

# City of Albany Industrial Development Agency

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

Elizabeth Staubach, Chair  
Lee Eck, Vice Chair  
Darius Shahinfar, Treasurer  
Anthony Gaddy, Secretary  
Joseph Better  
John Maxwell  
Christopher Betts

Ashley Mohl, Interim Chief Executive Officer  
Andy Corcione, Chief Operating Officer  
Marisa Franchini, Agency Counsel  
A. Joseph Scott, Special Counsel

To: Darius Shahinfar  
Lee Eck  
Anthony Gaddy  
Christopher Betts

Joseph Better  
Elizabeth Staubach  
John Maxwell

CC: Ashley Mohl  
Marisa Franchini  
Joe Scott

Andrew Corcione  
Emma Fullem  
Cassidy Roberts

Date: March 8, 2024

---

## IDA FINANCE COMMITTEE MEETING

**PLEASE NOTE THAT A PUBLIC HEARING CONCERNING THE FOLLOWING PROJECT(S) WILL BE HELD at 12:00pm on Wednesday, March 13, 2024 at 21 Lodge St Albany NY, 12207.**

**745 Broadway Apartments, LLC**

A meeting of the Finance Committee of the City of Albany Industrial Development Agency will be held on **Wednesday, March 13<sup>th</sup>, 2024 at 12:15 pm** at 21 Lodge Street Albany, NY 12207.

## AGENDA

### Roll Call, Reading & Approval of the Minutes of the Finance Committee Meeting of February 14, 2024

#### Report of Chief Financial Officer

- A. None

#### Unfinished Business

- A. 745 Broadway Apartments, LLC
  - i. Discussion & Possible Positive/Negative Recommendation for a Resolution Authorizing a Modification to the Basic Documents
- B. Forty-Eightcc, LLC (48 Corporate Circle)
  - i. Discussion & Possible Positive/Negative Recommendation for a Public Hearing Resolution
- C. Freedom Springs Albany, LLC
  - i. Discussion & Possible Positive/Negative Recommendation for a Public Hearing Resolution

#### New Business

- A. None

#### Other Business

- A. Agency Update
- B. Compliance Update

#### Adjournment

# City of Albany Industrial Development Agency

21 Lodge Street  
Albany, NY 12207  
Telephone: (518) 434-2532

Elizabeth Staubach, Chair  
Lee Eck, Vice Chair  
Darius Shahinfar, Treasurer  
Anthony Gaddy, Secretary  
Joseph Better  
Christopher Betts  
John Maxwell

Ashley Mohl, Interim Chief Executive Officer  
Andy Corcione, Chief Operating Officer  
Marisa Franchini, Agency Counsel  
A. Joseph Scott, Special Counsel

## MINUTES OF IDA FINANCE COMMITTEE MEETING

Wednesday, February 14th, 2024

Attending: Darius Shahinfar, Lee Eck, Christopher Betts, Elizabeth Staubach and John Maxwell

Absent: Anthony Gaddy and Joseph Better

Also Present: Ashley Mohl, Andy Corcione, Tom Libertucci, Renee McFarlin, Emma Fullem, Cassidy Roberts, Mike Bohne and A. Joseph Scott

Public Present: Michelle Kennedy, Milan Tyler, Johnathan Kauffman, Paul Dombrowski, Jeff Mirel and Toby Milde

Finance Committee Chair Darius Shahinfar called the Finance Committee meeting of the IDA to order at 12:16 p.m. at 21 Lodge St., Albany, NY.

### Roll Call, Reading and Approval of Minutes of the December 6, 2023, Finance Committee Meeting

A roll call of the Committee members present was held. Chair Darius Shahinfar reported that all Committee members were present with the exception of Anthony Gaddy and Joseph Better. Since the minutes of the previous meeting had been distributed to the Committee in advance for review, Mr. Shahinfar asked for a motion to dispense with their reading and approve the minutes of the Finance Committee meeting of January 10, 2024. A motion was made by Elizabeth Staubach and seconded by Christopher Betts to accept the minutes as presented. The motion to accept the minutes as presented was passed with all present members voting aye.

### Report of Chief Financial Officer

#### Quarterly Financial Report

Staff asked BST to provide a report of the quarterly financials, which was distributed to the Committee members prior to the meeting. BST reported that there were no significant changes to the quarterly financials since the last time the Finance Committee met and noted the 2023 year-end financials were under budget in the amount of \$462,732 due mainly to reduced project activity and delays in expected project closings.

### Unfinished Business

None.

### New Business

#### Forty-Eightcc, LLC (48 Corporate Circle)

Staff introduced the proposed *Forty-Eightcc, LLC* project to the Finance Committee. The project proposes to construct an approximately 93,000 square foot warehouse facility on a currently vacant lot at 48 Corporate

Circle. The proposed project space would be able to support a diverse tenancy for up to eight occupants, dependent on the tenants' needs. A representative for the Applicant was on hand to answer questions from the Committee. The applicant is requesting sales and use tax exemptions and real property tax exemptions in the form of a Fixed Dollar Amount PILOT, which deviates from the guidance contained within the Project Evaluation & Assistance Framework. Staff noted that, due to the deviation, a 3<sup>rd</sup> party consultant will be brought on to assist in the evaluation of the financial assumptions and reasonableness of the commercial PILOT request. No action was taken or requested at this time.

#### Holland Ave OZ, LLC

Staff informed the Committee that a sales tax exemption overage had been identified for the *Holland Ave OZ, LLC* project. A representative for the project was present to answer questions from the Committee. Staff confirmed the overage amount would be subject to recapture. The Project Beneficiary is requesting an additional \$73,000 in sales tax exemptions in order to account for labor and materials costs increases during construction. Agency council confirmed that because the requested increase to the sales tax exemption was under the \$100,000 threshold, the Agency would not be required to hold a public hearing to discuss the additional exemption. Elizabeth Staubach made a motion to positively recommend Resolution Modifying the Basic Documents to the board, which was seconded by John Maxwell. The motion was passed with all present members voting aye.

#### 745 Broadway Apartments, LLC

Staff informed the Committee that a sales tax exemption overage had been identified for the *745 Broadway Apartments, LLC* project. A representative for the project was present to answer questions from the Committee. The project representative noted that the exact amount of the overage was still being confirmed. Staff confirmed the overage amount would be subject to recapture. The Project Beneficiary has requested an additional \$100,000 in sales tax exemptions to account for unforeseen delays and costs increases during the construction process and an extension of the exemption term to allow for the construction/fit-up of the ground floor commercial space. The Project Beneficiary also requested an additional \$40,000 in mortgage recording tax exemptions. Agency council confirmed that because the requested increase in benefits totals over \$100,000, the Agency is required to hold a public hearing as part of the potential approval process. Elizabeth Staubach made a motion to present the matter to the board with a positive recommendation for a Public Hearing Resolution, which was seconded by Christopher Betts. The motion was passed with all present members voting aye.

#### **Other Business**

##### Agency Update

Staff noted recent attendance at the NYSEDC conference and spoke of strong growth trends in women and minority-owned businesses that were recognized at the event. Staff also reported the conference included ongoing conversations regarding prevailing wage and the multitude of ways Artificial Intelligence is being implemented in the economic development field.

##### Compliance Update

Staff noted that the ongoing annual employment/compliance reporting was underway and informed the committee that there would be a detailed report from staff at the February 22<sup>nd</sup> Regular Board Meeting.

There being no further business, Chair Shahinfar called for a motion to adjourn the meeting. Upon a motion being made by Elizabeth Staubach and seconded by Christopher Better, the meeting of the Finance Committee was adjourned at 12:40 p.m.

Respectfully submitted,

---

Anthony Gaddy, Secretary

February 7, 2024

City of Albany Industrial Development Agency  
Attn: Andrew Corcione  
21 Lodge Street  
Albany, NY 12207

**Re: Request for Change of IDA Financial Assistance – 745 Broadway, Albany**

Dear Mr Corcione:

Pursuant to the Amended Approving Resolution of the City of Albany Industrial Development Agency (“Agency”) on September 23, 2021, 745 Broadway Albany, LLC (“Owner”) was granted exemptions from (i) NYS Sales and Compensating Use Tax in the amount of \$612,725 and (ii) Mortgage Recording Tax in the amount of \$181,600 for the construction of an 80-unit, five-story residential apartment building with approximately 90 parking spaces and approximately 2,400 square feet of ground floor retail space on the 1.38 acre-parcel of real property in the City of Albany known as 745 Broadway, Albany, NY 12207 (“Project”).

The Project has experienced substantial unforeseen cost increases and delays beyond the Owner’s control. Furthermore, as noted in our letter of September 7, 2021, while Owner views the storefront commercial space as a meaningful long-term investment for the neighborhood, no commercial tenant has been secured to date despite a concerted effort by the Owner, which we attribute to challenging downtown retail market conditions and other macroeconomic pressures. Accordingly, Owner is writing to respectfully request the following:

- An extension of the NYS Sales and Compensating Use Tax exemptions to December 31, 2025 to allow sufficient time to identify a tenant(s), secure a lease(s), develop design and construction documents, obtain required permits, order materials (which may have elongated lead times), and perform the commercial space fit-up work.
- An increase in the NYS Sales and Compensating Use Tax exemption to \$712,725.
- An increase in the Mortgage Recording Tax Exemption to \$222,150.

Please do not hesitate to contact us if you should have any questions or find additional information is needed.

Sincerely,  
*On behalf of 745 Broadway Albany, LLC*

Rosenblum Development Corporation, its Manager



**TO:** City of Albany Industrial Development Finance Committee  
**FROM:** City of Albany Industrial Development Agency Staff  
**RE:** Forty-Eightcc, LLC - IDA Application Summary  
**DATE:** March 9, 2024

**Applicant:** Forty-Eightcc, LLC

**Managing Members (% of Voting Interest):** Owned and operated by members of Hoffman Enterprises; please see application addendum for a full organizational chart.

**Project Location:** 48 Corporate Circle, Albany, NY

**Project Description:** The proposed project involves the construction of an approximate 93,000 SF warehouse/distribution facility on what is currently 8.29 acres of vacant land.

**Estimated Project Real Property Benefit Summary (15 Years):**

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$612,690	\$2,393,600	\$1,780,910

	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$680,000	\$3,868,000	\$3,188,000

*\*Project Impact Assessed Value based on letter from the City of Albany Assessor dated December 7, 2023.*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$271,224 based on an assessed value of \$3,868,000 and an annual tax rate of \$70.12.

**Estimated Investment:** \$10,591,197 (est.)

**Community Benefits:** For comparative purposes, please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below. Please note that due to the nature of the request, the project has been evaluated outside of the Project Evaluation and Assistance Framework.

- *Identified Priority:* The project incorporates the redevelopment of existing tax exempt/vacant property;
- *Identified Growth Area:* The proposed project results in the creation of manufacturing or distribution facilities as well as the creation and/or retention of permanent jobs;

the 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;  
the project is expected to result in the creation, retention or expansion of tech sector facilities;  
the project supports multiple initiatives within the Albany 2030 Plan;

- *Job Creation:* The project is committed to the creation of ten (10) permanent jobs and forty-eight (48) construction jobs.
- *Investment:* The project is anticipating a project cost exceeding \$10.5 million.
- *Community Commitment:* The project commits to utilizing Regional Labor and City of Albany Labor.

#### Employment Impact Analysis:

##### Temporary (Construction 2024) Impact

Impact Type	Average Annual Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	50.31	\$3,418,933	\$3,799,836	\$6,303,029
Indirect Effect	6.37	\$577,819	\$965,531	\$1,677,744
Induced Effect	10.09	\$657,644	\$1,194,858	\$1,882,620
<b>Total Effect</b>	<b>66.77</b>	<b>\$4,654,396</b>	<b>\$5,960,225</b>	<b>\$9,863,393</b>

##### Permanent (Operations 2028) Impact

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	10.65	\$719,835	\$757,759	\$1,300,793
Indirect Effect	2.12	\$145,991	\$256,614	\$477,947
Induced Effect	1.81	\$118,231	\$214,881	\$338,606
<b>Total Effect</b>	<b>14.58</b>	<b>\$984,057</b>	<b>\$1,229,254</b>	<b>\$2,117,347</b>

*\*IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at March 6, 2024. Of note: IMPLAN represents average annual construction jobs over the duration of construction.*

#### Employment Impact:

- Projected Permanent: 10 jobs
- Projected Retained: 0 jobs
- Projected Construction: 48 jobs

**Type of Financing:** Straight Lease

**Amount of Bonds Requested:** None

**Estimated Total Purchases Exempt from Sales Tax:** \$5,700,000

**Estimated Total Mortgage Amount:** N/A

**Requested PILOT:** The Applicant proposes the commercial space portion of the project enter into a 15-year PILOT Agreement which is a deviation from the Project Evaluation and Assistance Framework 10-year commercial abatement schedule typically applied to a project's commercial space.

**Third Party Review:** Due to the special nature of the requested deviation in assistance from the Agency Policy Manual, a third-party evaluation of the appropriateness of the applicant's PILOT request has been commissioned. The third party determined that the assumptions included within the application in addition to the abatements 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: \$456,000
- Mortgage Recording Taxes: \$0
- Real Property Taxes: \$1,091,525
- 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: Planning Board approval received in August 2023
- 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: \$105,911.97

---

**CAIDA Mission:** Assist in the enhancement and diversity of the economy of the City of Albany (the "City") by acting in support of projects in the City that create and/or retain jobs and/or promote private sector investment utilizing the statutory powers of the Agency as set forth under the provisions of the laws of the State of New York.

