

Columbia County Industrial Development Agency

MINUTES Draft COLUMBIA COUNTY INDUSTRIAL DEVELOPMENT AGENCY Full Board Monday, September 11, 2023

A Special meeting of Columbia County Industrial Development Agency’s Board was held Monday, September 11, 2023 in person, and accessible to the public via Zoom. The meeting was called to order at 8:44 am by Carmine Pierro, Chair.

Attendee Name	Title	Status	Arrived
Nina Fingar-Smith	Secretary	Absent	
Robert Galluscio	Treasurer	Present in person	
William Gerlach	Board Member	Present in person	
Brian Keeler	Board Member	Absent	
Carmine Pierro	Chair	Present in person	
Rick Rector	Board Member	Present in person	
Sarah Sterling	Vice-Chair	Present in person	
Andrew Howard	Counsel	Present in person	
A Joseph Scott	Bond Counsel	Present via Zoom	
Jeremy Selman	Project Principal	Present via Zoom	
Gabriel Katz	Project Principal	Present via Zoom	
Sean Rowland	Project Principal	Present via Zoom	
Phil Borelli	Project Attorney	Present via Zoom	
F. Michael Tucker	President/CEO	Present in person	
Jessica Gabriel	Vice President of Economic Development	Present in person	
Chris Brown	Housing Development Coordinator	Present in person	
Martha Lane	Vice President of Business Development	Absent	
Stephen VanDenburgh	Business Development Specialist	Present in person	
Cat Lyden	Bookkeeper	Present in person	
Riley Werner	Administrative Assistant	Present in person	
Lisa Drahushuk	Administrative Supervisor	Present in person	

Minutes June 6, 2023:

Mr. Galluscio made a motion, seconded by Ms. Sterling to approve the minutes of June 6, 2023 as presented. Carried.

41 Cross Street/The Wick:

Mr. Tucker reviewed the original project and the process that was followed by the City IDA and the County IDA. He noted that a new request had been received from the original applicant as well as the new applicant, HN MacArthur 41 Cross Street Owner, LLC. He noted they were seeking an assignment of the project documents to the new entity. Mr. Tucker asked Mr. Scott to explain the documents and the process.

Mr. Scott reviewed the requirements of the initial documents, noting the original applicant was required to undertake, complete the project and operate the project. He noted they had done so. He stated conversations between the original applicant and the new applicant had taken place with the new applicant wishing to acquire the project, including the IDA benefits. He noted the original IDA documents, provided for an assignment and a conveyance of the documents, dependent upon the review and consent of the IDA after review and due diligence of the new entity. He noted as part of the review the new entity had completed an application which provided the details necessary for a complete review and determination by the IDA. He noted the resolution prepared by his office, if adopted would express the IDA's consent to the new entity, and provides for the assignment and assumption of the current IDA documents by the new entity, thereby allowing the new entity to "step into the shoes" of the existing project owner. He stated this allows the transfer of the rights and obligations of the project to the new owner, while keeping the project the same as it was under the previous owner.

Mr. Tucker asked Mr. Selman to introduce himself and his partners. Mr. Selman introduced himself and his partners, Gabriel Katz and Sean Roland. He stated their intent was to acquire and continue to operate the project. He stated they were also involved in the Pocketbook Factory project. He gave a brief overview of his background including his experience in the lifestyle/boutique hotel sector. He introduced Phil Borelli, their attorney.

Mr. Tucker stated the group would be taking over the project with 4 remaining years of the PILOT, as well as the mortgage recording tax exemption. Mr. Pierro asked if they planned on adding to the building. Mr. Selman stated after a number of years the building will require some updating, which was required by their affiliation with the Marriott flag. Ms. Sterling asked about the number of employees and the training program and the mortgage recording tax. Mr. Selman stated he was unsure of the exact number of employees at present. Mr. Scott noted the previous agreements would be maintained through the change in ownership as provided by the previously executed documents.

Mr. Selman asked Mr. Rowland to discuss the employee training portion. Mr. Rowland described the process they would be following with the Hudson IDA at the Pocketbook Factory project and stated the same would be done for The Wick project. He stated they would be working with the local resources in the process. He noted they were in the beginning stages.

Mr. Tucker confirmed that there were clawbacks in the initial documents. Mr. Scott stated he could update the documents to reflect the change in the employee training reflecting the new ownership. He stated all responsibilities would transfer from the old applicant to the new applicant, thereby taking the former owner out of the situation. Mrs. Gabriel stated jobs were reported yearly under the original owner.

Mr. Rector stressed the importance of a PILOT. He thanked the new applicant and noted the current owner had done a wonderful job with the project. He asked if there was a need for an extension of a PILOT on the project, asking if the sale of the property was dependent upon the PILOT. Mr. Selman stated it was. Mr. Rowland stated the PILOT would allow them to plan for capital improvements and provide for robust management. Mr. Tucker stated the City IDA had been consulted prior to bringing it to the County IDA Board.

Mr. Tucker reviewed the Resolution with the Board. Ms. Sterling suggested going into Executive Session to discuss the personal financial history of the applicant. *Ms. Sterling made a motion to enter Executive Session, seconded by Mr. Rector, with all present voting in favor. Executive Session was entered into at under Section 105.1.f. to discuss: the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Executive Session*

Columbia County Industrial Development Agency

was entered at 9:12am. Executive Session was exited at 9:24am on a motion by Mr. Rector, which was seconded by Mr. Galluscio.

Mr. Pierro called for a role call vote on the resolution consenting and authorizing the execution and delivery of documents with respect to the assignment and assumption of the 41 Cross Street Hospitality LLC Project. Mr. Gerlach made a motion, seconded by Mr. Rector to approve the resolution.

Member Name	Title	Yes	No	Absent
Nina Fingar-Smith	Secretary			X
Robert Galluscio	Treasurer	X		
William Gerlach	Board Member	X		
Brian Keeler	Board Member			X
Carmine Pierro	Chair	X		
Rick Rector	Board Member	X		
Sarah Sterling	Vice-Chair	X		

The resolution was approved unanimously.

With no public comment or further business, Mr. Galluscio made a motion, seconded by Ms. Sterling to adjourn the meeting. The meeting adjourned at 9:29am.

Respectfully submitted by Lisa Drahushuk