

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given by the City of Albany Capital Resource Corporation (the “Issuer”) that a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and, as required by the Issuer’s certificate of incorporation, Section 859-a of the General Municipal Law of the State of New York, will be held by the Issuer on the 15th day of September, 2021 at 12:00 o’clock p.m., local time, at the offices of the Issuer located at 21 Lodge Street in the City of Albany, Albany County, New York in connection with the following matters:

In July, 2021, The College of Saint Rose, a New York not-for-profit corporation (the “Borrower”), submitted an application (the “Application”) to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Borrower, said Project consisting of the following: (A) the refunding of all or a portion of the Issuer’s Tax-Exempt Revenue Bonds (The College of Saint Rose Project), Series 2011A (the “Series 2011 Bonds”) issued on July 19, 2011 in the aggregate principal amount of \$21,235,000, which Series 2011 Bonds were issued for the purpose of financing (1) the demolition of approximately fourteen (14) existing buildings (collectively, the “Series 2011 Existing Improvements”) located on portions of the Borrower’s approximately 29 acre campus generally located on, but not limited to, Madison Avenue, Western Avenue, Morris Street, Partridge Street, Yates Street and State Street in the City of Albany, and having a mailing address of 432 Western Avenue in the City of Albany, Albany County, New York (collectively, the “Series 2011 Land”), (2) the construction at 930 Madison Avenue on the Land of an approximately 92,000 square foot student residence hall containing approximately 225 beds, a small convenience store and administrative office space (the “Series 2011 Facility”), (3) the renovation of the Borrower’s Alumni Hall residence building located at 366A Western Avenue on the Land and containing approximately 20,000 square feet of space (the “Series 2011 Existing Facility”) and (4) the acquisition and installation thereon and therein of various machinery, equipment and other personal property (collectively, the “Series 2011 Equipment”) (the Series 2011 Land, the Series 2011 Existing Improvements, the Series 2011 Facility, the Series 2011 Existing Facility and the Series 2011 Equipment hereinafter collectively referred to as the “Series 2011 Project Facility”); (B) the refunding of all or a portion of the Issuer’s Tax-Exempt Multi-Mode Revenue Bonds (The College of Saint Rose – Refunding Project), Series 2015A issued on November 13, 2015 in the original aggregate principal amount of \$39,760,000, the proceeds of which were used to finance (1) the refunding of all or a portion of the following bonds previously issued by the City of Albany Industrial Development Agency on June 27, 2007 (the “Prior Issuer”): Floating Rate Civic Facility Revenue Bonds (The College of Saint Rose Project), Series 2007A (Auction Rate Securities) in the original aggregate principal amount of \$34,000,000 (the “Series 2007A Bonds”) and its Floating Rate Civic Facility Revenue Bonds (The College of Saint Rose Project), Series 2007B (Auction Rate Securities) (Taxable) in the original aggregate principal amount of \$6,600,000 (the “Series 2007B Bonds”, and collectively with the Series 2007A Bonds, the “Series 2007 Bonds”), which Series 2007 Bonds were issued for the purpose of financing a portion of the costs of a project (the “Series 2007 Project”) consisting of the following: (a) the acquisition of an interest or interests in (i) various portions of the Borrower’s approximately 29-acre campus generally located on, but not limited to, Madison Avenue, Western Avenue, Morris Street, Partridge Street, Yates Street and State Street in the City of Albany, New York, and having a mailing address of 432 Western Avenue in the City of Albany, Albany County, New York (collectively, the “Campus”), together with various academic, residential and other buildings located thereon (collectively,

