

Albany Industrial Development Agency

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Anthony J. Ferrara, *Chairman*
Kathy Sheehan, *Treasurer*
Susan Pedo, *Secretary*
Martin Daley
C. Anthony Owens
John R. Vero

Michael Yevoli, *Chief Executive Officer*
Erik J. Smith, *Chief Financial Officer*
John Reilly, *Agency Counsel*

IDA MINUTES OF REGULAR MEETING Thursday, September 20, 2012

Attending: Anthony J. Ferrara, Kathy Sheehan, Susan Pedo & John Vero

Absent: Martin Daley & C. Anthony Owens

Also Present: Michael Yevoli, Erik Smith, John Reilly, Joseph Scott, Bradley Chevalier & Amy Gardner

Chairman Anthony J. Ferrara called the regular meeting of the IDA to order at 12:15PM.

Roll Call

Chairman Ferrara reported that all Board members were present with the exception of Martin Daley and C. Anthony Owens.

Reading of Minutes of the Regular Meeting of August 16, 2012

Since the minutes of the previous meeting had been distributed to Board members in advance for review, Chairman Ferrara made a proposal to dispense with the reading of the minutes.

Approval of Minutes of the Regular Meeting of August 16, 2012

Chairman Ferrara made a proposal to approve the minutes of the regular Board meeting of August 16, 2012 as presented. A motion to accept the minutes, as presented, was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the minutes were accepted unanimously.

Reports of Committees

None

Report of Chief Executive Officer

Mike Yevoli advised the Board that he received a call from the clerk for the school board regarding questions the board had on recent PILOT deviation letters received. Mr. Yevoli advised the Agency's Board that the questions were not specific to these PILOTs, but rather the impetus for the general questions that were asked. He advised the Board that he offered to attend a future school board meeting,

if the school board so desired, to give a brief presentation on the City of Albany Industrial Development Agency and the financial assistance it provides to qualifying projects.

Report of Chief Financial Officer

Erik Smith reviewed the monthly financial report with the Board. Mr. Smith reviewed year-to-date and projected cash inflows and outlays. Mr. Smith advised the Board that the expenditure activity through August 31st is consistent with the IDA's budget. At this time the IDA's projected year-end cash balance is \$596,329.

Unfinished Business

Scannell Properties #145, LLC Project Synopsis

Staff reviewed the assistance being sought by the applicant that included a sales tax exemption, mortgage recording tax exemption, and real property tax abatement. Staff also advised the Board that the Finance Committee had discussed the project at its previous meeting and had given the project a positive recommendation to seek resolution approvals at the next Board meeting. Counsel presented a summary of the project to the Board outlining the project and the requests of the Agency. Dan Sloate, a representative for the Applicant, was present to answer questions.

Scannell Properties #145, LLC Project Resolution Confirming SEQR Determination

Counsel reviewed the Resolution with the Board explaining that the findings determined that this project would not have a significant effect on the environment.

Chairman Ferrara presented the Scannell Properties #145, LLC Project Resolution Confirming SEQR Determination to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

Scannell Properties #145, LLC Project Approving Resolution

Counsel reviewed the Resolution with the Board.

Chairman Ferrara presented the Scannell Properties #145, LLC Project Approving Resolution to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

FC 178WAE, LLC Project Synopsis

Staff reviewed the assistance being sought by the Applicant that included a sales tax exemption, mortgage recording tax exemption, and real property tax abatement. Staff also advised the Board that the Finance Committee had discussed the project at its previous meeting and had given the project a positive recommendation to seek resolution approvals at the next Board meeting. Counsel presented a summary of the project to the Board outlining the project and the requests of the Agency. Chris Bette, a representative for the Applicant, was present to answer questions.

FC 178WAE, LLC Project SEQR Resolution

Counsel reviewed the Resolution with the Board explaining that the findings determined that this project would not have a significant effect on the environment.

