

City of Albany Industrial Development Agency

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

Tracy Metzger, Chair
Susan Peto, Vice Chair
Darius Shahinfar, Treasurer
Lee Eck, Secretary

Dominick Calsolaro
Robert Schofield

Sarah Reginelli, Chief Executive Officer
Mark Opalka, Chief Financial Officer
Marisa Franchini, Agency Counsel
A. Joseph Scott, Special Counsel

To: Tracy Metzger
Susan Peto
Darius Shahinfar
Lee Eck

Dominick Calsolaro
Robert Schofield
L. Lloyd Stewart

CC: Sarah Reginelli
Marisa Franchini
Joe Scott
Mark Opalka

Tom Conoscenti
Andy Corcione
Virginia Rawlins
Tammie Fanfa

Date: October 9, 2020

IDA FINANCE COMMITTEE MEETING

PLEASE NOTE THAT A PUBLIC HEARING CONCERNING THE FOLLOWING PROJECT(S) WILL BE HELD at 12:00pm on Wednesday, September 9, 2020 telephonically via Zoom. Please refer to albanyida.com for participation instructions.
Broadway 915, LLC

A Finance Committee Meeting of the City of Albany Industrial Development Agency Board of Directors will be held on **Wednesday, October 14th, 2020 at 12:15 pm** and conducted telephonically pursuant to Executive Order No. 202.1 issued by the New York State Governor's Office.

AGENDA

Roll Call, Reading & Approval of the Minutes of the Finance Committee Meeting of September 9, 2020

Report of Chief Financial Officer

- A. Quarterly Budget Report

Unfinished Business

- A. Broadway 915, LLC
 - i. Discussion/Possible positive/negative recommendation for Approving Resolutions

New Business

- A. Small Business Adaptation Program – Grant Applications
 - i. Discussion
 - ii. Public Comment Period
 - iii. Possible positive/negative recommendation for Approving Resolutions

Other Business

- A. Agency Update
- B. Compliance Update

Adjournment

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Sarah Reginelli, *Chief Executive Officer*
Mark Opalka, *Chief Financial Officer*
Marisa Franchini, *Agency Counsel*

IDA MINUTES OF FINANCE COMMITTEE MEETING

Wednesday, September 9, 2020

Attending: Darius Shahinfar, Tracy Metzger, Lee Eck, Dominick Calsolaro

Also Present: Susan Pedo, Robert Schofield, Sarah Reginelli, Mark Opalka, Joe Scott, Amy Lavine, Tammie Fanfa, Andy Corcione, Virginia Rawlins, Thomas Conoscenti, Nora Culhane-Friedel, Ashley Mohl, Michael Bohne

Public Present: Jeffery Amengual, Ariel Hai, Mark Aronowitz, Deb Lambek, Spencer Jones and Sarah Woodworth

These minutes are of a meeting conducted telephonically pursuant to Executive Order No. 202.1 issued by New York State Governor Andrew M. Cuomo, which suspended provisions of Article 7 of the Public Officers Law requiring public in-person access to public meetings and authorizing board members to participate in said meetings by conference call or similar service. Each of the members and staff present participated by conference call.

Finance Committee Chair Darius Shahinfar called the Finance Committee meeting of the IDA to order at 12:16 p.m.

Roll Call, Reading and Approval of Minutes of the August 12, 2020 Finance Committee Meeting

A roll call of the Committee members present was held. Chair Darius Shahinfar reported that all Committee members were present. Since the minutes of the previous meeting had been distributed to Committee members in advance for review, Chair Darius Shahinfar made a proposal to dispense with the reading of the minutes. Chair Darius Shahinfar proposed to approve the minutes of the Finance Committee meeting of August 12, 2020. Tracy Metzger made a motion and Dominick Calsolaro seconded to accept the minutes as presented. The motion passed with all members voting aye, minutes were accepted.

Sarah Reginelli continued her recusal from any discussion surrounding the 1211 Western Avenue project and left the meeting at 12:19 pm.

Unfinished Business

1211 Western Ave Property Associates LLC

Staff noted that representatives of 1211 Western Ave Property Associates LLC were present at the meeting to answer any questions the Finance Committee may have. Staff provided a summary of project to date, recapping that the application was first introduced in March of 2020 and resubmitted a revised application in June 2020. Staff noted the application for assistance has remained unchanged since the Public Hearing held in August 2020. The proposed Project, which represents an investment of approximately \$35.7 M, consists of a six story, approximately 190,000 SF, mixed-use multifamily rental complex with approximately 136 residential apartments, 1,800 SF of commercial retail space and 150 parking spaces. The existing 30,000 SF structure would be demolished as part of the Project. The estimated real property benefits over the 18 year of requested assistance is expected to result in status quo taxes of approximately \$567,000 with projected PILOT payments of \$8.4 M, resulting in a net benefit to the taxing jurisdictions of approximately \$7.8 M. Staff briefed the Committee on the findings of a CDPRC economic impact analysis the IDA commissioned on the direct, indirect and induced impacts of the Project and reviewed the applicant's score of 10 on the Project Evaluation and Assistance Framework (PEAF). The Project is estimated to have a temporary construction impact of \$37.4 M, permanent

operations impact of \$2.5 M. The project is expected to yield 5 full time equivalent (FTE) jobs and 90 construction jobs.

Agency counsel responded to a question from a board member regarding a potential conflict of interest and established that no conflict exists.

Staff reviewed with the Committee a memo that was prepared in response to the comments/concerns expressed as part of the public hearing process the prior month. Staff noted that the memo was disseminated to the Board and posted to the Agency website as part of the Finance Committee materials. A discussion was had about the public comments received and the responses in the memo. A board member noted that for this project, and all projects assisted by the Agency, no direct financial/monetary assistance is received by the applicant from the City of Albany or City taxpayers. Additionally, all projects approved by the Agency will pay more in taxes upon project completion than what was paid to the taxing jurisdictions prior to the project. Representatives of the project spoke to the status of the required permits on the project site. It was also noted that the 3rd party consultant utilized during the application review/analysis was an independent entity and was not selected by the applicant.

A motion was made by Tracy Metzger to move the 1211 Western Ave Property Associates LLC project to the Board to for action. The motion was seconded by Dominick Calsolaro. The motion passed with all members voting aye.

Sarah Reginelli returned to the meeting at 12:39 pm.

New Business

Loughlin Dawn, LLC

It was noted that that no members of the public attended the previously held public hearing or submitted comments on the project. Staff gave a brief summary of the project and the request at hand which involves shifting the start date of the Phase I PILOT by one year. Staff noted the estimated increased abatement associated with the request is approximately \$127,000 which is the cause for the holding of a public hearing. Staff elaborated further, noting that when the estimated PILOT payments were netted out, the actual estimated increased abatement is less than \$100,000. However, in discussions with Agency counsel, it was determined it was more prudent to hold the public hearing.

A motion was made by Dominick Calsolaro to move the Loughlin Dawn, LLC project to the Board with a positive recommendation for approval. The motion was seconded by Tracy Metzger. The motion passed with all members voting aye.

Broadway 915, LLC

Staff advised the Committee that the applicant had amended the request for assistance associated with this project since it was previously discussed at the August Finance Committee meeting, based on previous feedback from the Finance Committee and further financial analysis. A Project representative was present for the meeting to discuss the project and to answer any questions. The project involves the construction of an approximately 99,000 SF eighty (80) unit market rate apartment complex at 745 Broadway. The five story structure will also include approximately 6,900 SF of tenant amenity space on the ground floor and approximately 90 off-street parking spaces. It is anticipated that this project will create approximately one (1) full time equivalent (FTE) job. Staff noted the estimated revenue gain to taxing jurisdictions is approximately \$2.5 million. The estimated increase in assessed property value associated with the project equates to approximately \$5.7 million. The total investment in the project is expected to be approximately \$22.7 million. Staff briefed the Committee on the findings of a CDRPC economic impact analysis the IDA commissioned on the direct, indirect and induced impacts of the Project and reviewed the applicant's score of 10 on the Project Evaluation and Assistance Framework (PEAF). The Project is estimated to have a temporary construction impact of \$23.1 M, permanent operations impact of \$1.4 M. The project is expected to yield 1 FTE job and 140 construction jobs.

