

# City of Albany Industrial Development Agency

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Tracy Metzger, *Chair*  
Susan Pedo, *Vice Chair*  
Darius Shahinfar, *Treasurer*  
Lee Eck, *Secretary*  
Anthony Gaddy  
Robert Schofield  
L. Lloyd Stewart

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

## IDA MINUTES OF FINANCE COMMITTEE MEETING

Wednesday, February 10, 2021

Attending: Darius Shahinfar, Tracy Metzger, Lee Eck, Anthony Gaddy and L. Lloyd Stewart

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

Public Present: Patrick Rafferty, Mike Pullman, Jeff Buell, Andy Brick, Evan Podob, Matt Tyler, John Wyatt, Joe Perniciaro, Dennis Rigosu, Dan Hershberg, Sally Krass, Andre Baros, Donald Zee and Pier Bruno

*These minutes are of a meeting conducted telephonically pursuant to Executive Order No. 202.87 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 Acting Chair Tracy Metzger called the Finance Committee meeting of the IDA to order at 12:17 p.m.

### **Roll Call, Reading and Approval of Minutes of the January 13, 2021 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. Secretary Lee Eck highlighted a grammatical error in the second to last sentence in the third project description on page two of the minutes. Noting the change, Chair Darius Shahinfar proposed to approve the minutes of the Finance Committee meeting of January 13, 2021. Lee Eck made a motion and Tracey Metzger seconded to accept the minutes with minor grammatical amendments. The motion passed with all members voting aye, minutes were accepted.

### **Report of Chief Financial Officer**

None.

### **Unfinished Business**

#### The Lofts at Pine Hills, LLC, (237 Western Ave)

Staff introduced the *Lofts at Pine Hills, LLC* project to the Committee. Staff noted that Project Representatives were present to answer any questions. The proposed project at 237 Western Avenue involves the demolition of existing vacant residential structures and the construction of a 5 story mixed-use, multi-family dwelling complex containing 97 residential apartment units, approximately 6,000 square feet of commercial space and both covered/uncovered parking for 99 vehicles. The project was analyzed through the Project Evaluation and Assistance Framework with the applicant requesting a deviation in the prescribed base assessed value. As such, at the request of the Board, a third-party consultant was engaged to conduct an analysis of the project's financial

assumptions and the reasonableness of the requested assistance. Staff informed the Committee that the report is forthcoming and that preliminary, draft conclusions by the consultant supported the request. Staff reviewed in detail the Project Evaluation and Assistance Framework analysis including the anticipated community benefits and a cost/benefits analysis of the project. The Board requested clarification of the definitions of “regional” and “local” labor and discussed the benefits of infill development in the neighborhood and potential positive spin-off investment. A motion was made by Tracy Metzger to positively recommend a Public Hearing Resolution to the IDA Board and was seconded by Lee Eck. A vote being taken, the motion passed with all members voting aye.

#### 1415 Washington Property, LLC (1415 Washington Ave)

Staff introduced the *1415 Washington Property, LLC* project to the Committee. Staff noted that Project Representatives were present to answer any questions. The proposed project involves the demolition of an existing hotel and the construction of a 5 story, +/- 414,000 square foot private student housing dormitory complex which will contain approximately 240 units and approximately 560 beds and with approximately 207 parking spaces. A hotel currently located on the project site would be demolished as part of the project. The project was analyzed through the Project Assistance and Evaluation Framework; staff gave a detailed review of both the anticipated community benefits and the costs/benefits of the project. A Committee member requested clarification regarding the current use of the hotel. A Project Representative confirmed that SUNY Albany had been utilizing the hotel to quarantine students with COVID symptoms, however the hotel has since ceased this operation. The Board asked for a clarification of the construction jobs anticipated and the number of current jobs active on site for hotel operations. A motion was made by Tracy Metzger to positively recommend a Public Hearing Resolution to the IDA Board and was seconded by Anthony Gaddy. A vote being taken, the motion passed with all members voting aye.

#### 413 N Pearl Assoc., LLC

Staff introduced the *413 N Pearl Assoc., LLC* project to the Committee. Staff noted that Project Representatives were present to answer any questions. The proposed project involves the historic redevelopment and conversion of an existing +/- 90,000 square foot warehouse structure into approximately 80 market rate residential apartment units and +/- 13,500 square feet of commercial space. The project will also include 54 off-street parking spaces. The estimated investment for the project is approximately \$18 million. The applicant is requesting sales & use tax exemptions and mortgage recording tax exemptions only. The Project Applicant informed the Committee that while they currently plan to seek real property tax exemptions outside of the IDA through the 485-a Residential-Commercial Urban Exemption Program in order to make the project financially feasible, there was pending State legislation that if passed, may make the project ineligible for the City’s 485-A program. A motion was made by Anthony Gaddy to positively recommend a Public Hearing Resolution to the IDA Board and was seconded by Tracy Metzger. A vote being taken, the motion passed with all members voting aye.

#### **New Business**

None.

#### **Other Business**

##### Agency Update

Staff advised the Committee that the Renaissance Hotel and Albany Hilton have submitted inquiries to staff, exploring the potential for the Agency to provide tax relief via the PILOTs in place due to the loss in revenue associated with COVID-19. Staff are working through the request with Counsel to determine the appropriateness of the inquiry and whether any assistance can be provided. At the present time, given research and legal review, staff noted that the IDA does not appear to be the appropriate tool to assist the entities. Chair Darius Shahinfar informed the committee that the City of Albany is in the process of passing legislation that would postpone imposition of late fees on property taxes through May 2021.

Prior to the meeting, the IDA received the final invoice from Hodgson & Russ which exceeds what was initially budgeted and approved. The additional legal work to be further reviewed included general administrative tasks, conflict of interest and FOIL review and work related to the Small Business Adaptation Program. Staff noted that they would review it further and present it to the following meeting of the full Board.

##### Compliance Update

Staff continues to work with Project Beneficiaries to collect data for the Annual Compliance. Currently, 75 percent of projects have submitted annual compliance data. In March, Staff will provide a thorough overview of the data, with a focus on job creation and retention numbers.

Staff informed the Committee that the Agency has followed up on previous communication regarding the status of the project with the Project Beneficiary for 960 Broadway, LLC and Nipper Apartments, LLC projects, and recommends proceeding with termination of the Project benefits due to an ongoing failure to complete the projects and maintain compliance with the closing documents.

Staff informed the Committee that they are wrapping up responses on-schedule to the Office of the State Comptroller regarding routine review questions received as part of the 2019 Annual Report submission.

Staff informed the Committee that immediately following the IDA Board meeting next week, Hodgson & Russ will host the a Board Member training. Information will be sent out following the meeting.

Finally, staff reminded the Committee to complete the annual Confidential Board Evaluation and Fiduciary Responsibility forms and return them for compliance purposes.

There being no further business, Chair Darius Shahinfar adjourned the meeting at 12:52 PM.

Respectfully submitted,

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Lee Eck, Assistant Secretary