Chairman Ferrara presented the FC 178WAE, LLC Project SEQR Resolution to the Board. A motion to adopt the Resolution was made by Susan Pedo and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

FC 178WAE, LLC Project PILOT Deviation Approval Resolution

Counsel reviewed the Resolution with the Board.

Chairman Ferrara presented the FC 178WAE, LLC Project PILOT Deviation Approval Resolution to the Board. A motion to adopt the Resolution was made by John Vero and seconded by Kathy Sheehan. A vote being taken, the Resolution passed unanimously.

FC 178WAE, LLC Project Agent Resolution

Counsel reviewed the Resolution with the Board. Counsel advised the Board that the Applicant would like to receive an interim sales tax exemption letter prior to their closing as this would give them the ability to claim the exemption earlier. Counsel advised the Board that the Applicant would have to obtain the appropriate insurances and pay the Agency administration fee as a condition of receiving the interim sales tax exemption letter.

Chairman Ferrara presented the FC 178WAE, LLC Project Agent Resolution to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by Susan Pedo. A vote being taken, the Resolution passed unanimously.

FC 178WAE, LLC Project Approving Resolution

Counsel reviewed the Resolution with the Board.

Chairman Ferrara presented the FC 178WAE, LLC Project Approving Resolution to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

581 Livingston Avenue, LLC Project Synopsis

Staff reviewed the assistance being sought by the Applicant that included a sales tax exemption, mortgage recording tax exemption, and real property tax abatement. Staff also advised the Board that the Finance Committee had discussed the project at its previous meeting and had given the project a positive recommendation to seek resolution approvals at the next Board meeting. Counsel presented a summary of the project to the Board outlining the project and the requests of the Agency. Bill Barber, a representative for the Applicant, was present to answer questions.

581 Livingston Avenue, LLC Project Resolution Confirming SEQR Determination

Counsel reviewed the Resolution with the Board explaining that the findings determined that this project would not have a significant effect on the environment.

Chairman Ferrara presented the 581 Livingston Avenue, LLC Project Resolution Confirming SEQR Determination to the Board. A motion to adopt the Resolution was made by Susan Pedo and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

581 Livingston Avenue, LLC Project PILOT Deviation Approval Resolution

Counsel reviewed the Resolution with the Board.

Chairman Ferrara presented the 581 Livingston Avenue, LLC Project PILOT Deviation Approval Resolution to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

581 Livingston Avenue, LLC Project Commercial Findings Resolution
Counsel reviewed the Resolution with the Board.

Chairman Ferrara presented the 581 Livingston Avenue, LLC Project Commercial Findings Resolution to the Board. A motion to adopt the Resolution was made by John Vero and seconded by Susan Pedo. A vote being taken, the Resolution passed unanimously.

581 Livingston Avenue, LLC Project Confirming Resolution
Counsel reviewed the Resolution with the Board.

Chairman Ferrara presented the 581 Livingston Avenue, LLC Project Confirming Resolution to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

Columbia Harriman 455, LLC Project Confirming Resolution
Staff advised the Board that the Finance Committee had discussed the project at its previous meeting and had given the project a positive recommendation to seek resolution approval at the next Board meeting. Counsel reviewed the Resolution with the Board. Kathy Sheehan asked if the new tax fixed assessment amount was stated in the resolution. Counsel responded that it was not stated in the Resolution but he would amend the resolution by adding the PILOT deviation letter as “Schedule B”.

Chairman Ferrara presented the Columbia Harriman 455, LLC Project Confirming Resolution to the Board. A motion to adopt the Resolution as amended was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

New Business

Housing Visions Consultants, Inc. On Behalf of Sheridan Hollow Village, LLC and Sheridan Hollow Enterprises, LLC (to be formed) Project Public Hearing Resolution

Staff presented the project to the Board. The estimated cost of the project is \$14 million. The proposed project is a scattered site project in the Sheridan Hollow Neighborhood. The project is part of a larger, comprehensive neighborhood revitalization plan proposed by non-profit organizations Housing Visions Consultants, Inc., Habitat for Humanity of the Capital District and Touhey Home Ownership Foundation. The project being proposed by Housing Visions Consultants, Inc. on behalf of Sheridan Hollow Village, LLC and Sheridan Hollow Enterprises, LLC (to be formed) entails the construction of approximately 17 buildings. The 17 buildings will encompass 57 quality affordable rental housing units, 9,900 SF of commercial space, and over 1,000 SF on-site management/ community space.

