

May 20, 2020 IDA Special Meeting Transcript

Sarah Lee: Good morning. We are going to begin the special IDA May 20 meeting. Before I hand the meeting over to Mark Doyle, who will be presiding over the meeting this morning, I ask everyone to mute their Zoom and their phones to improve the audio quality and that when you do speak to please state your name before you say your statements for both the transcription and the minutes. It will be helpful that way. So, the board meeting this morning is to review the proposed resolution to consider the 23-28 Creek Drive LLC project. It came to our attention that we inadvertently omitted the resolution from the board packet at the May 13 meeting. In our continued efforts to work transparently, the Chairman asked us to hold a special meeting to review this matter again. I apologize for any inconvenience this has caused and thank the board for their flexibility. So with that, Mark, if you'd like to ask Jasmin for roll call.

Mark Doyle: Yes. Good morning, Jasmin would you take the roll call, please.

Jasmin Haylett: Yes, sure. Tim Dean

Jasmin Haylett: Mark Doyle
Mark D, Yes, Here

Jasmin H: Kathy Bauer

Jasmin H: Stacey Langenthal
Stacey Langenthal, Here

Jasmin H: Jamie Piccone
Jamie Piccone, Here

Jasmin H: Don Sagliano
Don Sagliano, Here

Jasmin H: Al Torreggiani
Al Torreggiani Here

Jasmin H: Thank you

Mark Doyle: Thank you. Second item. Can we have any conflict of interest disclosures? Is that somebody's making a statement?

Sarah Lee: I don't see anyone. No one is indicating any conflict.

Mark Doyle: All right and a proof of meeting notice

Sarah Lee: Yes, the meeting notice was posted on Friday, May 15

Mark Doyle: Excellent, are there other any bills and communications that we should talk about?

Sarah Lee: No. We did receive emails last evening and this morning which had been forwarded to the board this morning in regards to this morning's project. So that is the only communications that we have received.

Mark Doyle: Great and minutes from the last meeting.

Sarah Lee: Due to the timing of this meeting, the minutes from the last meeting are not ready for the board's review and approval but will be at the next meeting.

May 20, 2020 IDA Special Meeting Transcript

Mark Doyle: So we will approve them at the next meeting. And I'm assuming that the report of the treasurer is essentially the same as the last meeting's report, we will skip over that for the next meeting. No committee reports, I'm assuming?

Sarah Lee: Correct, no committee reports.

Mark Doyle: All right, which brings us to consideration of the final resolution for the 23-28 Creek Drive project. Would you like to take it from there, Sarah?

Sarah Lee: Yes, I am going to pass it over to Don Cappillino who will give us some words on what the board is considering this morning.

Donald Cappillino: What you have before you is the denominated the amended/ reconsidered final authorizing resolution on the Creek Drive project. You heard Sarah's explanation as to why the board is meeting, I think you have some newly filed information. Some emails that did come in that Sarah spoke to, and all the board acknowledged they received those emails, correct? So I believe the proper way to proceed would be to entertain a motion to rescind the May 13 meeting if you want to do that. If you don't want to do that and if no one's willing to make a motion to rescind then you should entertain a motion to denominate this resolution as a supplemental final authorizing resolution because this indicates for the record, the board's offering the public an additional opportunity to comment on the project. So I would suggest you first consider whether or not anybody wants to rescind, Don Sagliano.

Don Sagliano: I want to get recognized by acting Chairman Doyle please.

Mark Doyle: Yes, please go ahead, Don

Don Sagliano: Thank you acting chairman. I would like to make a motion to reconsider the motion that we voted on at the May 13 meeting for purposes of the reconsideration of the final resolution which IDA counsel has referred us to.

Mark Doyle: Excellent, do I have a second that motion?

Kathy Bauer: This is Kathy Bauer, I'll make a second.

Mark Doyle: All in favor of the motion as stated by Don Sagliano.

Sarah Lee: We'll take a roll call Jasmin if you can do a roll call vote.

