

RESIDENTIAL

CLOSING ITEM NO.: B-1

GENERAL CERTIFICATE

OF

CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY

This certificate is made in connection with the execution by City of Cohoes Industrial Development Agency (the "Agency") of a lease agreement dated as of July 1, 2020 (the "Lease Agreement") by and among 70 Delaware Associates L.P. (the "Company") and 70 Delaware Housing Development Fund Company Inc. (the "HDFC") and the Agency, the Memorandum of Lease Agreement, the Underlying Lease, the Memorandum of Underlying Lease, the Payment in Lieu of Tax Agreement, the Uniform Agency Project Agreement, the Section 875 GML Recapture Agreement, the Mortgage, (as each of said documents is defined in the Lease Agreement) and any other document to be executed by the Agency (all of the preceding documents being collectively referred to as the "Agency Documents") in connection with the undertaking by the Agency of a project (the "Residential Project") consisting of the following: (A)(1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story residential buildings containing in the aggregate approximately 92,276 square feet (the "Residential Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Residential Equipment") (the Land, the Residential Facility and the Residential Equipment being collectively referred to as the "Residential Project Facility") all of the foregoing to be owned by the Company and HDFC and operated by the Company as a mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from sales and use taxes, real property transfer taxes, mortgage recording taxes and real estate taxes (collectively, the "Residential Financial Assistance"); and (C) the lease of the Residential Project Facility to the Company and the HDFC pursuant to the terms of the Lease Agreement.

Capitalized terms used herein which are not otherwise defined herein shall have the meanings ascribed to them in the Lease Agreement except that, for purposes of this certificate, (A) all definitions with respect to any document shall be deemed to refer to such document only as it exists as of the date of this certificate and not as of any future date, and (B) all definitions with respect to any Person shall be deemed to refer to such Person only as it exists as of the date of this certificate and not as of any future date or to any successor or assign.

THE UNDERSIGNED OFFICER OF THE AGENCY HEREBY CERTIFIES THAT:

1. I am an officer of the Agency and am duly authorized to execute and deliver this certificate in the name of and on behalf of the Agency.

2. The Agency is a corporate governmental agency constituting a public benefit corporation of the State of New York (the "State") duly established under Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), and Chapter 313 of the Laws of 1972 of the State, as amended, constituting Section 896-a of said General

Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act"). A copy of Chapter 313 of the Laws of 1972 of the State is attached hereto as Exhibit A.

3. The Agency (A) has full legal power and authority to own its Properties, conduct its business, execute, deliver and perform its obligations under each of the Agency Documents and (B) has taken all actions and obtained all approvals required in connection therewith by the Act and any other applicable laws and regulations.

4. Under the Act, it is the purpose of the Agency to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, and research facilities, including commercial facilities, and the Agency has the power to acquire, construct, reconstruct, lease, sell, improve, maintain, equip or furnish certain properties, including commercial facilities.

5. Pursuant to the Act, the governing body of City of Cohoes, New York, for whose benefit the Agency was established filed or caused to be filed within six (6) months after the effective date of such Chapter 313 of the Laws of 1972 of the State, in the office of the New York State Department of State, Miscellaneous Records Unit, the Certificate of Establishment of the Agency pursuant to Section 856(1)(a) of the New York General Municipal Law. The Certificate of Establishment of the Agency described in the preceding sentence also named the members and officers of the Agency as appointed by the governing body of City of Cohoes, New York. Attached hereto as Exhibit B is a certified copy of said Certificate of Establishment of the Agency and certificates of appointment relating to all of the current members of the Agency.

6. The current members and officers of the Agency are as follows: Rodney J. Dion, Chairman; Horace Hallock, Jr., Vice-Chairman; Ralph Pascale, Treasurer; Stanley Szozda, Secretary; Edwin Dudwoire, Member; Kathleen Mayo, Member; Laura Tarlo, Member. The foregoing named individuals constitute all of the members of the Agency; each of such individuals was and is duly appointed, qualified and acting as such member; each of such individuals who is indicated as an officer of the Agency was and is duly elected or appointed, qualified and acting as such officer; and each of such individuals has been a member of the Agency since at least June 15, 2020.

7. Attached hereto as Exhibit C is a true, correct and complete copy of the by-laws of the Agency, together with all amendments thereto or modifications thereof; and said by-laws as so amended and modified are in full force and effect in accordance with their terms as of the date of this certificate.

