



City of Schenectady Industrial Development Agency Board Meeting

Meeting Minutes — November 1, 2006

Agency Members: Denise Brucker, Doug Blacklock, Ann Reilly, and Joe Fava

Members Absent: Mayor Brian Stratton and Joseph Allen

Others: Connie Cahill (Bond Counsel), Ray Gillen, Jayme Lahut, Jim Callander, Scott Cietek, Carol Brown

Public Hearing: Union College Bond Refinancing Project — Ms. Brucker noted the hearing was duly noticed in the Daily Gazette. The purpose of the hearing was to solicit public comment on the refinancing of Union College bonds. No one spoke. The hearing was closed.

Ms. Brucker called the meeting to order at 8:10 a.m.

1. **Approval of Minutes** — Ann Reilly moved acceptance of the minutes of the September 27, 2006 meeting; seconded by Doug Blacklock. There was no discussion. The minutes were unanimously accepted.
2. **Financial Report** — Jayme Lahut reviewed the report distributed prior to the meeting stating that income and operating expenses were on budget. The Union College refinancing has been slated to close before year end, so the Agency would generate about \$70,000 in administrative fees. Doug Blacklock moved acceptance of the Financial Report as distributed; seconded by Joe Fava. There was no discussion. The Financial Report was accepted unanimously.
3. **Appoint Agency Counsel** — Resolution 114-06

Jayme Lahut reported that Eugene P. Devine, Agency Counsel since March, 2004, has submitted his resignation and staff recommended that M. Cornelia Cahill, Hiscock & Barclay, be retained as counsel for the Agency. She is very familiar with and qualified to assist with Agency issues and transactions. Ann Reilly moved Resolution 114-06, seconded by Joe Fava. There was no discussion. Resolution 114-06 was unanimously approved.

4. **Union College Bond Refinancing**

Connie Cahill summarized the proposed refinancing of \$16.2 million in 1999-issued City IDA bonds and \$14.6 million in 2001-issued County IDA bonds. The College decided not to pursue an additional \$4.18 million in bonds for the energy savings projects. The following are the final approving resolutions.

Resolution 115-06: SEQRA — A project refinancing is classified as a Type II action per SEQRA, so the resolution fulfills the SEQRA requirement. Joe Fava moved Resolution 115-06, seconded by Doug Blacklock. There was no discussion. Resolution 115-06 was unanimously approved.

Resolution 116-06: Bond Resolution — Connie Cahill reviewed Resolution 116-06 authorizing the tax-exempt bond issuance, which also requires the Mayor's consent. Jayme Lahut pointed out that Agency policy calls for collecting a one percent administrative fee on all transactions, but the policy failed to consider refinancing bonds. He recommended a one-half of one percent fee or about \$70,000, and revising the policy in the future. Ann Reilly moved Resolution 116-06; seconded by Joe Fava. Following a brief discussion on the City's discussions with Union College about collecting taxes for services, Resolution 116-06 was approved unanimously.

5. College Park Project (BN Partners Associates, LLC): Resolution 117-06 — Preliminary Inducement Resolution

Jayme Lahut reported receiving an application from BN Partners Associates, LLC, an affiliate of Galesi Group, for the College Park project. The applicant requests sales tax and mortgage recording tax exemptions for constructing as many as four buildings, totaling about 190,000 square feet on 10-acres of the former Big N Plaza (Maxon Road). Announcements already have been made about constructing a 35,000 sq ft. Union Graduate School and 60,000 sq ft YMCA. Ray Gillen added there are strong prospects for the medical building and the commercial office space, which would be built on spec. The resolution authorizes holding a public hearing on the project. Joe Fava moved Resolution 117-06; seconded by Ann Reilly. Discussion followed in support of the application and the project. Resolution 117-06 was unanimously approved.

6. Other Business — Jayme Lahut received correspondence from M & P Labs seeking Agency consent to sell the company to British-based CERAM, an internationally renowned quality control firm in the materials industry. M&P is presently a subcontractor to CERAM, testing, certifying and verifying materials such as ceramics, metals, composites, glasses, and chemicals. Plans call for retaining local employees. The board was asked to authorize the Chair to execute documents following review by Agency Counsel. Ann Reilly made a motion authorizing the Chair to sign documents needed to effectuate the sale of M&P Labs to CERAM after review of documents by Agency Counsel; seconded by Doug Blacklock and unanimously approved.

Ray Gillen reported on discussions with SEPSA to expand operations on Duane Avenue, retain Bechtel in downtown, and residential development plans for lower State Street.

6. Adjournment -- Ann Reilly moved to adjourn; seconded by Denise Brucker. The meeting adjourned at 8:40 a.m.

Respectfully submitted,

Carol Brown