

Frank S. Venezia
Chairman

David A. Petraglia
Vice-Chairman

Sam Messina
Secretary

Robert B. Ward
Assistant Secretary

Pamela Clark Robbins
Treasurer

TOWN OF BETHLEHEM

Albany County - New York

INDUSTRIAL DEVELOPMENT AGENCY

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MINUTES OF THE REGULAR MEETING

June 20, 2006

A regular meeting of the Town of Bethlehem Industrial Development Agency was convened in public session in the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, New York at 8:00 a.m., on Tuesday, June 20, 2006.

Attendance was recorded as follows:

<u>Board Members Present</u>	<u>Board Members Absent</u>	<u>Counsel Present</u>	<u>Town Staff Present</u>	<u>Others Present</u>
Frank Venezia David Petraglia Sam Messina Robert Ward Pamela Clark Robbins George Leveille Judith Kehoe		Thomas Connolly	Deborah Kitchen	Marie Capone

Chairman Venezia called the meeting to order.

APPROVAL OF MINUTES

A motion was made by Mr. Messina, seconded by Mr. Venezia and carried by all members present to approve the May 16, 2006 minutes - as revised.

FINANCIAL REPORT

Ms. Kehoe presented the monthly revenue and budget report dated June 15, 2006.

A motion was made by Mr. Ward, seconded by Mr. Messina and carried by all members present to accept the budget report as presented.

Ms. Kehoe recommended that the signature cards be updated for the existing checking and savings accounts at Key Bank. Ms. Kehoe and Ms. Robbins will be the signatories on the accounts. Only one signature will be required when making a transaction.

Resolution 2006-08 – Checking and Savings Account Signatures

Upon motion of Mr. Petraglia, seconded by Mr. Ward and unanimously approved by all members present, the following resolution was adopted:

Resolved that Ms. Kehoe and Ms. Robbins will be the signatories on the Agency's checking and savings accounts at Key Bank.

PUBLIC AUTHORITIES ACCOUNTABILITY ACT

Joe Scott will report on the checklist at the July 2006 meeting.

OLD BUSINESS - Project Updates

American Housing Foundation - Van Allen Senior Apartments

Mr. Connolly reported that he had spoken with Gary Kearns and was told that the refinancing is moving forward. The closing, however, has been delayed and will not be held in month of June as originally planned.

Plasticware

Mr. Connolly reported that he had spoken with Jacob Deutch and was told that project has been scaled back. Citizen's Bank is willing to lend \$10,000,000.00 but is asking for a \$3,000,000.00 reserve with the owner holding \$5,000,000 in equity and the equipment vendor providing \$5,000,000 in equity. Plasticware is currently negotiating the amount of the reserve.

Selkirk Ventures

Mr. Connolly referred to a June 8, 2006 letter from David Buicko of Selkirk Ventures requesting a 180-day deferral of the Tax Recapture payment scheduled for June 30, 2006, until December 31, 2006. This payment is owed because the project did not produce the economic benefit as planned and a provision in the agreement allowed for the recapture of some of the exempted tax dollars.

Mr. Leveille stated that negotiations with Plasticware, LLC are moving forward and Selkirk Ventures has been making its PILOT payments. Mr. Leveille recommended that the Board grant a ninety (90) day extension so long as it is done so with the consent of the Ravena-Coeymans-Selkirk Central School District.

A motion was made by Ms. Kehoe, seconded by Mr. Robbins and carried by all members present to authorize Mr. Connolly to seek the consent of the Ravena-Coeymans-Selkirk Central School District to grant the request made by Selkirk Ventures and defer the Tax Recapture payment for a period not to exceed ninety (90) days.

Vista Technology Campus

Mr. Leveille reported that Town staff met with a site location consultant for a major tenant, known as Project Centaur. A questionnaire was completed and submitted to Empire State Development Corp in Albany County.

Town staff also met with Dominion Gas – a company whose line runs through this project. Mr. Leveille stated that there may be potential for a district heating and cooling system if a miniature power plant could be located in that area.

The Citizen's Advisory Committee on Conservation is working to develop a transportation enhancement application to develop a network of pedestrian facilities throughout the area that could possibly connect with the Rail Trail.

Highway work will begin in September as planned.

New Scotland Master Plan

A planning workshop will be held on Friday, September 15th and Saturday, September 16th. Participants will include the four developers and their representatives, as well as Town staff and the individuals who will be hired to facilitate the meeting. The workshop will be open to the public but may not be entirely interactive.

Business Visitation Program

With regard to the Business Visitation Program, Mr. Connolly reported that no visits were made since the last Board meeting.

Flags and Flowers

With regard to Flags and Flowers, Mr. Connolly reported that the committee raised a total of \$5,445.50 to date and is expected to reach its goal of \$8,000.00. He also informed the Board that the committee leader, Margie Sheehan, will be meeting with Supervisor Egan to share her impressions of the fundraising effort. It has been her experience that the independent merchants along Delaware Avenue are not taking ownership of the project and that many of them feel the project should be fully funded by the Town. Mr. Messina noted that of the 55 contributions made, 30 of them were from businesses.

Amendment of Governance Committee Charter

With regard to the Governance Committee Charter, Mr. Messina reported that he is comfortable with the final document and believes the language reflects what the Board requested.