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

Project:	<b>Forty-Eightcc LLC</b>		
Total Score:	<b>9</b>		
*Qualifies for a PILOT Deviation?	<b>YES</b>	**Qualifies for Community Commitment Enhancement?	<b>NO</b>
Total Improved Assessed Value Estimate:	\$3,868,000	Units:	<b>1</b>
Notes/Applicable Program Restrictions:	current AV is 680,000		
	Improved Assessed Value per Unit Estimate:		
			\$3,868,000.00

**COMMENTS**

<b>Revitalization</b>	<b>Target Geography</b>		
	Distressed Census Tract		Census tract 20
	High Vacancy Census Tract		
	Downtown		
	BID		
	Neighborhood Plan		
	<b>Identified Priority</b>		
	Downtown Residential		
	Tax Exempt/Vacant	1	
	Identified Catalyst Site		
	Historic Preservation		
	Community Catalyst		1
	<b>Identified Growth Area</b>		
	Manufacturing / Distribution	1	
	Technology		
	Hospitality		
	Existing Cluster	1	Industrial
	Conversion to Residential		
	<b>Subtotal</b>	<b>3</b>	
<b>Job Creation</b>	<b>Permanent Jobs</b>		
	3 - 40	1	Est. 10 permanent jobs
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Retained Jobs</b>		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Construction Jobs</b>		
	6 - 80	1	Est. 40 construction jobs
	81 - 160		
	161 - 240		
	> 241		
	<b>Subtotal</b>	<b>2</b>	
<b>Investment</b>	<b>Financial Commitment</b>		
	2.5M - 10M	1	
	10.1M-17.5M	1	\$10.5 M investment
	17.6M-25M		
	<b>Subtotal</b>	<b>2</b>	
	<b>Community Commitment</b>		
	MWBE		
	EEO Workforce Utilization		
	Inclusionary Housing		
	Regional Labor	1	Project commits to utilizing ≥90% Regional Labor for construction jobs
	City of Albany Labor	1	
	Apprenticeship Program		
	<b>Subtotal</b>	<b>2</b>	*Must achieve subtotal of 3 and threshold of 13 to qualify for Community Commitment enhancement
	<b>Total:</b>	<b>9</b>	*Must achieve threshold of 10 to qualify for deviation

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

\*\*\*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

**HOFFMAN**  
ENTERPRISES  
COMMERCIAL REAL ESTATE DEVELOPMENT  
BUILDING · LEASING · MANAGEMENT

February 8, 2024

Ms. Elizabeth Staubach  
Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

RE: Request for IDA Assistance for 48 Corporate Circle Warehouse Project

Dear Ms. Staubach:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for the consideration of financial assistance associated with the Forty-Eightcc LP project.

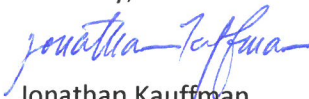
The Project will consist of construction of a 93,000 square foot flexible distribution warehouse on the last vacant lot located within the Corporate Circle Industrial Park (Karner Park). We are planning to build a spec building flexible enough to accommodate anywhere from a single user to as many as eight tenants.

As detailed in the Application, we are requesting exemptions from New York State sales and use taxes relating to the construction and fit up of the Project and a fixed dollar payment in lieu of tax agreement. Without the Agency's financial assistance, this Project is simply not viable. Current construction costs and projected property taxes would prevent us from being able to attract tenants and competitively lease the space.

Over the past 40 years, the Corporate Circle Industrial Park has been a vital economy-driver for the City of Albany. Tenants in the Park operating out of similar flexible warehouses include companies in the Technology, Pharmaceutical, Manufacturing, and Distribution industries. Among approximately 30 long-term, established companies in the Park are a silicon wafer chip producer, a global biotech R&D and manufacturing firm, a union ductwork fabrication shop, and one of the country's largest wine and spirits distributors. It also remains home to AMRI one of the most successful startup ventures for the City. This application is an effort to further cement the Corporate Circle Industrial Park as a cornerstone of the City of Albany's commitment to growing its economy in Manufacturing, Distribution, and Technology.

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

Sincerely,



Jonathan Kauffman  
Managing Director

Enclosure

## City of Albany Industrial Development Agency

### Application for Assistance

Date: 02/07/24

-----  
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: Forty-Eightcc LLC  
Address: 25 Corporate Circle, Suite 100  
City: Albany State: NY Zip: 12203  
Federal ID/EIN: 87-3851016 Website:  
Primary Contact: Jonathan Kauffman  
Title: Managing Director  
Phone: (518) 452-0095 Email: jonathan@hoffmanenterprises.com

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

Jonathan Kauffman, Paul Dombrowski

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

NAME OF ATTORNEY: Paul Goldman  
ATTORNEY'S ADDRESS: 255 Washington Avenue Extension, Suite 108, Albany, NY 12205  
PHONE: (518) 431-0941 E-MAIL: pgoldman@goldmanpllc.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.

DATED: JULY 18, 2019

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

## SUMMARY OF PROJECT

Applicant: Forty-Eightcc LLC

Contact Person: Jonathan Kauffman

Phone Number: (518) 452-0095

Occupant: vacant

Project Location (include Tax Map ID): 41.00-2-63

Approximate Size of Project Site: 8.29 acres

Description of Project: Construction of an approximately 93,000 square foot warehouse located on the vacant lot at 48 Corporate Circle, Albany, NY 12203 within the Corporate Circle Industrial Park.

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

Employment Impact: Existing FTE Jobs: 0  
Retained FTE Jobs: 0  
FTE Jobs Created: 10  
Construction Jobs Created: 48

Project Cost: \$10,591,197

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:	\$456,000
Mortgage Recording Taxes:	\$0
Real Property Tax Exemptions: (auto-calculated)	\$0
Other (please specify):	

See Staff Analysis

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$60,000
Annualized Salary Range of Jobs to be Created:	\$40,000-\$90,000
Estimated Average Annual Salary of Jobs to be Retained:	



## I. APPLICANT INFORMATION

### A) Applicant:

Name: Forty-Eightcc LLC

Address: 25 Corporate Circle, Suite 100

City: Albany State: NY Zip: 12203

Federal ID/EIN: 87-3851016 Website:

Primary Contact: Jonathan Kauffman

Title: Managing Director

Phone: (518) 452-0095 Email: jonathan@hoffmanenterprises.com

### 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:

Title:

Address:

City:  State:  Zip:

Phone:  Email:

**D) Attorney:**

Name:

Firm Name:

Address:

City:  State:  Zip:

Phone:  Email:

**E) General Contractor:**

Name:

Firm Name:

Address:

City:  State:  Zip:

Phone:  Email:

**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
Jonathan Kauffman	Managing Director	Commercial Real Estate Development

**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
Organizational ownership chart attached			

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:

The company is an affiliate of Hoffman Enterprises - a Commercial Real Estate Development company that has built, managed, and leased properties in the Albany, NY area for 50 years. The Company leases and manages over 1,000,000 square feet of commercial space - warehouse, office, and retail - to 100 local businesses all within the Capital District area.

Existing Banking Relationship(s): Trustco Bank; Merrill Lynch

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 an approximately 93,000 square foot warehouse located on the vacant lot at 48 Corporate Circle, Albany, NY 12203 within the Corporate Circle Industrial Park.

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

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?

Construction of an approximately 93,000 square foot warehouse located on the vacant lot at 48 Corporate Circle, Albany, NY 12203 within the Corporate Circle Industrial Park. Warehouse will be flex space capable of accommodating Technology, Manufacturing, Distribution and Warehousing - all approved uses within the Industrial zoned Corporate Circle Industrial Park.

The project is being built on spec. Build out of units encompassed in the project will depend on future Tenants and their space requirements.

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 checked="" type="checkbox"/> Industrial            | <input type="checkbox"/> Service*                        |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office                     |
| <input type="checkbox"/> Housing                          | <input type="checkbox"/> Mixed use                       |
| <input checked="" type="checkbox"/> Multi-tenant          | <input type="checkbox"/> Facility for Aging              |
| <input checked="" type="checkbox"/> Commercial            | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input 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. TBD	TBD	TBD
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?<sup>1</sup> ☐ 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?

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:

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.<sup>1</sup>



## 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: Albany Planning Board

Agency Contact: Brad Glass

Date of submission: 3/30/23

Status of submission: Site Plan Approved with Conditions on 8/15/2023

Final SEQRA

determination: Negative Declaration

### A) Site Characteristics:

Describe the present zoning and land use regulation: Light Industrial (I-1)

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:

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

☒ Yes ☐ No

If yes, indicate number and size of new buildings:

One new distribution warehouse building of approximately 93,000 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):**

		Projected FTEs			
	Current FTEs	New Year 1- 20 <sup>25</sup>	New Year 2 - 20 <sup>26</sup>	New Year 3 - 20 <sup>27</sup>	Total Year 4-20 <sup>28</sup>
<b>Full-time</b>	0	1	2	4	10 *
<b>Part-time</b>	0	0	0	0	0
<b>Seasonal</b>	0	0	0	0	0

**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 <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage <sup>2</sup>	Number of Current FTE	FTE in Year 1 20 <sup>25</sup>	FTE in Year 2 20 <sup>26</sup>	FTE in Year 3 20 <sup>27</sup>	Total New FTE by Year 4 20 <sup>28</sup>
<b>Professional/Management</b>	\$90,000	0	0	0	1	2
<b>Administrative</b>	\$40,000	0	0	1	1	2
<b>Sales</b>						
<b>Services</b>						
<b>Manufacturing</b>						
<b>High-Skilled</b>						
<b>Medium-Skilled</b>						
<b>Basic-Skilled</b>						
<b>Other (specify)</b>						
<b>TBD</b>	\$60,000	0	1	1	2	6
<b>Total (auto-calculated)</b>		0	1	2	4	10

<sup>2</sup> 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 <sup>25</sup>	New Year 2-20 <sup>26</sup>	New Year 3-20 <sup>27</sup>	Total Year 4-20 <sup>28</sup>
Full-time	0	0	0	0	0
Part-time	0				
Seasonal	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: 48

When does the applicant anticipate the start of construction? 5/1/2024

When does the applicant anticipate the completion of construction? 1/31/2025

What is the total value of construction contracts to be executed? \$9,555,347

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:

As with typical construction, General Contractor will bid the job scope to local contractors, subcontractors, and vendors for the work that they do not self-perform. Generally speaking, most subcontractors and laborers live in and around the Capital District area and always focus employment opportunities to local business. General Contractor maintains its business in the City of Albany and is a large employer of various labor trades.

**X. PROJECT COSTS AND FINANCING**

Attach additional

**A) Project Costs**

Description of Cost	Amount
Land	\$1,035,850
Buildings	\$5,818,503
Machinery and Equipment Cost	\$980,648
Utilities, roads and appurtenant costs	\$1,133,034
Architects and engineering fees	\$484,526
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	
Other (specify)	
Soft Costs	\$1,138,636
<b>TOTAL PROJECT COST (auto-calculated)</b>	<b>\$10,591,197</b>

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

If yes, describe: Land and a portion of permitting fees

**B) Sources of Funds for Project Costs**

Equity:

\$2,691,197

Bank Financing:

\$7,900,000

Tax Exempt Bond Issuance:

Taxable Bond Issuance

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

Identify each State and Federal program:


Public Funds Total (auto-calculated):

\$0

*Additional sheets may be attached, as necessary.*

TOTAL: (auto-calculated)

\$10,591,197

Amount of total financing requested from lending institutions:

\$7,900,000

Amount of total financing related to existing debt refinancing:

\$0

Has a commitment for financing been received?



Yes



No

If yes:

Lending Institution: Merrill Lynch

Contact: Hal Connolly

Phone: (518) 462-8301

**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 : <input type="text" value="2023"/>		

**Community Benefit Metrics** (Must Achieve 10)

<b>Revitalization</b> <b>Target Geography</b> <input type="checkbox"/> Distressed Census Tract <input type="checkbox"/> High Vacancy Census Tract <input checked="" type="checkbox"/> Downtown <input type="checkbox"/> BID <input type="checkbox"/> Neighborhood Plan	<b>Investment</b> <b>Financial Commitment</b> (cumulative) <input checked="" type="checkbox"/> 2.5M - 10M <input checked="" type="checkbox"/> 10.1 - 17.5M <input type="checkbox"/> 17.6M - 25M	<b>Employment</b> <b>Permanent Jobs</b> (cumulative) <input checked="" type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Priority</b> <input type="checkbox"/> Downtown Residential <input checked="" type="checkbox"/> Tax Exempt/Vacant <input type="checkbox"/> Identified Catalyst Site <input type="checkbox"/> Historic Preservation <input type="checkbox"/> Community Catalyst	<b>Community Commitment</b> <input type="checkbox"/> MWBE/DBE Participation <input type="checkbox"/> EEO Workforce Utilization <input type="checkbox"/> Inclusionary Housing <input checked="" type="checkbox"/> Regional Labor <input checked="" type="checkbox"/> City of Albany Labor <input type="checkbox"/> Apprenticeship Program	<b>Retained Jobs</b> (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
<b>Identified Growth Area</b> <input checked="" type="checkbox"/> Manufacturing/Distribution <input checked="" type="checkbox"/> Technology <input type="checkbox"/> Hospitality <input checked="" type="checkbox"/> Existing Cluster <input type="checkbox"/> Conversion to Residential		<b>Construction Jobs</b> (cumulative) <input checked="" type="checkbox"/> 6 - 80 <input 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 <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1				0%	
2				0%	
3	See Staff Analysis			0%	
4				0%	
5				0%	
6				0%	
7				0%	
8				0%	
9				0%	
10				0%	
11				0%	
12				0%	
13				0%	
14				0%	
15				0%	
16				0%	
17				0%	
18				0%	
19				0%	
20				0%	
			\$ 0		\$ 0

*\*PILOT payments may not to 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>

<sup>3</sup> 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:

**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 tax<sup>4</sup>:

\$5,700,000

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

\$456,000

**C) Mortgage Recording Tax Benefit:**

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

\$0

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1% )<sup>5</sup>:

\$0

**D) Percentage of Project Costs Financed from Public Sector:**

Percentage of Project costs financed from public sector:

0

(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:

\$10,591,197

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

See Staff Analysis

\$0

C. Estimated Value of Sales Tax Incentive:

\$456,000

D. Estimated Value of Mortgage Tax Incentive:

\$0

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

\$0

<sup>4</sup> 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](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm).