Staff noted the applicant is requesting a deviation in assistance from the PEAFF as the applicant is requesting the base assessed value of the project remain at the current 2019 assessment for the duration of the requested assistance and the abatement schedule to be utilized will be for projects assessed at between \$90-\$99,999 per unit. As such, a third party review was undertaken to assess the appropriateness of the requested level of Agency assistance. A draft memo was received by staff and was disseminated to the Board. An executive summary of

the memo was part of the Finance Committee materials. The findings of the analysis by the 3rd party consultant supported the requested assistance and deemed both the request and developer assumptions as reasonable. In response to a question from a board member, the Applicant expressed his confidence that the project will still be successful downtown despite the COVID-19 pandemic, citing current market performance.

A motion was made by Dominick Calsolaro to recommend to the IDA Board the resolution to hold a public hearing for the Broadway 915, LLC project and seconded by Tracy Metzger. A vote being taken, the motion passed with all other members voting aye.

2021 Draft Budget

Staff presented the Draft 2021 Budget, noting it was also delivered to the Treasurer's office on August 31st in accordance with policy. Staff reviewed the draft budget memo that was part of the Finance Committee materials including revenues/expenses that deviated from prior levels in 2020. Staff noted the deficit budget reflects the Board's commitment to invest in strategic activities in 2021 including market studies and potentially a review and analysis of the PEA. Staff noted that the draft budget will be posted at City Hall for twenty days prior to any potential board approval, as per policy.

A motion was made by Lee Eck to move the 2021 Draft Budget to the Board with a positive recommendation and seconded by Dominick Calsolaro. A vote being taken, the motion passed with all other members voting aye.

Member Lee Eck left the meeting at 12:58 PM.

Other Business

Agency Update

Staff noted the previous month's financials contained an error, which was corrected as part of the draft budget, regarding the funding allocation for the Small Business Adaptation Program ("SBAP").

Staff informed the Board that Agency Chair and CEO will be attending the Common Council interview for the open Board position and presenting the Agency's 2019 Annual Report.

Staff updated the Committee on the SBAP Program, noting that the pre-application process had concluded in August and that final applications are due by September 18, 2020. Staff reviewed the outreach process to increase awareness which included the Common Council, Small Business Development Center and the Capital Region Chamber, the Black Chamber of Commerce, amongst other stakeholder groups as well as the resources that have been made available online to assist applicants including a frequently asked questions, sample application and budget templates. Staff provided the Board with a workbook that outlines the standardized review process and noted the Board will be provided with an application and summary sheet for each applicant. The scoring process will prioritize disadvantaged business entities ("DBEs") as well as micro-enterprises, identified targeted businesses, businesses located in neighborhood strategy areas, distressed census tracts and within commercial corridors.

In October, applications will be presented to the Board in the order of their score. Staff will provide recommendations on application approval/denial based on score, eligibility and available funding. Per the NYS legislation, applications will be posted publicly and a public comment period will be held during the upcoming Finance Committee meeting. Staff updated the Board that Hodgson Russ has been retained to redact sensitive personal or financial information from the applications to be posted publicly. Staff indicated that all files and documentation pursuant to the Program will be retained by both CAIDA and Capitalize Albany Corporation and will be available for review.

There being no further business, Darius Shahinfar adjourned the meeting at 1:24 PM.

Respectfully submitted,

Lee Eck, Assistant Secretary

**City of Albany Industrial Development Agency
Statement of Revenue and Expenses to Budget
For the Quarter Ended September 30, 2020**

	3rd Qtr Actual	3rd Qtr Budget	Variance	2020 YTD Actual	2020 YTD Budget	Variance	Annual Budget
Revenues:							
Agency Fees	\$ 4,500	\$ 302,434	\$ (297,934)	\$ 313,156	\$ 993,610	\$ (680,454)	\$ 1,296,044
Interest	<u>3,431</u>	<u>8,293.00</u>	<u>(4,862)</u>	<u>18,352</u>	<u>24,034</u>	<u>(5,682)</u>	<u>32,689</u>
Total Revenues	<u>7,931</u>	<u>310,727</u>	<u>(302,796)</u>	<u>331,508</u>	<u>1,017,644</u>	<u>(686,136)</u>	<u>1,328,733</u>
Expenses:							
Professional Service Contracts	133,263	123,557	9,706	387,876	377,671	10,205	563,228
Sub-lease AHCC	35,158	18,750	16,408	36,479	56,250	(19,771)	75,000
Economic Development Support	62,500	62,500	-	187,500	187,500	-	450,000
Other Miscellaneous	15	1,650	(1,635)	3,046	4,950	(1,904)	16,600
Insurance	<u>1,653</u>	<u>-</u>	<u>1,653</u>	<u>3,373</u>	<u>1,700</u>	<u>1,673</u>	<u>1,700</u>
Total Expenses	<u>232,588</u>	<u>206,457</u>	<u>26,131</u>	<u>618,273</u>	<u>628,071</u>	<u>(9,798)</u>	<u>1,106,528</u>
Excess of Revenues over expenses	<u><u>\$ (224,657)</u></u>	<u><u>\$ 104,270</u></u>	<u><u>\$ (328,927)</u></u>	<u><u>\$ (286,765)</u></u>	<u><u>\$ 389,573</u></u>	<u><u>\$ (676,338)</u></u>	<u><u>\$ 222,205</u></u>

TO: City of Albany Industrial Development Finance Committee
FROM: City of Albany Industrial Development Agency Staff
RE: Broadway 915, LLC - IDA Application Summary
DATE: October 9, 2020

The application for assistance was initially introduced to the Finance Committee in August 2020. After receiving feedback from the Committee and discussions with the applicant, a revised application was submitted in September 2020.

Applicant: Broadway 915, LLC

Managing Members (% of Ownership): Mark Aronowitz (50%) and Norman Nichols (50%)

Project Location: 745 Broadway, Albany, NY

Project Description: The Project proposes to construct a 5-story residential apartment structure containing approximately 80 market rate apartment units and +/- 6,600 SF of tenant amenity space and a leasing office on the ground floor. The 1.38 acre project site, which is currently a parking lot, will also include approx. 90 off-street parking spaces.

Estimated Project Real Property Benefit Summary (20 Years):

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$708,657	\$3,202,648	\$2,493,991

	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$510,000	\$6,230,000	\$5,720,000

**Project Impact Assessed Value based on letter from the City of Albany Assessor dated 06-16-20*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$490,239 based on an assessed value of **\$6,230,000** and an annual tax rate of \$78.69.

Estimated Investment: \$22,700,000 (est)

Community Benefits: Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Revitalization:* The project is located in an area included within a Neighborhood Plan. The project is also located in a high vacancy census tract.
- *Identified Priority:* The project further supports the downtown residential initiative.

- *Identified Growth Area:* The proposed project supports the creation, retention or expansion of facilities or the creation and/or retention of permanent private sector jobs in an existing City of Albany industry cluster.
- *Job Creation:* The project is committing to the creation of one (1) full-time equivalent and one hundred and forty (140) construction jobs.
- *Investment:* The project is anticipating a project cost of more than \$22 million.
- *Community Commitments:* The project has committed to including regional labor participation.

Employment Impact Analysis:

Temporary (Construction) Impact

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
1 - Direct	109.68	\$9,142,138.35	\$13,463,915.93	\$16,312,794.56
2 - Indirect	12.45	\$780,663.39	\$1,302,239.17	\$2,182,582.78
3 - Induced	29.10	\$1,607,187.70	\$2,918,787.90	\$4,686,306.36
	151.22	\$11,529,989.45	\$17,684,943.00	\$23,181,683.70

Permanent (Operations) Impact

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	1.63	\$153,324.85	\$605,346.45	\$945,555.91
Indirect Effect	1.61	\$92,499.34	\$166,323.30	\$300,039.90
Induced Effect	0.87	\$47,896.62	\$86,903.17	\$139,540.87
Total Effect	4.10	\$293,720.82	\$858,572.92	\$1,385,136.68

**IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at 8-28-2020.*

Employment Impact:

- Projected Permanent: 1 job(s)
- Projected Retained: 0 jobs
- Projected Construction: 140 jobs

Type of Financing: Straight Lease

Amount of Bonds Requested: None

Estimated Total Purchases Exempt from Sales Tax: \$6,560,000

Estimated Total Mortgage Amount: not to exceed \$17,002,500

Requested PILOT: The proposal entails the Applicant entering into a PILOT agreements with the IDA deviating from the CAIDA Project Evaluation and Assistance Framework abatement percentages with a deviation in the base assessed value for the duration - twenty (20) years - of the project.

