

Frank S. Venezia
Chairman

David A. Petraglia
Vice-Chairman

Sam Messina
Secretary

Robert B. Ward
Assistant Secretary

Pamela Clark Robbins
Treasurer

Joanne Cunningham
Member

Joseph P. Richardson
Member

TOWN OF BETHLEHEM

Albany County - New York

INDUSTRIAL DEVELOPMENT AGENCY

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*Executive Director and
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Judith E. Kehoe
Chief Financial Officer

Thomas P. Connolly Esq.
*Assistant Executive Director,
Assistant Secretary and
Agency Counsel*

MINUTES OF THE REGULAR MEETING July 18, 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 18, 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 Robert Ward Joanne Cunningham Joseph Richardson	Pamela Clark Robbins Sam Messina	Thomas Connolly Joseph Scott	George Leveille Judith Kehoe Deborah Kitchen	Marie Capone

Chairman Venezia called the meeting to order.

WELCOME NEW BOARD MEMBERS

The first item on the agenda was the introduction of two new Board members, Joanne Cunningham and Joseph Richardson. Chairman Venezia thanked them for agreeing to serve as representatives of the Bethlehem Industrial Development Agency.

APPROVAL OF MINUTES

A motion was made by Mr. Leveille, seconded by Ms. Kehoe and carried by all members present to approve the June 20, 2006 minutes.

RESIGNATION OF FORMER BOARD MEMBERS

Judith Kehoe

Ms. Kehoe stated she has served as a Board member for 14 years and it is with regret that she must tender her resignation in order to be in compliance with the Public Authorities Accountability Act (PAAA). She will continue to serve the Agency in her capacity as Chief Financial Officer.

Chairman Venezia thanked Ms. Kehoe for her years of service and asked that a motion be made to accept Ms. Kehoe's resignation.

A motion was made by Mr. Ward, seconded by Mr. Petraglia and carried by all members present to accept Ms. Kehoe's resignation.

George Leveille

Mr. Leveille stated that it is also with regret, that he is tendering his resignation as required by the PAAA. He will continue to serve the Agency as Executive Director and Chief Executive Officer.

Chairman Venezia thanked Mr. Leveille for his years of service and asked that a motion be made to accept Mr. Leveille's resignation.

A motion was made by Mr. Petraglia, seconded by Mr. Ward and carried by all members present to accept Ms. Leveille's resignation.

Mr. Ward added that the Board might want to consider writing a letter to the State Comptroller which points out that the new requirements are forcing good people to resign from positions where they are needed and valued.

FINANCIAL REPORT

Ms. Kehoe presented the monthly financial statement and budget report dated July 17, 2006.

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

With regard to a \$5,000.00 invoice submitted to the IDA by Verstandig's Florist for costs associated with the Flags & Flowers project. Ms. Kehoe recommended that the transaction be reflected in the financial records for 2006. All future transactions should be handled by the banking entity responsible for collecting the donations. The project, began as an improvement to the business district along Delaware Avenue, and is currently supported by donations from the community as well as business owners along the Delaware Avenue corridor. The Town supports the project by contributing the labor required for the handling and maintenance of the flags and flowers.

With regard to the Van Allen project, Ms. Kehoe reported that an audited financial statement would be provided by the end of the month.

PUBLIC AUTHORITIES ACCOUNTABILITY ACT

Mr. Scott referred to a document entitled: Schedule A – Public Authorities Accountability Checklist that he prepared for the Board's review. Mr. Scott stated that many of the items on the checklist have already been completed. He will prepare materials for the next IDA meeting that relate to items **1.e. Real Property Acquisition Policy**; and the **1.f. Real Property Disposition Policy**. He will also provide Resolutions for numbers **3. Appointment of Contracting Officer**; and language needed to amend the By-Laws as shown in items **4.a. Creation of Additional Committees**; and **4.b. Positions of the CEO and CFO**. Mr. Scott also intends to meet with Mr. Leveille, Ms. Kehoe and Mr. Connolly regarding the items listed under item **5. Adopt new operating guidelines and procedures to provide for**

New members will be expected to attend training.

Mr. Connolly distributed an article from the NYS Bar Association, Municipal Law Section, "Municipal Lawyer" summarizing PAAA and said it was the best summary he had found.

OLD BUSINESS - Project Updates

Plasticware

Mr. Leveille reported that Plasticware has a commitment letter and is working toward resolving the final issues. It is hoped that the company will be in a position to move forward with the \$20 million dollar project.

Vista Technology Campus

Mr. Leveille stated that Vista is working to capitalize on the recent announcement made by Advanced Micro Devices. The Project Centaur proposal seems to be focusing on a different location in Dubai, which is expected to become an anti-proton facility similar to the one in Oklahoma.

Selkirk Ventures

Mr. Leveille reported that Selkirk Ventures owns the building where Plasticware is located. The Agency approved a ninety (90) day extension of the tax recapture payment so long as it receives the consent of the Ravena-Coeymans-Selkirk Central School District. The Agency is in the process of obtaining such consent.

