

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

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MINUTES OF THE IDA MEETING November 20, 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, November 20, 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 Joseph Richardson Brian Stenson Robert Ward	Pamela Clark Robbins Joanne Cunningham	Thomas Connolly	George Leveille Judith Kehoe Deborah Kitchen Terrence Ritz John Cunningham	Marie Cappone Donald Nolan Richard Sleasman Dan Benvenuti David Kassis Colleen Steed

Chairman Venezia called the meeting to order.

APPROVAL OF MINUTES

A motion was made by Mr. Messina, seconded by Mr. Richardson and carried by all members present to approve the minutes of the Regular Meeting held on October 16, 2007, with revisions.

OLD BUSINESS

Project Updates Report

Vista Technology Campus

The roundabout has been constructed at the main entrance of the Vista Technology Campus. BBL Development is activity working on the tenant requirements. It is anticipated that BBL will contact the IDA about bonding for phase one of the project.

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

Selkirk Ventures has submitted plans for the project, including installation of rail siding and a 90,000+ square foot, one-story addition to the existing 350,000 square foot warehouse. NYS Department of Transportation met with the design engineers on November 1st. The proposed building addition will require site plan approval. Plans for the addition will need to be approved before the rail line is designed. The project also needs CSX and NYS DOT approval. It may take a year to install the rail siding.

World Logistics Group has committed to leasing the existing building if Empire Zone Approval is granted. The County Empire Zone Board has approved the designation. It will need to be passed by the Legislature in January before NYS gives final approval as a regionally significant warehousing distribution firm.

Major Planning Initiatives Report

Citizen's Advisory Committee on Conservation (CACC)

The CACC will be working with the Dept. of Economic Development and Planning to develop recommendations for a Farm and Open Space Protection Plan. It is anticipated that the committee will present its recommendations to the Town Board in the early part of 2008. The committee will attempt to outline the process with regard to the types of issues that will need to be considered, such as funding needs, consultant support needs and schedule.

Comp Plan Oversight Committee (CPOC)

The complete report, dated September 6, 2007, is available on the Town's website. The report includes information about the Comprehensive Plan initiatives as well as recommendations for next steps. The popular report was mailed to Town residents in November 2007.

Delaware Ave. Linkage Study (DALs)

The area of focus runs between Elsmere Avenue and Adams Place. Some of the items to be considered are: intersection improvements, traffic flow and pedestrian improvements.

Local Waterfront Revitalization Plan (LWRP-WAC)

The LWRP held a public meeting on November 7th to review the draft recommendations. It was a good meeting with positive response. The report is being finalized so that it can be submitted to NYS Dept. of State for review. The document will then be modified to incorporate comments from the NYS DOS before it is distributed to other State Agencies. It is anticipated that the process will take approximately six months. Once the NYS DOS has signed off, the document will need to be adopted by the Town Board. Once adopted, Federal or State Agency action will need to be consistent with the Plan.

Route 9W Corridor Study Committee (Rt9WCS)

The draft recommendations are ready and will be reviewed by the committee at the December 13, 2007 meeting. There will be a lot of substance to the committee's recommendations such as intersection improvements, access management and location of the Selkirk Bypass. The committee will host another public meeting before submitting the final recommendations to the Town Board in early 2008.

Marketing Committee

The Marketing Committee is scheduled to meet again on December 4th, at 4:00 p.m., in Room 107 to finalize the Communications Plan. Mr. Richardson asked the IDA members to review the "Key Influencer" contact list and make recommendations as needed.