Third Party Review: Due to the the deviation in requested assistance from the Project Evaluation & Assistance Framework, a draft third party evaluation of the appropriateness of the applicant's PILOT request has been received and reviewed by staff. The third party determined that the assumptions included within the application in addition to the abatement requested were within reasonable parameters.

Cash on cash return is a simple and straightforward method to calculate return on investments that involve long-term debt borrowing. We use this as our baseline analysis metric to keep comparisons consistent and variables limited across projects. The third-party analysis relies on the internal rate of return method due to its advantage of including the time value of money and property appreciation. Calculating the internal rate of return is more complicated because it requires the projection future of cash flows of the investment, including the sale of the investment at the end of the holding period. This analysis provides a more in-depth and project-specific measurement of anticipated return to review in conjunction with the straightforward cash-on-cash method.

Estimated Value of Tax Exemptions:

- NYS Sales and Compensating Use Tax: \$524,800
- Mortgage Recording Taxes: \$170,025
- Real Property Taxes: \$4,813,546
- Other: N/A

Baseline Requirements:

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
 - Increase job opportunities for all residents.
 - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Full Planning Board approval was received in May 2020
- Meets Project Use Definition: Yes
- Meets "But For" Requirement: Yes, affidavit signed.

Cost Benefit Analysis: See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

Estimated IDA Fee

- Fee amount: \$227,000

CAIDA Mission:The purpose of the Industrial Development Agency is to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities. The Agency aims to protect and promote the health of the inhabitants of the City of Albany by the conservation, protection and improvement of the natural and cultural or historic resources and environment and to control land, sewer, water, air, noise or general environmental pollution derived from the operation of industrial development.

*****DRAFT - CAIDA Project Evaluation and Assistance Framework Staff Analysis**

Project:	Broadway 915, LLC		
Total Score:	10		
*Qualifies for a PILOT Deviation?	YES	**Qualifies for Community Commitment Enhancement?	NO
Total Improved Assessed Value Estimate:	\$6,230,000	Units:	80
Notes/Applicable Program Restrictions:	Project address is 745 Broadway		
		Improved Assessed Value/Unit Estimate:	\$77,875.00

COMMENTS

Revitalization	Target Geography		
	Distressed Census Tract		
	High Vacancy Census Tract	1	Census tract 11
	Downtown	1	
	BID		
	Neighborhood Plan	1	Within boundaries of Impact Downtown Plan/DRI Plan
	Identified Priority		
	Downtown Residential	1	
	Tax Exempt/Vacant		
	Identified Catalyst Site		
	Historic Preservation		
	Community Catalyst		
	Identified Growth Area		
	Manufacturing / Distribution		
	Technology		
	Hospitality		
	Existing Cluster		
	Conversion to Residential		
Subtotal		4	
Job Creation	Permanent Jobs		
	3 - 40		1 projected FTE
	41-80		
	81 - 120		
	121-180		
	>180		
	Retained Jobs		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	Construction Jobs		
	1 - 80	1	
	81 - 160	1	140 projected construction jobs
	161 - 240		
	> 241		
Subtotal		2	
Investment	Financial Commitment		
	2.5M - 10M	1	
	10.1M-17.5M	1	
	17.6M-25M	1	22.7 Million
	Subtotal	3	
	Community Commitment		
	MWBE		
	EEO Workforce Utilization		
	Inclusionary Housing		
	Regional Labor	1	Developer commits to utilizing 90% Regional Labor for construction jobs
	City of Albany Labor		
	Apprenticeship Program		
	Subtotal	1	
Total:		10	<i>*Must achieve threshold of 10 to qualify for deviation</i>

Baseline Requirements	Complete Application	1	
	Meets NYS/CAIDA Requirements	1	
	Albany 2030 Aligned	1	
	Planning Approval	1	
	Meet "Project Use" definition	1	
	"But For" Requirement	1	
		6	

***This analysis is prepared by staff for Board discussion purposes only. The potential scoring represented has not been vetted, agreed upon or in any way approved by the CAIDA Board of Directors

MEMORANDUM

To: City of Albany Industrial Development Agency
From: Victoria Storrs, Project Manager and Andy Marzo, Analyst
Date: 9/4/2020
Re: **915 Broadway LLC Updated Reasonableness Test: Executive Summary**

Camoin 310 was commissioned by the City of Albany Industrial Development Agency (CAIDA) to update our reasonableness of the requested level of agency assistance for the 915 Broadway LLC project, located at 745 Broadway, Albany, NY, based on the elimination of the retail portion and an adjusted PILOT. The purpose of a reasonableness test is to measure the projected rate of return on the investment to a project owner or developer, and compare it to investment returns expected under current market conditions for similar projects.

The original reasonableness test was commissioned in response to the applicant's request for a "deviation in assistance" from the CAIDA Uniform Tax Exemption Policy (UTEP), and CAIDA's Project Evaluation and Assistance Framework. The updated analysis will assist CAIDA's continued evaluation of the project.

Deviation in Assistance

The applicant requested that the baseline assessed value upon which the tax abatement percentages will be calculated be lower than called for in the Project Evaluation and Assistance Framework for the first five years, resulting in a lower Payment in Lieu of Taxes (PILOT) payment:

- The Project Evaluation and Assistance Framework establishes that the "Percent abatement will be calculated off of the estimated improved assessed value over the base assessed value; i. For all projects, the base assessed value must be equal to the greater of: a) the City of Albany Assessor value b) the previous assessed value, (c) the purchase price.¹"
- The applicant requests that (1) the current assessed value of \$510,000 be utilized as the base assessed value for the purposes of the PILOT abatement schedule for 20 years, and (2) the Project Evaluation and Assistance Framework Abatement Schedule for properties with an improved assessed value between \$90,000 and \$99,999 be applied.

Result of the Reasonableness Test

Our analysis concludes that the return on investment is consistent with investment returns to be expected for similar projects in the current market.²

¹ CAIDA *Project Evaluation and Assistance Framework*, page 7. Accessed 1/27/20 at <https://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

² Current market investor return benchmarks published by RealtyRates.com for 2020 Q2

Broadway 915, LLC
54 State Street, Suite 800
Albany, New York 12207

Mark L. Aronowitz
mlaronowitz@gmail.com

Tel: (518-694-4720)

September 1, 2020

Tracy Metzger, Chair
City of Albany Industrial Development Agency
21 Lodge Street
Albany, New York 12207

Dear Ms. Metzger:

Attached is a revised application, as well as the appropriate supplementary material, required by the City of Albany Industrial Development Agency for consideration of financial assistance associated with the development of a multi-family residential project at 745 Broadway.

The Applicant proposes to construct a five-story building consisting of approximately 80 residential apartment units, 6,900 square feet of amenities and service space on the first floor and approximately 90 parking spaces, 30 of which will be indoors.

Due to Covid-19 and the resulting economic impacts we have had to rethink our project and its viability. We have come to the conclusion that retail space will not be a viable option for many years so we have replaced that space with additional resident amenities and indoor parking. This change resulted in a small decrease in construction costs but an approximately \$90,000 decrease in income. However, we expect the new amenities and indoor parking will assist in the renting of the units, which allows us to keep the same vacancy projections as included in the original application.

We also feel the economic fall-out from the pandemic will negatively impact our ability to maintain our proposed rent schedule so the rents for the market rate units have been decreased in our Pro Forma from an average of \$2.10 to \$2.017 per square foot resulting in a \$70,000 reduction of income. Lastly, the parameters for the affordable units, mandated by the City's Zoning Code, finally came out and they are much more restrictive than previously believed. This resulted in an additional \$35,000 reduction in income.