Sheridan Hollow Village, LLC is requesting a sales tax exemption, mortgage recording tax exemption, and real property tax abatement. Sheridan Hollow Village, LLC is requesting a PILOT on 57 units of affordable housing and over 1,000 +/- SF of associated on-site management/ community space in which the payment will be calculated as 10% of the “Shelter Rent” (aggregate collected annual tenant paid rents less owner paid utilities). The PILOT will operate for a period of 20 years. Taxes on full assessment will be paid in Year 21 and every year thereafter. Sheridan Hollow Village, LLC’s PILOT request does not deviate from the Agency’s Uniform Tax Exemption Policy for affordable housing.

Sheridan Hollow Enterprises, LLC is requesting a sales tax exemption and real property tax abatement. Sheridan Hollow Enterprises, LLC is requesting a PILOT on 9,900 +/- SF of commercial space which will equate to 50% abatement on the improved assessment value in Year 1. At which time the abatement on the improved assessment value decreases at 5% per year for the following 9 years. Taxes on full assessment will be paid in Year 11 and every year thereafter. Sheridan Hollow Enterprises, LLC's PILOT request, while it mimics the New York States recommended 485b PILOT, deviates from the Agency's Uniform Tax Exemption Policy.

Staff advised the Board that per the recommendation of the Finance Committee City Planning Staff has reached out to the neighborhood association and has setup a meeting to discuss the project more in depth with neighborhood stakeholders. Staff advised the Board that the Finance Committee had discussed the project at its previous meeting.

Mike Jacobson with Habitat for Humanity of the Capital District and Justin Rudgick of Housing Visions Consultants, Inc gave a presentation and answered questions regarding the project. Scott Townsend of 3T Architects, the architect for the project, was also present to answer questions. Mr. Jacobson advised the Board that the project was developed from information collected from the public at a charrette that was held for the Sheridan Hollow neighborhood. Mr. Rudgick reviewed successful projects that Housing Visions Consultants, Inc. was involved in. The method that Housing Visions Consultants Inc. employees use to select tenants was reviewed. Mr. Rudgick noted that the income levels of those who will be eligible to take advantage of this housing will not be below 50% AMI. They would prefer a mix of incomes ranging from 50% to 80% AMI. Mr. Rudgick advised the Board that the project was unique in that it combines the federal and state low income tax credits. Habitat for Humanity of the Capital District envisions using the units that Housing Visions Consultants, Inc. will construct to house their potential future homeowners - preference will be given to veterans. The Board expressed that they would like more information on the low income tax credits and how they work.

Chairman Ferrara presented the Housing Visions Consultants, Inc. On Behalf of Sheridan Hollow Village, LLC and Sheridan Hollow Enterprises, LLC (to be formed) Project Public Hearing Resolution to the Board. A motion to adopt the Resolution was made by Kathy Sheehan and seconded by John Vero. A vote being taken, the Resolution passed unanimously.

Communications

None

Other Business

Staff advised the Board that the bondholders for the Center of Medical Science would like the Agency to extend the PILOT. Staff has been advised that they will be receiving an application for the extension. The extension will be discussed at greater length when the application is received.

The appointment of John Vero to the position of Vice Chairman was discussed. Action will be taken at the next Board meeting. The appointment of Martin Daley as the Chair of the Finance Committee was also discussed. Action will be taken at the next Board meeting.

There being no further business, Chairman Ferrara adjourned the meeting at 1:45PM.

Respectfully submitted,

Susan Pedo, Secretary