<sup>5</sup> 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”):	Forty-Eightcc LP	
2. Brief Identification of the Project:	48 Corporate Circle Warehouse	
3. Estimated Amount of Project Benefits Sought:	\$ 456,000	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$456,000
C. Value of Real Property Tax Exemption Sought		\$0
D. Value of Mortgage Recording Tax Exemption Sought		\$0
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<div style="border: 1px solid black; padding: 5px;"> The developer typically completes projects in a timely fashion. </div>		

**PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	\$ 1,035,850
2. Site preparation	\$ 1,133,034
3. Landscaping	
4. Utilities and infrastructure development	
5. Access roads and parking development	
6. Other land-related costs (describe)	
<b>B. Building-Related Costs</b>	
1. Acquisition of existing structures	
2. Renovation of existing structures	
3. New construction costs	\$ 5,818,503
4. Electrical systems	
5. Heating, ventilation and air conditioning	
6. Plumbing	
7. Other building-related costs (describe)	
<b>C. Machinery and Equipment Costs</b>	
1. Production and process equipment	
2. Packaging equipment	
3. Warehousing equipment	\$ 980,648
4. Installation costs for various equipment	
5. Other equipment-related costs (describe)	
<b>D. Furniture and Fixture Costs</b>	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	
<b>E. Working Capital Costs</b>	
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)	
<b>F. Professional Service Costs</b>	
1. Architecture and engineering	\$ 484,526
2. Accounting/legal	
3. Other service-related costs (describe)	
<b>G. Other Costs</b>	
1. _____	\$ 1,138,636
2. _____	
<b>H. Summary of Expenditures</b>	
1. Total Land-Related Costs	\$ 2,168,884
2. Total Building-Related Costs	\$ 5,818,503
3. Total Machinery and Equipment Costs	\$ 980,648
4. Total Furniture and Fixture Costs	\$ 0
5. Total Working Capital Costs	\$ 0
6. Total Professional Service Costs	\$ 484,526
7. Total Other Costs	\$ 1,138,636
	\$ 10,591,197

**PROJECTED NET OPERATING INCOME**

- I. Please provide projected Net Operating Income: See Staff Analysis

YEAR	Without IDA benefits	With IDA benefits
1	(\$ 899,000)	(\$ 594,910)
2	(\$ 873,000)	(\$ 587,170)
3	(\$ 779,000)	(\$ 390,386)
4	(\$ 827,000)	(\$ 219,648)
5	(\$ 875,000)	(\$ 52,924)

**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	0
Year 1	48	\$2,640,000	\$105,600
Year 2	0	0	0
Year 3	0	0	0
Year 4	0	0	0
Year 5	0	0	0

**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 <sup>st</sup> year following project completion)	<input type="text"/>
Additional Sales Tax Paid on Additional Purchases	<input type="text"/>
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	<input type="text"/>
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	<input type="text"/>

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	\$33,626	\$33,626	\$0
Year 1	See Staff Analysis		
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
			<input type="text" value="\$ 0"/>

### **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;         |                                 |

The Project is located on a currently (M) Vacant undeveloped Property lot. The Identified Growth is in (Q) Manufacturing/Distribution and (R) Technology in an (T) Existing Cluster, the Corporate Circle Industrial Park, which is home to (Q) Manufacturing/Distribution and (R) Technology companies in like warehouse buildings. The Project will employ both (E) Regional Labor and (F) City of Albany Labor.

#### **XIV. OTHER**

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

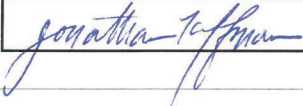
The Corporate Circle Industrial Park is a unique park within the City of Albany that has provided space for dozens of businesses and thousands of local jobs over its 45 year history. The project at 48 Corporate Circle represents the last vacant parcel and last opportunity for development within the Corporate Circle Industrial Park. Successful manufacturing, technology, pharmaceutical, and distribution businesses like Albany Molecular Research (AMRI), X-Ray Optical Systems (XOS), MCD Mechanical, BullEx (Lion Fire Safety), Pallidus, and Netriton all got their start in flexible Corporate Circle warehouses like the project proposed at 48 Corporate Circle.

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.

<b>Date Signed:</b> 02/07/2024	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>
	<b>Name:</b> Jonathan Kauffman
	<b>Title:</b> Managing Director
	<b>Phone Number:</b> (518) 452-0095
	<b>Address:</b> 25 Corporate Circle, Suite 100 Albany, NY 12203
	<b>Signature:</b> 

## REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Jonathan Kauffman (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Managing Director (title) of Forty-Eightcc 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.

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:

The Project is a spec building project and needs the Sales Tax Exemption and a fixed dollar PILOT payment to attract tenants. See balance of application.

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:

None

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](http://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.

S. Change in Control of Project Applicant. 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 enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

DATED: JULY 18, 2019

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

JONATHAN KAUFFMAN, being first duly sworn, deposes and says:

1. That I am the MANAGING DIRECTOR (Corporate Office) of FORTY-EIGHTTCC LP (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.

Jonathan Kauffman  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 7<sup>th</sup> day of February, 2024

Mary C. McCulloch  
(Notary Public)

MARY C. McCULLOCH  
Notary Public, State of New York  
Qualified in Albany County  
No. 4952735  
Commission Expires 6/26/27

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: Jonathan Kauffman  
FORTY-EIGHTEC LP  
JONATHAN KAUFFMAN  
AUTHORIZED REPRESENTATIVE

Sworn to before me this  
7 day of Feb, 2024,

Mary C. McCulloch  
(Notary Public)

MARY C. McCULLOCH  
Notary Public, State of New York  
Qualified in Albany County  
No. 4952735  
Commission Expires 6/26/27

## 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.



DATED: JULY 18, 2019

- 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:	<div>Jonathan Kauffman</div>
Title:	<div>Managing Director</div>
Company:	<div>Forty-Eightcc LLC</div>
Date:	<div>02/07/2024</div>

**PROPERTY TAX EXEMPTION**  
**Fixed Dollar PILOT Payments**

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value <b>Without</b> PILOT	Estimated Total <b>Without</b> PILOT	PILOT Payments
1	\$ 34,299	\$ 160,800	\$ 195,099	\$ 137,500
2	\$ 34,985	\$ 164,016	\$ 199,001	\$ 140,250
3	\$ 35,685	\$ 167,296	\$ 202,981	\$ 143,055
4	\$ 36,398	\$ 170,642	\$ 207,040	\$ 145,916
5	\$ 37,126	\$ 174,055	\$ 211,181	\$ 148,834
6	\$ 37,869	\$ 177,536	\$ 215,405	\$ 151,811
7	\$ 38,626	\$ 181,087	\$ 219,713	\$ 154,847
8	\$ 39,399	\$ 184,709	\$ 224,108	\$ 157,944
9	\$ 40,187	\$ 188,403	\$ 228,590	\$ 161,103
10	\$ 40,990	\$ 192,171	\$ 233,161	\$ 164,325
11	\$ 41,810	\$ 196,014	\$ 237,824	\$ 167,612
12	\$ 42,646	\$ 199,934	\$ 242,580	\$ 170,964
13	\$ 43,499	\$ 203,933	\$ 247,432	\$ 174,383
14	\$ 44,369	\$ 208,012	\$ 252,381	\$ 177,871
15	\$ 45,257	\$ 212,172	\$ 257,429	\$ 181,428

*\*assumes 2% annual increase in tax rate*

\$ 3,373,927	\$ 2,377,845
--------------	--------------



**PROJECTED OPERATING IMPACT**

**II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"):**

Year	Existing Real Property Taxes (Without Project)	New PILOT Payments (With IDA)	Total (Difference)
Current Year	\$ 33,626	\$ 33,626	\$ -
Year 1	\$ 34,299	\$ 137,500	\$ 103,201
Year 2	\$ 34,985	\$ 140,250	\$ 105,265
Year 3	\$ 35,685	\$ 143,055	\$ 107,370
Year 4	\$ 36,398	\$ 145,916	\$ 109,518
Year 5	\$ 37,126	\$ 148,834	\$ 111,708
Year 6	\$ 37,869	\$ 151,811	\$ 113,942
Year 7	\$ 38,626	\$ 154,847	\$ 116,221
Year 8	\$ 39,399	\$ 157,944	\$ 118,546
Year 9	\$ 40,187	\$ 161,103	\$ 120,916
Year 10	\$ 40,990	\$ 164,325	\$ 123,335
Year 11	\$ 41,810	\$ 167,612	\$ 125,801
Year 12	\$ 42,646	\$ 170,964	\$ 128,317
Year 13	\$ 43,499	\$ 174,383	\$ 130,884
Year 14	\$ 44,369	\$ 177,871	\$ 133,501
Year 15	\$ 45,257	\$ 181,428	\$ 136,172

\$ 1,784,698

**Forty-Eightcc LP**  
**CAIDA APPLICATION FOR ASSISTANCE**

**FOOTNOTES**

Note 1:

p. 14 – (VII) EMPLOYMENT INFORMATION

\* Employment estimates based on the existing and similar flex warehouse buildings in Corporate Circle.

Note 2:

p. 15 – (VIII) INDEPENDENT CONTRACTOR RESOURCES

\* FTE projections in years 2–4 subject to new tenant fit-up and timing for such installation.

Note 3:

p. 18 – (XII) ESTIMATED VALUE OF INCENTIVES

A. Property Tax Exemption

**\* Applicant requests a PILOT Agreement with fixed dollar PILOT payments of 1.48 per square foot in year 1 with 2% annual increases.**

Note 4:

p. 19 – (XII) ESTIMATED VALUE OF INCENTIVES

B. Sales and Use Tax Benefit

\* Applicant requests sales tax exemption letters in favor of **Forty-Eightcc LP** as well as for **BBL Construction Services** and **BBL Carlton** as IDA Project Agent or Operator.

Note 5:

p. 22 – (XIII) COST BENEFIT ANALYSIS

PROJECTED NET OPERATING INCOME

\* Without IDA Benefits, the building triple-NNN's would be well over \$5.00 per square foot making the ability to lease the Project unfeasible.

Note 6:

p. 23 – (XIII) COST BENEFIT ANALYSIS

PROJECTED OPERATING IMPACT

\* Tenants will have additional sales taxes – amount unknown at this point.