Without the Agency's financial assistance this project is not viable. Therefore, as detailed in the Application, the Applicant requests exemption from mortgage recording taxes as well as New York State sales and use taxes relating to the construction and fit up of the project. In addition, due to the previously cited impacts from Covid 19, the Applicant seeks the following deviations from the Standard CAIDA PILOT Framework:

- 20-year PILOT Agreement based upon the abatement schedule for units assessed at \$90,000-99,000.
- Utilization of the current property assessment of \$510,000 as the Base Assessment for the duration of the PILOT Agreement.

The Applicant has agreed to reduce its previous request after consultation with the Capitalize Albany staff and a thorough review of the Applicant's Pro Forma. Applicant has increased our projected miscellaneous income and is satisfied with the above requested abatement schedule as the overall impact on the Pro Forma is restricted to the last 9 years of the PILOT Agreement and the projected overall returns are still viable.

We believe the project will satisfy 10 of the Community Benefit Metrics outlined in the IDA's Project Evaluation and Assistance Framework: (i) High Vacancy Census Tract (ii) Downtown (iii) Neighborhood Plan (iv) Downtown Residential (v – vii) Financial Commitment (viii) Regional Labor and (ix - x) Estimated 140 Construction Jobs.

The project will be located on an existing vacant parcel that is currently being used as a parking lot in the heart of the Clinton Square neighborhood. The Applicant seeks to expand on the transformative developments already under way in Clinton Square by creating additional walkable mixed income residential opportunities.

The project will generate additional tax revenue for the City of Albany and the Albany School District while the construction of additional residential housing will have a positive impact on jobs and business in the surrounding area. The Applicant is requesting assistance from the Agency in order to provide the City of Albany with new housing opportunities which are consistent with existing zoning and the trend towards urban living.

Please do not hesitate to contact me should you have any questions or need additional information. We look forward to working with the Agency on this project. Thank you for your consideration.

Sincerely,



Mark L. Aronowitz

Managing Member

City of Albany Industrial Development Agency

Application for Assistance

Date: 09/01/20

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY
c/o Department of Economic Development
21 Lodge Street
Albany, New York 12207

This application respectfully states:

APPLICANT:

Name: Broadway 915, LLC
Address: 54 State St. Suite 800
City: Albany State: NY Zip: 12207
Federal ID/EIN: 01-0810003 Website:
Primary Contact: Mark Aronowitz
Title: Managing Member
Phone: (518) 694-4720 Email: mlaronowitz@gmail.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

Mark Aronowitz

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: Debra Lambek
ATTORNEY'S ADDRESS: 302 WASHINGTON AVE EXT. Albany, NY 12203
PHONE: (518) 491-1628 E-MAIL: dlambek@lambeklaw.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency's Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

Answer all questions. Use "None" or "Not Applicable" where necessary.

SUMMARY OF PROJECT

Applicant: Broadway 915, LLC

Contact Person: Mark Aronowitz

Phone Number: (518) 694-4720

Occupant: N/A

Project Location (include Tax Map ID): 745 Broadway 65.83-1-28

Approximate Size of Project Site: 1.38 Acres

Description of Project: Construction of a five-story multi-family building consisting of approximately 80 apartments, approximately 6,900 sf of first floor amenities/service areas and approximately 90 parking spaces, including 30 interior spaces.

Type of Project: ☐ Manufacturing ☐ Warehouse/Distribution
☐ Commercial ☐ Not-For-Profit
☒ Other-Specify Multi-Family

Employment Impact: Existing FTE Jobs: N/A
 Retained FTE Jobs: N/A
 FTE Jobs Created: 1 ESTIMATED
 Construction Jobs Created: 140 ESTIMATED

Project Cost: \$22,700,000

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$524,800
Mortgage Recording Taxes:	\$170,025
Real Property Tax Exemptions: (auto-calculated)	\$4,813,712
Other (please specify):	

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$38,000
Annualized Salary Range of Jobs to be Created:	\$35k-\$45k
Estimated Average Annual Salary of Jobs to be Retained:	\$0

I. APPLICANT INFORMATION

A) Applicant:

Name:

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

B) Real Estate Holding Company (if different from Applicant):

Will a separate company hold title to/own the property related to this Project? If yes:

Name:

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):

Name: Applicant
Title:
Address:
City: State: Zip:
Phone: Email:

D) Attorney:

Name: LAMBEK LAW
Firm Name: DEBRA LAMBEK
Address: 302 WASHINGTON AVE EXT.
City: ALBANY State: NY Zip: 12203
Phone: (518) 491-1628 Email: DLAMBEK@LAMBEKLAW.CO

E) General Contractor:

Name: BRENT KOSOC
Firm Name: BBL CONSTRUCTION SERVICES
Address: 302 WASHINGTON AVE EXT.
City: ALBANY State: NY Zip: 12203
Phone: (518) 452-8200 Email: BKOSOC@BBLINC.COM

II. APPLICANT'S COMPANY OWNERSHIP & HISTORY

A) Company Organization:

Year founded: Founded in which state: NAICS Code:

Type of ownership (e.g., C-Corp, LLC):

B) Company Management

Name	Office Held	Other Principal Business
Mark Aronowitz	Managing Member	Real Estate
Norman Nichols	Managing Member	Banking

Company Ownership:

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Mark Aronowitz	Managing Member	50%	50%
Norman Nichols	Managing Member	50%	50%

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation? ☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation? ☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation? ☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation? ☐ Yes ☒ No

If yes, describe:

Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? ☐ Yes ☒ No

If yes, describe:

C) Company Description:

Describe in detail the Company's background, products, customers, goods and services:

Broadway 915, LLC is a single purpose entity which previously owned 915 Broadway a 30,000 +/- sf office building in Albany's Warehouse District. Upon sale of the office building the entity purchased 745 Broadway, which is currently operated as a parking lot.

Mr Aronowitz has 40 years experience in real estate development, financing and property management.

Mr Nichols has 35 years experience in financing of commercial and multi-family real estate.

Existing Banking Relationship(s): Community Bank, Key Bank, M&T Bank and Berkshire Bank

Has the Company ever received incentives tied to job creation? ☐ Yes ☒ No

If yes, describe:

Were the goals met?

☐ Yes ☐ No ☒ N/A

If no, why not?

Additional sheets may be attached, if necessary.

III. PROJECT DESCRIPTION AND DETAILS

A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☒ Exemption from Mortgage Tax
- ☒ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

Summary: (Please provide a brief narrative description of the Project.):

Construction of a five-story multi-family building consisting of approximately 80 apartments, approximately 6,900 sf of first floor amenities/service areas and approximately 90 parking spaces, including 30 interior spaces.

Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☒ Yes ☐ No

If yes: Date of Purchase: Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☐ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☐ Yes ☐ No ☒ N/A

If yes: Date option signed: Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

DRAFT FOR DISCUSSION PURPOSES ONLY

DATED: JULY 8, 2019

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

THE PROJECT INCLUDES THE NEW CONSTRUCTION AND FIT-UP OF A FIVE-STORY MULTI-FAMILY BUILDING WITH A GROSS BUILDING AREA OF APPROXIMATELY 99,535 +/- SQUARE FEET ON A 1.38 ACRE PARCEL THAT IS CURRENTLY BEING USED AS A PARKING LOT. THE BUILDING WILL CONTAIN APPROXIMATELY 80 APARTMENTS, 30 INTERIOR PARKING SPACES AND 6,900 +/- SQUARE FEET ON THE FIRST FLOOR (RENTAL OFFICE, SERVICE ROOMS AND RESIDENT AMENITIES). EQUIPMENT PURCHASES/LEASES SHALL INCLUDE THOSE ITEMS INCIDENTAL TO THE CONSTRUCTION AND MANAGEMENT OF A MULTI-FAMILY APARTMENT PROJECT INCLUDING BUT NOT LIMITED TO PLUMBING, ELECTRICAL, HVAC, ELEVATORS, SPRINKLERS, TELECOMMUNICATION SYSTEMS, APPLIANCES, MAINTENANCE EQUIPMENT ETC. IT IS ANTICIPATED THAT CONSTRUCTION WILL START IN SPRING/SUMMER OF 2021 AND BE COMPLETED WITHIN 22 MONTHS.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Service* |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office |
| <input checked="" type="checkbox"/> Housing | <input type="checkbox"/> Mixed use |
| <input checked="" type="checkbox"/> Multi-tenant | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail* | <input type="checkbox"/> Other |

* The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. N/A		
2.		
3.		

