



SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

March 5, 2021 — 9:30 a.m. (via conference call)

Minutes

Present: Gary Hughes, Evan Christou, Chris Gardner, Sara Mae Pratt and Rosemarie Perez Jaquith

Absent: Grant Socha and Joseph Hlat

Others: Connie Cahill and Amanda Mirabito (Agency Counsel), Ray Gillen, Jayme Lahut, Maureen Behrens, David Hogenkamp, Mark Meigher, and Jennifer Medler

Call to Order: Mr. Hughes called the meeting to order at 9:30 a.m.

- 1. Fiscal Audit Committee:** The committee of the whole was convened to review the FY-2020 audit. Jayme Lahut reviewed the audit statement and management letter that were prepared by Cusack & Company, CPAs and distributed in advance of the meeting. He described the audit as clean with no adverse or material findings. Following discussion, Mr. Christou made a motion to recommend adoption of the audit to the Board of Directors; seconded by Mrs. Pratt and approved. Mr. Christou moved that the Committee adjourn; seconded by Mrs. Pratt and approved.
- 2. Approval of Minutes:** Mr. Christou moved acceptance of the December 4, 2020 meeting minutes as presented; seconded by Mrs. Pratt and approved.
- 3. Treasurer's Report:** Jayme Lahut provided the update for the period ending February 28, 2021. There was little activity to report and cash on hand was \$314,948. Mr. Christou moved acceptance of the Treasurer's Report as presented; seconded by Mrs. Pratt and approved.
- 4. River's Ledge Project (Town of Niskayuna):** Resolution 492-21 — Approving Resolution 492-21 approved construction financing through M+T Bank for the project. There are two loans totaling \$18,914,445. The IDA PILOT mortgage supersedes the bank's mortgages. Mrs. Pratt moved Resolution 492-21; seconded by Mr. Gardner and approved.
- 5. Consent Agenda:** Resolutions 493-21 through 499-21
The consent agenda consisted of the approval of the 2020 audit, annual readoption of policies and 2020 performance reports that get posted on the Agency website, and election of officers for 2021. Mr. Christou moved to approve the consent agent; seconded by Mrs. Perez Jaquith and approved unanimously.
- 6. Other Business:** Ray Gillen suggested everyone read the 2020 annual report on the Metroplex website that he presented to the County Legislature.

- 7. Adjournment** Mr. Christou moved to adjourn; seconded by Mrs. Perez Jaquith. The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

Jayne B. Lahut



SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

May 5, 2021 — 9:30 a.m.

Minutes

Present: Gary Hughes, Evan Christou, Chris Gardner and Sara Mae Pratt

Absent: Rosemarie Perez Jaquith, Grant Socha and Joseph Hlat

Others: Ray Gillen, Jayme Lahut, Maureen Behrens, David Hogenkamp, Jennifer Medler and Connie Cahill and Amanda Mirabito (Agency Counsel) and an audience of 3

Public Hearing: CHPE, LLC / Champlain Hudson Power Express Project — Mr. Hughes noted that the public hearing was duly noticed in the Daily Gazette. There were no oral or written comments were received. The hearing was closed.

Call to Order: Mr. Hughes called the meeting to order at 9:35 a.m.

- 1. Approval of Minutes:** Mr. Christou moved acceptance of the March 5, 2021 meeting minutes as presented; seconded by Mr. Gardner and approved.
- 2. Treasurer's Report:** Jayme Lahut provided the update for the period ending March 31, 2021. He noted the Rivers Ledge administrative fee. Cash on hand was \$310,504. Mr. Gardner moved acceptance of the Treasurer's Report as presented; seconded by Mr. Christou and approved.
- 3. Active Solar Development LLC / Rotterdam Solar Project (Town of Rotterdam):**
Resolution 500-21 — Hold a Public Hearing

Resolution 500-21 called for holding a public hearing and commencement of the PILOT deviation process by notifying each of the affected taxing jurisdictions. The applicant proposed erecting a 7.6-Megawatt solar photovoltaic facility on a 57-acre parcel off Gordon Road in Rotterdam. The project budget is \$12.5 million. Mr. Christou moved Resolution 500-21; seconded by Mr. Gardner. Following discussion, Resolution 500-21 was approved.

