



**INDUSTRIAL DEVELOPMENT AGENCY
REGULAR MEETING**

TUESDAY, APRIL 23, 2024 – 11:30 A.M.

254 S. MAIN ST., SUITE 410, NEW CITY, NY 10956

LIVE STREAM: https://www.youtube.com/channel/UCxB9rFToOYHVNts_Rb61uzw

Members Present: Tim Riley, Raj Amar, Peg Zugibe, Mark Geller

Staff: Steven Porath, Executive Director; Heidi Vandiver, Operations Manager

IDA Counsels: Dan Birmingham, Esq.; Rudy Zodda, Esq.

Guests: Will Kennelly, Green Development; Brian Quinn, Daniel Yamagishi, Databank Holdings

Noting that sufficient advance public notice had been given and there being a quorum present, the regular meeting of the Rockland County Industrial Development Agency was called to order at 11:30 a.m. by Chair T. Riley

Roll Call:

Present: Tim Riley, Raj Amar, Peg Zugibe, Mark Geller

Call to Order

T. Riley

New Business

- S. Porath presented to the board a summary annual report of the Agency's 2023 activities and project status. He noted that Operations Manager Heidi Vandiver had created the report.

Action Items

- *Inducement Resolution: Green Development*
 - S. Porath introduced the project, which involves the applicant's proposed construction of a senior housing facility in New City, Town of Clarkstown. The applicant is seeking sales and mortgage recording tax exemption, as well as a PILOT.

- W. Kennelly, representing the applicant, provided a detailed overview of the project and status of various municipal approvals.
 - Board members asked a variety of questions regarding the project, including parking facilities and eligibility requirements for residents.
 - Following discussion, a motion to approve the inducement resolution was made by T. Riley, seconded by P. Zugibe. All in favor. Motion passed, 4-0.
- *Authorizing Resolution: Hotel Nyack*
 - S. Porath, with counsel's recommendation, asked that the matter be tabled to a later meeting. He noted that the applicant has not yet completed the SEQR process, which is required prior to authorization.
 - The board agreed to table the matter to a later date.
- *Authorizing Resolution: 1547 Realty*
 - S. Porath introduced the matter, which involves the applicant's request for sales tax and mortgage recording tax exemption, and a PILOT, for the expansion of the applicant's existing facility.
 - He noted that a public hearing had been held and there was no public comment.
 - Following discussion, a motion to approve the inducement resolution was made by R. Amar, seconded by P. Zugibe. All in favor. Motion passed, 4-0.
- *Amended Authorizing Resolution – Champlain Hudson Power Express*
 - S. Porath and counsel R. Zodda discussed the amended resolution and explained that the resolution specifically clarifies the process for the assumption of benefits to another entity.
 - Following discussion, a motion to approve the resolution was made by T. Riley, seconded by M. Geller. P. Zugibe recused herself due to a conflict of interest. Motion passed, 3-0, with 1 recusal.
- *Amended Authorizing Resolution – Databank Holdings*
 - S. Porath introduced the matter, which involves the company seeking mortgage recording tax exemption on anticipated project financing. He noted that Databank is an existing IDA project currently under construction. Noting that the company had not requested the incentives at the time of the initial approval, he asked Databank's representatives to explain the reason for the request to the board.
 - B. Quinn, representing Databank, discussed financial circumstances that have arisen (since the project started) that have spurred the request.

Executive Session

- A motion to enter into executive session to discuss legal matters with counsel regarding the matter was made by T. Riley, seconded by P. Zugibe. All in favor, motion passed, 4-0.
- Executive session ended and the public meeting resumed.

- Following discussion, a motion was made by T. Riley, seconded by P. Zugibe, to consider the motion. The motion failed to pass, 0 ayes – 4 nays.
- *Amended Inducement and Authorizing Resolutions – JPMC Datacenter II*
 - S. Porath explained that the amended resolutions clarified the project structure and relationship with an existing datacenter (located on the same tax parcel), and which is also an existing IDA project.
 - Following discussion, the board took two actions:
 - A motion to approve the amended inducement resolution was made by T. Riley, seconded by P. Zugibe. All in favor. Motion passed, 4-0.
 - A motion to approve the amended authorizing resolution was made by P. Zugibe, seconded by R. Amar. All in favor. Motion passed, 4-0.
- *Resolution – Labor Policy Compliance*
 - S. Porath asked that the board consider adopting proposed changes to the Agency’s local labor policy.
 - Specifically, the changes clarify procedures in the event of non-compliance and subsequent action by the board, including project termination and incentive recapture.
 - A motion to adopt the revised policy as presented was made by P. Zugibe, seconded by R. Amar. All in favor. Motion passed, 4-0.

New Business (cont.)

- The board reviewed the monthly labor reports.
- S. Porath updated the board on the status of updating the Agency (and REAC) logos.

Executive Session

- A motion was made by T. Riley, seconded by R. Amar, to enter into executive session to discuss legal matters with counsel.
- Public meeting resumed.

Old Business

- There was no old business.

Treasurer’s Report

- Review of the March financial report was tabled until the May 2024 board meeting.

Minutes of the meeting were read by S. Porath and approved by members.

There being no other business, the meeting was adjourned.