8. The execution, delivery and performance of all agreements, certificates and documents required to be executed, delivered and performed by the Agency in order to carry out, give effect to and consummate the transactions contemplated by the Agency Documents have been duly authorized by all necessary action of the Agency. The Agency Documents are in full force and effect on and as of the date hereof, and no authority for the execution, delivery or performance of the Agency Documents has been repealed, revoked or rescinded.

9. The execution, delivery and performance of the Agency Documents, the consummation of the transactions therein contemplated and compliance with the provisions of each by the Agency do not and will not (A) violate the Act or the by-laws of the Agency, (B) require consent under (which has not heretofore been received) or result in a breach of or default under any credit agreement, purchase agreement, indenture, mortgage, deed of trust, commitment, guaranty, lease or other agreement or instrument to which the Agency is a party or by which the Agency may be bound or affected, or (C) conflict with or violate any existing law, rule, regulation, judgment, order, writ, injunction or decree of any government, governmental

instrumentality or court, domestic or foreign, having jurisdiction over the Agency or any of the Property of the Agency.

10. The Agency has duly authorized the taking of and has taken any and all actions necessary to carry out and give effect to the transactions contemplated to be performed on its part by the Agency Documents.

11. Each of the representations and warranties of the Agency contained in each of the Agency Documents is true, accurate and complete on and as of the date of this certificate with the same force and effect as though such representations and warranties were made on and as of the date hereof.

12. There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body pending or, to our knowledge, threatened against or affecting the Agency (nor, to our knowledge, any basis therefor), wherein an unfavorable decision, ruling or finding would adversely affect (A) the transactions contemplated by the Approving Resolution (as hereinafter defined), (B) the validity or the enforceability of the Approving Resolution or the Agency Documents or the transactions contemplated therein, or (C) the existence or organization of the Agency.

13. The Agency Documents have been each duly executed, acknowledged, where appropriate, and delivered on behalf of the Agency by the Chairman or Vice Chairman of the Agency; the signature of said officer thereon is the genuine signature of such officer; and said executed Agency Documents are in substantially the same form as the forms thereof presented to the members of the Agency and approved by the Approving Resolution.

14. Pursuant to a resolution adopted by the members of the Agency on July 16, 2019 (the "Public Hearing Resolution"), the Agency authorized the Chief Financial Officer to conduct a public hearing with respect to the Residential Project. Attached hereto as Exhibit D is a certified copy of the Public Hearing Resolution.

15. Attached hereto as Exhibit E is proof of mailing of notice of the public hearing, held with respect to the Residential Project (the "Public Hearing"), to the chief executive officers of the "affected tax jurisdictions" with respect to the Residential Project (as such quoted term is defined in Section 854(16) of the Act).

16. Attached hereto as Exhibit F is an affidavit of publication of notice of the Public Hearing pursuant to Section 859-a of the Act.

17. Attached hereto as Exhibit G are proofs of posting of the notice of Public Hearing.

18. Attached hereto as Exhibit H is the report of the Public Hearing (the "Report").

19. Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, "SEQRA"), by resolution adopted by the members of the Agency on November 22, 2019 (the "SEQR Resolution"), the Agency (A) concurred in the determination that the City of Cohoes Planning Board (the "Planning Board") is the "lead agency" with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Planning Board issued on April 8, 2019 (the "Negative Declaration"), in which the Planning Board determined that the Residential Project would not have a significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be prepared with respect to the Residential Project. Attached hereto as Exhibit I is a certified copy of the SEQR Resolution.

20. Attached hereto as Exhibit J is a true, correct and complete copy of the resolution of the members of the Agency adopted on November 22, 2019 (the “Commercial/Retail Finding Resolution”), the Agency (A) determined that the Residential Project constituted a “commercial project” within the meaning of the Act, (B) found that although the Residential Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Residential Project, the Agency is authorized to provide financial assistance in respect of the Residential Project pursuant to Section 862(2)(a) of the Act because the Residential Project Facility is located in a highly distressed area, (C) determined, following a review of the Hearing Report, that the Residential Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York, and (D) determined that the Agency would proceed with the Residential Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Residential Project by the Agency unless and until the Mayor of the City of Cohoes, as chief executive officer of the City of Cohoes, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Residential Project.