- 4. JRC of Rotterdam Project:** Resolution 501-21 — Sales Tax Benefit

Staff determined that the conversion of the former Mallozzi banquet facility to a senior day care by JRC of Rotterdam, LLC exceeded their sales tax exemption maximum limit by \$12,682. The Agency's Uniform Tax Exemption Policy (UTEP) requires repayment of the overage. The UTEP also gives the Agency discretion regarding repayment of the County portion (\$6,341). Resolution 501-21 determined that JRC of Rotterdam proceeded in good

faith and did not deliberately violate the policy, and it will not require recapture of the County portion. Mr. Christou moved Resolution 501-21; seconded by Mr. Gardner and approved unanimously following discussion.

5. Schenectady Development, LLC / MVP Office Building: Resolution 502-21 — Extend the Payment-in-Lieu-of-Tax Agreement (PILOT) Termination Date

It is customary for IDA PILOTs to start or end on March 1, the City's tax status date. Schenectady Development, LLC, the owner of the MVP Office Building, requested extending the PILOT termination date from October 31, 2021 to February 28, 2022. Mr. Christou moved Resolution 502-21; seconded by Mr. Gardner and approved.

6. Property Maintenance License with Schenectady County: Resolution 503-21 — Execute Agreement and Allocate Funds

Resolution 503-21 authorized entering into an agreement with the County to assist with the groundskeeping and exterior maintenance of certain properties and allocated \$30,000 to assist with related expenses. Mr. Gardner moved Resolution 503-21; seconded by Mr. Christou and approved.

7. Adjournment Mr. Christou moved to adjourn; seconded by Mr. Gardner. The meeting was adjourned at 9:55 a.m.

Respectfully submitted,

Jayne B. Lahut
Executive Director



SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

June 30, 2021 — 9:30 a.m.

Minutes

Present: Gary Hughes, Chris Gardner, Sara Mae Pratt and Rosemarie Perez Jaquith

Absent: Joseph Hlat and Evan Christou

Others: Connie Cahill (Agency Counsel), Ray Gillen, Jayme Lahut, Maureen Behrens and David Hogenkamp

Call to Order: Mr. Hughes called the meeting to order at 9:30 a.m.

1. Approval of Minutes: Mrs. Perez Jaquith moved acceptance of the May 5, 2021 meeting minutes as presented; seconded by Mrs. Pratt and approved.

2. Treasurer's Report: Jayme Lahut provided the update for the period ending May 31, 2021. Cash on hand stood at \$331,000. Mrs. Perez Jaquith moved acceptance of the Treasurer's Report as presented; seconded by Mrs. Pratt and approved.

3. CHPE, LLC / Champlain Hudson Power Express Project (Glenville, Rotterdam and Scotia): Resolution 504-21 — SEQR / No Significant Effect on the Environment

Resolution 504-21 acknowledged the environmental review conducted by the New York State Public Service Commission. The PSC granted the CHPE project a Certificate of Environmental Compatibility and Public Need under Article VII of the Public Service Law. Projects reviewed under PSL Article VII are not subject to Article 8 of the Environmental Conservation Law (SEQRA). No further environmental review was required by the Agency. Mrs. Perez Jaquith moved approval of Resolution 504-21; seconded by Mrs. Pratt and approved after discussion.

