

**Frank S. Venezia**  
*Chairman*

**Sam Messina**  
*Secretary*

**Robert B. Ward**  
*Assistant Secretary*

**Pamela Clark Robbins**  
*Treasurer*

**Joanne Cunningham**  
*Member*

**Joseph P. Richardson**  
*Member*

**Brian T. Stenson**  
*Member*

## **TOWN OF BETHLEHEM**

*Albany County - New York*

### **INDUSTRIAL DEVELOPMENT AGENCY**

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**George E. Leveille**  
*Executive Director and  
Chief Executive Officer*

**Judith E. Kehoe**  
*Chief Financial Officer*

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

### **MINUTES OF THE IDA MEETING September 18, 2007**

A meeting of the Town of Bethlehem Industrial Development Agency was convened in public session in the Bethlehem Town Hall, 445 Delaware Ave., Delmar, New York at 8:00 a.m., on Tuesday, September 18, 2007.

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 Sam Messina Robert Ward Joanne Cunningham Joseph Richardson Brian Stenson	Pamela Clark Robbins	Thomas Connolly A. Joseph Scott	Judith Kehoe Deborah Kitchen Terrence Ritz John Cunningham	Marie Cappone

Chairman Venezia called the meeting to order.

#### **APPROVAL OF MINUTES**

A motion was made by Mr. Messina, seconded by Mr. Stenson and carried by all members present to approve the minutes of the Regular Meeting held on June 19, 2007.

A motion was made by Mr. Stenson, seconded by Mr. Ward and carried by all members present to approve the minutes of the Regular Meeting held on July 17, 2007. Mr. Richardson and Ms. Cunningham abstained because they were not present for the July 17, 2007 meeting.

A motion was made by Mr. Ward, seconded by Mr. Messina and carried by all members present to approve the minutes of the Regular Meeting held on August 29, 2007. Mr. Richardson and Ms. Cunningham abstained because they were not present for the August 29, 2007 meeting.

#### **OLD BUSINESS**

##### **Project Updates Report by Thomas Connolly**

##### **Vista Technology Campus**

KKS Properties brought suit against the Town of Bethlehem seeking "1) rescission of the approval by the Town Board of the Town of Bethlehem of the modifications of the Master Plan to the Mixed Economic Development District (MEDD) granted to Vista, 2) temporary and permanent injunctive relief preventing Respondents Vista, BBL and DOT from proceeding with road construction of the Slingerlands Bypass in a manner that will prevent or limit access to Petitioner's property, 3) declaratory judgment requiring Respondents to revert to plans for

shared access to the Vista site and Petitioner's sites, and 4) Rescission of the Highway Permit granted to Vista which will deny access to Petitioner's site."

Town Attorney, Jim Potter, argued the case in court on Friday, September 14, 2007 before Judge Devine. The Judge denied the motion for a preliminary injunction and reserved decision on the merits of the overall lawsuit. Construction of the bypass will proceed as planned.

BBL Development is hosting an Access Unveiling event on Monday, October 15, 2007 to celebrate the completion of the access road to the 440-acre Vista Technology Campus. The event will be open to the public.

### **Selkirk Ventures / Galesi Management – Rail Assistance – 158 West Yard Road**

Selkirk Ventures has submitted two sets of plans for the project, including installation of rail siding and a 90,000+ square foot, one-story expansion of the existing 350,000 square foot warehouse. Project representatives are planning to meet with the Town's Development Planning Committee this week. The current tenant, World Logistics Group, is still seeking Empire Zone Approval.

### **Major Planning Initiatives Report by Terrence Ritz**

#### **Citizen's Advisory Committee on Conservation (CACC)**

The CACC recently completed the third task assigned to it by the Town Board, which was to map the existing conservation and recreation lands in the Town. If the Town Board initiates an open space planning process, the CACC will serve as an advisory committee to the Department of Economic Development & Planning in drafting an Open Space Plan.

#### **Comp Plan Oversight Committee (CPOC)**

The CPOC submitted findings and recommendations to Town Board on September 12, 2007. A popular report is being prepared for distribution in October 2007.

#### **Delaware Ave. Linkage Study (DALIS)**

The Dept. of Economic Development and Planning is working with the Town Supervisor to assemble a committee. Some of the items to be considered are: intersection improvements, traffic flow and pedestrian improvements. The study is expected to commence in the fourth quarter of 2007.

#### **Local Waterfront Revitalization Plan (LWRP-WAC)**

The LWRP study is 80% complete. The advisory committee and consultant are formulating recommendations for the corridor, including a master plan for Henry Hudson Park. The committee will host one or two public meetings later this year. Once the study has been completed the plan will be submitted to the Department of State for sign-off.

#### **Route 9W Corridor Study Committee (Rt9WCS)**

The 9W study is 80% complete. The advisory committee and consulting team are formulating recommendations including preferred alignment of Selkirk By-Pass (connecting Creble Road through Clapper Road to the NYS Thruway), intersection improvements (at Glenmont Road and intersection with Rt. 32), access management policies and pedestrian improvements (throughout the corridor). It is anticipated that the committee will schedule one or two public meetings this Fall and the study will be completed in 2007.

### **Marketing Committee**

Mr. Connolly reported that the Marketing Committee is working with the Town's consultants to develop a communications plan. The plan will include a vision, policies, statements and a brand. The committee is scheduled to meet again on September 19th and October 22nd.