Jasmin H: Yes, Tim Dean

Jasmin H: Mark Doyle
Mark Doyle, In favor

Jasmin H: Kathy Bauer
Kathy Bauer, Approved

Jasmin H: Stacey Langenthal
Stacey Langenthal, Approved

Jasmin H: Jamie Piccone
Jamie Piccone, Approved

May 20, 2020 IDA Special Meeting Transcript

Jasmin H: Don Sagliano
Don Sagliano, Approved

Jasmin H: Al Torreggiani
Al Torreggiani, Approved

Jasmin H: Thank you

Mark Doyle: Very good. So then the next phase will be to reconsider, I guess is the language, Don, I think just to clarify what happened was Don wanted to reconsider and you're not rescinding the proper one you're trying to approve this resolution that's before you and I think Don Sagliano when you made that motion that's what you intended. That this one before us is the one that's being considered and that's what you voted on that, correct?

Don Sagliano: Yes, Counsel Cappillino, my intention was to make a resolution to rescind the resolution adopted on May 13 and to consider the resolution as presented within our agenda and board packet in front of us. If that was incorrect or if I used the incorrect terminology or wording, please give us any advice or if we need to alter anything.

Donald Cappillino: Okay. to clarify, for the record, what I was trying to make clear was that it was not to rescind, but to treat this as a supplemental resolution because there is no reason to rescind it if there is nothing in the additional information you receive that would cause you to back off of your prior determination, but you want to add this edition, the supplemental resolution, so that you can then make a record of the board's offering the public additional time to make responses and you consider those additional responses.

Mark Doyle: Okay, so just hold up a second. Then Sarah the language that we just put forward in the motion is perhaps vague. Don and Sarah do you want us to restate the motion?

Donald Cappillino: When you say Don, I don't know if it is Don Sagliano.

Mark Doyle: Don Cappillino, sorry.

Donald Cappillino: I think for clarity sake, you might for the record, make this entirely clear and I see that chairman Dean has joined. You want to at this point make a motion to reconsider what you just did so that you can clarify exactly what this vote is on. I will again repeat what I think you were trying to do and that is that if there is no one in favor of rescinding the prior resolution you passed on May 13 based upon the new information you received from the public and you have no other reason to rescind then you would not rescind that May 13 resolution, but in fact there being no motion to rescind or no rescission then you would consider this resolution before you denominated instead as a supplemental resolution so that the supplemental resolution would include the additional language here to show that the board is making a record of offering the public additional time to make comments and you did receive some and you considered those comments.

Mark Doyle: Right, so I think that's clear. Thank you, Don Cappillino. So in order to clarify, do we first need to annul this decision that we've just made in order to restate it?

Donald Cappillino: I think it just for the record, to make it clear, why don't someone make a motion to rescind what you approved so that you can start it all over again.

Mark Doyle: Okay, I think perhaps before we go and do that to open up the discussion to the rest of the board because Tim Dean has just joined us, and I don't know whether you would like to take over at this point again. Any other comment from the board? Don Sagliano where do you stand on the process, right now?

May 20, 2020 IDA Special Meeting Transcript

Sarah Lee: Tim Dean you're on mute. There you go.

Tim Dean: Can you hear me?

Sarah Lee: Yes

Tim Dean: Okay, I'm going to suggest Mark that you continue leading the meeting since I arrived late due to some technical difficulties here. I'm still having trouble hearing the sound, so I think since you started it, I'm going to ask you to continue.

Mark Doyle: Okay, sorry, we've already wound ourselves up, but we'll try to unwind and get restarted. Don Sagliano where do you stand on rescinding the motion that we just made?

Donald Cappillino: You can reconsider

Mark Doyle: To reconsider

Don Sagliano: Okay, Don Sagliano, I make a motion to reconsider the previous resolution and motion that was just made ten minutes ago. Is that the correct wording Counsel Cappillino?

Don Cappillino: Yes it is

Mark Doyle: I'm sorry you were a bit faint counsel, did you say yes?