4. CHPE, LLC / Champlain Hudson Power Express Project Resolution 505-21 — Final Approving Resolution and Take Related Actions

Resolution 505-21 authorized tax relief in the form of mortgage recording exemption, sales tax exemption and real property tax exemption. With respect to the Payment-in-Lieu-of-Tax, the IDA notified 7 affected taxing jurisdictions about the terms of the PILOT under consideration, which sets payments at 72% of the potential taxes based on the assessments established by the Towns of Glenville and Rotterdam. Our analysis estimated PILOT payments yielding approximately \$2.28 million in the first year, increasing annually and yielding a benefit of \$85+ million over the 30-year term. The PILOT payments are directed at Schenectady County, Town of Glenville, Town of Rotterdam, Village of Scotia, Niskayuna CSD, Scotia-Glenville CSD, and Schalmont CSD. A public hearing on the project was held on May 5, 2021. No oral or written comments were received. Mrs. Perez

Jaquith moved to approve Resolution 505-21; seconded by Mrs. Pratt. Following discussion, Resolution 505-21 was approved.

5. Other Business

None.

6. Adjournment Mrs. Perez Jaquith moved to adjourn; seconded by Mrs. Pratt. The meeting was adjourned at 9:40 a.m.

Respectfully submitted,

Jayne B. Lahut
Executive Director



SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

October 27, 2021 — 9:30 a.m.

Minutes

Present: Gary Hughes, Evan Christou, Chris Gardner, Sara Mae Pratt, Nicholas McDonald, and Michael Martell

Absent: None

Others: Ray Gillen, Jayme Lahut, Tonia Lehoisky, Maureen Behrens, David Hogenkamp, Jennifer Medler and Connie Cahill

Call to Order: Mr. Hughes called the meeting to order at 9:30 a.m.

- 1. Approval of Minutes:** Mr. Martell moved acceptance of the June 30, 2021 meeting minutes as presented; seconded by Mrs. Pratt and approved.
- 2. Treasurer's Report:** Jayme Lahut provided the update for the period ending September 30, 2021. Cash on hand was \$348,280. Mr. Gardner moved acceptance of the Treasurer's Report as presented; seconded by Mrs. Pratt and approved.
- 3. United Suites at Washington Square, LLC Project (Schenectady):** Resolution 506-21 — Approve Loan Modification

Resolution 506-21 authorized a loan extension with the project's lead lender, Wilmington Trust National Association. The original project loan of about \$14.1 million was due to mature in February 2020, but the covid pandemic resulted in delays on refinancing the entire loan. The project owner, United Suites at Washington Square, LLC, has continued to make payments. The resolution provides for an 18-month extension until a refinancing plan is put together. Mr. McDonald moved Resolution 506-21; seconded by Mr. Gardner and approved following discussion.

- 4. 2022 Budget:** Resolution 507-21 — Adopt FY-2022 Budget

The budget presented for FY-2022 anticipated new revenues with the expected closings for two solar projects in Rotterdam. Expenses were generally similar to prior year budgets, which results in a much improved cash position for the Agency. The approved budget will be submitted to the Authority Budget Office and posted on the website. Mr. McDonald moved Resolution 507-21; seconded by Mr. Gardner and approved.

5. **Other Business:** New members Nick McDonald and Mike Martell were introduced. Tonia Lehoisky was introduced as Metroplex's new Finance Director. Maureen Behrens was thanked for her outstanding work and wished well in her retirement.

6. **Adjournment** Mr. Christou moved to adjourn; seconded by Mr. Gardner. The meeting was adjourned at 9:45 a.m.

Respectfully submitted,

Jayme B. Lahut
Executive Director



SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Board Meeting Minutes

March 30, 2022

Present: Gary Hughes, Evan Christou, Chris Gardner, Stephanie Martini and Michael Martell

Absent: Sara Mae Pratt and Nicolaus McDonald

Others: Connie Cahill and Amanda Fitzgerald (Agency Counsel), Ray Gillen, Jayme Lahut, David Hogenkamp, and Tonia Lehoisky

Call to Order: Mr. Hughes called the meeting to order at 9:30 a.m.

