

UPSTATE EMPIRE STATE DEVELOPMENT CORPORATION

at the offices of
Empire State Development
633 Third Avenue
New York, New York 10017

Meeting of the Directors

Thursday

November 15, 2018 – 9:00 a.m.

AGENDA

FOR CONSIDERATION

I. CORPORATE ACTION

- A. Approval of the Minutes of the April 19, 2018 Directors' Meeting

II. PROJECT

MID-HUDSON REGION

- A. Liberty (Mid-Hudson Region - Sullivan County) – Catskill Food Hub Capital – Upstate Regional Blueprint Fund (Capital Grant) - Affirmation of the Directors April 19, 2018 Findings and Determinations Pursuant to Sections 10(g) and 16(q) of the Act; Affirmation of the General Project Plan; Authorization to Make a Grant and to Take Related Actions

Item I. A.

DRAFT – SUBJECT TO REVIEW AND REVISION

UPSTATE EMPIRE STATE DEVELOPMENT CORPORATION

Meeting of the Directors
Held at the New York City Regional Office
633 Third Avenue
New York, New York 10017

April 19, 2018

MINUTES

**In Attendance
Directors:**

Howard A. Zemsky (Acting Chair)
Hilda Rosario Escher

**Present for Upstate
ESD:**

Debbie Royce, Acting Corporate Secretary

Present for ESD:

Edwin Lee, Vice President – Economic Incentives
Meghan Taylor, Director – Mid-Hudson Regional Office

Also Present:

The Press
The Public

The meeting of the Upstate Empire State Development Corporation, a wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development (“ESD”), was called to order at 9:03 a.m. by Acting Chair Zemsky. It was noted for the record that notices to the public and news media of the time and place of the meeting had been given in compliance with the New York State Open Meetings Law.

First, Acting Chair Zemsky noted that the public is free to comment on any matters on

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the Agenda.

Next, Acting Chair Zemsky set forth the guidelines regarding comments by the public on matters on the Agenda as well as with regard to any conflicts of interest the Directors may have with regard to items on the Agenda. No conflicts were noted.

The Acting Chair then called for a motion to approve the Minutes of the July 21, 2016 Directors' meeting. Upon motion duly made and seconded, the following resolution was unanimously adopted:

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE JULY 21, 2016 MEETING OF THE DIRECTORS OF THE CORPORATION FOR UPSTATE EMPIRE STATE DEVELOPMENT CORPORATION

RESOLVED, that the Minutes of the meeting of the Corporation held on July 21, 2016, as presented to this meeting, are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Corporation.

* * *

The Acting Chair then asked Meghan Taylor, the Director of the Mid-Hudson Regional Office to present the one item on the Agenda for the Directors' consideration.

Ms. Taylor explained that the Directors are being asked to approve an Upstate Regional Blueprint Fund grant in the amount of \$120,000 to Catskill Food Hub Capital to be used to complete construction of a 5,000 square-foot facility to house the Catskill Food Hub on a property in the Town of Liberty in Sullivan County.

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Ms. Taylor noted that this project will provide a County sponsored distribution hub and will enable farm products to get to markets faster.

Ms. Taylor further noted that this will also provide a free web match making service to connect producers and consumers along with express service delivery options to transport products.

Lastly, Ms. Taylor stated that the project will be overseen by a not-for-profit formed by the IDA called the Sullivan Catskill Regional Food Hub, who will hire a director to provide assistance to Hub users and develop and expand distribution routes.

Following the full presentation, the Acting Chair called for questions or comments. Director Escher asked for clarification regarding the non-profit and if it is being created or if the Catskill Food Hub is a non-profit.

Mrs. Taylor confirmed that the non-profit has already been created.

The Acting Chair then called for any further questions or comments. Hearing none, and upon motion duly made and seconded, the following resolution was unanimously adopted:

Liberty (Mid-Hudson Region – Sullivan County) – Catskills Food Hub Capital – Upstate Regional Blueprint Fund (Capital Grant) – Findings and Determinations Pursuant to Sections 16-q and 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Catskills Food Hub Capital -- Upstate Regional Blueprint Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to County of Sullivan Industrial Development Agency a grant for a total amount not to exceed Three Hundred and Twenty Thousand Dollars (\$320,000) from the Upstate Regional Blueprint Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Upstate Regional Blueprint Fund (Capital Grant) – Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Catskills Food Hub Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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There being no further business, the meeting was adjourned at 9:06 a.m.

Respectfully submitted,

Debbie Royce
Acting Secretary

Item II. A.



FOR CONSIDERATION

November 15, 2018

TO: The Directors

FROM: Howard A. Zemsky

SUBJECT: Liberty (Mid-Hudson Region-Sullivan County) – Catskills Food Hub Capital – Upstate Regional Blueprint Fund (Capital Grant)

REQUEST FOR: Affirmation of the Directors April 19, 2018 Findings and Determinations Pursuant to Sections 10(g) and 16(q) of the Act; Affirmation of the General Project Plan; Authorization to Make a Grant and to Take Related Actions

I. Background

At their meeting on April 19, 2018, the Upstate Empire State Development Corporation (“UESD”) Directors made findings and determinations for the Catskills Food Hub Capital Project (the “Project”) authorizing a \$320,000 grant to the County of Sullivan Industrial Development Agency (the “IDA” of the “Agency”) for a portion of the project cost of infrastructure improvements at 92 Commerce Drive to repurpose the property for the Catskills Food Hub (“Hub”).

A public hearing for the Project was held at the Village of Liberty-Village Hall, Courtroom, Municipal Building, at 167 North Main Street, Liberty on Monday, May 14, 2018, from 2p.m. to 3 p.m. to consider the General Project Plan (“GPP”). UESD arranged the public hearing in accordance with all statutory requirements and applicable ESD policy. Specifically, a legal notice was published in the *Sullivan County Democrat* on May 4, 2018. The GPP was available at the office of the Sullivan County Clerk, the Village of Liberty Clerk, as well as the principal office of the Corporation.

One individual spoke in favor of the Project and one individual spoke against the Project. Negative testimony from this individual at the hearing ranged from the need for a red meat processing facility, newspaper used to publish the legal notice, search for a red meat facility operator, terms of red meat facility lease vs. terms of food hub lease, and Agency transparency. As such, the Project is required to be brought back to the Directors for final action. A transcript of that hearing is attached herewith.