### **BIDA Autumn 2007 Report**

The Autumn 2007 Report will be completed by October 15, 2007.

## **NEW BUSINESS**

### **Upcoming Events**

#### **Development Planning Committee (DPC) – 158 West Yard Road Project**

Representatives from Selkirk Ventures will meet with the DPC committee at Town Hall on Thursday, September 20, 2007 to present concept plans for rail siding installation and warehouse expansion.

#### **Comp Plan Oversight Committee (CPOC)**

The CPOC is scheduled to meet at Town Hall on Tuesday, September 25, 2007 at 8:00 a.m. to review the first draft of the popular report.

#### **Bethlehem Chamber of Commerce**

The Chamber is planning to host a continental Business for Breakfast event on Thursday, September 27, 2007 from 7:45 to 9:00 a.m. at the Bethlehem Public Library. Bill Herbert, Vice President of Real Estate Development at BBL Development Group will be the guest speaker. The program will begin at 8:00 a.m.

#### **Local Waterfront Revitalization Program (LWRP) – Waterfront Advisory Committee Meeting**

The LWRP Waterfront Advisory Committee is scheduled meet at Town Hall on Tuesday, October 2, 2007 at 5:00 p.m.

#### **Vista Technology Campus – Access Unveiling**

Vista Technology Campus will host an event on Monday, October 15, 2007 at 11:00 a.m. to unveil the newly constructed bypass access to the site and plans for 1.4 million square foot of technology-based development.

#### **Citizen’s Advisory Committee on Conservation (CACC)**

The CACC is scheduled meet at Town Hall on Monday, October 15, 2007 at 7:00 p.m.

### **Approval of Dues - Center for Economic Growth (CEG)**

A motion was made by Mr. Richardson, seconded by Mr. Stenson and carried by all members present to pay a CEG invoice in the amount of \$2,500.00 for the Agency’s 2007 Annual Membership dues.

### **Acknowledge Receipt - Private Activity Bond Allocation**

Ms. Kehoe distributed copies of a letter from the Empire State Development Corporation, dated August 20, 2007, notifying the “Town of Bethlehem Industrial Development Agency that it has an initial allocation to issue private activity bonds in the amount of \$466,000.00 for the calendar year 2007.” Ms. Kehoe explained that she wanted to make sure the Board Members were aware of the allocation.

### **Acknowledge Receipt - Public Authorities Reporting Information System (“PARIS”)**

Ms. Kehoe explained that the Authority Budget Office and the office of the State Comptroller had jointly developed a comprehensive on-line reporting system for public authorities, known as the Public Authorities Reporting Information System (PARIS). She stated that the Agency would need to appoint one person to act as the Primary Authorizer and recommended that the members consider appointing her for this role. As part of her duties, Ms. Kehoe would submit the Online Services Government Account Authorization Form to the Office of the State Comptroller by Friday, September 21, 2007 and attend the user training in October. The system will be available for reporting in November.

A motion was made by Mr. Messina, seconded by Mr. Ward and carried by all members present to appoint Judith Kehoe as Primary Authorizer for the Agency.

## **2008 Budget Discussion**

### **Fund Balance Policy**

Chairman Venezia and Ms. Kehoe presented information about the Agency's Fund Balance and noted that expenses are currently outpacing revenues. The Agency's resources are used to cover salary for Agency Counsel, audit fees, statutory benefits, liability insurance premiums for public officials, marketing efforts, memberships and routine expenditures. The Agency does not have predictable sources of revenue other than interest income and energy reimbursement payments. Funding for the Service Agreement may be withheld until there are sufficient funds to support it. If the Service Agreement payment were to be included in 2008, the entire fund balance would be consumed.

At present, the annual base operating costs for 2007 are approximately \$60,000. A recommended fund balance would be three times the annual base budget, or \$200,000. Chairman Venezia noted that the Board Members have a fiduciary responsibility to provide a fiscally responsible financial plan that considers both the short and long-term needs of the Agency. Ms. Kehoe recommended that a Fund Balance Policy be put in place and reviewed on an Annual basis. She also recommended that appropriate measures be taken to ensure that a minimum balance is maintained. If adopted, the Policy would be incorporated into the Policy Manual.

The Board Members decided to table their decision about adopting a Fund Balance Policy until the October meeting.

### **Review Agency Fees**

Chairman Venezia distributed copies of the current Agency fees. Mr. Scott stated that he reviewed the fee schedule and sees opportunity for revenue enhancement. He noted that the application fee of \$250 is low and could be increased to \$500, \$1,000 or \$1,500. With regard to Not-for-profit he also recommended that the Agency increase the rate from  $\frac{1}{2}$  of 1% to  $\frac{3}{4}$  of 1% based on his experience with the market. There is also an opportunity to collect "post closing fees" from applicants who are looking to modify a prior agreement. A fee ranging from \$1,000 to \$5,000 could be assessed based on the amount of time it takes a staff person to work on the amendment. It was Mr. Scott's opinion that the fees associated with Tax Exempt Bonds, Taxable Bonds and Straight Lease are consistent with other Agencies.

Mr. Richardson, Mr. Stenson and Mr. Scott offered to review the fee schedule and report back to the Board.

### **DATE OF NEXT IDA MEETING**

The next Regular IDA meeting will be held at Town Hall on Tuesday, October 16, 2007, at 8:00 a.m., in Room 101.

### **MOTION TO ADJOURN**

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

*Respectfully submitted: Deborah M. Kitchen*