- 1. Fiscal Audit Committee:** The committee of the whole was convened to review the FY-2021 audit. Jayme Lahut reviewed the audit statement and management letter that were prepared by Cusack & Company, CPAs and distributed in advance of the meeting. He described the audit as clean with no adverse or material findings. Following discussion, Mr. Christou made a motion to recommend adoption of the audit to the Board of Directors; seconded by Mr. Gardner and approved. Mr. Christou moved that the Committee adjourn; seconded by Mr. Gardner and approved.
- 2. Approval of Minutes:** Mr. Christou moved acceptance of the October 27, 2021 meeting minutes as presented; seconded by Mr. Gardner and approved.
- 3. Treasurer's Report:** Jayme Lahut provided the update for the period ending February 28, 2022. There was little activity to report and cash on hand was \$316,895. Mr. Christou moved acceptance of the Treasurer's Report as presented; seconded by Mr. Gardner and approved.
- 4. Contract for Audit Services:** Resolution 508-22 — Contract with Cusack and Company, CPAs
Resolution 508-22 retained Cusack & Company CPAs, LLP to prepare the IDA's state-mandated annual audit for the next five (5) years. The total cost would be \$22,000. Resolution 508-22 was moved by Mr. Christou; seconded by Mr. Gardner and approved unanimously.
- 5. Glenwyck Development, LLC Project (Town of Glenville):** Resolution 509-22 — Approve Project Refinancing
Resolution 509-22 approved \$19 million in bank financing for the Glenwyck senior housing project. Berkshire Bank replaced the original lender Pioneer Bank. Agency consent was needed because of having an IDA PILOT in place. No mortgage tax exemption was requested or

provided by the Agency. Resolution 509-22 was moved by Mr. Christou; seconded by Mr. Gardner and approved.

6. Rivers Ledge of Niskayuna LLC Project (Town of Niskayuna): Resolution 510-22 — Approve Additional Project Financing

Resolution 510-22 approved additional project financing through M+T Bank of \$23,085,000 and a mortgage recording tax exemption for the new money. The total loan with M+T Bank would be \$42,000,000. The project cleaned up of the former Williams Auto Park junkyard on Aqueduct Road and redeveloped 27.5-acres site with 160 market-rate apartments. Resolution 510-22 was moved by Mr. Christou; seconded by Ms. Martini and approved.

6. Consent Agenda: Resolutions 511-22 through 515-22

The consent agenda consisted of the annual readoption of policies and 2021 performance reports that get posted on the Agency website and submitted to the Authorities Budget Office. Mr. Christou moved to approve the consent agent; seconded by Mr. Gardner and approved.

7. Annual Meeting: Resolution 516-22 — Election of Officers

Resolution 516-22 presented a slate of appointments in accordance with the By-laws. Mr. Christou moved the slate; seconded by Mr. Gardner and approved.

8. 2021 Audit: Resolution 517-22 — Adopt the Audit for the Fiscal Year 2021

Cusack & Company, CPAs prepared and submitted a clean, unqualified audit with no material findings. Resolution 517-22 adopted the audit, authorized distribution of the audit to the County and ABO as well as posting on the Agency's website. Mr. Christou moved Resolution 517-22; seconded by Mr. Gardner and approved.

9. Other Business: New member Stephanie Martini was introduced. Ray Gillen provided an update on the Champlain Hudson Power Express (CHPE) project.

10. Adjournment Mr. Christou moved to adjourn; seconded by Ms. Martini. The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

Jayne B. Lahut
Executive Director



SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Board Meeting Minutes
June 24, 2022

Present: Gary Hughes, Chris Gardner, Sara Mae Pratt, Michael Martell, Stephanie Martini and Nicolaus McDonald

Absent: Evan Christou

Others: Amanda Fitzgerald (Agency Counsel), Ray Gillen, Jayme Lahut, David Hogenkamp, Tonia Lehoisky, Jennifer Medler and Patrick Ryan Jr.