Forty-Eightcc, LLC - DRAFT PILOT - Staff Analysis															
PILOT Year	City & County Tax Year	School Tax Year	Tax Rate <sup>(4)</sup>	Status Quo		Proposed Project									
						Normal Tax									
				Estimated Total 2023 Assessment <sup>(5)</sup>	Estimated Total Taxes <sup>(6)</sup>	Base Assessment <sup>(7)</sup>	Estimated Total Improved Assessment <sup>(8)</sup>	Estimated Total Taxes w/o PILOT <sup>(9)</sup>	Estimated Total Taxes w/o PILOT Per SF <sup>(10)</sup>	Estimated PILOT Payments <sup>(11)</sup>	Estimated Abatement <sup>(12)</sup>	Estimated PILOT Payments Per SF <sup>(13)</sup>	Estimated Abatement Per SF <sup>(14)</sup>	% Abatement on Total Assessment <sup>(15)</sup>	% Abatement on Improved Assessment <sup>(16)</sup>
Construction <sup>(1)</sup>	2024	2023/2024	\$51.08	\$680,000	\$34,734		-	-	-	-	-	-	-	-	-
1 <sup>(2)</sup>	2025	2025/2026	\$52.10	\$680,000	\$35,429	\$680,000	\$3,868,000	\$201,529	\$2.17	\$138,411	\$63,118	\$1.49	\$0.68	31.32%	38%
2	2026	2026/2027	\$53.14	\$680,000	\$36,138	\$680,000	\$3,868,000	\$205,560	\$2.21	\$141,179	\$64,380	\$1.52	\$0.69	31.32%	38%
3	2027	2027/2028	\$54.21	\$680,000	\$36,860	\$680,000	\$3,868,000	\$209,671	\$2.25	\$144,003	\$65,668	\$1.55	\$0.71	31.32%	38%
4	2028	2028/2029	\$55.29	\$680,000	\$37,598	\$680,000	\$3,868,000	\$213,864	\$2.30	\$146,883	\$66,981	\$1.58	\$0.72	31.32%	38%
5	2029	2029/2030	\$56.40	\$680,000	\$38,350	\$680,000	\$3,868,000	\$218,141	\$2.35	\$149,821	\$68,321	\$1.61	\$0.73	31.32%	38%
6	2030	2030/2031	\$57.52	\$680,000	\$39,117	\$680,000	\$3,868,000	\$222,504	\$2.39	\$152,817	\$69,687	\$1.64	\$0.75	31.32%	38%
7	2031	2031/2032	\$58.67	\$680,000	\$39,899	\$680,000	\$3,868,000	\$226,954	\$2.44	\$155,873	\$71,081	\$1.68	\$0.76	31.32%	38%
8	2032	2032/2033	\$59.85	\$680,000	\$40,697	\$680,000	\$3,868,000	\$231,493	\$2.49	\$158,991	\$72,503	\$1.71	\$0.78	31.32%	38%
9	2033	2033/2034	\$61.05	\$680,000	\$41,511	\$680,000	\$3,868,000	\$236,123	\$2.54	\$162,171	\$73,953	\$1.74	\$0.80	31.32%	38%
10	2034	2034/2035	\$62.27	\$680,000	\$42,341	\$680,000	\$3,868,000	\$240,846	\$2.59	\$165,414	\$75,432	\$1.78	\$0.81	31.32%	38%
11	2035	2035/2036	\$63.51	\$680,000	\$43,188	\$680,000	\$3,868,000	\$245,663	\$2.64	\$168,722	\$76,940	\$1.81	\$0.83	31.32%	38%
12	2036	2036/2037	\$64.78	\$680,000	\$44,052	\$680,000	\$3,868,000	\$250,576	\$2.69	\$172,097	\$78,479	\$1.85	\$0.84	31.32%	38%
13	2037	2037/2038	\$66.08	\$680,000	\$44,933	\$680,000	\$3,868,000	\$255,587	\$2.75	\$175,539	\$80,049	\$1.89	\$0.86	31.32%	38%
14	2038	2038/2039	\$67.40	\$680,000	\$45,831	\$680,000	\$3,868,000	\$260,699	\$2.80	\$179,049	\$81,650	\$1.93	\$0.88	31.32%	38%
15	2039	2039/2040	\$68.75	\$680,000	\$46,748	\$680,000	\$3,868,000	\$265,913	\$2.86	\$182,630	\$83,283	\$1.96	\$0.90	31.32%	38%
Permanent <sup>(3)</sup>	2040	2040/2041	\$70.12	\$680,000	\$47,682	\$680,000	\$3,868,000	\$271,224	\$2.92	\$271,224					
Estimated Totals <sup>(17)</sup>					\$612,690			\$3,485,125		\$2,393,600	\$1,091,525				
<div>Notes:</div> <div>(1) Project would likely close with Agency 2Q 2024.</div> <div>(2) Estimated start of PILOT payments.</div> <div>(3) Project returns to full taxable status.</div> <div>(4) Estimated tax rate (does not include any special ad volereum taxes that are still payable under PILOT) based on City/County 2024 tax year and School 2023/2024 tax year with estimated escalation of 2.0% thereafter.</div> <div>(5) Assessment value of based on the current 2023 assessment roll.</div> <div>(6) Estimated taxes if proposed project did not occur (i.e. left status quo).</div> <div>(7) Assessment value based on the current 2023 City of Albany Assessment Roll.</div> <div>(8) Per letter from the City of Albany Assessor dated 12-7-23.</div> <div>(9) Estimated taxes if the proposed project occurred without PILOT assistance.</div> <div>(10) Estimated taxes <u>Per Square Foot</u> if the proposed project occurred without PILOT assistance.</div> <div>(11) Estimated PILOT Payments.</div> <div>(12) Difference of Estimated PILOT Payments from Estimated Total Taxes w/o PILOT.</div> <div>(13) Estimated PILOT Payments <u>Per Square Foot</u>.</div> <div>(14) Difference of Estimated PILOT Payments <u>Per Square Foot</u> from Estimated Total Taxes w/o PILOT <u>Per Square Foot</u>.</div> <div>(15) Percent Abatement on Total Assessment via PILOT.</div> <div>(16) Percent Abatement on Improved Assessment via PILOT.</div> <div>(17) Totals for comparison and analysis during PILOT agreement period only.</div>															

\*\*\*Analysis is ONLY an estimate\*\*\*



**Forty-Eightcc LP**  
**Company Ownership**

Name	Office Held	% of Ownership
Kim Kauffman	Member	8.00%
Kathleen Miller	Member	8.00%
Mike Hoffman	Member	8.00%
David Hoffman	Member	8.00%
Amy Garrigan	Member	8.00%
James Hoffman	Member	8.00%
John Hoffman	Member	8.00%
Mark Hoffman	Member	8.00%
Joanne Hoffman	Member	8.00%
Jaime Ralston	Member	8.00%
Jennifer Kingsley	Member	8.00%
Bryan Kingsley	Member	8.00%

## EXHIBIT A

### DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

#### FORTY-EIGHTCC, 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 within the Corporate Circle/Karner Industrial Park and the Dunes neighborhood, 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 within the Corporate Circle/Karner Industrial Park and the Dunes neighborhood, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 10 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: \$456,000 Mortgage Recording Tax Exemption: \$0 Real Property Tax Exemption: \$1,091,525</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Project applicant expects to invest over \$10.5 million of private investment in the Project.
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 has received City of Albany Planning Board full approvals.</p> <p>The Project has received a term sheet for Project Financing.</p> <p>The Applicant has full site control.</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/additional 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: \$680,000 (Per City of Albany Commissioner of Assessment and Taxation 2023 Assessment Roll) to the estimated improved total assessment: \$3,068,300 (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 vacant and underutilized property and create approximately 10 FTE.</p> <p>The Project commits to utilizing 15% City of Albany Labor for construction jobs.</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/vacant land in a strategically identified commercial location.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.</p>
----	--------	---	-----------------------------	--





CITY OF ALBANY  
DEPARTMENT OF ASSESSMENT  
24 EAGLE STREET-ROOM 302  
ALBANY, NEW YORK 12207  
TELEPHONE (518) 434-5155

KATHY SHEEHAN  
MAYOR

TREY KINGSTON  
CITY ASSESSOR

December 7, 2023

Andrew Corcione  
21 Lodge Street  
Albany, New York 12207

**Re: 48 Corporate Circle**

Dear Mr. Corcione:

At your request, we have reviewed the information which was previously presented to the Planning Board for the City of Albany and assessed the hypothetical project as if it currently existed and was operational today.

Based on principles consistent with the income capitalization methodology utilized by this office for similar properties throughout the City, below is the current total assessed value for the subject property, consistent with the assumption that the property was in an "as-stabilized" condition as of March 1, 2023 and its value estimate was as of July 1, 2022.

**\$3,868,000**

For greater clarity, it must be noted that the above total assessed value estimate is provided under the extraordinary assumptions that the improvements are completed in accordance with the application(s) presented to the City's Planning Board and are leased to a stabilized occupancy at market rents at the above date of valuation corresponding to the end of the projected absorption period after the projected date of completion.

As such, all information obtained is assumed to be true, correct and reliable and the total assessed value set forth above was predicated, in large measure, based on such data. However, it should be noted that this value may not be valid in other time periods or as conditions change. If new information of significance is brought to this office, the above total assessed value would be subject to change, consistent with such new information.

It should be made clear that as a result of the City's ongoing review of Assessments, the number indicated above will not be relevant for the 2024 Assessment Roll. The Department of Assessment is undergoing a review of all assessments within the City in order to recalibrate our equalization rate and as a result, different values will be used in order to determine an assessment for this property in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trey Kingston', followed by a long horizontal flourish.

Trey Kingston, Esq.  
Assessor, City of Albany

**TO:** City of Albany Industrial Development Finance Committee  
**FROM:** City of Albany Industrial Development Agency Staff  
**RE:** Freedom Springs Albany, LLC - IDA Application Summary  
**DATE:** March 8, 2023

**Applicant:** Freedom Springs Albany, LLC

**Managing Members (% of Voting Interest):** J. Matthew Miller (50.0%) and Richard Manzardo (50.0%); please see application addendum for a full breakdown of the ownership interests.

**Project Location:** 64 Colvin Avenue, Albany, NY

**Project Description:** The Project proposes to construct an approx. 112,000 SF 3-story multi-fam affordable housing complex containing 120 residential units and approx. 3,600 SF of commercial space and +/- 86 parking spaces. The project will be funded in part through 4% low-income housing tax credits. Of the total residential units on site, thirty (30) will be reserved for veterans at risk of homelessness and an additional thirty (30) units will be reserved for Seniors at risk of homelessness. The remaining units will serve income qualifying residents that fall between 50% and 80% of the area median income. Support service on site will be provided by Gateway Hudson Valley.

**Estimated Project Real Property Benefit Summary (30 Years):**

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$1,449,176	\$6,220,068	\$4,770,892

	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$659,000	\$7,068,300	\$6,409,300

*\*Project Impact Assessed Value based on letter from the City of Albany Assessor dated 10-30-23*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$694,019 based on an assessed value of **\$7,068,300** at an annual tax rate of \$98.19.

**Estimated Investment:** \$46,331,841 (est.)

**Community Benefits:** For comparative purposes, please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below. Please note that due to the fact that the project involves purpose built affordable housing, the project was evaluated outside of the Project Evaluation and Assistance Framework.

- *Revitalization:* The project is located within the boundaries of the Central Avenue BID; the project is also located in a high vacancy census tract.
- *Identified Priority:* The project supports multiple initiatives within the Albany 2030 Plan; the project also includes the redevelopment of a tax exempt/vacant property.
- *Identified Growth Area:* The project involves the conversion of existing commercial property to residential use.
- *Job Creation:* The project is committing to the creation of nine (9) full-time equivalent and one hundred (100) construction jobs.
- *Investment:* The project is anticipating a project cost exceeding \$46 million.

#### **Employment Impact Analysis:**

##### **Temporary (Construction 2024-2025) Impact**

Impact Type	Average Annual Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	55.73	\$16,660,618	\$21,605,694	\$26,788,916
Indirect Effect	9.88	\$1,464,326	\$2,473,504	\$4,052,404
Induced Effect	22.94	\$2,972,526	\$5,335,498	\$8,372,226
<b>Total Effect</b>	<b>88.55</b>	<b>\$21,097,469</b>	<b>\$29,414,695</b>	<b>\$39,213,545</b>

##### **Permanent (Operations 2025) Impact**

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	9.72	\$665,832.19	\$237,312.51	\$545,681.89
Indirect Effect	1.56	\$119,490.76	\$176,695.39	\$295,414.45
Induced Effect	1.69	\$109,876.39	\$197,318.26	\$309,663.06
<b>Total Effect</b>	<b>12.97</b>	<b>\$895,199.33</b>	<b>\$611,326.16</b>	<b>\$1,150,759.40</b>

*\*IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at 11-09-2023.*

#### **Employment Impact:**

- Projected Permanent: 9 jobs
- Projected Retained: 0 jobs
- Projected Construction: 100 jobs

**Type of Financing:** Straight Lease

**Amount of Bonds Requested:** None

**Estimated Total Purchases Exempt from Sales Tax:** N/A

**Estimated Total Mortgage Amount:** N/A

**Requested PILOT:** The proposal entails the Applicant entering into a 30-year PILOT agreement with the IDA including shelter rent payments of ten percent (10.0%) for the term of the agreement, which aligns with CAIDA policy. The Applicant proposes the commercial space portion of the project enter into a 15-year PILOT Agreement which is a deviation from the Project Evaluation and Assistance Framework 10-year commercial abatement schedule typically applied to a project's commercial space.

**Third Party Review:** Due to the special nature of the requested deviation in assistance from the Agency Policy Manual, a third-party evaluation of the appropriateness of the applicant's PILOT request has been commissioned. The third party determined that the assumptions included within the application in addition to the abatements 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: \$1,304,000
- Mortgage Recording Taxes: \$0
- Real Property Taxes: \$9,323,504
- 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 expected in April 2024
- 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: \$463,318.41

---

**CAIDA Mission:** Assist in the enhancement and diversity of the economy of the City of Albany (the "City") by acting in support of projects in the City that create and/or retain jobs and/or promote private sector investment utilizing the statutory powers of the Agency as set forth under the provisions of the laws of the State of New York.

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

Project:	<b>Freedom Springs Albany, LLC (64 Colvin Ave)</b>			
Total Score:	<b>10</b>			
*Qualifies for a PILOT Deviation?	<b>N/A</b>			**Qualifies for Community Commitment Enhancement?
Total Improved Assessed Value Estimate:	\$7,068,300	Units:	120	Improved Assessed Value per Unit Estimate:
Notes/Applicable Program Restrictions:	Current 2023 AV is 659,000 / Purchase price is \$3.75 M - Project consists of affordable housing			
				<b>NO</b>
				\$58,902.50

**COMMENTS**

<b>Revitalization</b>	<b>Target Geography</b>		
	Distressed Census Tract		
	High Vacancy Census Tract	1	Census tract 3.02
	Downtown		
	BID	1	Central Avenue BID
	Neighborhood Plan		
	<b>Identified Priority</b>		
	Downtown Residential		
	Tax Exempt/Vacant	1	
	Identified Catalyst Site		
	Historic Preservation		
	Community Catalyst		
	<b>Identified Growth Area</b>		
	Manufacturing / Distribution		
	Technology		
	Hospitality		
	Existing Cluster		
	Conversion to Residential	1	
<b>Subtotal</b>		<b>4</b>	

<b>Job Creation</b>	<b>Permanent Jobs</b>		
	3 - 40	1	Est. 9 full time equivalent jobs
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Retained Jobs</b>		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Construction Jobs</b>		
	6 - 80	1	
	81 - 160	1	Est. 100 construction jobs
	161 - 240		
	> 241		
<b>Subtotal</b>		<b>3</b>	

Investment	Financial Commitment		
	2.5M - 10M	1	\$46.3 M investment
	10.1M-17.5M	1	
	17.6M-25M	1	
	Subtotal	3	
	Community Commitment		
	MWBE		
	EEO Workforce Utilization		
	Inclusionary Housing		
	Regional Labor		
	City of Albany Labor		
	Apprenticeship Program		
	Subtotal	0	*Must achieve subtotal of 3 and threshold of 13 to qualify for Community Commitment enhancement
Total:		10	*Must achieve threshold of 10 to qualify for deviation

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

\*\*\*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

## FREEDOM SPRINGS ALBANY, LLC PROJECT ASSISTANCE REQUEST REVIEW

### EXECUTIVE SUMMARY

Freedom Springs Albany, LLC (the Developer) is seeking project assistance from CAIDA to implement a mixed-use, low-income housing project (the Project). The Project will be eligible for 4% low-income housing tax credits from the NYS Housing Finance Agency (HFA). The Project's location is 64 Colvin Avenue.

