

Albany Industrial Development Agency

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Tracy Metzger, *Chair*
Darius Shahinfar, *Treasurer*
Susan Pedo, *Secretary*
C. Anthony Owens
Lee Eck
Dominick Calsolaro
Robert Schofield

Mark Opalka, *Interim Chief Financial Officer*
John Reilly, *Agency Counsel*

IDA MINUTES OF REGULAR MEETING Thursday, September 18, 2014

Attending: Tracy Metzger, Darius Shahinfar, Susan Pedo, C. Anthony Owens, Lee Eck, Dominick Calsolaro, and Robert Schofield

Absent:

Also Present: Sarah Reginelli, Mark Opalka, Christopher Martell, Joseph Scott, Bradley Chevalier, Andy Corcione & Amy Gardner

Chair Tracy Metzger called the regular meeting of the IDA to order at 12:16PM.

Roll Call

Chair Tracy Metzger reported that all Board members were present.

Reading of Minutes of the Regular Meeting of June 19, 2014

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

Approval of Minutes of the Regular Meeting of June 19, 2014

Chair Tracy Metzger made a proposal to approve the minutes of the regular Board meeting of June 19, 2014 as presented. A motion to accept the minutes, as presented, was made by Anthony Owens and seconded by Darius Shahinfar. A vote being taken, the minutes were accepted unanimously.

Reports of Committees

None

Report of Chief Executive Officer

None

Report of Chief Financial Officer

Mark Opalka reviewed the monthly financial report with the Board. Mr. Opalka reviewed year-to-date and projected cash inflows and outlays. Mr. Opalka advised the Board that the expenditure activity through August 31st is consistent with approved expenditure activity. At this time the IDA's projected year-end cash balance is \$1,810,963.

Unfinished Business

Before commencing the discussion of the projects, Robert Schofield advised the Board that he would recuse himself from deliberating and voting on all resolutions related to AMC – 391 Myrtle Avenue (MOB) and Park South Partners LLC due to his law firm’s relationship with some of the participating organizations. He did indicate that he had reviewed the issue with IDA Staff and IDA Special Counsel. Counsel, Joseph Scott, then confirmed with the Board that Mr. Schofield had brought this to his attention and that they had had extensive discussion on the issue. Counsel Scott advised the Board that the nature of the relationships did not constitute a conflict under Article 18 of the General Municipal Law.

Park South Partners LLC – Project Synopsis

Counsel, Christopher Martell, reviewed the project synopsis that was distributed prior to the meeting with the Board outlining the requests of the Agency. It was noted that the project had been reviewed extensively at previous meetings.

Park South Partners LLC - Resolution Confirming SEQR Determination

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

Chair Tracy Metzger presented *Park South Partners LLC – Resolution Confirming SEQR Determination* to the Board. A motion to adopt the Resolution was made by Susan Pedo and seconded by Darius Shahinfar. A vote being taken, Tracy Metzger, Darius Shahinfar, Susan Pedo, Anthony Owens and Dominick Calsolaro voted “YES”. Lee Eck voted “NO”. Robert Schofield had previously recused himself. The Resolution passed.

Park South Partners LLC - Resolution Making Retail Findings

Counsel, Christopher Martell, reviewed the resolution with the Board.

Chair Tracy Metzger presented *Park South Partners LLC – Resolution Making Retail Findings* to the Board. A motion to adopt the Resolution was made by Susan Pedo and seconded by Anthony Owens. A vote being taken, Tracy Metzger, Darius Shahinfar, Susan Pedo, Anthony Owens and Dominick Calsolaro voted “YES”. Lee Eck voted “NO”. Robert Schofield had previously recused himself. The Resolution passed.

Park South Partners LLC – PILOT Deviation Resolution

Counsel, Christopher Martell, reviewed the resolution with the Board.

Chair Tracy Metzger presented *Park South Partners LLC – PILOT Deviation Resolution* to the Board. A motion to adopt the Resolution was made by Anthony Owens and seconded by Susan Pedo. Dominick Calsolaro spoke in opposition to the PILOT terms. C. Anthony Owens noted that he would like to see a significant effort from the Applicant to hire local as it pertains to the jobs to be created. A vote being taken, Tracy Metzger, Darius Shahinfar, Susan Pedo and Anthony Owens voted “YES”. Lee Eck and Dominick Calsolaro voted “NO”. Robert Schofield had previously recused himself. The Resolution passed.

Park South Partners LLC – Approval Resolution

Counsel, Christopher Martell, reviewed the resolution with the Board.

Chair Tracy Metzger presented Park South Partners LLC – Approval Resolution to the Board. A motion to adopt the Resolution was made by Anthony Owens and seconded by Susan Pedo. A vote being taken, Tracy Metzger, Darius Shahinfar, Susan Pedo, Anthony Owens and Dominick Calsolaro voted “YES”. Lee Eck voted “NO”. Robert Schofield had previously recused himself. The Resolution passed.

Albany Medical Center 391 Myrtle Ave. (MOB) – Project Synopsis

Counsel, Christopher Martell, reviewed the project synopsis that was distributed prior to the meeting with the Board outlining the requests of the Agency. It was noted that the project had been reviewed extensively at previous meetings.

Albany Medical Center 391 Myrtle Ave (MOB) - Resolution Confirming SEQR Determination

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

Chair Tracy Metzger presented Albany Medical Center 391 Myrtle Ave. (MOB) – Resolution Confirming SEQR Determination to the Board. A motion to adopt the Resolution was made by Anthony Owens and seconded by Susan Pedo. A vote being taken, Tracy Metzger, Darius Shahinfar, Susan Pedo, Anthony Owens and Dominick Calsolaro voted “YES”. Lee Eck voted “NO”. Robert Schofield had previously recused himself. The Resolution passed.

Albany Medical Center 391 Myrtle Ave. (MOB) – Resolution Making Retail Findings

Counsel, Christopher Martell, reviewed the resolution with the Board.

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Albany Medical Center 391 Myrtle Ave. (MOB) – PILOT Deviation Resolution

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Albany Medical Center 391 Myrtle Ave. (MOB) – Approval Resolution

Counsel, Christopher Martell, reviewed the resolution with the Board.

Chair Tracy Metzger presented Albany Medical Center 391 Myrtle Ave. (MOB) – Approval Resolution to the Board. A motion to adopt the Resolution was made by Anthony Owens and seconded by Darius Shahinfar. A vote being taken, Tracy Metzger, Darius Shahinfar, Susan Pedo, Anthony Owens and Dominick Calsolaro voted “YES”. Lee Eck voted “NO”. Robert Schofield had previously recused himself. The Resolution passed.

New Business

Approval Resolution Selection of Accountants – FY 2014

Mark Opalka noted that the Agency had been a Teal, Becker and Chiarmonite client since April 18,

2000. During that time Pat Scisci was the shareholder except for the five year period that Katie Doran served as the shareholder ensuring the Agency remained compliant. Sarah Robinson has been the manager for the Agency's audits since 2007. The Board was advised the cost to the Agency would remain the same.

Chair Tracy Metzger presented *Approval Resolution Selection of Accountants – FY 2014* to the Board. A motion to adopt the Resolution was made by Darius Shahinfar and seconded by Robert Schofield. A vote being taken, the resolution passed unanimously.

Other Business

None.

There being no further business, Chair Tracy Metzger adjourned the meeting at 12:42PM.

Respectfully submitted,

(Assistant) Secretary