year extension of Phase 2 with the Town Planning Board for approvals set to expire September 2023.
- TriMontgomery triathlon coming up on October 14, IDA Board voted to sponsor the event and we will be featured as a sponsor on all marketing materials.
- KCE postponed project update to next month's Board meeting
- 9/15- 2nd Annual Orange County Economic Development at SUNY Orange
- 9/20-9/21- Seed to Market Summit hosted by Hudson Valley Venture Hub/Orange County IDA; UrbanXtracts, 43 John Hicks Rd, Warwick NY
- Vision Hudson Valley Agribusiness Tour on September 22
- 2023 Fall IDA Academy Lyons Falls, New York on November 9, 9:00am-4:30 p.m.; great opportunity for incoming Board members to receive training.
- Draft 2024 IDA Budget given to Town Supervisor for 30 day review, approved budget needs to be uploaded into ABO system

### Business Development:

- Attending the Fall Venture Hub Pitch Competition in Kingston on September 27 to connect to local Hudson Valley tech startups.

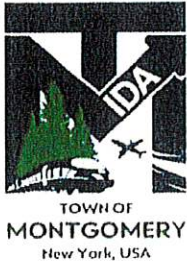
**TOWN OF MONTGOMERY**  
**INDUSTRIAL DEVELOPMENT AGENCY**  
 110 BRACKEN ROAD  
 MONTGOMERY, NY 12549



Monthly Statement  
 8/31/2023

<b><u>PUBLIC FUND MUNI (3366)</u></b>		<b>Orange Bank &amp; Trust</b>
	Checkbook Beginning Balance from last report-----	\$ 17,484.90
<b><u>ADD</u></b>	Deposit-----	
		\$ 17,484.90
<b><u>CHECKS</u></b>		
1830	Thomas Wutz-----23 hrs-----	\$ 416.50
		\$ 416.50
	<b>Checking Account Balance</b>	<b>\$ 17,068.40</b>
<b><u>SAILFISH ESCROW ACCT (8008)</u></b>		
	Checkbook Beginning Balance-----	\$ 3,215.00
<b><u>ADD</u></b>		
<b><u>CHECKS</u></b>		
	<b>Checking Account Balance</b>	<b>\$ 3,215.00</b>
<b><u>KEY CAPTURE ENERGY (4109)</u></b>		
	Checkbook Beginning Balance-----	\$ 1,840.00
<b><u>ADD:</u></b>		
<b><u>CHECKS</u></b>		
	<b>Checking Account Balance</b>	<b>\$ 1,840.00</b>
<b><u>CITY WINERY ESCROW (4112)</u></b>		
	Checkbook Beginning Balance-----	\$ 2,160.00
<b><u>ADD</u></b>		
<b><u>CHECKS</u></b>		
	<b>Checking Account Balance</b>	<b>\$ 2,160.00</b>

**TOWN OF MONTGOMERY  
INDUSTRIAL DEVELOPMENT AGENCY  
110 BRACKEN ROAD  
MONTGOMERY, NY 12549**



Monthly Statement  
8/31/2023

Pg 2 Cont.

**MMDA MUNICIPAL (4593)**

Checkbook Beginning Balance	\$	502,309.44
<b><u>ADD</u></b> Interest-----	\$	362.63
		362.63

**CHECKS**

\$ -

Checking Account Balance

**\$ 502,672.07**

**HUDSON VALLEY COUNTRY CLUB (3062)**

Checkbook Beginning Balance	\$	2,800.00
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**ADD**

**CHECKS**

Checking Account Balance

**\$ 2,800.00**

**PUBLIC FUND- BANK CARD (2940)**

Card Balance-----	\$	4,215.49
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**ADD**

**WITHDRAWAL**

8/2/2023	Google-----	\$	175.16
8/14/2023	Purchase Sign--Orange County-----	\$	45.00
			220.16

Checking Account Balance

**\$ 3,995.33**

**ESCROW ACCOUNT FOR HAWKINS DRIVE (3127)**

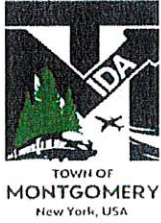
Checkbook Beginning Balance	\$	5,000.00
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**ADD**

Deposit-----		
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Checking Account Balance

**\$ 5,000.00**



**TOWN OF MONTGOMERY  
INDUSTRIAL DEVELOPMENT AGENCY  
110 BRACKEN ROAD  
MONTGOMERY, NY 12549**

**Monthly Statement  
8/31/2023**

Pg 3 Cont.

	<b>8/31/2023</b>	<b>7/31/2023</b>
Orange Bank & Trust (3366)-----	\$ 17,068.40	\$ 17,484.90
Orange Bank & Trust - Sailfish Escrow Acct (8008)-----	\$ 3,215.00	\$ 3,215.00
Orange Bank & Trust Key Capture Energy Escrow (4109)-----	\$ 1,840.00	\$ 1,840.00
Orange Bank & Trust City Winery Escrow (4112)-----	\$ 2,160.00	\$ 2,160.00
Orange Bank & Trust Money Market (4593)-----	\$ 502,672.07	\$ 502,309.44
Orange Bank & Trust Hudson Valley Country Club (3062)	\$ 2,800.00	\$ 2,800.00
Orange Bank & Trust-Public Fund Bank Card (2940)-----	\$ 3,995.33	\$ 4,215.49
Orange Bank & Trust - Hawkins Drive Escrow (3127)-----	\$ 5,000.00	\$ 5,000.00
<b>TOTAL</b>	<b>\$ 533,750.80</b>	<b>\$ 534,024.83</b>

\$	(416.50)
\$	-
\$	-
\$	-
\$	362.63
\$	(220.16)
\$	-
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\$	(274.03)