The Project is located at 64 Colvin Avenue. The Project will consist of 120 residential units. Sixty (60) units will be targeted to Veterans and seniors at risk of homelessness and 58 units will be income-restricted to households earning 50% to 80% of the area median income (AMI). Two (2) units will be set aside for a superintendent and a resident Veteran. In addition to the residential uses, there will be 3,654 square feet of Commercial Service Facility space.

The definition of a Commercial Service Facility is:

***Community Service Facility*** means a building or part of a building constructed and included as part of and on the same tract of land as a project: (a) that provides services designed to serve primarily individuals whose income is within the percentage(s) of area median income to be served by the project (but are not limited to serving such individuals or project residents exclusively); and (b) that charges service fees, if any, which are affordable to individuals whose income is within the percentage(s) of area median income to be served by the project.

When the commercial space is committed as a Commercial Service Facility, the entire Project is eligible for 4% low-income housing tax credits (4% LIHTC).

The Project is projected to cost \$46 million to develop which classifies it as a "large" investment project in CAIDA's Project Evaluation and Assistance Framework. CAIDA's policy acknowledges the added complexity associated with large investment projects and affordable housing projects. As such, CAIDA policy allows such projects to be evaluated outside of the Project Evaluation and Assistance Framework. This allows the level of assistance to be tailored to the Project.

For the project's residential portion, the Developer is requesting a Payment In Lieu of Taxes (PILOT) equal to 10% of shelter rent for a 30-year term. This assistance request is consistent with the CAIDA policy manual for affordable housing projects.

The Developer is requesting a modified PILOT schedule for the commercial component of the Project. The request increases the level of assistance starting in Year 2 and extends the PILOT to 15 years. W-ZHA evaluated whether the modified PILOT schedule for the commercial component of the Project is necessary and reasonable.

W-ZHA concludes that Freedom Springs Albany's request for a modified PILOT schedule on the Commercial Service Facility space is reasonable. The Commercial Service Facility space will be leased at below-market rents (\$5.03 per square foot, full service) to support the social mission of the overall project. The requested commercial PILOT improves commercial space economics and, in so doing, reduces the operating expense burden on the affordable housing component of the Project.



Vecino Group New York, LLC  
305 West Commercial Street  
Springfield, MO 65803

March 13, 2024

Elizabeth Staubach, Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

RE: Request for IDA Assistance for Freedom Springs Albany Project

Dear Ms. Staubach:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for the consideration of financial assistance associated with the Freedom Springs Albany, LLC project.

Freedom Springs Albany will be a new 112,158 sf construction development consisting of two buildings and approximately 86 off-street surface parking spaces. The smaller building fronting Colvin will contain 3,654 sf of commercial space, with the aim of attracting community-minded tenants at lower than market rate rent levels. The larger, 3-story building on the back portion of parcel will contain 120 residential units and project amenities, plus onsite supportive service offices and leasing. Freedom Springs will be a 4% tax credit development, with financing provided by NYS HFA. Of the 120 residential units, 30 will be dedicated to Veterans at risk of homelessness, with onsite services provided by Albany Housing Coalition, and 30 will be dedicated to Seniors at risk of homelessness, with services provided by Gateway Hudson Valley, both with staff and offices onsite to serve solely the tenants of Freedom Springs. While Albany Housing Coalition is known to most, Gateway Hudson Valley is not as well known, but still has a wealth of experience and success. Founded in 1960, Gateway has been providing services across multiple counties, and their expansion into Albany County is a natural progression of their plans.

The remaining 60 residential units will be reserved to those that income qualify, with 12 reserved for those at 50% AMI, 34 at 60% AMI and 12 at 80% AMI. The last two units are non-revenue units, one will be a superintendent unit, the other will be held for a Veteran with lived experience to assist the onsite Veteran population. Freedom Springs will offer a mix of 99 1BR and 21 2BR units, all complete with full kitchens, upgraded energy efficiency and other options. Freedom Springs





plans to provide onsite tenant amenities including building wide WIFI, fitness center, community room and onsite property maintenance and leasing services.

Freedom Springs is requesting a sales tax exemption during project construction, a 30-year residential PILOT and 15-year commercial PILOT. As an HFA tax credit project, HFA requires residential PILOTs be coterminous with their permanent loan, set at 30 years. The residential request is 30 years of property taxes set to 10% shelter rent, per CAIDA policy. An important factor to note is the commercial space will be classified as Community Service Facility (CSF) space with HFA. As a CSF space, it is intended to improve the quality of life for community residents and the services will be appropriate and helpful to individuals earning 60% AMI or less. This can take place through many means, such as on the job training, the actual tenant onsite or community offerings. The rent charged with this CSF space will be below market, and like the residential affordability component, it will be memorialized with HFA.

The three-year construction request is due to the size of this development, along with the timeline to secure and close on HFA financing. While a smaller building, the commercial and residential components are scheduled to open at the same time.

Benefits of the project include the tangible items such as income tax generated by the 100+-construction employees during construction, the 9 FTE generated due to this development and increased tax base in the area. Other benefits are more difficult to measure, such as providing 120 much needed affordable housing units in an area of Albany with very few affordable options or providing homes for Veterans and Seniors that are at risk of homelessness. While it is hard to put this benefit into a financial model, studies have shown taking homeless individuals and families off the street does have a large positive impact on public dollars spent.

Freedom Springs is pursuing Clean Energy Initiative funding through HFA. Some of the major sustainability components incorporated into the building will include an all-electric design, which includes high-performance heating/cooling and domestic hot water equipment. The design and construction teams are working with Sustainable Comfort, Inc. to determine additional sustainability measures to include. At a minimum, the building will be certified using one of the following: Low Carbon Buildings Criteria Under Climate Bond Initiatives (CBI), Passive House Certification through PHI or PHIUS, 2020 Enterprise Green Communities Certification or 2020 National Green Building Standard Silver or higher. As the design components come into focus, the full sustainability efforts will be more known.



**THE VECINO GROUP**  
Development for the greater good.

Please do not hesitate to contact me if you should have any questions or find additional information is needed. I look forward to working with the Agency on this project.

All the best,

DocuSigned by:

*Rick Manzardo*

B680A885A9C94DB...

Rick Manzardo

Authorized Representative

Enclosure

## City of Albany Industrial Development Agency

### Application for Assistance

Date: 03/13/24

-----  
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: Freedom Springs Albany, LLC

Address: 305 W Commercial

City: Springfield

State: MO

Zip: 65803

Federal ID/EIN: 92-0645279

Website: www.vecinogroup.com

Primary Contact: Rick Manzardo

Title: Authorized Representative

Phone: (417) 720-1577

Email: rick@vecinogroup.com

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

Rick Manzardo

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

NAME OF ATTORNEY: Matt Carrigg

ATTORNEY'S ADDRESS: 1300 Clinton Square, Rochester NY 14604-1792

PHONE: (585) 263-1214

E-MAIL: mcarrigg@nixonpeabody.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.

DATED: JULY 18, 2019

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

## SUMMARY OF PROJECT

Applicant: Freedom Springs Albany, LLC

Contact Person: Rick Manzardo

Phone Number: (417) 720-1577

Occupant: 120-Unit Affordable Multifamily Residential with 3,654 SF of TBD commercial space

Project Location (include Tax Map ID): 64 Colvin Avenue / 53.74-2-14

Approximate Size of Project Site: 3.66 acres

Description of Project: New construction of 120-unit multifamily affordable housing development with 3,654 sf of commercial space. This development will be a compliance driven development financed through HFA. Freedom Springs includes housing for 30 formerly homeless Veterans with onsite services provided by AHC and housing for 30 formerly homeless seniors with onsite services provided by Gateway Hudson Valley. Onsite amenities to tenants will include a community room, fitness center, exterior pavilion, walking path, building wide wi-fi and more.

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

Employment Impact: Existing FTE Jobs: 0  
Retained FTE Jobs: 0  
FTE Jobs Created: 9 est  
Construction Jobs Created: 100 est

Project Cost: \$46,331,841

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:	\$1,304,000
Mortgage Recording Taxes:	
Real Property Tax Exemptions: (auto-calculated)	\$0
Other (please specify):	

See Staff Analysis for calculations.

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$55,000
Annualized Salary Range of Jobs to be Created:	\$40,000 to \$70,000
Estimated Average Annual Salary of Jobs to be Retained:	\$0

## I. APPLICANT INFORMATION

### A) Applicant:

Name: Freedom Springs Albany, LLC

Address: 305 W Commercial

City: Springfield State: MO Zip: 65803

Federal ID/EIN: 92-0645279 Website: www.vecinogroup.com

Primary Contact: Rick Manzardo

Title: Authorized Representative

Phone: (417) 720-1577 Email: rick@vecinogroup.com

### 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: Vecino Group New York, LLC

Address: 305 W Commercial

City: Springfield State: MO Zip: 65803

Federal ID/EIN: 46-3101937 Website: www.vecinogroup.com

Primary Contact: Rick Manzardo

Title: Chairman

Phone: (417) 720-1577 Email: rick@vecinogroup.com

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:

Vecino Group will transfer this property to Freedom Springs Albany at the financial closing with HFA. Vecino will not profit from this transfer, only recovering the purchase price.

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

Name: Vecino Group New York, LLC  
Title:  
Address:  
City: State: Zip:  
Phone: Email:

**D) Attorney:**

Name: Matt Carrigg  
Firm Name: Nixon Peabody  
Address: 1300 Clinton Square  
City: Rochester State: NY Zip: 14604  
Phone: (585) 263-1214 Email: mcarrigg@nixonpeabody.com

**E) General Contractor:**

Name: Mike Willemsen  
Firm Name: Vecino Construction  
Address: 444 River St  
City: Troy State: NY Zip: 12180  
Phone: (518) 514-8119 Email: mike@vecinogroup.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
J. Matthew Miller	CEO	NA
Rick Manzardo	Chairman	NA
Kody Redwing	President	NA
Aaron Henry	CFO	NA

**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
J. Matthew Miller	CEO	50	50
Rick Manzardo	Chairman	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:

Vecino Group is a vertically integrated affordable housing development company. Active in 12 states, with over 30 completed developments consisting of nearly 3,000 units, Vecino specializes in affordable and supportive housing. Vecino has grown to over 100 employees, serving residents in multiple states. With offices in Springfield MO, Troy NY, Salt Lake City and Atlanta, Vecino looks to these offices to grow out and develop more housing. All Vecino Group business has been internal to date, we have not provided third party services. We do not have any sales, rather provide multifamily rental housing.

Existing Banking Relationship(s):

CITI, Great Southern, M1 Bank, Legacy Bank, Wells Fargo

Has the Company ever received incentives tied to job creation?



Yes



No

If yes, describe:

Previous affordable housing PILOTs looked to job creation.

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.):

New construction of a 120-unit mixed use development, consisting of 120 units of affordable housing and 3,654 sf of commercial space. Project will consist of 2 buildings, with a maximum height of 3-stories. The smaller one-story building fronting Colvin will consist of all commercial space, while the larger, 3-story building towards the rear of the parcel will consist of amenities and residential units.

**Location of Proposed Project:**Street Address - Tax Map ID(s): Is the Applicant the present legal owner of the Project site? ☒ Yes ☐ NoIf 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 ☐ NoIf yes: 3. Does the Applicant have a signed option to purchase the site? ☐ Yes ☒ No ☐ N/AIf yes: Date option signed:  Date option expires: Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

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?

Freedom Springs will be a new construction development consisting of two buildings. The smaller building, fronting Colvin Avenue, will be a commercial development consisting of 3,654 sf of commercial space on one level. The larger, 3-story building on the rear of the site will consist of residential units, tenant amenities and supportive service space. The site is projected to include 86 surface parking spaces. Freedom Springs will consist of 30 units for Veterans, with services provided onsite by Albany Housing Coalition. Given neighborhood and community feedback, there will also be 30 units on site for Seniors, with services provided onsite by Gateway Hudson Valley. There will be an additional 58 units that will be reserved for individuals and families that income qualify for LIHTC units, with AMI levels of 50 AMI to 80 AMI. The remaining 2 units are non-revenue units, one is a superintendent unit, the other is for a Veteran with lived experience. This Veteran lived experience unit has been previously used by AHC and has been very well received. Tenant amenities will include a community room, fitness center, indoor bike storage, building wide WIFI and outdoor amenities. In unit amenities include full kitchens furnished with standard size refrigerator, dishwasher and stove/oven combo. As an HFA funded project, there are strict design guidelines which must be followed to ensure the building and units are acceptable to tenants and the community. Freedom Springs will have a compliance period of a minimum of 40 years, thus locking in long-term affordability, and will have sufficient annual and upfront reserves in place to ensure we maintain a development the community will be proud of. The intent is to close the financing with HFA for this project in October of 2024. To be prepared for this, we received our SEQRA Negative Declaration on August 1, and made our initial Planning Board presentation at the September 12 meeting. We have since made multiple Planning Board presentations, and will be up for possible Planning Board approval at the April 11, 2024 meeting. Once funding is secured and we close on the HFA financing, construction will begin immediately thereafter. This development is estimated to have a 24-month construction timeframe. Lease up will begin 3 months prior to completion, with the goal of lease up within 6 months of opening.

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:

HFA requires a PILOT coterminous with their perm loan of 30 years. HFA requires IDA participation through PILOT and sales tax exemption. If IDA does not participate in this project, it will not move forward, which would leave this site as a vacant parcel and not generate the job creation or new tax revenue.

