

Albany Industrial Development Agency

21 Lodge Street
Albany, New York 12207
Telephone: (518) 434-2532
Fax: (518) 434-9846

Anthony J. Ferrara, *Chairman*
Willard A. Bruce, *Vice-Chairman*
Susan Pedo, *Secretary*
Kathy Sheehan, *Treasurer*
Martin Daley
C. Anthony Owens
John Vero

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

IDA MINUTES OF FINANCE COMMITTEE MEETING Wednesday, July 11th

Attending: Bill Bruce, Kathy Sheehan, & Martin Daley

Absent: Susan Pedo

Also Present: Mike Yevoli, Erik Smith, Joe Scott, Brad Chevalier, & Amy Gardner

Chairman Bill Bruce called the Finance Committee meeting of the IDA to order at 12:15PM.

Roll Call

Chairman Bruce reported that all Committee members were present except for Susan Pedo.

Reading of Minutes of the Finance Committee Meeting Minutes

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

Approval of Minutes of the Finance Committee Meeting Minutes

Chairman Bruce made a proposal to approve the minutes of the Finance Committee meeting as presented. A motion to accept the minutes, as presented, was made by Kathy Sheehan and seconded by Martin Daley. A vote being taken, the minutes were accepted unanimously.

Unfinished Business

Dilek, LLC

Staff advised the Committee that the project had not changed since the public hearing held on June 21st. The Applicant is close to securing financing. Staff included a letter from the Applicant's potential bank indicating that approval of the financing was expected next week.

A motion was made by Martin Daley to advance the project to the full board with a recommendation that they approve the project. The motion was seconded by Kathy Sheehan. A vote being taken it passed unanimously.

Honest Weight Food Co-Operative, Inc.

Staff advised the Committee that the project had not changed since the public hearing held on June 21st. The Applicant submitted several write-ups outlining the community benefits the organization provides and how the project will allow them to continue providing such benefits. The write-ups addressed questions posed to the Applicant at the public hearing by Bill Bruce.

A motion was made by Kathy Sheehan to advance the project to the full board with a recommendation that they approve the project. The motion was seconded by Martin Daley. A vote being taken it passed unanimously.

Scanell Properties #145, LLC

Staff advised the Committee that the project had not changed since it was presented at the most recent board meeting. A public hearing is scheduled to occur prior to the board meeting on July 16th.

581 Livingston Avenue, LLC

In an effort to address the concerns of the Committee the Applicant made changes to their request for assistance. Staff advised the Committee that the Applicant originally asked for a 20 year PILOT and is now asking for a 10 year PILOT. Staff reviewed the requested abatement breakdown. Staff also advised the Committee that the project had received approvals from the Planning Board and the Board of Zoning Appeals. Staff advised the Committee that this project was in line with the Albany 2030 plan. The Committee advised staff that they would like to ensure that the Applicant is fully aware of the cost of all environmental remediation that will need to take place. As such, a request was made that more information on the matter be provided by the Applicant. The Committee requested that the Applicant provide a list of other projects they have undertaken. A brief discussion took place between committee members, staff, and bond counsel regarding what options were available to the Agency that would ensure that the Applicant maintains the facility as intended – 55 and older housing facility. Staff and bond counsel would look into the matter further.

A motion was made by Martin Daley to advance the project to the full board with a recommendation that a public hearing be scheduled. The motion was seconded by Kathy Sheehan. A vote being taken it passed unanimously.

New Business

FC 178WAE, LLC

Staff presented the project to the Committee. The proposed project location is 178 Washington Avenue Extension. This will be the second building developed by the Applicant in this area with the first one being located at 176 Washington Avenue Extension. The proposed building would be a one story 24,000 SF medical/ general office building. Staff reviewed the positive effects the project will have on the local economy with the Committee. The Applicant is asking for a 10 year PILOT which equates to 50% abatement on the increased assessment value in Year 1. At which time the abatement on the increased 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.

A motion was made by Kathy Sheehan to advance the project to the full board with a recommendation that a public hearing be scheduled. The motion was seconded by Martin Daley. A vote being taken it passed unanimously.

Downtown Albany Revitalization, Inc.

Staff noted that they had not had the opportunity to review or analyze the material submitted by the Applicant in-depth. However, a quick review of the material showed that one obvious change from a

previously submitted application was the structure of the PILOT deviation request. The back taxes associated with the project were discussed at length. The assessments of the properties were also discussed. The Committee advised staff that they do not want to set precedence that in order to do business in downtown Albany a 30 year PILOT is required. Staff advised the Committee they will present the project again at the August Finance Committee Meeting for further review and discussion.

Other Business

Sixty State Place, LLC

Staff advised the Committee that the Applicant has proposed making a change to the project. Staff explained to the Committee that the change is in regards to the proposed restaurant on the first floor. The tenant that the Applicant was planning on leasing the space to has decided not to move forward with its plan to lease the space. The Applicant is now proposing turning the first floor into a banquet space. Counsel advised the Committee that the Applicant should provide a revised application which includes the mentioned changes. A resolution should be drafted confirming the project which would be considered at the Board level. The Committee asked Counsel if receipt of a new application would require holding another public hearing for the project. Counsel advised the Committee that a public hearing is required only when the amount of assistance requested from the Agency is \$100,000 or greater. In this case, as a result of Staff due diligence, the amount of assistance is not expected to significantly change from that which was originally presented to the Board previously and as such there is no need to hold another public hearing. Staff advised the Committee that they would obtain the revised application and present the confirming resolution to the Board at the upcoming Board meeting.

Consolidated Funding Application (CFA)

Staff advised the Committee that the CFAs include the Federal Industrial Development Bond Cap again this year. A current applicant, TMG-NY Albany I, LP, is seeking tax exempt bonds from the Agency as part of the Agency's assistance for its senior affordable housing project located at 400 Hudson Avenue. As the Applicant's request is greater than the Agency's expected initial allocation, a CFA will need to be submitted to obtain the additional amount necessary for the project. Staff advised that, unlike the last CFA round, the Issuer is now required to prepare and submit the CFA application. Staff is seeking approval from Committee members to prepare and submit a CFA application relating to the TMG-NY Albany I, LP project.

A motion was made by Bill Bruce approving the submission of the CFA. The motion was seconded by Kathy Sheehan. A vote being taken it passed unanimously.

There being no further business, Chairman Bruce adjourned the meeting at 1:32PM.

Respectfully submitted,

Susan Pedo, Secretary

G:\IDA\IDA Minutes\IDA Regular Meeting Minutes\IDA Minutes 2011