

Frank S. Venezia
Chairman

Sam Messina
Vice Chairman

Robert B. Ward
Secretary

Joanne Cunningham
Assistant Secretary

Pamela Clark Robbins
Treasurer

Joseph P. Richardson
Member

Brian T. Stenson
Member

TOWN OF BETHLEHEM

Albany County - New York

INDUSTRIAL DEVELOPMENT AGENCY

445 DELAWARE AVENUE
DELMAR, NEW YORK 12054

Telephone: (518) 439-4955, Ext. 1159

Fax: (518) 439-5808

Email: info@bethlehemida.com

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 – REGULAR MEETING January 15, 2008

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, January 15, 2008.

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>
Robert Ward Pamela Clark Robbins Joanne Cunningham Joseph Richardson Brian Stenson	Frank Venezia Sam Messina	Thomas Connolly	George Leveille Judith Kehoe Deborah Kitchen Terrence Ritz	Mark Bette Debra Lambek Marie Cappone

Acting Chairman, Robert Ward, called the meeting to order.

APPROVAL OF MINUTES

A motion was made by Mr. Stenson, seconded by Mr. Richardson and carried by all members present to approve the minutes of the Regular Meeting held on November 20, 2007, as amended. Ms. Robbins abstained because she was not present for the November 20, 2007 meeting.

A motion was made by Mr. Richardson, seconded by Ms. Robbins and carried by all members present to approve the minutes of the Regular Meeting held on December 18, 2007, as amended. Mr. Stenson abstained because he was not present for the December 18, 2007 meeting.

OLD BUSINESS

Project Updates Report

Vista Technology Campus

Mr. Leveille reported that BBL Development (BBL) is finalizing the site plan for Phase I of the Vista project. The first phase will include 250,000 square feet of retail space, two banks, a high-end restaurant, two coffee shops, a 100,000 square foot professional office building, condominiums and a small strip plaza that may include an organic food store. It will also include construction of the main road that will run through the campus. Changes have been made to minimize impacts to wetlands. Phase I of the project is designed to be the gateway to the park which is where they will place the service and retail businesses. Phase II will include a conference center as well as a hotel that had originally been proposed for Phase I. Technology business will be

constructed in the rear of the park. The project may be similar to an enhanced Corporate Woods with services available to tenants.

BBL is working to design the project with an urban feel. They are also working to develop a marketing strategy in hopes of seeing some return on their investment. It is possible that they may need to seek an amendment to the master plan.

Empire Merchants North (EMN) – 218 West Yard Road

It is unlikely that Empire Merchants North will relocate its Kingston and Colonie facilities to the warehouse located at 218 West Yard Road, Selkirk. The owners of EMN have indicated that they would prefer to locate their facility south of Albany. The owners of the warehouse, NY Realty Partners, LP., have indicated that they are thinking about dividing the warehouse into more marketable sizes in an effort to get the building back into full service. The owners appear to be moving forward with their plans because the Town received a copy of a permit from NYS Dept. of Environmental Conservation for sewer improvements.

Selkirk Ventures / Galesi Management - World Logistics Group - Rail Assistance - 158 West Yard Road

Selkirk Ventures has submitted plans for a project located at 158 West Yard Road, Selkirk, including installation of rail siding and a 90,000+ square foot, one-story addition to the existing 350,000 square foot warehouse. Once the project receives site plan approval, the owners can build the addition before the rail siding is installed.

The current tenant, World Logistics Group, has committed to leasing the existing building if Empire Zone Approval is granted. The County Empire Zone Board approved the designation; however, it will need to be passed by the Legislature on February 11 before NYS gives it final approval as a regionally significant warehousing distribution firm.

130 Retreat House Road – Abele Tractor

Abele Tractor purchased the property and plans to lease it to other tenants. The project is site financed. The owner of the property may seek tax incentives from the Bethlehem IDA.

Major Planning Initiatives Report

Citizen's Advisory Committee on Conservation (CACC)

The CACC met on January 14, 2008 and is hoping to begin working on a town wide Farm and Open Space Protection Program (Open Space Plan) in February. The Town is in the midst of selecting a consultant to assist with the Plan. The Town has also submitted a grant application to the NYS Dept. of Agriculture and Markets to seek funding that will assist the Town in developing the Plan. The project will be largely an internal effort, supported by staff working with the advisory committee. If all goes as planned the Town Board will authorize the start of this initiative in February.

Delaware Ave. Linkage Study (DALSAAC)

Members of the Advisory Committee are being canvassed at this time. Town staff are scheduled to meet with representatives from the Capital District Transportation Committee (CDTC), a funding partner, on January 16th to discuss next steps.

The study area runs between Elsmere Avenue and Adams Place. There will be a main street focus. Topics of discussion will include issues such as how the area might connect with the potential rail trail; intersection improvements; traffic flow and pedestrian improvements. A consultant will be procured to assist with the study. It is anticipated that the study will commence in February.

Local Waterfront Revitalization Plan (LWRP-WAC)

The draft LWRP has been submitted to NYS Dept. of State (DOS) for review. The Town expects to receive formal comments from the DOS in February. The Town will then respond to the DOS comments and the document will be resubmitted to DOS. Once DOS signs off on the Plan, the document will be subjected to state agency review before it can be adopted by the Town Board.