Resolution 2006-09 – Amendments of the Governance Committee Charter

Upon motion of Ms. Kehoe, seconded by Mr. Petraglia and unanimously approved by all members present, the following resolution was adopted:

Resolved that the Agency hereby approves and confirms the Charter of the Governance Committee.

Option/Contract - Robert Williams - Lyons Road Property

Mr. Connolly reviewed the draft option. The option price is \$300,000.00. All transactions would be subject to the guidelines set forth under the Public Authorities Accountability Act and the property would be subject to an independent appraisal. In the event that the Town decides this would be a good acquisition, or would be a good commercial location to support the Park Master Plan, the IDA would be in a position to help make that happen.

Mr. Leveille added that the property is adjacent to the Henry Hudson Park, is zoned for five (5) acre housing lots and does not have sewer or water utilities. The contract will provide the Town with an opportunity to develop a master plan. A determination of the best use for this parcel will be made through the Local Waterfront Revitalization Planning process as part of a grant from the NYS Dept. of State. It is estimated that the process will take a minimum of nine (9) months before the Town will be in a position to make any decisions. The IDA would serve as a conveying agency on behalf of the owner.

Bio Update

Ms. Kitchen reported that the Board member biographies were updated and have been posted on the IDA Website.

Report / Summer 2006

Mr. Leveille reported that Kathryn Sikule of Brownstone Graphics submitted an estimate for producing a report for the Agency for 2006. The report would consist of 8, two-color, 8 1/2 x 11" pages. Ms. Sikule would provide two comprehensive samples, revisions for the chosen design, printing coordination and preparing all of the files for the IDA Website. The report would be used as a marketing tool to promote economic development. It would contain the 2005 Financial Information and the 2006 program information.

Resolution 2006-10 – Summer 2006 Report

Upon motion of Mr. Venezia, seconded by Mr. Messina, and unanimously approved by all members present, the following resolution was adopted:

Resolved that the Agency contract with Brownstone Graphics to produce 1,000 copies of the Summer 2006 Report.

NEW BUSINESS

Upcoming Events

The Citizen's Advisory Committee on Conservation is scheduled to meet on July 10, 2006.

The Route 9W Corridor Study Committee is scheduled to meet on June 28, 2006.

The first meeting of the Local Waterfront Revitalization Plan / Waterfront Advisory Committee is scheduled to take place in August 2006.

Memorandum of Understanding / Center for Economic Growth - Regional Coordinator of NYS Foundation for Science

Mr. Leveille presented a letter he received from Kelly A. Lovell, President and CEO of the Center for Economic Growth (CEG), asking the IDA to support CEG in becoming Tech Valley's lead regional economic development agency in administering the regional partnership programs established by the NYS Foundation for Science, Technology and Innovation (NYSTAR) to advance economic development in Tech Valley. Mr. Leveille stated that it would be appropriate for the Center to be the lead agency and recommends that the Agency sign the agreement.

Resolution 2006-11 – Memorandum of Understanding With CEG

Upon motion of Mr. Messina, seconded by Mr. Petraglia and unanimously approved by all members present, the following resolution was adopted:

Resolved that Chairman Venezia is authorized to sign the Memorandum of Understanding.

Van Allen 2005 Financial Report / Compiled or Audited

Ms. Kehoe reported that the Van Allen documents call for an annual audited financial statement. Van Allen submitted a compiled report not an audited report, which is the lowest level of certification that a CPA can provide. The Board discussed the possibility that a request for a waiver might be submitted and it was decided that the Board would not be willing to grant a waiver and is expecting to receive an audited report. Ms. Kehoe will report back to the Board via email or at the next IDA meeting.

Office of the State Comptroller IDA Reform Legislation

Chairman Venezia stated that he had examined the May 16, 2006 report generated by the Office of the State Comptroller, which contained the findings from various IDA audits conducted throughout the State. Chairman Venezia raised the question as to how the Bethlehem IDA would fair if audited by the State Comptroller, specifically with regard to the audit, employment follow-up and approval / evaluation process.

A discussion took place about the extent to which the Agency should monitor project reports and data. Chairman Venezia suggested that the IDA request a copy of the W-3. The W-3 is a transmittal of the W-2 and lists the number of employees. The W-3 could be added to the list of items requested in the cover letter sent by our auditors.

Mr. Leveille suggested that the Agency create a business visitation summary report or a questionnaire which could be used to identify the things that might prevent a project from meeting its goals, and, call on each account once a year to discuss employment trends. Information about the visit could be recorded and stored in the project file so that it could be compared to the information that is submitted.

Ms. Robbins stated that she believes it would be beneficial to demonstrate that the Agency is actively monitoring the projects on an annual basis to account for whether or not goals are being met, and the reasons if they are not. Ms Kehoe stated that she would provide a summary of the current information.

DATE OF NEXT IDA MEETING

The next regular IDA meeting will be held on Tuesday, July 18, 2006, at 8:00 a.m., Room 101. Ms. Robbins and Mr. Messina stated that they would not be attending the July meeting.

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Ward, seconded by Ms. Robbins and unanimously approved by all members present.

Respectfully submitted: Deborah M. Kitchen