Are there existing buildings on project site? ☐ Yes ☒ No

a. If yes, indicate number and approximate size (in square feet) of each existing building:

b. Are existing buildings in operation? ☐ Yes ☐ No ☒ N/A

If yes, describe present use of present buildings:

c. Are existing buildings abandoned? ☐ Yes ☐ No ☒ N/A

About to be abandoned?

☐ Yes ☐ No ☒ N/A

If yes, describe:

d. Attach photograph of present buildings.

IV. RETAIL QUESTIONNAIRE
(Fill out if end users are "retail" or "service" as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?¹ ☒ Yes ☐ No
If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100%

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute. Accordingly, please answer "yes" and insert "100%" if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☒ Yes ☐ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? ☒ Yes ☐ No
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☐ Yes ☒ No
If yes, explain:
5. Will the Project be in a "highly distressed" census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

Located in census tract 11 which is contiguous to census tract 25

¹ Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute. Accordingly, please answer "yes" and insert "100%" if your project is a housing project.

V. ENVIRONMENTAL REVIEW AND PERMITTING

The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.

Environmental Assessment Form: ☐ Short Form ☒ Long Form

Lead Agency: City of Albany Planning Department

Agency Contact: Bradley Glass

Date of submission: 10/07/2019

Status of submission: APPROVED

Final SEQRA

determination: January 28, 2020

A) Site Characteristics:

Describe the present zoning and land use regulation: MU-CU Mixed Use Community Urban

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

N/A

Does part of the Project consist of a new building or buildings?

☒ Yes ☐ No

If yes, indicate number and size of new buildings:

One building of approximately 99,535 +/- Gross Square Feet

Does part of the Project consist of additions and/or renovations to the existing buildings?

☐ Yes ☒ No

If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

VI. INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

VII. EMPLOYMENT INFORMATION

A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

	Current FTEs	Projected FTEs			
		New Year 1- 20 ²³	New Year 2 - 20 ²⁴	New Year 3 - 20 ²⁵	Total Year 4-20 ²⁶
Full-time		1	1	1	1
Part-time		1	1	1	1
Seasonal					

B) Employment Plan in FTE

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected New Permanent FTE			
	Average Annual Salary or Hourly Wage ²	Number of Current FTE	FTE in Year 1 20 ²³	FTE in Year 2 20 ²⁴	FTE in Year 3 20 ²⁵	Total New FTE by Year 4 20 ²⁶
Professional/ Management						
Administrative						
Sales	\$25,000 estimate	0	1/2	1/3	1/3	1/3
Services		0				
Manufacturing						
High-Skilled						
Medium-Skilled						
Basic-Skilled						
Other (specify)						
Maintenance	\$40,000 estimate	0	1	1	1	1
Total (auto-calculated)		0	1 1/2	1 1/3	1 1/3	1 1/3

² Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

VIII. INDEPENDENT CONTRACTOR RESOURCES

Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.

Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.

("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

	Current FTEs	Projected			
		New Year 1-20	New Year 2-20	New Year 3-20	Total Year 4-20
Full-time	0	0	0	0	0
Part-time	0	0	0	0	0
Seasonal	0	0	0	0	0

IX. CONSTRUCTION LABOR

**Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 140 estimate

When does the applicant anticipate the start of construction? Spring/Summer 2021

When does the applicant anticipate the completion of construction? Fall/Winter 2022

What is the total value of construction contracts to be executed? \$16,400,000

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

The General Contractor will send out multiple BID Packages to Regional and/or City of Albany sub-contractors, including MWBE/DBE sub-contractors. All BID Packages will ask sub-contractors, to the best of their ability, to staff the project with Regional Labor with a priority to City of Albany residents.

X. PROJECT COSTS AND FINANCING

Attach additional

A) Project Costs

Description of Cost	Amount
Land	\$1,400,000
Buildings	\$14,950,000
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	\$1,350,000
Architects and engineering fees	\$492,000
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	\$1,000,500
Other (specify)	
Soft Costs	\$3,407,500
FF&E	\$100,000
TOTAL PROJECT COST	\$22,700,000

Have any of the above costs been paid or incurred as of the date of this application? ☒ Yes ☐ No

If yes, describe:

Approximately \$1,500,000 for due diligence, land purchase, closing costs and architect and engineer fees.

B) Sources of Funds for Project Costs

Equity:

\$5,675,000

Bank Financing:

\$17,025,000

Tax Exempt Bond Issuance:

\$0

Taxable Bond Issuance

\$0

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:

n/A

\$0

Public Funds Total

\$0

Additional sheets may be attached, as necessary.

TOTAL:

\$0

Amount of total financing requested from lending institutions:

\$17,025,000

Amount of total financing related to existing debt refinancing:

\$900,000

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution:

Pending

Contact:

Phone:

XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

Project Evaluation and Assistance Framework. If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

Baseline Requirements (Must Achieve All)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Complete Application | <input checked="" type="checkbox"/> Albany 2030 Aligned | <input checked="" type="checkbox"/> Meet Project Use Definition |
| <input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements | <input checked="" type="checkbox"/> Planning Approval (if applicant) | <input checked="" type="checkbox"/> "But For" Requirement |
- Approval Date:

Community Benefit Metrics (Must Achieve 10)

- | | | |
|--|---|---|
| Revitalization
Target Geography
<input type="checkbox"/> Distressed Census Tract
<input checked="" type="checkbox"/> High Vacancy Census Tract
<input checked="" type="checkbox"/> Downtown
<input type="checkbox"/> BID
<input checked="" type="checkbox"/> Neighborhood Plan | Investment
Financial Commitment (cumulative)
<input checked="" type="checkbox"/> 2.5M - 10M
<input checked="" type="checkbox"/> 10.1 - 17.5M
<input checked="" type="checkbox"/> 17.6M - 25M | Employment
Permanent Jobs (cumulative)
<input type="checkbox"/> 3 - 40
<input type="checkbox"/> 41 - 80
<input type="checkbox"/> 81 - 120
<input type="checkbox"/> 121 - 180
<input type="checkbox"/> > 180 |
| Identified Priority
<input checked="" type="checkbox"/> Downtown Residential
<input type="checkbox"/> Tax Exempt/Vacant
<input type="checkbox"/> Identified Catalyst Site
<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Community Catalyst | Community Commitment
<input type="checkbox"/> MWBE/DBE Participation
<input type="checkbox"/> EEO Workforce Utilization
<input type="checkbox"/> Inclusionary Housing
<input checked="" type="checkbox"/> Regional Labor
<input type="checkbox"/> City of Albany Labor
<input type="checkbox"/> Apprenticeship Program | Retained Jobs (cumulative)
<input type="checkbox"/> 3 - 40
<input type="checkbox"/> 41 - 80
<input type="checkbox"/> 81 - 120
<input type="checkbox"/> 121 - 180
<input type="checkbox"/> > 180 |
| Identified Growth Area
<input type="checkbox"/> Manufacturing/Distribution
<input type="checkbox"/> Technology
<input type="checkbox"/> Hospitality
<input type="checkbox"/> Existing Cluster
<input type="checkbox"/> Conversion to Residential | | Construction Jobs (cumulative)
<input checked="" type="checkbox"/> 6 - 80
<input checked="" type="checkbox"/> 81 - 160
<input type="checkbox"/> 161 - 240
<input type="checkbox"/> > 240 |

XII. ESTIMATED VALUE OF INCENTIVES

A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☐ Yes ☒ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated):

**assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value Without PILOT ³	Estimated Total Without PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1	\$ 27,009	\$302,931	\$329,931	90%	\$57,301
2	\$ 27,549	\$308,994	\$336,529	90%	\$ 58,447
3	\$ 28,100	\$315,172	\$343,260	90%	\$ 59,616
4	\$ 28,662	\$321,464	\$350,125	90%	\$ 60,808
5	\$ 29,235	\$327,870	\$357,128	90%	\$ 62,024
6	\$ 29,820	\$334,448	\$364,270	90%	\$ 63,265
7	\$ 30,416	\$341,141	\$371,556	90%	\$ 64,530
8	\$31,025	\$347,948	\$378,987	90%	\$ 65,821
9	\$31,645	\$354,926	\$386,567	90%	\$ 67,137
10	\$32,278	\$362,019	\$394,298	90%	\$ 68,480
11	\$32,924	\$369,283	\$402,184	85%	\$ 88,313
12	\$33,582	\$376,662	\$ 410,228	75%	\$ 127,743
13	\$34,254	\$384,155	\$ 418,432	65%	\$ 168,716
14	\$34,939	\$391,877	\$ 426,801	60%	\$ 191,684
15	\$35,638	\$399,714	\$ 435,337	50%	\$ 235,487
16	\$36,350	\$407,722	\$ 444,043	40%	\$ 280,966
17	\$37,077	\$415,844	\$ 452,924	30%	\$ 328,170
18	\$37,819	\$424,138	\$ 461,983	20%	\$ 377,150
19	\$38,575	\$432,661	\$ 471,222	20%	\$ 384,693
20	\$39,347	\$441,298	\$ 480,647	20%	\$ 392,387
			\$ 8,016,451		\$ 3,202,739

**PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

³ The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

Applicant is requesting that the base assessment for the duration of the PILOT Agreement be set at the current property assessment of \$510,000 instead of the \$1,400,000 purchase price. Applicant also requests the Abatement Schedule be consistent with the schedule for Assessed Value per Unit of \$90,000 - 99,000+

Note from years 13 - 20 the estimated PILOT Payment will be the higher of 11.5% of Gross Revenue or the scheduled PILOT Payments based upon the above

The deviation from the Standard CAIDA Framework is necessary because the average rate of return on investment without the deviation is unacceptable given the risk associated with the project. The applicant will not be able to attract investors at such low returns which will make the project unfeasible.

The requested deviation boosts the average return for the 20 year PILOT to approximately 7.4% which is viable.

B) Sales and Use Tax Benefit:

Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.

Costs for goods and services that are subject to State and local sales and use tax⁴:

\$6,560,000

Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts):

\$524,800

C) Mortgage Recording Tax Benefit:

Mortgage amount (include construction, permanent, bridge financing or refinancing):

\$17,025,000

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1%)⁵:

\$170,250

D) Percentage of Project Costs Financed from Public Sector:

Percentage of Project costs financed from public sector: 27%
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:

\$22,700,000

B. Estimated Value of PILOT (auto-filled):

\$4,813,712

C. Estimated Value of Sales Tax Incentive:

\$524,800

D. Estimated Value of Mortgage Tax Incentive:

\$170,025

E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):

\$0

⁴ Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm.

⁵ The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

XIII. COST BENEFIT ANALYSIS

In order for the City of Albany Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire"). Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, community benefits (including community commitment as described in the Agency's Project Evaluation and Assistance Framework), etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary ("Company"):	Broadway 915, LLC	
2. Brief Identification of the Project:	Construction of a five story multi-family building.	
3. Estimated Amount of Project Benefits Sought:	\$ 5,508,537	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$524,800
C. Value of Real Property Tax Exemption Sought		\$4,813,712
D. Value of Mortgage Recording Tax Exemption Sought		\$170,025
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Principals of Company have approx 75 combined years of experience in real estate development and financing.		

PROJECTED PROJECT INVESTMENT

A. Land-Related Costs	
1. Land acquisition	\$ 1,400,000
2. Site preparation	\$ 1,350,000
3. Landscaping	
4. Utilities and infrastructure development	
5. Access roads and parking development	
6. Other land-related costs (describe)	
B. Building-Related Costs	
1. Acquisition of existing structures	
2. Renovation of existing structures	
3. New construction costs	\$ 14,950,000
4. Electrical systems	
5. Heating, ventilation and air conditioning	
6. Plumbing	
7. Other building-related costs (describe)	
C. Machinery and Equipment Costs	
1. Production and process equipment	
2. Packaging equipment	
3. Warehousing equipment	
4. Installation costs for various equipment	
5. Other equipment-related costs (describe)	
D. Furniture and Fixture Costs	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	\$ 100,000
E. Working Capital Costs	
1. Operation costs	
2. Production costs	
3. Raw materials	
4. Debt service	
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	
F. Professional Service Costs	
1. Architecture and engineering	\$ 492,000
2. Accounting/legal	\$ 80,000
3. Other service-related costs (describe)	
G. Other Costs	
1. _____	\$ 1,000,500
2. _____	\$ 3,327,500
H. Summary of Expenditures	
1. Total Land-Related Costs	\$ 2,750,000
2. Total Building-Related Costs	\$ 14,950,000
3. Total Machinery and Equipment Costs	\$ 0
4. Total Furniture and Fixture Costs	\$ 100,000
5. Total Working Capital Costs	\$ 0
6. Total Professional Service Costs	\$ 572,000
7. Total Other Costs	\$ 4,328,000
	\$ 22,700,000

PROJECTED NET OPERATING INCOME

- I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 778,866	\$ 1,051,496
2	\$ 1,048,993	\$ 1,327,075
3	\$ 1,066,947	\$ 1,350,591
4	\$ 1,085,167	\$ 1,374,484
5	\$ 1,103,713	\$ 1,398,816

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

- I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	0	0	
Year 1	140	7,560,000	475548
Year 2	75	4,200,000	265860
Year 3			
Year 4			
Year 5			

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	\$ 10,000
Additional Sales Tax Paid on Additional Purchases	\$ 800
Estimated Additional Sales (1 st full year following project completion)	\$ 20,000
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	\$ 1,600

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$0	\$0	\$0
Year 1	\$ 27,009	\$57,301	\$30,292
Year 2	\$ 27,549	\$ 58,447	\$30,898
Year 3	\$ 28,100	\$ 59,616	\$31,516
Year 4	\$ 28,662	\$ 60,808	\$32,146
Year 5	\$ 29,235	\$ 62,024	\$32,789
Year 6	\$ 29,820	\$ 63,265	\$33,445
Year 7	\$ 30,416	\$ 64,530	\$34,114
Year 8	\$31,025	\$ 65,821	\$34,796
Year 9	\$31,645	\$ 67,137	\$35,492
Year 10	\$32,278	\$ 68,480	\$36,202
Year 11	\$32,924	\$ 88,313	\$55,389
Year 12	\$33,582	\$ 127,743	\$94,161
Year 13	\$34,254	\$ 168,716	\$134,462
Year 14	\$34,939	\$ 191,684	\$156,745
Year 15	\$35,638	\$ 235,487	\$199,849
Year 16	\$36,350	\$ 280,966	\$244,616
Year 17	\$37,077	\$ 328,170	\$291,093
Year 18	\$37,819	\$ 377,150	\$339,331
Year 19	\$38,575	\$ 384,693	\$346,118
Year 20	\$39,347	\$ 392,387	\$353,040
			\$ 2,546,497

ADDITIONAL COMMUNITY BENEFITS

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- | | |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation; | (L) Downtown Residential; |
| (B) EEO; | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization; | (N) Identified Catalyst Site; |
| (D) Inclusionary Housing; | (O) Historic Preservation; |
| (E) Regional Labor; | (P) Community Catalyst; |
| (F) City of Albany Labor; | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program; | (R) Technology; |
| (H) Distressed Census Tract; | (S) Hospitality; |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and |
| (J) Downtown BID; | (U) Conversion to Residential. |
| (K) Neighborhood Plan; | |

(A), (E) & (F) The General Contractor will send out multiple BID Packages to Regional and/or City of Albany sub-contractors, including MWBE/DBE sub-contractors. All BID Packages will ask sub-contractors, to the best of their ability, to staff the project with Regional Labor with a priority to City of Albany residents.

(D) The Project will include 5% of the apartments as affordable housing units per the City of Albany Zoning Code.

(H) The Project is adjacent to a Distressed Census Tract and will provide employment opportunities both during construction and at the on-site retail establishments.

(I) The Project is located within a High Vacancy Census Tract and will provide further impetus to residents and businesses to locate within this tract.