The Plan includes recommendations for potential development of the Job Corps site. The Town will need to approach the US Department of Labor to express its interest in the acquiring the property. Scenic Hudson has indicated that it would be willing to assist with funding. There are only three parcels of land between the Henry Hudson Park and the Job Corps site. The Town owns 60 acres adjacent to, and just north of, the Job Corps site. The LWRP identifies the site as a potential location for a civic facility similar to the Crossings in Colonie. There is a possibility that plans to relocate the Job Corps facility could be incorporated into plans that may be made to protect the Selkirk By-pass corridor.

Route 9W Corridor Study Committee (Rt9WCS)

The committee met last week to discuss recommendations. The intersection of Glenmont Road and Route 9W was one of the main areas of consideration. A study of the corridor revealed that the traffic numbers are reasonable but the intersections are causing traffic flow problems. The Town is planning to submit a grant application for funding that could be used for intersection improvements. The committee will be hosting another public meeting to discuss the recommendations. Final recommendations will be presented to the Town Board shortly thereafter.

Bethlehem 2020

The Supervisor will assemble a Bethlehem 2020 Advisory Committee to assist the Town in making key organization and investment decisions to ensure that it can achieve the Comp Plan's vision for the year 2020. The establishment of the 2020 advisory committee will provide the Town with a vehicle to involve key community stakeholders and to stimulate a community-wide conversation about the long-term strategic direction of the Town government. This initiative will be designed to cultivate leadership, identify issues and opportunities, focus efforts, build consensus, guide decision-making, and establish Town investment priorities.

Marketing Committee Report

Economic Development Newsletter

The Town will be sending out a monthly bulletin that contains general information about the economic developments taking place within the Town of Bethlehem. Special edition bulletins will be issued as well. The bulletins will target key audiences such as residents and business owners, as well as individuals who influence business decisions. Details related to distribution are being sorted out at this time. The first edition of the newsletter is expected to go out in the month of February.

Financial Reports

Modification 2007 Budget

Ms. Kehoe presented the proposed budget modification and noted that the changes were primarily due to activity related to the rail grant. The income and expenses will remain unchanged. Adjustments will be made to the estimated figures to ensure that the Agency does not appear to be over budget or under budget in any category.

A motion was made by Mr. Stenson, seconded by Ms. Robbins and carried by all members present to approve the 2007 budget modification, as presented.

Quarterly Financial Report 12/31/07

Ms. Kehoe presented the Quarterly Financial Report, dated 12/31/07, and noted that the Annual Report is due on March 31, 2008.

Audit Committee Report

Mr. Venezia was not present for the Agency meeting and the Audit Committee Report was not presented. Ms. Robbins requested a copy of the April, 2007 Audit Committee meeting minutes. She will prepare the minutes for the January 15, 2008 Audit Committee meeting. The next Audit Committee meeting is scheduled for March 18, 2008 at 7:45 a.m.

Agency Fees

It was determined that an Administrative Service Fee would not be included in the fee schedule at this time.

NEW BUSINESS

Slingerlands II LaSalle Medical Office LLC Sales Tax Exemption – 1220 New Scotland Road

Slingerlands II LaSalle Medical Office LLC, the current owner of the property, is seeking to extend the sales tax exemption associated with cost of tenant fit up for the project. The original application submitted by the previous owner, First Columbia 1200 NSR, LLC, in 2004, estimated that the project would cost \$6,976,000 and sales tax benefits would be \$144,000.00. Costs associated with tenant fit up have increased by \$452,000 bringing the total cost of the project to \$7,428,000.00. Fit up for the new tenant, Capital Region Neurosurgery, PLLC, resulted in \$21,468.00 of additional sales tax.

Prior to completing the new tenant fit up, sales tax abatement used by First Columbia was \$136,998.00, leaving \$7,002.00 in sales tax benefits remaining from the original application. The current owner is seeking to extend the remaining \$7,002.00 sales tax exemption and increase the benefit by \$14,467.00 for a total of \$21,469.00. Once the fit up for Capital Region Neurosurgery, PLLC, is complete, tenant fit up with respect to the overall project will be complete.

Mr. Scott, Agency Bond Counsel, will provide an opinion about whether or not the resolution complies with general municipal law. A public hearing will not be required for extending the sales tax benefit because additional financial assistance for the new owner is below the \$100,000 threshold. The applicant will pay an administrative fee for the increased tax benefit.

Debra Lambek of Segel, Goldman, Mazzotta & Siegel, P.C., who represents the contractor, Bette and Cring Construction Group, as well as the previous owner, First Columbia LLC, was present to answer questions. Mark Bette, also present, noted that both buildings are fully occupied at the present time.

Ms. Kehoe stated that the Agency would need to file a Sales Tax Exemption form with NYS to notify the State that it has been designated as the Agent for purposes of claiming the exemption.

A motion was made by Mr. Richardson, seconded by Mr. Stenson and carried by all members present to approve the \$21,469.00 exemption based on opinion provided by Joseph Scott, Agency Bond Counsel.

Annual Statement of Financial Disclosure by IDA Members

The PAAA statute requires each Board member to complete an Annual Financial Disclosure statement. Mr. Connolly distributed forms to the members and instructed them to return the completed forms to Deborah Kitchen who will then forward the documents to the County Board of Ethics.

DATE OF NEXT IDA MEETING

The next Agency meeting will be held at Town Hall on Tuesday, February 19, 2008, at 8:00 a.m., in Room 101.

MOTION TO ADJOURN

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

Respectfully submitted: Deborah M. Kitchen