


**NEWBURGH**  
**IDA**   
**INDUSTRIAL DEVELOPMENT AGENCY**  
**BOARD OF DIRECTORS MEETING**  
Minutes of June 30, 2025

The Board of Directors of the City of Newburgh IDA met on Monday, June 30 at 6:40 pm at 401 Washington Street, Newburgh, NY 12550.

Present:

Board Members: Michael Nepl, Chair  
Vickiana DeMora, Treasurer  
Alexandra Church, Vice Chair  
Sharonda Powell, Secretary

Staff: Cherisse Vickers, Executive Director  
Adriana Huaynalaya, Financial Administrator

Counsel: Robert McLaughlin, Esq., Whiteman Osterman & Hanna LLP

Guests: Michelle Rider, Catania, Mahon & Rider

1. **Roll Call:** Michael Nepl, Chair called the meeting to order at 6:40 pm. A quorum was declared to be met.

2. **Proof of Meeting Notice:** Michael Nepl, Chair observed that the Notice of the meeting was properly sent and accepted.

3. **Reading and Approval of May 19, 2025, Meeting Minutes:**

Meeting Minutes from the Board meeting of May 19, 2025, were distributed to the Board via e-mail.

**Motion to approve May 19, 2025, meeting minutes as presented:**

Ms. Church: Motion to approve the minutes

Ms. DeMora: Motion seconded

**VOTE: Unanimously passed**

4. **Report of the Treasurer; Approval of Payment of Bills:**

Vickiana DeMora presented the May Treasurer's Report to the Board. Ms. Vickers brought to the attention of the Board for the account ending in 6521 Check #1016 was made out to Whiteman Osterman & Hanna not Brookfield Properties. The treasurer's report will be updated to reflect this.

**Motion to approve May 2025 Treasurer's Report**

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

**VOTE: Unanimously passed**

**Motion to approve May 2025 Bill Payments**

Ms. Church: Motion to approve (Checks 1348, 1349, 1351, 1352, 1353, 1354, 1355)

Ms. DeMora: Motion seconded

**VOTE: Unanimously passed**

5. **Report of the Chair:**

Mr. Nepl noted the successful completion of the first half of the year, commending the Board on the great work accomplished over the past several months. The Chair reminded the Board that there will be no scheduled meetings in July or August due to the summer schedule. However, a special meeting may be convened if necessary. Mr. Nepl also shared with the Board that there will be a groundbreaking ceremony for the Brookfield project on July 16, 2025, hosted by the Orange County Partnership. The Agency is looking forward to this event. Ms. Church asked about the contract for press releases. Ms. Vickers clarified that the Agency did not renew the prior PR contract but still uses a service for website updates and offered to obtain a quote if there is renewed interest. Mr. Nepl supported issuing a press release for the Brookfield event and this event is one the Agency should ideally have hosted; however, he is pleased to partner with Conor and the Orange County Partnership this time. Ms. Vickers mentioned that the Agency has a MailChimp account used for distributing newsletters and confirmed that a newsletter can be drafted and sent.

6. **Counsel's Report:**

Mr. McLaughlin reported progress on two major projects:

- FSH Hotel Project: There is communication with the attorney indicating movement toward financing with a goal of closing by the end of Q3 2025.

- 104 Washington Street Project: There is advancement with documentation and expected to close in July.

Mr. McLaughlin also shared with the Board the resignation of David Craft, a valued colleague who left due to family obligations out of state. Mr. McLaughlin expressed his appreciation for Mr. Craft's contributions and hopes for his potential return. In positive news, Catherine Kemp, a former associate who had previously worked on Agency matters, has returned to the firm after a short tenure at another practice. Ms. Kemp expressed interest in resuming work with the Agency and may begin attending meetings in the Fall.

7. **Executive Director's Report:**

Ms. Vickers indicated she had no new major updates to report. The executive director noted that the work of the Agency continues throughout the month, and she looks forward to seeing everyone in September.

8. **New Business:**

*Resolution # 2025-06-30-01 SEQRA Resolution – Shaw Building L. P.*

Mr. McLaughlin introduced the resolution, noting the Planning Board is the designated lead agency and had issued a negative declaration.

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neppl: Yes

Ms. Church: Yes

Ms. DeMora: Yes

Ms. Powell: Yes

**VOTE: Unanimously passed**

*Resolution # 2025-06-30-02 Commercial/Retail Findings -Shaw Building L.P.*

Mr. McLaughlin explained the project. Though it is primarily residential, the project includes commercial elements needed to support daily life.

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neppl: Yes

Ms. Church: Yes  
Ms. DeMora: Yes  
Ms. Powell: Yes

**VOTE: Unanimously passed**

*Resolution # 2025-06-30-03 Deviation Approval Resolution – Shaw Building L.P.*

Mr. McLaughlin described how the statutory notice and a public hearing (above and beyond requirement) had been completed, with no objections received.