(J), (K) & (L) The Project is located within the Clinton Square District which is part of New York State's and the City of Albany's Downtown Revitalization Initiative and will offer Downtown Residential opportunities.

(M) The Project Site is currently vacant.

XIV. OTHER

Is there anything else the Agency's board should know regarding this Project?

See attached

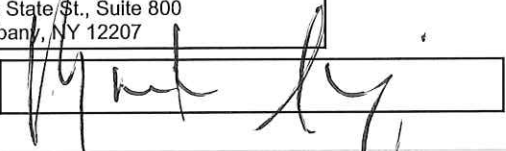


CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: 09/01/2020	Name of Person Completing Project Questionnaire on behalf of the Company.
	Name: Mark Aronowitz
	Title: Managing Member
	Phone Number: 518-694-4720
	Address: 54 State St., Suite 800 Albany, NY 12207
	Signature: 

Section XIV. Other

745 Broadway is currently a vacant lot in the heart of the Clinton Square District. The construction of the proposed five-story 80 unit apartment building with 6,900 square feet of amenities and service areas on the first floor and approximately 90 parking spaces will have a significant economic impact on the downtown area.

This Project will add employment opportunities, retail spending and foot traffic to the economic landscape of four downtown neighborhoods (Clinton Square, Arbor Hill, Warehouse District and Central Business District).

During the estimated 22 month construction period upwards of 140 construction workers will be frequenting neighborhood restaurants, coffee shops and retail stores. Once completed, the project will continue to make a significant contribution to the economic revitalization of downtown Albany by introducing over 125 new residents to the downtown market and thereby increasing the demand for services and retail sales. Residents who will be spending money at the shops, restaurants and entertainment venues.

745 Broadway meets several of the Strategic Initiatives contained in recent development strategies for Downtown Albany as follows:

Albany 2030

- Increase job opportunities for all residents.
- Encourage investment in urban land and historic buildings for employment and housing.
- Provide a variety of housing types to meet the varied needs of Albany's households, including market, moderate and low income housing.
- Encourage diverse intergenerational housing. Diverse housing includes options for residents throughout different stages of life (e.g. students, couples, families with children, seniors) in the same neighborhood.
- Provide a foundation for economic activity and increase economic diversity.

Impact Downtown Albany

- Establish a greater critical mass of housing along Broadway.
- Encourage development proposals along Broadway compatible with a mixed-use pedestrian oriented setting.

Downtown Revitalization Initiative

- Establish a clear and engaging gateway into the Capital City.
- Make Clinton Square a connected hub of activity
- Create mixed-income urban living options while maintaining future affordability
- Connect Albany's workforce to local employers.

REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Mark Aronowitz (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Managing Member (title) of Broadway 915, LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. Job Listings. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled "The Omnibus Human Rights Law" and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.

D. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

E. Annual Employment Reports. The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company's contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the

nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.

H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain "recapture events" occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

J. Post-Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

DATED: JULY 8, 2019

L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

N/A

M. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

O. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

N/A

Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at www.albanyida.com.

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

Mark Aronowitz, being first duly sworn, deposes and says:

1. That I am the Managing Member (Corporate Office) of Bronxway 94, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

Mark Aronowitz
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 1st day of September 2020

Maria Lisa Reddy
(Notary Public)

MARIA LISA REDDY
Notary Public, State of New York
No. 01RE4976665
Qualified in Albany County
Commission Expires 1/22/2023

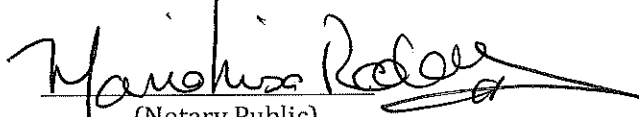
HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: 

Sworn to before me this
15 day of Sept, 2020


(Notary Public)

MARIA LISA REDDY
Notary Public, State of New York
No. 01RE4976665
Qualified in Albany County
Commission Expires 11/22/2023

SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

Should you need additional space, please attach a separate sheet.

**NEW YORK STATE FINANCIAL REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

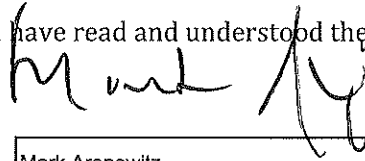
Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
 - a. Name of the Project financed with the bond proceeds.
 - b. Whether the Project occupant is a not-for-profit corporation.
 - c. Name and address of each owner of the Project.
 - d. The estimated amount of tax exemptions authorized for each Project.
 - e. The purpose for which the bond was issued.
 - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
 - g. Bond maturity date.
 - h. Federal tax status of the bond issue.
 - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
 - a. Name of the Project.

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Mark Aronowitz

Title:

Managing Member

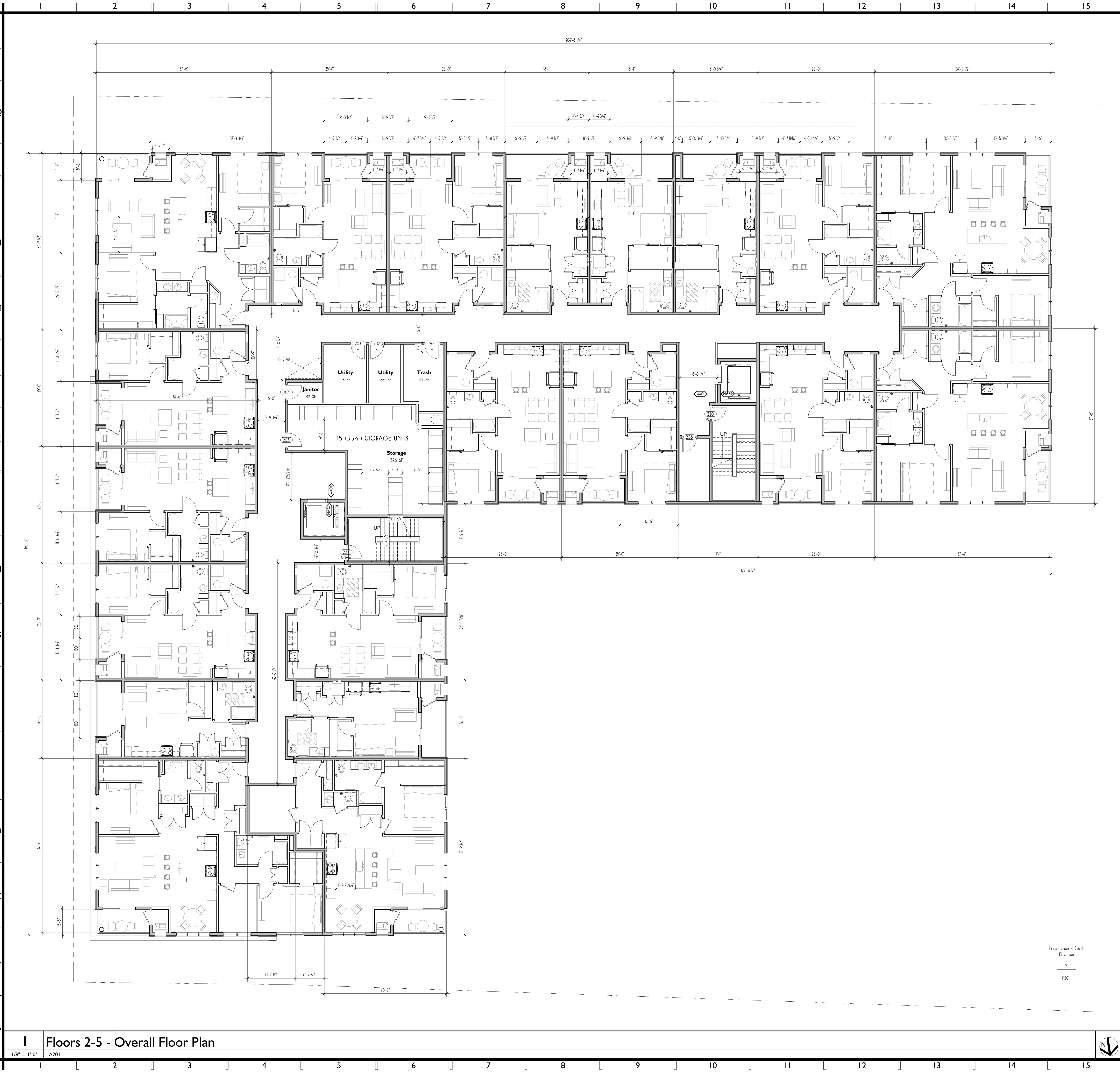
Company:

Broadway 915, LLC

Date:

09/01/2020

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New Construction Legend

NEW HALL CONSTRUCTION

NEW 1 HOUR FIRE RATED DEMISING BEARING WALL

NEW 1 HOUR FIRE RATED INTERIOR UNIT BEARING WALL

NEW DOOR AND FRAME AS SCHEDULED ON SHEET A901

APARTMENT ENTRANCE DOOR RECESS 8" FROM CORRIDOR HALL KEEP 10 A.O.S. FOR MORE DETAILS

WINDOW TAG

ALIGN FINISHED FACE OF NEW CONSTRUCTION WITH FINISH FACE

NEW WINDOW

PUBLIC DOORS - DOOR TAG

HALL TAG

FLOOR DRAIN

JULIET RAILING FOR MORE INFORMATION SEE

NEW GRIDLINE

FACE OF MASONRY GRIDLINE

Building Level Schedule

Name	Elevation
Second Floor	18' - 0"
8/ Truss Second Floor	27' - 1 1/8"
1/ Truss Second Floor	28' - 6 1/8"
Third Floor	28' - 9 7/8"
8/ Truss Third Floor	37' - 11"
1/ Truss Third Floor	39' - 4"
Fourth Floor	39' - 7 3/4"
8/ Truss Fourth Floor	48' - 6 7/8"
1/ Truss Fourth Floor	50' - 1 7/8"
Fifth Floor	50' - 5 5/8"
8/ Roof Truss	61' - 6 3/4"
1/ Truss Fifth Floor	64' - 3 3/4"
1/ Roof Truss	64' - 6 3/4"
Roof Terrace	66' - 2"
1/ Parapet	68' - 6 3/4"
06 - ROOF PLAN	70' - 0"
1/ Footing	95' - 0"
First Floor	100' - 0"

STAMP

ISSUED FOR

50% CDs

Revision Schedule

#

Description

Date

05.06.2020

New Mixed Use

745 Broadway

745 Broadway,
Albany NY, 12207

ITEMS DELINEATED IN THIS SET OF PLANS ARE PROPRIETARY OF SYVERTSEN RIGOSU ARCHITECTS, PLLC (SRA). UNAUTHORIZED USE OF THESE PLANS CAN LEGALLY RESULT IN THE CESSATION OF SUCH CONSTRUCTION OR BUILDING BEING SEIZED AND RAZED.

SCALE

1/8" = 1'-0"

EG.

Floors 2 - 5 Overall Floor Plan

SHEET TITLE

A102

SHEET NUMBER

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745 Broadway

745 Broadway,
Albany NY, 12207

PROJECT INFORMATION

660 20.004

STAMP

ISSUED FOR

50% CDs

Revision Schedule

#

Description

Date

05.06.2020

New Mixed Use

745 Broadway

745 Broadway,
Albany NY, 12207

ITEMS DELINEATED IN THIS SET OF PLANS ARE PROPRIETARY OF SYVERTSEN RIGOSU ARCHITECTS, PLLC (SRA). UNAUTHORIZED USE OF THESE PLANS CAN LEGALLY RESULT IN THE CESSATION OF SUCH CONSTRUCTION OR BUILDING BEING SEIZED AND RAZED.

SCALE

1/8" = 1'-0"

EG.

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EXHIBIT A

DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

BROADWAY 915, LLC PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity Downtown, thereby promoting the retention of existing jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity Downtown, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 1 new full time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>

3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p> <p>NYS Sales and Compensating Use Tax Exemption: \$524,800 Mortgage Recording Tax Exemption: \$170,025 Real Property Tax Exemption: \$4,813,546</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project applicant expects to invest over \$22.7 million of private investment in the Project.</p>
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>High likelihood that Project will be accomplished in a timely fashion.</p> <p>The project received City of Albany Planning Board approvals.</p> <p>The Project has received a term sheet and letter of intent for Project Financing.</p> <p>The Applicant closed on the purchase of the property in 2017.</p>
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will result in new revenue to local taxing jurisdictions under the proposed PILOT program through the City of Albany IDA.</p> <p>Project will result in an increase in assessed value from the current total assessment: \$510,000 (Per City of Albany Commissioner of Assessment and Taxation 2019 Assessment Roll) to the estimated improved total assessment: \$6,230,000 (Per City of Albany Commissioner of Assessment and Taxation).</p>

7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The Project will develop an underutilized property and create approximately 1 FTE.</p> <p>The Project commits to utilizing 90% Regional Labor for construction jobs.</p> <p>The Project will increase the consumer base to support local businesses and employers.</p> <p>The Project will have a positive revitalizing effect on the community by developing currently underutilized land in a strategically identified neighborhood location.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.</p>
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TO: City of Albany Industrial Development Finance Committee
FROM: City of Albany Industrial Development Agency Staff
RE: Small Business Adaptation Program
DATE: October 14, 2020

City of Albany small businesses impacted by the ongoing pandemic that need assistance in covering costs related to operating in accordance with health and safety requirements were able to apply for a COVID-19 Small Business Adaptation Program (SBAP) grant.

Eligible applicants were able to apply for up to \$10,000 and eligible disadvantaged business enterprises (woman, minority and veteran-owned businesses) were able to apply for an additional \$10,000 totaling up to \$20,000 in direct-reimbursement grants (up to \$10,000 from each funding source.) SBAP is made possible with up to \$250,000 support from the Albany Community Development Agency (ACDA), and up to \$250,000 City of Albany Industrial Development Agency. The program will be administered by Capitalize Albany Corporation and will prioritize minority and women-owned businesses and those that serve low-to-moderate-income areas.

Funding allocated by the City of Albany Industrial Development Agency will be used solely for reimbursement of the purchase of PPE. PPE funding requests must exceed \$1,000 of materials and may not exceed \$10,000. Funding for these items has been made possible per New York State legislation S8181A amending General Municipal Law signed into effect on June 17, 2020. Capitalize Albany is awaiting additional guidance on allowable/eligible CAIDA expenses related to PPE. Please be aware that the Corporation may need to request adjustments to the approved scope and budget based on any updates from New York State regulatory bodies. All PPE funding requests must be approved by the CAIDA Board of Directors at a public meeting where CAIDA will provide the opportunity for public comment on the application and CAIDA will consider such public comment.

Adaptation Project Type	Examples of Qualifying Project Expenditures
Reopening: The purchase of personal protective equipment (PPE) necessary to minimize the spread of COVID-19	<ul style="list-style-type: none">• Face coverings (including N95 masks, cloth, disposable, face shields)• Disposable gloves• Protective gowns or uniforms• Protective eyewear• Hand sanitizer• Cleaning materials and disinfecting supplies• No-contact thermometers for employees and customers• Specialized packaging for shipping• COVID testing kits• Other forms of PPE, as approved by Capitalize Albany and the CAIDA Board

More about the SBAP Program can be found here: <https://capitalizealbany.com/grants/>

CAIDA's participation in this program was made possible by New York State legislation (Assembly Bill 10294 – A/Senate Bill 8181-A) authorizing IDAs to establish a "State Disaster Emergency Loan Program," to make loans to small businesses or not-for-profit corporations, and to make grants supporting COVID-19 response actions. Upon the Governor's authorization, the Board allocated up to \$250,000 for the program and contracted with Capitalize Albany Corporation to design and administer the Program on its behalf.

Pursuant to the legislation, the CAIDA Board must review and approve/deny all applications for the Program. These applications have been posted to the CAIDA website here: <https://albanyida.com/ida/applications/> and have also been distributed to the Board with analysis and recommendations. The applications will be the subject of discussion at the Committee meeting with an integrated public comment period, with the possibility of subsequent Board action. All materials related to the program will be retained by the Agency.