21. In connection with the Application, the Company made a request to the Agency to deviate from its uniform tax exemption policy (the “Pilot Request”) and pursuant to the Pilot Request, by resolution adopted by the members of the Agency on November 22, 2019 (the “Pilot Deviation Approval Resolution”), the members of the Agency determined to deviate from the Agency’s uniform tax exemption policy with respect to the Residential Project. Attached hereto as Exhibit K is a certified copy of the Pilot Deviation Approval Resolution.

22. Attached hereto as Exhibit L is a true, correct and complete copy of the resolution of the members of the Agency adopted on November 22, 2019 (the “Approving Resolution”) approving and authorizing execution by the Agency of the Agency Documents. Such Approving Resolution was duly adopted by the members of the Agency, has not been amended or modified since its adoption and is in full force and effect as of the date of this certificate in accordance with its terms.

23. By certificate dated July 29, 2020 (the “Public Approval”), the Mayor, as chief executive officer of the City of Cohoes, New York, confirmed the proposed action to be taken by the Agency with respect to the Residential Project for the purposes of Section 862(2)(c) of the Act. Attached hereto as Exhibit M is a signed copy of the Public Approval.


24. The Agency is not contemplating instituting bankruptcy, insolvency or similar proceedings against itself.

25. The Agency has complied with all of the agreements and satisfied all of the conditions on its part to be performed and satisfied by the terms of the Agency Documents on or prior to the Closing Date.

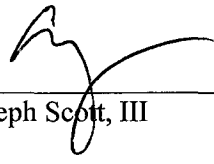
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, I have hereunto set my signature as (Vice) Chairman the Agency this 30th day of July, 2020.

CITY OF COHOES INDUSTRIAL
DEVELOPMENT AGENCY


BY: _____
(Vice) Chairman

The undersigned, A. Joseph Scott, III, counsel for the Agency, hereby certifies that the signature of the officer of the Agency subscribed to and contained in the foregoing General Certificate of the Agency is true and genuine.



A. Joseph Scott, III

EXHIBIT A

CHAPTER 313 OF THE LAWS OF 1972

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on July 1, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

LAWS OF NEW YORK.—By Authority

CHAPTER 313

AN ACT to amend the general municipal law, in relation to creating and establishing the city of Cohoes industrial development agency, and providing for its functions, powers and duties

Became a law May 15, 1972, with the approval of the Governor. Passed on Home Rule request pursuant to article IX, section 2(b)(2) of the Constitution by a majority vote, three-fifths being present

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general municipal law is hereby amended by inserting in title two of article eighteen-A, a new section, to be section eight hundred ninety-six-a, to read as follows:

§ 896-a. *The city of Cohoes industrial development agency. For the benefit of the city of Cohoes and the inhabitants thereof, an industrial development agency, to be known as the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies and provided that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise, shall be limited to the corporate limits of the city of Cohoes, and such agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of the city of Cohoes. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article eighteen-A of this chapter.*

§ 2. This act shall take effect immediately.

EXPLANATION—Matter in *dolies* is new; matter in brackets [] is old law to be omitted.

STATE OF NEW YORK }
Department of State }

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN P. LOMBENZO
Secretary of State

EXHIBIT B

CERTIFICATE OF ESTABLISHMENT OF THE AGENCY AND
CERTIFICATES OF APPOINTMENT OF CURRENT MEMBERS

STATE OF NEW YORK

DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on July 1, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

NEW YORK
STATE
FILED

CERTIFICATE OF ESTABLISHMENT
OF THE
INDUSTRIAL DEVELOPMENT AGENCY

FEB 09 2006

STATE RECORDS

FOR FILING WITH THE
SECRETARY OF STATE

This is to certify that the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY has been established by special act of the New York State Legislature, and the following is set forth pursuant to Section 856 of the New York State Industrial Development Agency Act:

- (1) The special act establishing the Agency was approved by Chapter 313 of the Laws of 1972 of New York.
- (2) The name of the agency is:
CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY.
- (3) The names of the members of the Agency, their chairman, and their terms of office are as follows:

<u>Name</u>	<u>Title</u>
John T. McDonald, III	Chairman
Jeanne Potts	Vice Chairman
Michael Durocher	Treasurer
Adam Hotaling	Secretary
Mark Colozza	Member
Donna DeMarse	Member
Alfred Turcotte	Member

- (4) The facts establishing the need for such Agency in the municipality are as follows:
To promote and assist business growth that will increase the commercial tax base,
develop employment opportunities, and enhance the quality of life for Cohoes
residents.