### C) Project Site Occupancy

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

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input 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 type="checkbox"/> Multi-tenant                     | <input type="checkbox"/> Facility for Aging              |
| <input checked="" 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. <input type="text"/>	TBD coffee shop/bakery en	2.1% <input type="text"/>
2. <input type="text"/>	TBD micro-retail/start-up	0.6% <input type="text"/>
3. <input type="text"/>	TBD micro-retail/start-up	0.6% <input type="text"/>

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?<sup>1</sup> ☒ 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:

Census Tract 3.02

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.<sup>1</sup>

## 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: Albany Planning Board

Agency Contact: Brad Glass

Date of submission: August 1, 2023

Status of submission: Negative Declaration

Final SEQRA

determination: August 1, 2023

### A) Site Characteristics:

Describe the present zoning and land use regulation: MU-NC

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:

2 new buildings, 3-story residential and 1-story commercial building, totaling 112,158 sf

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):**

		Projected FTEs			
	Current FTEs	New Year 1- 20 <sup>26</sup>	New Year 2 - 20 <sup>27</sup>	New Year 3 - 20 <sup>28</sup>	Total Year 4-20 <sup>29</sup>
<b>Full-time</b>	0	9	0	0	9
<b>Part-time</b>	0	0	0	0	0
<b>Seasonal</b>	0	0	0	0	0

**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 <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage <sup>2</sup>	Number of Current FTE	FTE in Year 1 20 <sup>26</sup>	FTE in Year 2 20 <sup>27</sup>	FTE in Year 3 20 <sup>28</sup>	Total New FTE by Year 4 20 <sup>28</sup>
<b>Professional/Management</b>	60000	0	5			5
<b>Administrative</b>	50000	0	4			4
<b>Sales</b>						
<b>Services</b>						
<b>Manufacturing</b>						
<b>High-Skilled</b>						
<b>Medium-Skilled</b>						
<b>Basic-Skilled</b>						
<b>Other (specify)</b>						
<b>Total (auto-calculated)</b>		0	9	0	0	9

<sup>2</sup> 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: 100 est.

When does the applicant anticipate the start of construction? 11/2024

When does the applicant anticipate the completion of construction? 11/2026

What is the total value of construction contracts to be executed? \$24,784,451

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:

Vecino Construction is based in Troy, and has done several projects in the Capital Region. Outreach events will be held ahead of bidding to attract not only regional interest, but MBE, WBE and SDVOB as well. Selection will be determined on capacity, track record, bonding ability, pricing and familiarity with sub-contractors.

**X. PROJECT COSTS AND FINANCING**

Attach additional

**A) Project Costs**

Description of Cost	Amount
Land	\$3,750,000
Buildings	\$24,784,451
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	\$750,000
Architects and engineering fees	\$1,420,000
Cost of Bond Issue (legal, financial and printing)	\$1,294,245
Construction loan fees and interest (if applicable)	\$5,746,571
Other (specify)	
Reserves	\$357,592
Permits, IDA, insurance+	\$8,228,982
<b>TOTAL PROJECT COST (auto-calculated)</b>	<b>\$46,331,841</b>

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

If yes, describe:

A market study and appraisal have been ordered and paid for, as well as initial A&amp;E, legal fees, and land purchase.

**B) Sources of Funds for Project Costs**

Equity:

\$4,386,097

Bank Financing:

\$7,690,000

Tax Exempt Bond Issuance:

Taxable Bond Issuance

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

Identify each State and Federal program:

Federal 4% tax credit equity

\$17,206,744

HFA Subsidy

\$16,400,000

HFA Clean Energy Incentive

\$649,000

Public Funds Total (auto-calculated):

\$34,255,744

Additional sheets may be attached, as necessary.

TOTAL: (auto-calculated)

\$46,331,841

Amount of total financing requested from lending institutions:

\$7,690,000

Amount of total financing related to existing debt refinancing:

\$0

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution: NYS Housing Finance Agency

Contact: Darren Scott

Phone: (518) 485-7608

**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 type="checkbox"/> Planning Approval (if applicant)	<input checked="" type="checkbox"/> "But For" Requirement
Approval Date : <input type="text" value="TBD"/>		

**Community Benefit Metrics** (Must Achieve 10)

<b>Revitalization</b> <b>Target Geography</b> <input type="checkbox"/> Distressed Census Tract <input checked="" type="checkbox"/> High Vacancy Census Tract <input type="checkbox"/> Downtown <input checked="" type="checkbox"/> BID <input type="checkbox"/> Neighborhood Plan	<b>Investment</b> <b>Financial Commitment</b> (cumulative) <input checked="" type="checkbox"/> 2.5M - 10M <input checked="" type="checkbox"/> 10.1 - 17.5M <input checked="" type="checkbox"/> 17.6M - 25M	<b>Employment</b> <b>Permanent Jobs</b> (cumulative) <input checked="" type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Priority</b> <input type="checkbox"/> Downtown Residential <input checked="" type="checkbox"/> Tax Exempt/Vacant <input type="checkbox"/> Identified Catalyst Site <input type="checkbox"/> Historic Preservation <input type="checkbox"/> Community Catalyst	<b>Community Commitment</b> <input type="checkbox"/> MWBE/DBE Participation <input type="checkbox"/> EEO Workforce Utilization <input checked="" type="checkbox"/> Inclusionary Housing <input type="checkbox"/> Regional Labor <input type="checkbox"/> City of Albany Labor <input type="checkbox"/> Apprenticeship Program	<b>Retained Jobs</b> (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
<b>Identified Growth Area</b> <input type="checkbox"/> Manufacturing/Distribution <input type="checkbox"/> Technology <input type="checkbox"/> Hospitality <input type="checkbox"/> Existing Cluster <input checked="" type="checkbox"/> Conversion to Residential		<b>Construction Jobs</b> (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 <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1				0%	
2				0%	
3				0%	
4				0%	
5	See Staff Analysis			0%	
6				0%	
7				0%	
8				0%	
9				0%	
10				0%	
11				0%	
12				0%	
13				0%	
14				0%	
15				0%	
16				0%	
17				0%	
18				0%	
19				0%	
20				0%	
			\$ 0		\$ 0

*\*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>

<sup>3</sup> 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:

A separate worksheet is attached illustrating a 3 year construction timeframe, followed by a 30-Year PILOT proposal. As a 4% tax credit project, a PILOT co-terminous with HFA financing is required. The proposed PILOT payment is based on 10% of shelter rent. Shelter Rent in this case is calculated as Effective Gross Income minus property utility expenses, with income increasing at 2% annually and expenses at 3% annually.

### 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 tax<sup>4</sup>:

\$16,300,000

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

\$1,304,000

### C) Mortgage Recording Tax Benefit:

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

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1% )<sup>5</sup>:

\$0

### D) Percentage of Project Costs Financed from Public Sector:

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

A. Total Project Cost:

\$46,331,841

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

See Staff Analysis

\$0

C. Estimated Value of Sales Tax Incentive:

\$1,304,000

D. Estimated Value of Mortgage Tax Incentive:

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

\$34,255,744

<sup>4</sup> 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](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm).

<sup>5</sup> 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”):	Vecino Group New York, LLC	
2. Brief Identification of the Project:	120-unit affordable multifamily development	
3. Estimated Amount of Project Benefits Sought:	\$ 1,304,000	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$1,304,000
C. Value of Real Property Tax Exemption Sought		\$0
D. Value of Mortgage Recording Tax Exemption Sought		
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	<div style="border: 1px solid black; padding: 5px;">Vecino is an experienced NY development team that has done multiple projects in the area, delivering them on time.</div>	

**PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	\$ 3,750,000
2. Site preparation	\$ 460,000
3. Landscaping	
4. Utilities and infrastructure development	\$ 1,854,200
5. Access roads and parking development	\$ 380,000
6. Other land-related costs (describe)	
<b>B. Building-Related Costs</b>	
1. Acquisition of existing structures	
2. Renovation of existing structures	
3. New construction costs	\$ 17,950,021
4. Electrical systems	\$ 1,420,105
5. Heating, ventilation and air conditioning	\$ 1,725,600
6. Plumbing	\$ 1,744,525
7. Other building-related costs (describe)	
<b>C. Machinery and Equipment Costs</b>	
1. Production and process equipment	
2. Packaging equipment	
3. Warehousing equipment	
4. Installation costs for various equipment	
5. Other equipment-related costs (describe)	
<b>D. Furniture and Fixture Costs</b>	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	\$ 270,000
<b>E. Working Capital Costs</b>	
1. Operation costs	
2. Production costs	
3. Raw materials	
4. Debt service	\$ 5,746,571
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	\$ 357,559
<b>F. Professional Service Costs</b>	
1. Architecture and engineering	\$ 1,420,000
2. Accounting/legal	\$ 615,000
3. Other service-related costs (describe)	\$ 4,600,000
<b>G. Other Costs</b>	
1. _____	\$ 4,038,260
2. _____	
<b>H. Summary of Expenditures</b>	
1. Total Land-Related Costs	\$ 6,444,200
2. Total Building-Related Costs	\$ 22,840,251
3. Total Machinery and Equipment Costs	\$ 0
4. Total Furniture and Fixture Costs	\$ 270,000
5. Total Working Capital Costs	\$ 6,104,130
6. Total Professional Service Costs	\$ 6,635,000
7. Total Other Costs	\$ 4,038,260
	\$ 46,331,841

**PROJECTED NET OPERATING INCOME**

- I. Please provide projected Net Operating Income: See Staff Analysis

YEAR	Without IDA benefits	With IDA benefits
1	(\$ 125,046)	\$ 91,521
2	(\$ 120,540)	\$ 100,345
3	(\$ 116,096)	\$ 109,194
4	(\$ 111,722)	\$ 118,066
5	(\$ 107,420)	\$ 126,957

**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	100 est	10,000,000 est	562500
Year 2	100 est	8,000,000 est	450000
Year 3	0		
Year 4	0		
Year 5	0		

**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 <sup>st</sup> year following project completion)	<input type="text"/>
Additional Sales Tax Paid on Additional Purchases	<input type="text"/>
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	<input type="text"/>
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	<input type="text"/>

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	\$179,850	\$179,850	\$0
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8	See Staff Analysis for Additional Details		
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
			\$ 0

### **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;         |                                 |

D. Inclusionary Housing: 100% of the units at Freedom Springs will be compliance driven LIHTC units, with 30 units held for Veterans and 30 for Seniors  
I. High Vacancy Census Tract: 64 Colvin is located in a Qualified Census Tract, in a tract with a 14.2%vacancy rate.  
J. 64 Colvin is located in the Central Ave. BID.  
M. Vacant Property: 64 Colvin is the former parking lot for Armory Garage, it is currently vacant and not used.  
U. The site will qualify for Conversion to Residential, as it was previously commercial.

#### **XIV. OTHER**

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

It is difficult to measure the positive impact of affordable and supportive housing. Freedom Springs will literally take 30 homeless Veterans and 30 Seniors off the street, and provide them with housing and supportive services to reestablish themselves. An additional 58 units will be reserved for those who income qualify. This housing will be in compliance, for a minimum of 40 years, thus locking affordable housing into the neighborhood for decades. Housing and services, in this neighborhood, with the readily available job and education opportunities will have a lasting impact on Albany.

DATED: JULY 18, 2019

### 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.

<b>Date Signed:</b> <input type="text" value="10/06/2023"/>	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b> <b>Name:</b> <input type="text" value="Rick Manzardo"/> <b>Title:</b> <input type="text" value="Authorized Representative"/> <b>Phone Number:</b> <input type="text" value="417-720-1577"/> <b>Address:</b> <input type="text" value="305 W Commercial Springfield MO 65803"/> <b>Signature:</b> <input type="text" value="Rick Manzardo"/>
---	---

## REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Rick Manzardo (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Authorized Rep. (title) of Freedom Springs Albany (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.

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](http://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.

S. Change in Control of Project Applicant. 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 enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.



DATED: JULY 18, 2019

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

RICK MANZARDO, being first duly sworn, deposes and says:

1. That I am the Authorized Rep (Corporate Office) of Freedom Springs Asset, 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.



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 6<sup>th</sup> day of October, 2023



(Notary Public)

BRANDON BOATMAN  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Greene County  
My Commission Expires: September 20, 2024  
Commission Number: 16236067



DATED: JULY 18, 2019


### 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  
6<sup>th</sup> day of October, 2023

  
(Notary Public)



## 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:

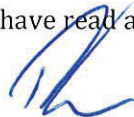
1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, 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.