Ms. Church: Motion to approve  
Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neppl: Yes  
Ms. Church: Yes  
Ms. DeMora: Yes  
Ms. Powell: Yes

**VOTE: Unanimously passed**

*Resolution # 2025-06-30-04 Approving Resolution – Shaw Building L.P.*

Mr. McLaughlin stated the applicant's submission indicated that more than 30% of activity at the site would be retail, which would have required prior approval by the highest elected official before the Agency could proceed with the resolution. The applicant later submitted an amended application, reducing projected retail activity to approximately 17%, bringing it below the threshold that triggers the elected official's approval requirement. The Agency's consultant, MRB, was asked to rerun the cost-benefit analysis and test of reasonableness based on the amended application. MRB confirmed that the reduction in retail activity did not impact either the cost-benefit analysis or the reasonableness findings. It was noted that the draft resolution contained errors in two key tax benefit amounts: Mortgage Recording Tax Exemption should be corrected to \$304,183 and Sales Tax Exemption should be corrected to approximately \$585,000. These revised figures should appear in the final resolution. The process for adjusting sales tax or mortgage recording tax exemptions is simple, unless the Agency chooses to modify the exemptions. Mr. McLaughlin noted that the actual mortgage recording tax benefit might be less than \$304,183 due to the site being in a transportation district, which affects the exemption rate. If the applicant uses less than the full \$585,000 sales tax exemption, no further action is needed. If the applicant requires more, they must return to the Agency to request an increase, which is typically granted, though final approval lies with the Board. The executive director will monitor usage to ensure compliance and respond if adjustments are needed.

Michelle Rider, counsel to the applicant, addressed the Board to confirm certain details related to the first three resolutions under discussion. Ms. Rider noted that there had been some back and forth regarding the approving resolution, but her focus was to

ensure the accuracy of the first three resolutions. Ms. Rider requested confirmation of details such as square footage and other project data, suggesting that there may have been minor errors in the draft versions. Mr. McLaughlin responded by stating that, to his understanding, all relevant figures and corrections had already been included in the documents and added that he would send the information to Ms. Rider later that evening so she could double-check and confirm the accuracy.

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neppl: Yes

Ms. Church: Yes

Ms. DeMora: Yes

Ms. Powell: Yes

**VOTE: Unanimously passed**

*Resolution #2025-06-30-05 Nunc Pro Tunc CD Renewal*

Ms. Vickers clarified this resolution retroactively renews the CD as of April 19 and noted that the term was three months, renewing in August.

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neppl: Yes

Ms. Church: Yes

Ms. DeMora: Yes

Ms. Powell: Yes

**VOTE: Unanimously passed**

*Resolution #2025-06-30-06 UTEP Public Hearing*

Mr. McLaughlin summarized the updated UTEP including the new 15-year PILOT schedule for priority sectors, front-loaded financial incentives geared toward sectors like lodging and cannabis, and job quality requirements (e.g. living wage).

Mr. Neppl briefly highlighted the key updates to the draft document, particularly for the public's understanding. The most significant change involves the addition of a Priority Sector/Outcome PILOT schedule, which proposes a 15-year PILOT (Payment In Lieu of Taxes) structure. This new structure is designed to introduce financial incentives, especially targeting businesses in priority sectors. The goal is to attract businesses that contribute to the City's revenue outside of property taxes, such as those involved in the cannabis industry, which generate income through occupancy and cannabis taxes. This

structure is intended to shift the City's revenue streams while also encouraging investment and job creation. The outcome-based incentives would be tied to the creation of a defined number of full-time equivalent positions and at least 75% of those positions paying a living wage.

Ms. Church expressed support for the incentive structure, noting that it effectively targets what is technically a small business, though she described it as medium-sized in practical terms. Ms. Church acknowledged the suggestion to increase the number of jobs while reducing the overall wage level but disagreed with that approach. Ms. Church emphasized the importance of supporting quality jobs, referencing the MIT living wage benchmark of \$26.15 per hour (approximately \$52,000 per year). Ms. Church stated that the City should not be incentivizing jobs that pay below that threshold.

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neapl: Yes

Ms. Church: Yes

Ms. DeMora: Yes

Ms. Powell: Yes

**VOTE: Unanimously passed**

*Resolution #2025-06-30-07 Expiration of Approving Resolution and Withdrawal of Financial Assistance for the 191 Washington Street LLC Project*

Mr. McLaughlin noted the project never closed within the 24-month period, activating the recapture clause and terminating prior approval; nevertheless, agency and legal fees are due.

Ms. Church: Motion to approve

Ms. DeMora: Motion seconded

A roll call was taken for the vote.

Mr. Neapl: Yes

Ms. Church: Yes

Ms. DeMora: Yes

Ms. Powell: Yes

**VOTE: Unanimously passed**

9. **Old Business:**

Ms. Church inquired about the publication process for the draft UTEP (Uniform Tax Exemption Policy), noting that she had received requests from the public regarding access to the document. Mr. McLaughlin responded by outlining the standard public notification procedures and offered additional suggestions to ensure transparency and

accessibility. The draft UTEP policy itself should be made publicly available, not just the notice. Printed copies should be available at the Agency’s office for those who request them, a cover letter and the policy should be sent directly to the taxing jurisdictions. Mr. McLaughlin emphasized that the specific method of distribution beyond these steps is ultimately at the discretion of the Board and the executive director, but the priority is to ensure broad access and visibility. Mr. McLaughlin added that the UTEP is, for lack of a better term, the “bible” guiding future decisions, so it is critical that as many people as possible see it. The broad circulation encourages valuable public feedback—both positive and negative—which can strengthen the policy.

10. **Adjournment**

A motion to adjourn was made by Ms. Church and seconded by Ms. DeMora. Unanimously passed at 7:14 pm.

DRAFT