THE COMMON COUNCIL OF THE CITY
OF COHOES

By: *Janet A. Grande*
Clerk

STATE OF NEW YORK
DEPARTMENT OF STATE

FEB 09 2006

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
July 1, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

FILED
STATE RECORDS
AUG 25 2016
DEPARTMENT OF STATE

THIS is to certify that

Rod Dion

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly
established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY:

Lari A. [Signature]
City Clerk

(SEAL)

083413.00000 Business 1320059v1

STATE OF NEW YORK

DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on July 1, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

THIS is to certify that

HORACE HALLOCK, JR.

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly
established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY: *[Signature]*
City Clerk

(SEAL)

083413.00000 Business 17259656x1

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
July 1, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

THIS is to certify that

STANLEY SZOZDA

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly
established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY: *[Signature]*
City Clerk

(SEAL)

083413 00000 Business 137191306.1

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
June 18, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

FILED
STATE RECORDS
JUN 15 2020

THIS is to certify that

RALPH PASCALE

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly
established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY: Sari A. Yude
City Clerk

(SEAL)

083413.00000 Business 19771532v1

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
June 18, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

THIS is to certify that

EDWIN DUDWOIRE

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly
established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY: *Sari A. York*
City Clerk

FILED
STATE RECORDS
JUN 15 2020

DEPARTMENT OF STATE

(SEAL)

083413 00000 Business 19771535v3

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
June 18, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

THIS is to certify that

KATHLEEN MAYO

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY: Lori A. York
City Clerk

FILED
STATE RECORDS
JUN 15 2020

DEPARTMENT OF STATE

(SEAL)

083413 00000 Business 19771539v1

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
June 18, 2020.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 06/19

CERTIFICATE OF APPOINTMENT
AS MEMBER OF
CITY OF COHOES
INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE

FILED
STATE RECORDS
JUN 15 2020

THIS is to certify that

LAURA TARLO

DEPARTMENT OF STATE

has been appointed as a

MEMBER

of the CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY which has been duly established by Chapter 313 of the Laws of 1972.

CITY OF COHOES, ALBANY COUNTY,
NEW YORK

BY: 
City Clerk

(SEAL)

083413.00000 Business 19771555v1

EXHIBIT C
BY-LAWS OF THE AGENCY

BY-LAWS
OF
CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY

ARTICLE I
THE AGENCY

Section 1. Name.

The name of the Agency shall be "City of Cohoes Industrial Development Agency", and it shall hereinafter be referred to in these by-laws as the Agency.

Section 2. Seal.

The seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

Section 3. Offices of the Agency.

The principal office of the Agency shall be located at City Hall, 97 Mohawk Street, Cohoes, Albany County, State of New York. The Agency may have such other offices at such other places as the Agency may from time to time designate by resolution.

ARTICLE II
MEMBERS

Section 1. Members.

The Members of the Agency shall number not less than (3) three nor more than (7) seven. All references in these by-laws to Members or to the "IDA Board" or the "Board" shall be

references to Members of the Agency. Members shall be appointed by the Common Council of the City of Cohoes, New York (the "City") and shall serve at the pleasure of the Common Council. A Member shall continue to hold office until his or her successor is appointed and has qualified. Any one or more of the Members may be an official or employee of the City of Cohoes. A majority of the Members shall be "independent" as defined within the New York State Public Authorities Law. Members shall not receive any compensation for their services but shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of their duties.

ARTICLE III

MEETINGS

Section 1. Annual Meeting.

The annual meeting of the Agency shall be held each year on the first Friday in January, at 12:00 noon, at the regular meeting place of the Agency. In the event that day falls on a legal holiday, the annual meeting shall be held on the next succeeding day that is not a Saturday, Sunday or legal holiday.

Section 2. Regular Meetings.

Regular meetings of the Agency may be held at such times and places as from time to time may be determined by the Agency.

Section 3. Special Meetings.