DATED: JULY 18, 2019

- 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:

Rick Manzardo

Title:

President

Company:

Vecino Group New York, LLC

Date:

10/06/2023

**APPENDIX A**  
**APPLICANT SHELTER RENT PILOT REQUEST**

## Applicant Shelter Rent PILOT Request

Year	Effective Gross Income	Utility Expense	Shelter Rent	10% Shelter Rent/Proposed PILOT
1	3 Year construction to lease up to conversion timeline	\$ -	\$ -	TBD
2		\$ -	\$ -	TBD
3		\$ -	\$ -	TBD
4	\$ 1,459,588	\$ 132,000	\$ 1,327,588	\$ 132,759
5	\$ 1,488,780	\$ 135,960	\$ 1,352,820	\$ 135,282
6	\$ 1,518,555	\$ 140,039	\$ 1,378,517	\$ 137,852
7	\$ 1,548,926	\$ 144,240	\$ 1,404,686	\$ 140,469
8	\$ 1,579,905	\$ 148,567	\$ 1,431,338	\$ 143,134
9	\$ 1,611,503	\$ 153,024	\$ 1,458,479	\$ 145,848
10	\$ 1,643,733	\$ 157,615	\$ 1,486,118	\$ 148,612
11	\$ 1,676,608	\$ 162,343	\$ 1,514,264	\$ 151,426
12	\$ 1,710,140	\$ 167,214	\$ 1,542,926	\$ 154,293
13	\$ 1,744,343	\$ 172,230	\$ 1,572,113	\$ 157,211
14	\$ 1,779,230	\$ 177,397	\$ 1,601,833	\$ 160,183
15	\$ 1,814,814	\$ 182,719	\$ 1,632,095	\$ 163,210
16	\$ 1,851,111	\$ 188,200	\$ 1,662,910	\$ 166,291
17	\$ 1,888,133	\$ 193,846	\$ 1,694,286	\$ 169,429
18	\$ 1,925,895	\$ 199,662	\$ 1,726,234	\$ 172,623
19	\$ 1,964,413	\$ 205,652	\$ 1,758,762	\$ 175,876
20	\$ 2,003,702	\$ 211,821	\$ 1,791,880	\$ 179,188
21	\$ 2,043,776	\$ 218,176	\$ 1,825,600	\$ 182,560
22	\$ 2,084,651	\$ 224,721	\$ 1,859,930	\$ 185,993
23	\$ 2,126,344	\$ 231,463	\$ 1,894,881	\$ 189,488
24	\$ 2,168,871	\$ 238,407	\$ 1,930,464	\$ 193,046
25	\$ 2,212,248	\$ 245,559	\$ 1,966,690	\$ 196,669
26	\$ 2,256,493	\$ 252,926	\$ 2,003,568	\$ 200,357
27	\$ 2,301,623	\$ 260,513	\$ 2,041,110	\$ 204,111
28	\$ 2,347,656	\$ 268,329	\$ 2,079,327	\$ 207,933
29	\$ 2,394,609	\$ 276,379	\$ 2,118,230	\$ 211,823
30	\$ 2,442,501	\$ 284,670	\$ 2,157,831	\$ 215,783
31	\$ 2,491,351	\$ 293,210	\$ 2,198,141	\$ 219,814
32	\$ 2,541,178	\$ 302,006	\$ 2,239,172	\$ 223,917
33	\$ 2,592,002	\$ 311,067	\$ 2,280,935	\$ 228,093

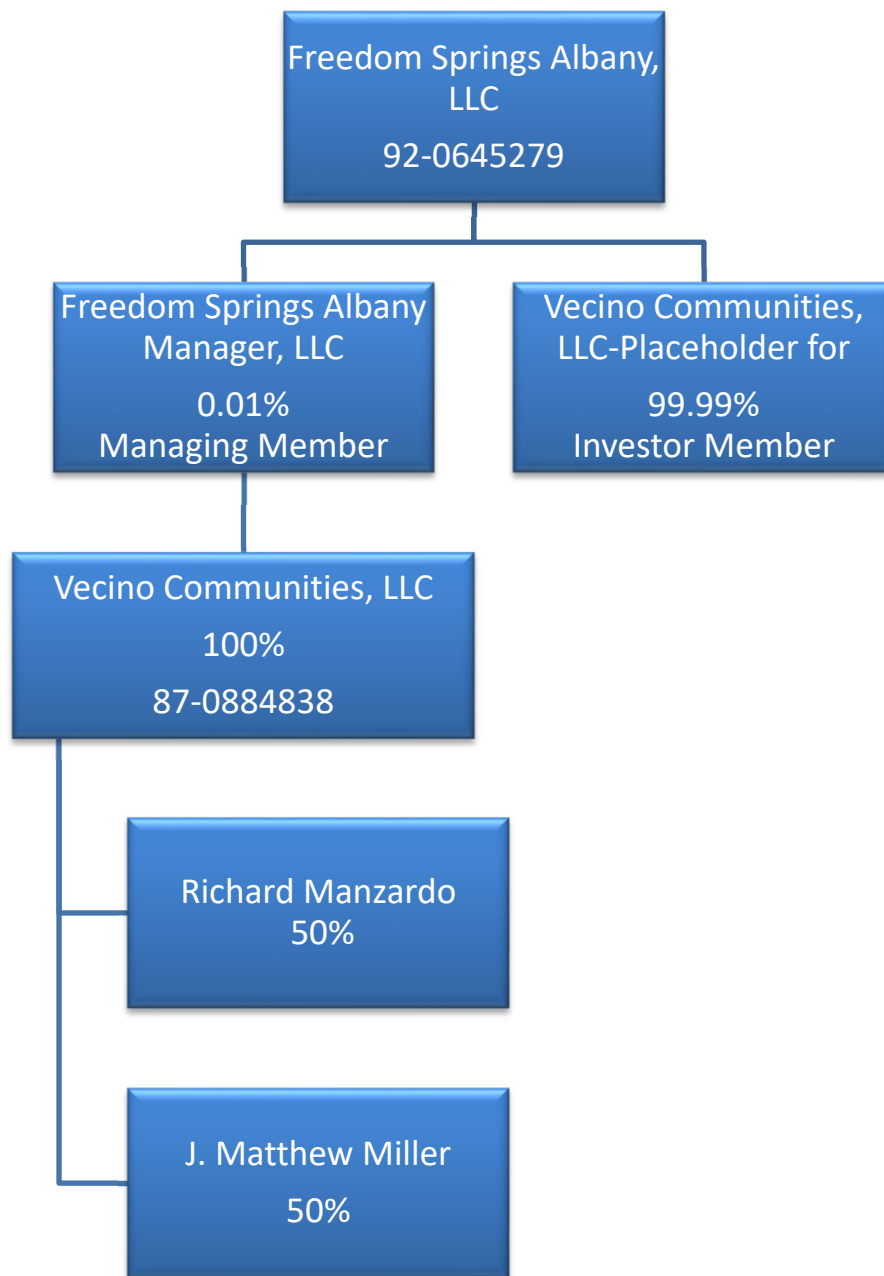
**Freedom Springs Albany, LLC - Staff Analysis of Applicant's Requested 10% Shelter Rent & Commercial PILOT**

PILOT Year	City & County Tax Year	School Tax Year	Tax Rate Non-Homestead <sup>(4)</sup>	Status Quo		Normal Tax				PILOT Payments to be 5% of Residential Shelter Rents and a Commercial PILOT Structure							
				Estimated Total 2023 Assessment <sup>(5)</sup>	Estimated Total Taxes w/o PILOT <sup>(6)</sup>	Base Assessment <sup>(7)</sup>	Estimated Total Improved Assessment <sup>(8)</sup>	Estimated Total Taxes w/o PILOT <sup>(9)</sup>	Estimated Total Taxes w/o PILOT Per Unit <sup>(10)</sup>	Estimated Commercial PILOT Pymnts <sup>(11)</sup>	Estimated Shelter Rent Payments <sup>(12)</sup>	Estimated Shelter Rent Payments	Estimated Abatement <sup>(13)</sup>	Estimated PILOT Payments Per Unit <sup>(14)</sup>	Estimated Abatement Per Unit <sup>(15)</sup>	% Abatement on Total Assessment <sup>(16)</sup>	Commercial Abatement Percentage
Construction	2024	2023/2024	\$51.08	\$659,000	\$33,662	\$3,750,000	-	-	-	-	-	-	-	-	-	-	
Construction	2025	2024/2025	\$52.10	\$659,000	\$34,335	\$3,750,000	-	-	-	-	-	-	-	-	-	-	
Construction <sup>(1)</sup>	2026	2025/2026	\$53.14	\$659,000	\$35,022	\$3,750,000	-	-	-	-	-	-	-	-	-	-	
1 <sup>(2)</sup>	2027	2026/2027	\$54.21	\$659,000	\$35,722	\$3,750,000	\$7,068,300	\$383,148	\$3,193	\$6,622	\$142,674	10% of Shelter Rent	\$233,851	\$1,244	\$1,949	61.03%	100%
2	2028	2027/2028	\$55.29	\$659,000	\$36,437	\$3,750,000	\$7,068,300	\$390,811	\$3,257	\$6,755	\$145,527	10% of Shelter Rent	\$238,528	\$1,269	\$1,988	61.03%	100%
3	2029	2028/2029	\$56.40	\$659,000	\$37,165	\$3,750,000	\$7,068,300	\$398,627	\$3,322	\$6,890	\$148,438	10% of Shelter Rent	\$243,299	\$1,294	\$2,027	61.03%	100%
4	2030	2029/2030	\$57.52	\$659,000	\$37,909	\$3,750,000	\$7,068,300	\$406,600	\$3,388	\$7,028	\$151,407	10% of Shelter Rent	\$248,165	\$1,320	\$2,068	61.03%	100%
5	2031	2030/2031	\$58.67	\$659,000	\$38,667	\$3,750,000	\$7,068,300	\$414,732	\$3,456	\$7,168	\$154,435	10% of Shelter Rent	\$253,128	\$1,347	\$2,109	61.03%	100%
6	2032	2031/2032	\$59.85	\$659,000	\$39,440	\$3,750,000	\$7,068,300	\$423,026	\$3,525	\$8,929	\$157,524	10% of Shelter Rent	\$256,573	\$1,387	\$2,138	60.65%	75%
7	2033	2032/2033	\$61.05	\$659,000	\$40,229	\$3,750,000	\$7,068,300	\$431,487	\$3,596	\$9,108	\$160,674	10% of Shelter Rent	\$261,705	\$1,415	\$2,181	60.65%	75%
8	2034	2033/2034	\$62.27	\$659,000	\$41,033	\$3,750,000	\$7,068,300	\$440,116	\$3,668	\$9,290	\$163,888	10% of Shelter Rent	\$266,939	\$1,443	\$2,224	60.65%	75%
9	2035	2034/2035	\$63.51	\$659,000	\$41,854	\$3,750,000	\$7,068,300	\$448,919	\$3,741	\$9,476	\$167,165	10% of Shelter Rent	\$272,278	\$1,472	\$2,269	60.65%	75%
10	2036	2035/2036	\$64.78	\$659,000	\$42,691	\$3,750,000	\$7,068,300	\$457,897	\$3,816	\$9,665	\$170,509	10% of Shelter Rent	\$277,723	\$1,501	\$2,314	60.65%	75%
11	2037	2036/2037	\$66.08	\$659,000	\$43,545	\$3,750,000	\$7,068,300	\$467,055	\$3,892	\$11,644	\$173,919	10% of Shelter Rent	\$281,492	\$1,546	\$2,346	60.27%	50%
12	2038	2037/2038	\$67.40	\$659,000	\$44,416	\$3,750,000	\$7,068,300	\$476,396	\$3,970	\$11,877	\$177,397	10% of Shelter Rent	\$287,122	\$1,577	\$2,393	60.27%	50%
13	2039	2038/2039	\$68.75	\$659,000	\$45,304	\$3,750,000	\$7,068,300	\$485,924	\$4,049	\$12,115	\$180,945	10% of Shelter Rent	\$292,864	\$1,609	\$2,441	60.27%	50%
14	2040	2039/2040	\$70.12	\$659,000	\$46,210	\$3,750,000	\$7,068,300	\$495,643	\$4,130	\$12,357	\$184,564	10% of Shelter Rent	\$298,721	\$1,641	\$2,489	60.27%	50%
15	2041	2040/2041	\$71.52	\$659,000	\$47,135	\$3,750,000	\$7,068,300	\$505,555	\$4,213	\$12,604	\$188,255	10% of Shelter Rent	\$304,696	\$1,674	\$2,539	60.27%	50%
16	2042	2041/2042	\$72.95	\$659,000	\$48,077	\$3,750,000	\$7,068,300	\$515,667	\$4,297	\$12,852	\$192,020	10% of Shelter Rent	\$306,846	\$1,740	\$2,557	59.50%	0%
17	2043	2042/2043	\$74.41	\$659,000	\$49,039	\$3,750,000	\$7,068,300	\$525,980	\$4,383	\$13,136	\$195,861	10% of Shelter Rent	\$312,983	\$1,775	\$2,608	59.50%	0%
18	2044	2043/2044	\$75.90	\$659,000	\$50,020	\$3,750,000	\$7,068,300	\$536,399	\$4,471	\$13,479	\$199,778	10% of Shelter Rent	\$319,243	\$1,810	\$2,660	59.50%	0%
19	2045	2044/2045	\$77.42	\$659,000	\$51,020	\$3,750,000	\$7,068,300	\$547,210	\$4,560	\$13,828	\$203,774	10% of Shelter Rent	\$325,628	\$1,847	\$2,714	59.50%	0%
20	2046	2045/2046	\$78.97	\$659,000	\$52,040	\$3,750,000	\$7,068,300	\$558,174	\$4,651	\$14,185	\$207,849	10% of Shelter Rent	\$332,140	\$1,884	\$2,768	59.50%	0%
21	2047	2046/2047	\$80.55	\$659,000	\$53,081	\$3,750,000	\$7,068,300	\$569,338	\$4,744	\$14,548	\$212,006	10% of Shelter Rent	\$338,783	\$1,921	\$2,823	59.50%	0%
22	2048	2047/2048	\$82.16	\$659,000	\$54,143	\$3,750,000	\$7,068,300	\$580,724	\$4,839	\$14,919	\$216,246	10% of Shelter Rent	\$345,559	\$1,960	\$2,880	59.50%	0%
23	2049	2048/2049	\$83.80	\$659,000	\$55,226	\$3,750,000	\$7,068,300	\$592,339	\$4,936	\$15,298	\$220,571	10% of Shelter Rent	\$352,470	\$1,999	\$2,937	59.50%	0%
24	2050	2049/2050	\$85.48	\$659,000	\$56,330	\$3,750,000	\$7,068,300	\$604,186	\$5,035	\$15,684	\$224,983	10% of Shelter Rent	\$359,519	\$2,039	\$2,996	59.50%	0%
25	2051	2050/2051	\$87.19	\$659,000	\$57,457	\$3,750,000	\$7,068,300	\$616,269	\$5,136	\$20,077	\$229,482	10% of Shelter Rent	\$366,710	\$2,080	\$3,056	59.50%	0%
26	2052	2051/2052	\$88.93	\$659,000	\$58,606	\$3,750,000	\$7,068,300	\$628,595	\$5,238	\$20,479	\$234,072	10% of Shelter Rent	\$374,044	\$2,121	\$3,117	59.50%	0%
27	2053	2052/2053	\$90.71	\$659,000	\$59,778	\$3,750,000	\$7,068,300	\$641,167	\$5,343	\$20,889	\$238,753	10% of Shelter Rent	\$381,525	\$2,164	\$3,179	59.50%	0%
28	2054	2053/2054	\$92.52	\$659,000	\$60,974	\$3,750,000	\$7,068,300	\$653,990	\$5,450	\$21,306	\$243,528	10% of Shelter Rent	\$389,155	\$2,207	\$3,243	59.50%	0%
29	2055	2054/2055	\$94.37	\$659,000	\$62,193	\$3,750,000	\$7,068,300	\$667,070	\$5,559	\$21,732	\$248,399	10% of Shelter Rent	\$396,938	\$2,251	\$3,308	59.50%	0%
30	2056	2055/2056	\$96.26	\$659,000	\$63,437	\$3,750,000	\$7,068,300	\$680,411	\$5,670	\$22,167	\$253,367	10% of Shelter Rent	\$404,877	\$2,296	\$3,374	59.50%	0%
Permanent <sup>(3)</sup>	2057	2056/2057	\$98.19	\$659,000	\$368,203	\$3,750,000	\$7,068,300	\$694,019	\$5,783	\$22,610	\$258,434		\$412,975				
				<b>Estimated Total <sup>(17)</sup></b>	<b>\$1,449,176</b>			<b>\$15,543,572</b>		<b>\$432,058</b>	<b>\$5,788,010</b>		<b>\$9,323,504</b>				