Review Agency Fees

Mr. Stenson, Mr. Richardson and Mr. Connolly collected fee data to determine if the Agency's administrative fees should be increased. The committee reported that the existing fee schedule is largely consistent with the fees that are imposed by other municipalities. The committee recommended that existing fees be maintained for not-for-profit bonds, tax-exempt bonds and straight lease agreements, and the application fee. The committee was in favor of imposing a fee for modifying an application. Language could be added to assist with determining if the application is a modification or new issue. Mr. Richardson recommended that it be considered a new application if it involves refinancing. There would be a minimum fee for modifying an existing project and the final fee would be determined by staff based on the amount of work performed for a modification. Mr. Leveille noted that that an application fee becomes more relevant when an application does not advance. The members also discussed fees for 501(c)(3) & 501(c)(8) not-for-profit organizations. Supervisor Cunningham stated that many not-for-profit organizations could afford to pay the fees. Upon further

discussion, the Board members indicated that they were in favor of increasing the application fee to \$500.00. The committee will review Joe Scott's recommendations from the September 2007 minutes and provide a further report at the December 18th meeting.

PILOT Payment Report

Ms. Kehoe reported that all PILOT payments have been received.

2008 Service Agreement

Mr. Connolly and Ms. Kehoe reported that the Service Agreement between the Bethlehem IDA and the Town is a written document whereby the Agency agrees to pay for IDA services rendered by Town staff. The changes proposed for the 2008 agreement include the establishment of a Fund Balance Policy i/a/o \$180,000 to cover projected IDA expenses for a period of 3 years. As a result, the IDA's 2008 budget does not include a provision to fund the 2008 Service Agreement, based on projected revenues being insufficient to fund both the Agreement and maintain the minimum required fund balance. The IDA may amend the budget to authorize funding based on available cash, not to exceed \$200,000.

A motion was made by Mr. Richardson, seconded by Mr. Stenson and carried by all members present to authorize Chairman Venezia to sign the 2008 Service Agreement as revised. The document will also be forwarded to the Town Board for approval.

NEW BUSINESS

Empire Merchants North (EMN) - - Empire Merchants North is the result of a merger between Colony Liquor and Wine Distributors and Service-Universal Distributors, Inc. EMN distributes wine and spirits from all over the world to bars, restaurants and stores in upstate NY.

Mr. Leveille introduced Richard Sleasman and Donald Nolan of CB Richard Ellis and Daniel Benvenuti and David Kassis both of NY Realty Partners, LP.

Mr. Benvenuti, a real estate developer from Sacramento California, stated that he has been in business for 35 years, and has built over 37 million square feet of warehouse space. His company, NY Realty Partners, LP owns the warehouse located at 218 West Yard Road, which previously housed the Appleton Paper Company. One of his clients, Empire Merchants North (EMN), is considering a proposal to relocate its Kingston and Colonie facilities to the West Yard Road location. The site would serve as corporate headquarters. The building would be modified to include 30,000 square foot of office space. EMN would occupy 315,000 sq. ft. of the building and employ 275 to 300 people. The company would invest approximately \$6.5 million dollars in a new operating system and \$3.5 million dollars in new real estate.

CB Richard Ellis recommended that Mr. Benvenuti approach the IDA to ask for assistance in enticing Empire Merchants North to the West Yard Road facility. Empire Merchants North owns the Kingston site where the facility is now located; and the company has recently purchased additional land that could be used to accommodate an expansion. Mr. Benvenuti and Mr. Kassis have made the case that the West Yard Road facility is an ideal location for the business because it would increase the efficiency of day-to-day operations. Mr. Benvenuti also mentioned that he has studied the Albany area and believes the future Selkirk Bypass will make this area an ideal location for distribution facilities.

Mr. Leveille stated that the project would qualify for a tax abatement program that bridges the Tier I and Tier II tax abatements. The IDA would need to discuss this with the Town Supervisor and the Ravena-Coeymans-Selkirk School District and get back to EMN with the best option. A Tier II tax abatement – at a rate of 2.5% of the value – translates to approximately \$228,000 over a 12-year period. A Tier I tax abatement translates to approximately \$540,000 over a 12-year period.

Holiday Luncheon

The BIDA holiday luncheon will be held at Bellini's on Tuesday, December 11, 2007, at 12:00 noon.

DATE OF NEXT IDA MEETING

The next Regular IDA meeting will be held at Town Hall on Tuesday, December 18, 2007, at 8:00 a.m., in Room 101.

MOTION TO ADJOURN

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

Respectfully submitted: Deborah M. Kitchen