The Chairperson of the Agency may, when he/she deems it desirable, and shall, on the written request of two Members, call a special meeting of the Agency for the purpose of transacting any business designated in the notice for that meeting. At that special meeting, no

business shall be considered other than as designated in the notice for that meeting, but if all the Members are present at a special meeting, with or without notice thereof, any and all business may be transacted at that special meeting.

Section 4. Open Meetings Law.

All meetings of Members shall be conducted in accordance with the applicable provisions of the Open Meetings Law of the State of New York.

Section 5. Notices of Meetings.

Except as provided in this Section 5 with respect to waivers of notice, written notice stating the place, day and hour of the meeting shall be given for all meetings of Members. Such notice shall state the person or persons calling the meeting. Notices of any special meeting shall state the purpose or purposes for which the meeting is called. Notice of any meeting of Members shall be given, either personally, by first class mail, or by electronic mail, not less than two (2) days or more than ten (10) days before the date of the meeting, to each Member at his/her address recorded on the records of the Agency, or at such other address which the Member may have furnished in writing to the Secretary of the Agency. Notice shall be deemed to have been given when deposited with postage prepaid in a post office or other official depository under the exclusive jurisdiction of the United States Postal Service or sent via electronic mail and no "undeliverable message" is received by the sender. Any meeting of Members may be adjourned from time to time. In that event, it shall not be necessary to provide further notice of the time and place of the adjourned meeting if announcement of the time and place of the adjourned meeting is given at the meeting so adjourned. In the event a new date for an adjourned meeting is fixed, a new notice shall be given, in the same manner as provided in this Section 5. No notice

of any meeting need be given to any Member who executes and delivers a waiver of notice before or after the meeting. The attendance of a Member in person at a meeting without protesting the lack of notice of that meeting shall constitute a waiver of notice by that Member.

Section 6. Quorum.

Except as provided by law, the Members entitled to cast a majority of the total number of votes entitled to be cast at the meeting shall constitute a quorum at a meeting of Members for the transaction of any business. The Members present may adjourn the meeting despite the absence of a quorum.

Section 7. Procedure at Meetings.

(a) Meetings of Members shall be presided over by the following officers, in order of seniority - the Chairperson, Vice Chairperson or, if neither the Chairperson nor Vice Chairperson is in office or present at the meeting, by a chairperson to be chose by a majority of the Members in attendance. The Secretary or an Assistant Secretary of the Agency shall act as Secretary of every meeting of Members. When neither the Secretary nor an Assistant Secretary is available, the presiding officer may appoint a secretary of the meeting.

(b) The order of business at all meetings of Members shall be as follows:

- (1) Roll call;
- (2) Proof of Notice of Meeting;
- (3) Reading and approval of minutes of the previous meeting;
- (4) Bills and communications;
- (5) Report of the CFO;
- (6) Reports of Committees;

- (7) Unfinished business;
- (8) New business;
- (9) Adjournment.

(c) Except as otherwise provided by the Members, all resolutions shall be in writing and shall be copied in or attached to the journal of the proceedings of the Agency.

(d) The voting on all questions coming before the Members shall be by roll call, and the yeas and nays shall be entered on the minutes of that meeting, except in the case of appointments when the vote may be by ballot.

ARTICLE IV

OFFICERS

Section 1. Officers.

The officers of the Agency shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. The Agency may also have as officers an Assistant Secretary and an Assistant Treasurer. Any two or more offices, except the offices of the Chairperson and Secretary, may be held by the same person.

Section 2. Chairperson.

The Chairperson shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chairperson shall execute (manually or by facsimile signature) all agreements, contracts, deeds, bonds or other evidences of indebtedness, and other instruments of the Agency on behalf of the Agency. At each meeting the Chairperson shall submit such recommendations and information as he/she may consider proper concerning the business, affairs and policies of the Agency.

Section 3. Vice Chairperson.

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Agency shall appoint a new Chairperson.

Section 4. Secretary.

The Secretary shall keep the records of the Agency, shall act as secretary at meetings of the Agency and record all votes, shall keep a record of the proceedings of the Agency in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to that office. The Secretary shall keep in safe custody the seal of the Agency and shall have the power to affix such seal to all contracts and other instruments authorized to be executed by the Agency.

Section 5. Assistant Secretary.