Donald Cappillino: Yes, I did.

Mark Doyle: Great, and Can I get a second?

Stacey Langenthal: Stacey Langenthal second

Mark Doyle: Thank you and all in favor. Will you take a Roll call, please? Jasmin are you able to take a roll call?

Jasmin H: Yes, Tim Dean

Tim Dean: I'm going to abstain because I did not participate in the discussion.

Jasmin H: Mark Doyle
Mark Doyle Approved

Jasmin H: Kathy Bauer
Kathy Bauer, Approved

Jasmin H: Stacey Langenthal
Stacey Langenthal, Approved

Jasmin H: Jamie Piccone
Jamie Piccone, Approved

Jasmin H: Don Sagliano
Don Sagliano, Approved

May 20, 2020 IDA Special Meeting Transcript

Jasmin H: Al Torreggiani
Al Torreggiani, Approved

Jasmin H: Thank you

Mark Doyle: Thank you, all right, so counsel now we need to make a motion, correct?

Donald Cappillino: I think right now it appears that no one who wants to make a motion to rescind the May 13 resolution, is that correct? The May 13 resolution stay in place and instead consider this proposed resolution as a supplemental resolution to the May 13 resolution.

Mark Doyle: If I may just add to what you said previously, since there is no new information that would make us change the facts regarding that resolution, we can regard the one in front of us as supplemental to the decision we made last week.

Don Cappillino: Correct

Mark Doyle: Good, so do we have a motion to make a supplemental motion to the May 13 vote?

Al Torreggiani: Al Torreggiani, I'll make that motion.

Jamie Piccone: I'll second that motion.

Sarah Lee: That's Jamie Piccone who second the motion.

Donald Cappillino: And for discussion purposes, you're saying that the proposed resolution before you will be denominated as a supplemental final authorizing resolution on this project?

Al Torreggiani: Al Torreggiani, That is correct.

Mark Doyle: That sounds exactly right. Good, Don can you just state that language once again, Don Cappillino, for the record, as close as you can as to how it's going to read?

Donald Cappillino: The proposed resolution before you would be denominated as a supplemental final authorizing resolution on the 23-28 Creek Drive project as presented.

Mark Doyle: Very good, all right we have the motion and had the discussion and hopefully we're ready to vote and ask you to take the roll call Jasmin.

Jasmin: Yes, Tim Dean

Donald Cappillino: Muted

Tim Dean: Can you hear me now?

Sarah Lee: Yes

Tim Dean: Hello, I'm going to abstain because I didn't participate in the discussion.

May 20, 2020 IDA Special Meeting Transcript

Jasmin H: Mark Doyle
Mark Doyle, Yes, Approved

Jasmin H: Kathy Bauer
Kathy Bauer, Approved

Jasmin H: Stacey Langenthal
Stacey Langenthal, Approved

Jasmin H: Jamie Piccone
Jamie Piccone, Approved

Jasmin H: Don Sagliano
Don Sagliano, Approved

Jasmin H: Al Torreggiani
Al Torreggiani, Approved

Jasmin H: Thank you

Mark Doyle: Motion passed thank you. Do we have any other business?

Sarah Lee: We have no other business to consider this morning.

Mark Doyle: All right, Tim did you have anything that you wanted to add?

Tim Dean: Can you hear me?

Sarah Lee: Yes

Tim Dean: Can you hear me?

Sarah Lee: Yes

Tim Dean: Can you hear me? Again, I apologize for technical difficulties here I'm having a very difficult time understanding the conversation. I don't have anything to add at this time. I'm just glad that we had a quorum without me.

Mark Doyle: It's fine, computers come and go. If there's nothing else to do this morning, I'm sure we would be glad to get on with our regular day. Do you want us to call for vote to close the meeting, Sarah?

Sarah Lee: I think you can adjourn, but if you'd like to take a roll call to adjourn that's up to you.

Mark Doyle: I don't need to take a roll call for that. I would like to adjourn the meeting at this point. Thank you very much for everybody's time this morning.