Call to Order: Mr. Hughes called the meeting to order at 9:00 a.m.

1. Approval of Minutes: Mr. McDonald moved acceptance of the March 30, 2022 meeting minutes as presented; seconded by Mr. Martell and approved.

2. Treasurer's Report: Jayme Lahut provided the update for the period ending May 31, 2022. There was little activity to report and cash on hand was \$346,160. Mr. McDonald moved acceptance of the Treasurer's Report as presented; seconded by Mrs. Martini and approved.

3. NY USLE Glenville Freemans Bridge, LLC (Town of Glenville): Resolution 518-22 — Hold a Public Hearing

Resolution 518-22 authorized holding a public hearing and commencing the PILOT deviation process for a solar project in the Town of Glenville. The project is a venture of Latham-based U.S. Light Energy that specializes in solar and renewable energy solutions, including community solar for residential communities and commercial customers. The project acquires 24-acres of land located at 66 Freemans Bridge Road (tax parcel: # 30.-1-3), install a 4.125-Megawatt solar photovoltaic facility with a project budget of approximately \$10 million. Resolution 518-22 was moved by Mr. Martell; seconded by Mrs. Pratt and approved following discussion.

4. Other Business: Mr. Gillen updated the board about the County Legislature adopting a policy making it mandatory for solar projects to establish a PILOT agreement. Mr. Lahut provided an update regarding the NYS Open Meetings Law.

5. Adjournment Mr. Martell moved to adjourn; seconded by Mrs. Pratt. The meeting was adjourned at 9:10 a.m.

Respectfully submitted,

Jayme B. Lahut
Executive Director



**SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Board Meeting Minutes — August 12, 2022**

Present: Gary Hughes, Evan Christou, Michael Martell and Nicolaus McDonald

Absent: Chris Gardner, Sara Mae Pratt and Stephanie Martini

Others: Amanda Fitzgerald (Agency Counsel), Ray Gillen, Jayme Lahut, Tonia Lehoisky, and Jennifer Medler

Call to Order: Mr. Hughes called the meeting to order at 9:00 a.m.

- 1. Approval of Minutes:** Mr. Christou moved acceptance of the June 24, 2022 meeting minutes as presented; seconded by Mr. Martell and approved.
- 2. Treasurer's Report:** Jayme Lahut provided the update for the period ending July 2022. Cash on hand was \$545,666. Mr. Christou acceptance of the Treasurer's Report as presented; seconded by Mr. Martell and approved.
- 3. NY USLE Glenville Freemans Bridge, LLC (Town of Glenville): Resolution 519-22 — SEQR / No Significant Effect on the Environment**

Resolution 519-22 completed the state-mandated environmental review of the project by characterizing it as an Unlisted Action and issuing a negative declaration that it will not have a negative effect on the environment. The Glenville Town Board also issued a negative declaration in 2021 when it changed the zoning to a commercial planned development district. Resolution 519-22 was moved by Mr. Christou; seconded by Mr. McDonald and approved.
- 4. NY USLE Glenville Freemans Bridge, LLC (Town of Glenville): Resolution 520-22 — Final Approving Resolution**

Resolution 520-22 authorized financial assistance in the form the exemptions on sales taxes, mortgage recording tax and real property taxes. The PILOT will start at \$20,000 in the first year — doubling current taxes on the vacant land — and subsequently increase by 2 percent each year through year 25. Resolution 520-22 was moved by Mr. Christou; seconded by Mr. McDonald and approved following discussion about the project.
- 5. Other Business:** Mr. Gillen updated the board on several projects including Momentive Performance Materials' relocation to Niskayuna and the related move of the SI Group to Mohawk Harbor. He also noted the Rivers Ledge project is 80% complete.
- 6. Adjournment** Mr. Christou moved to adjourn; seconded by Mr. McDonald. The meeting was adjourned at 9:15 a.m.

Respectfully submitted,

Jayme B. Lahut
Executive Director