the “Series 2015 Existing Facility”) and (b) various parcels of land located at 196 Partridge Street, 423 and 425 Western Avenue and 936, 946 and 1006 Madison Avenue in the City of Albany, Albany County, New York (collectively, the “Additional Land”) (the Campus and the Additional Land being collectively referred to as the “Series 2015 Land”), together with various buildings located thereon (collectively, the “Series 2015 Additional Facility”), (ii) the renovation and the making of upgrades to the Series 2015 Existing Facility and the Series 2015 Additional Facility and the construction of an approximately 50,000 square foot arts center on the Series 2015 Land (the “Series 2015 New Facility”) (the Series 2015 New Facility, the Series 2015 Additional Facility and the Series 2015 Existing Facility being collectively referred to as the “Series 2015 Facility”), (iii) the acquisition and installation thereon and therein of various machinery and equipment (the “Series 2015 Equipment”) (the Series 2015 Land, the Series 2015 Facility and the Series 2015 Equipment hereinafter collectively referred to as the “Series 2015 Project Facility”); and (iv) the refunding of the Prior Issuer’s Civic Facility Revenue Bonds (The College of Saint Rose Project), Series 2001A in the original aggregate principal amount of \$22,575,000 (the “2001A Bonds”), which 2001A Bonds were issued for the purpose of financing previously completed projects, including but not limited to new academic buildings, improvements to dormitories, surface parking and office renovation/expansion (collectively, the “Series 2001 Project Facility”) (the Series 2011 Project Facility, the Series 2015 Project Facility and the Series 2001 Project Facility being collectively referred to as the “Project Facility”); (C) the financing of all or a portion of the costs of the foregoing by the issuance of tax-exempt and/or taxable revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to not exceed \$55,000,000 and in any event not to exceed \$62,000,000 (the “Obligations”); (D) the paying a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; and (E) the making of a loan (the “Loan”) of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer.

The Issuer is considering whether (A) to undertake the Project, (B) to finance the Project by issuing, from time to time, the Obligations, (C) to use the proceeds of the Obligations to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, and (D) to provide certain exemptions from taxation with respect to the Project, including exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Issuer with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere.

If the issuance of the Obligations is approved, with respect to any portion of the Obligations to be intended to be issued as federally tax-exempt obligations, the interest on such portion of the Obligations will not be excludable from gross income for federal income tax purposes unless (A) pursuant to Section 147(f) of the Code and the regulations of the United States Treasury Department thereunder (the “Treasury Regulations”), the issuance of the Obligations is approved by the Mayor of the City of Albany, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations; and (B) pursuant to Section 145(a) of the Code, all property which is to be provided by the net proceeds of the Obligations is to be owned by a Section 501(c)(3) organization or a governmental unit and at least ninety-five percent (95%) of the net proceeds of the Obligations are used with respect to (1) governmental units and/or (2) the activities of Section 501(c)(3) organizations which do not constitute “unrelated trades or businesses” (as defined in Section 513(a) of the Code) with respect to such Section 501(c)(3) organizations.

If the Issuer determines to proceed with the Project and the issuance of the Obligations, (A) the proceeds of the Obligations will be loaned by the Issuer to the Borrower pursuant to a loan agreement (the “Agreement”) requiring that the Borrower make payments equal to debt service on the Obligations and make certain other payments to the Issuer and (B) the Obligations will be a special obligation of the Issuer payable solely out of certain of the proceeds of the Agreement and certain other assets of the Issuer pledged to the repayment of the Obligations. THE OBLIGATIONS SHALL NOT BE A DEBT OF THE

STATE OF NEW YORK OR THE CITY OF ALBANY, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR THE CITY OF ALBANY, NEW YORK SHALL BE LIABLE THEREON.

The Issuer has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project.

The Issuer will at said time and place hear all persons with views on the location and nature of the proposed Project, the financial assistance being contemplated by the Issuer in connection with the proposed Project or the proposed plan of financing the proposed Project by the issuance from time to time of the Obligations. A copy of the Application filed by the Borrower with the Issuer with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Borrower. A transcript or summary report of the hearing will be made available to the members of the board of directors of the Issuer and to the Mayor of the City of Albany, New York. Approval of the issuance of the Obligations by the City of Albany, New York, acting through its elected Mayor, is necessary in order for the interest on the Obligations to qualify for exemption from federal income taxation.

Additional information can be obtained from, and written comments may be addressed to: Sarah Reginelli, Chief Executive Officer, City of Albany Capital Resource Corporation, 21 Lodge Street, Albany, New York 12207; Telephone: (518) 434-2532.

Dated: August __, 2021.

CITY OF ALBANY CAPITAL
RESOURCE CORPORATION

By: /s/Sarah Reginelli
Chief Executive Officer