**Notes:**

- (1) Project would likely close with Agency in 4Q 2024. Construction is expected to take approx. 30-36 months.  
 (2) Estimated start of PILOT payments.  
 (3) Agency assistance terminates - project returns to full taxable status.  
 (4) Estimated non-homestead tax rate (does not include any special ad valorem taxes that are still payable under PILOT) based on City/County 2024 tax year and School 2023/2024 tax year with estimated escalation of 2.0% thereafter.  
 (5) Assessment value of based on the current 2023 assessment roll.  
 (6) Estimated taxes if proposed project did not occur (i.e. left status quo).  
 (7) Estimated value based on acquisition price.  
 (8) Per letter from the City of Albany Assessor dated 10-30-2023  
 (9) Estimated taxes if proposed project occurred without PILOT assistance.  
 (10) Estimated taxes Per Unit if the proposed project occurred without PILOT assistance.  
 (11) Due to the special nature of the request, estimated Commercial PILOT Payments calculated based on income producing sq. ft. (3.2579% of total project sq. ft.).  
 (12) Estimated PILOT Payments calculated at 10% of rental income (less tenant-paid utilities) provided in the projected pro forma.  
 (13) Difference of Estimated PILOT Payments from Estimated Total Taxes w/o PILOT.  
 (14) Estimated PILOT Payments Per Unit. DOES NOT INCLUDE LIBRARY TAXES THAT ARE STILL PAYABLE.  
 (15) Difference of Estimated PILOT Payments Per Unit from Estimated Total Taxes w/o PILOT Per Unit.  
 (16) Percent Abatement on Total Assessment via 10% shelter rent PILOT and Commercial PILOT structure.  
 (17) Totals for comparison and analysis during PILOT agreement period only.

\*\*\*Analysis is ONLY an estimate\*\*\*

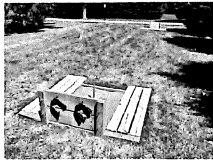




EXAMPLES OF EQUIPMENT, AREAS, AND ACTIVITIES LOCATED ALONG OUTDOOR PASSIVE RECREATIONAL AREA



RAISED GARDEN BEDS



HORSHOE PIT OR SIMILAR GAME



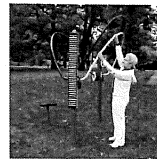
PICNIC AND GRILLING AREAS



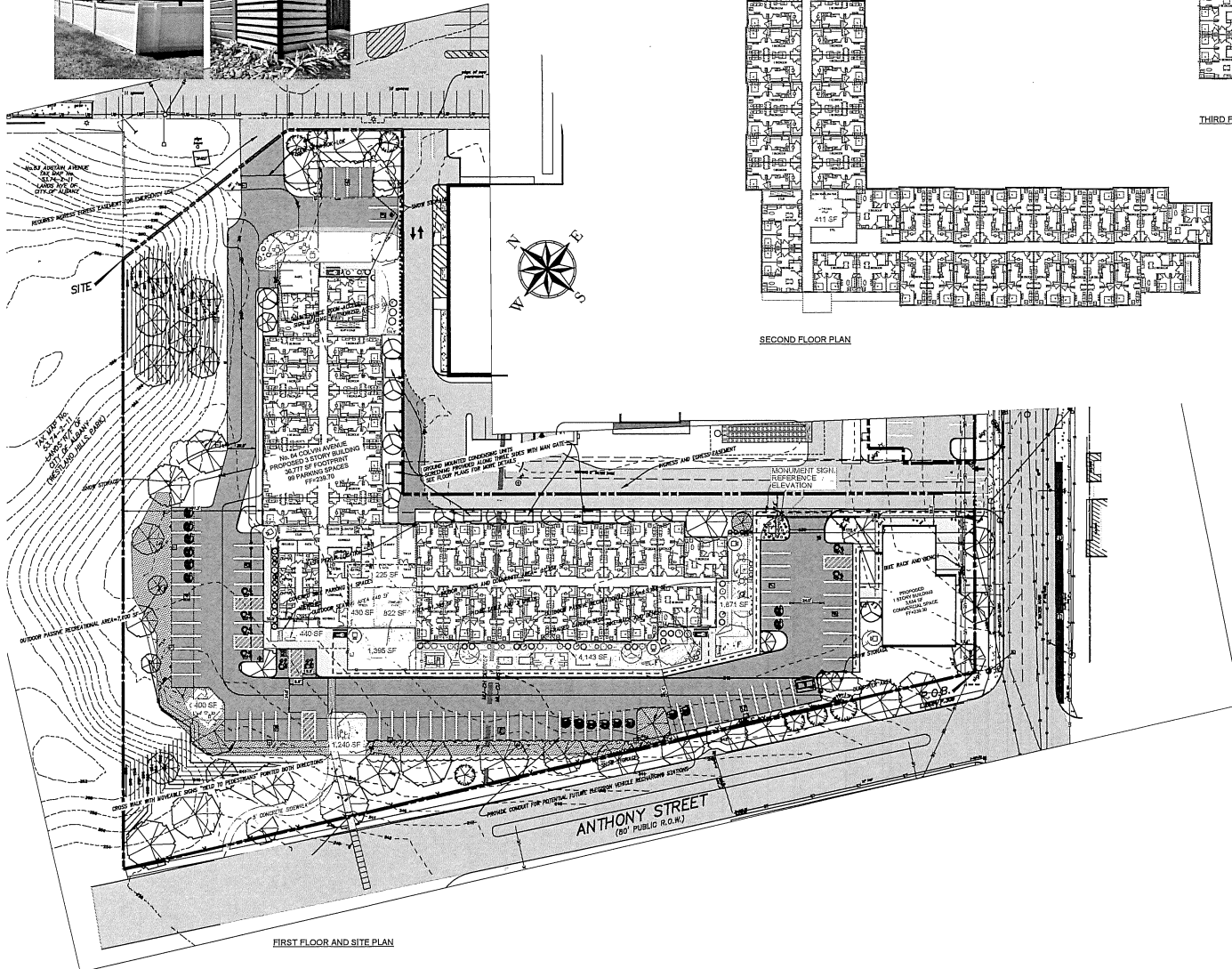
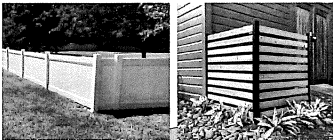
SEATING/GATHERING AREAS



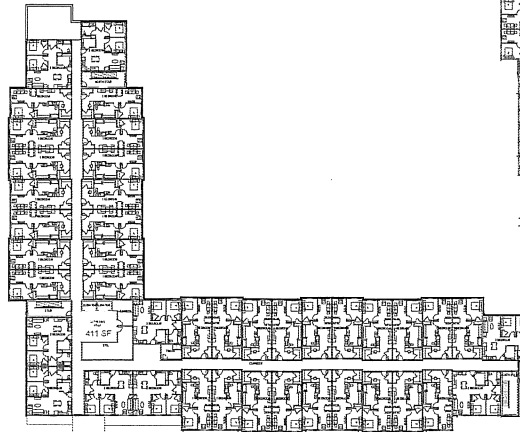
OUTDOOR FITNESS EQUIPMENT



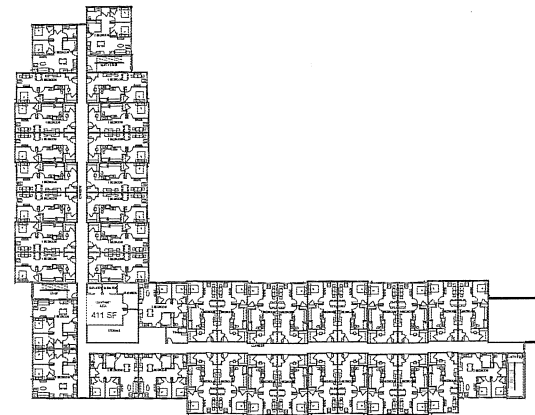
PROPOSED MECHANICAL UNIT SCREENING MATERIALS



FIRST FLOOR AND SITE PLAN



SECOND FLOOR PLAN



THIRD FLOOR PLAN

NOTE:  
PLEASE REFERENCE CIVIL AND  
LANDSCAPE DRAWINGS FOR FULL  
DESIGN INTENT

KEY:



ACCESS CONTROL



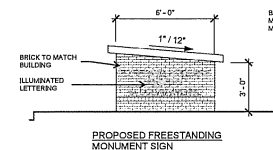
SURVEILLANCE CAMERA



PASSIVE AND ACTIVE  
RECREATIONAL AREA

Passive Recreational Table (SF)	
Outdoor Play Area	1,395
Covered Outdoor Seating Area (Main Entry)	440
Community Room	822
Fitness Room	430
Gathering Area at Laundry	225
Gathering Area (2nd Floor Elev)	411
Gathering Area (3rd Floor Elev)	411
	4,143
Outdoor Passive Recreation Area	1,871
(Picnic Tables, Grills, Benches, Raised Garden	1,240
Beds, Fitness Equipment, Outdoor Games,	400
Walking Paths)	4,180
<b>TOTAL SF:</b>	<b>15,968</b>

PROPOSED SIGNAGE DETAILS



PROPOSED FREESTANDING  
MONUMENT SIGN



PROPOSED WALL SIGN

BW  
ARCHITECTS & LANDSCAPE ARCHITECTS, LLC  
444 West Street, Suite 100, Albany, NY 12206  
(518) 486-1000

CONSULTANTS  
CIVIL ENGINEER  
REGISTERED PROFESSIONAL  
P. E. 0000000000  
ALBANY, NY 12206  
OFFICE: 518-486-1000  
CELL: 518-486-1000  
FAX: 518-486-1000  
LANDSCAPE ARCHITECT  
REGISTERED PROFESSIONAL  
L. 0000000000  
ALBANY, NY 12206  
OFFICE: 518-486-1000  
CELL: 518-486-1000  
FAX: 518-486-1000  
ELECTRICAL ENGINEER  
REGISTERED PROFESSIONAL  
E. 0000000000  
ALBANY, NY 12206  
OFFICE: 518-486-1000  
CELL: 518-486-1000  
FAX: 518-486-1000  
MECHANICAL ENGINEER  
REGISTERED PROFESSIONAL  
M. 0000000000  
ALBANY, NY 12206  
OFFICE: 518-486-1000  
CELL: 518-486-1000  
FAX: 518-486-1000

FREEDOM SPRINGS ALBANY  
64 COLVIN AVE. ALBANY, NY 12206

BW PROJECT NO. 2200

The drawings are made to a certain scale and are not to be used for any other purpose without the written consent of the architect.

PRELIMINARY  
NOT FOR  
CONSTRUCTION

The drawings and specifications are prepared by the architect and are not to be used for any other purpose without the written consent of the architect.

DATE: 12/2/2020  
PROJECT NUMBER: 2200  
DRAWN BY: A100  
CHECKED BY: A100

SITE PLAN AND  
RECREATIONAL  
AREAS

A100

## EXHIBIT A

### DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

#### FREEDOM SPRINGS ALBANY, 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 on Central Avenue, 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 on Central Avenue, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 9 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: \$1,304,000 Mortgage Recording Tax Exemption: \$0 Real Property Tax Exemption: \$9,323,504</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project applicant expects to invest over \$46.3 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 is expected to receive City of Albany Planning Board approvals in 2Q 2024.</p> <p>The Project has received a term sheet and letter of intent for Project Financing.</p> <p>The Applicant has purchase options on the property involved in the project.</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 Shelter Rent PILOT program through the City of Albany IDA.</p> <p>Project will result in an increase in assessed value from the current total assessment: \$659,000 (Per City of Albany Commissioner of Assessment and Taxation 2023 Assessment Roll) to the estimated improved total assessment: \$7,068,300 (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 vacant and underutilized property and create approximately 9 FTE.</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 and vacant structures 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>
----	--------	---	-----------------------------	--