Route 9W Corridor Study

The Route 9W study is proceeding and will consider issues related to the Selkirk By-pass. A public meeting will be held to discuss the issues related to the corridor.

New Scotland Road Hamlet 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. Board members are welcome to attend.

Flags and Flowers

With regard to Flags and Flowers, Mr. Connolly reported that the committee raised a total of \$6,990.00 to date and Margie Sheehan has agreed to serve as the Chairperson in 2007.

Ms. Sheehan met with Supervisor Egan and Director Leveille 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. Leveille stated that there is a need for creating a business district given the ongoing development in Glenmont and the potential competition that will come from the proposed hamlet center in Slingerlands. The future of the Delaware Avenue corridor is at stake and the business owners along the Delaware Avenue corridor need to stay ahead of the competition by making improvements to the district so that it is an attractive and marketable place.

The Town is planning to host a workshop for Delaware Avenue business owners to make them aware of what is happening in other areas of Town and to explain the benefits of creating a business district.

Option/Contract - Robert Williams - Lyons Road Property

Mr. Connolly reported that Mr. Williams had requested three changes to the pending option/contract on the Lyons Road Property: 1) Add a description of the Master Plan for the park; 2) Remove the requirement for an independent appraisal; and 3) Add a six month extension period, subject to a \$5,000.00 payment. Mr. Connolly and Mr. Leveille have reviewed the proposed changes and both are in favor of signing the agreement. There was a consensus that the revisions were acceptable.

Mr. Connolly stated that there are no contingencies in the contract and the Agency is under no obligation to purchase the property. The contract is scheduled to expire on July 1, 2007 and will not be extended without Agency consent. If the option is exercised, the closing will take place within 45 days.

Resolution 2006-11 – Option/Contract – Robert Williams – Lyons Road Property

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

Resolved that the Agency has authorized Chairman Venezia to sign an amended, option/contract for the Lyons Road Property.

Report / Summer 2006

Mr. Leveille reported that he expects to receive the first draft of the annual report within the next few days. The Board members will need to assemble for a group picture. Mr. Leveille will circulate the report to the Board members for their review.

Monitoring Existing Projects

With regard to the monitoring of projects, Ms. Kehoe stated that she believes the Agency is in compliance with tracking job creation and new assessed values. Ms. Kehoe sends out letters, annually, to request this type of information. The auditors also obtain the information. Supporting documentation is not requested at the present time.

Ms. Kehoe distributed copies of a report entitled: "Town of Bethlehem IDA – Summary of Project Job Creation and New Assessed Values." The report included active IDA projects. Mr. Richardson requested that a column be added for comments. Mr. Scott recommended that projects with tax abatements be shown in a separate column.

Ms. Kehoe also distributed copies of a "Draft Policy Statement on IDA Project Job Creation and Ongoing Monitoring". The policy was developed to assist the Agency in responding to NYS requirements. It would provide guidelines for monitoring job levels, based on the size of the project. Ms. Kehoe noted that on-site visits, if made, should include a meeting with project management, and a tour of the facilities in which the Town can independently verify the number of employees on site. She also noted that when a closing takes place, management should be reminded that they will be required to provide information on the number of construction jobs created. Chairman Venezia recommended that a clause be added stating that the Agency reserves the right to request information to support the data reported. Mr. Ward stated that management should use caution when estimating the employment figures. Ms. Kehoe will tailor the letter to request that tenant information be included in the employment figures.

Mr. Connolly noted that in some instances a year passes between the date of the application and the date of the closing and it might be helpful to ask the applicant to recertify the job numbers at closing. If the figures are different, a written explanation could be submitted which notes the change.

The Board will defer this until Ms. Kehoe has had an opportunity to revise the documents and review them with the Treasurer. The revised documents will be prepared for the September meeting.

NEW BUSINESS

Upcoming Events

Town Board – Public Hearing

A Public Hearing will be held on Thursday, July 20, 2006 to consider technical revisions to the Town's Zoning Law and Subdivision Regulations – adopted in August 2005.

Local Waterfront Revitalization Plan / Waterfront Advisory Committee

The date of the first LWRP / Waterfront Advisory Committee meeting has not been determined.

Vista Technology Campus

Highway work is scheduled to begin in September as planned.

New Scotland Road Hamlet Master Plan

A meeting will be held on Friday, September 15, 2006, from 9:00 a.m. to 4:00 p.m. and Saturday, September 16, 2006 from 9:00 a.m. to 12:30 p.m., in the Town Hall auditorium. The meeting will function as a design charrette. An illustrator will be present to provide a visual idea of what the New Scotland Road Hamlet could potentially look like as a traditional, pedestrian friendly, mixed use town center where residents can live, eat, shop, stay and play.

DATE OF NEXT IDA MEETING

The meeting, scheduled for Tuesday, August 15, 2006, is cancelled.

The next regular IDA meeting will be held on Tuesday, September 19, 2006, at 8:00 a.m., Room 101. Mr. Messina stated that he would not be present for the September meeting.

MOTION TO ADJOURN

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

Respectfully submitted: Deborah M. Kitchen