The Assistant Secretary shall perform the duties of the Secretary in the absence or incapacity of the Secretary and in case of the resignation or death of the Secretary, the Assistant Secretary shall perform such duties as are imposed on the Secretary until such time as the Agency shall appoint a new Secretary.

Section 6. Treasurer.

The Treasurer shall have the care and custody of all funds of the Agency and shall deposit those funds in the name of the Agency in such bank or banks as the Agency may select. Except as otherwise authorized by resolution of the Agency, all such instruments of indebtedness, orders and checks shall be countersigned by the Treasurer and the CFO. The Treasurer shall be a member of the Audit Committee, and shall oversee the CFO and the financial books and records

of the Agency. The Treasurer shall give such bond for the faithful performance of his/her duties as Agency may determine.

Section 7. Assistant Treasurer.

The Assistant Treasurer shall perform the duties of the Treasurer in the absence or incapacity of the Treasurer, and in the case of the resignation or death of the Treasurer, the Assistant Treasurer shall perform such duties as are imposed on the Treasurer until such time as the Agency shall appoint a new Treasurer. The Assistant Treasurer shall give such bond for the faithful performance of his/her duties as the Agency may determine.

Section 8. Additional Duties.

All officers of the Agency shall perform such other duties and functions as may from time to time be authorized by resolution of the Agency or be required by the Agency, by these By-Laws, or by the rules and regulations or policies of the Agency.

Section 9. Appointment of Officers.

All officers of the Agency, except the first Chairperson, shall be appointed at the annual meeting of the Agency from among the Members, and each officer shall hold office for one year or until his/her successor is appointed. The first Chairperson of the Agency shall be designated by the Common Council of the City.

Section 10. Vacancies.

If any office becomes vacant, the Agency shall appoint a successor from among its Members at the next regular meeting, and that appointment shall be for the unexpired term of that office.

Section 11. Chief Executive Officer and Chief Financial Officer.

A Chief Executive Officer (CEO) shall be appointed by the Agency. The CEO shall have general supervision over the administration of the business and affairs of the Agency; subject to the direction of the Agency. The CEO shall be charged with the management of all projects of the Agency, and shall report to and work with the Governance and Audit Committees as appropriate.

The Chief Financial Officer (CFO) shall handle the day to day financial matters of the Agency. The CFO shall keep regular books of account showing receipts and expenditures and shall render to the Agency at each regular meeting an account of all financial transactions and also of the financial condition of the Agency and make same available to the Treasurer or Audit Committee for review upon request. The CFO shall prepare the annual budget and present same to the Audit Committee prior to approval by the Members. Except as otherwise authorized by resolution of the Agency, the CFO shall sign all instruments of indebtedness, all orders, and all checks for the payment of money, and shall pay out and disburse such monies under the direction of the Agency. Except as otherwise authorized by resolution of the Agency, all such instruments of indebtedness, orders and checks shall be countersigned by the Treasurer.

Section 12. Additional Personnel.

The Agency may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the New York State Industrial Development Agency Act, as amended, and all other laws of the State of New York applicable to the Agency. The selection and compensation of all personnel shall be determined by the Agency, subject to the laws of the State of New York, and the Agency's Personnel and Compensation Policies.

ARTICLE V
COMMITTEES

Section 1. Audit Committee

There shall be an Audit Committee made up of three independent Members appointed by the Agency board. The purpose of the audit committee shall be to (1) assure that the Agency's board fulfills its responsibilities for the Agency's internal and external audit process, the financial reporting process, and the system of risk assessment and internal controls over financial reporting; and (2) provide an avenue of communication between management, the independent auditors, the internal auditors, and the Members. The powers and duties of the Audit Committee shall be set forth fully within the Audit Committee Charter, which shall be adopted by the Committee and approved by the Members of the Agency.

Section 2. Governance Committee

There shall be a Governance Committee made up of three independent Members appointed by the Agency board. The purpose of the governance committee is to assist the Board by (1) keeping the Board informed of current best practices in corporate governance; (2) reviewing corporate governance trends for their applicability to the Agency; (3) updating the Agency's corporate governance principles and governance practices; and (4) advising those responsible for appointing Members of the Agency on the skills, qualities and professional or educational experiences necessary to be effective Agency Members. The powers and duties of the Governance Committee shall be set forth fully within the Governance Committee Charter, which shall be adopted by the Committee and approved by the Members of the Agency.

ARTICLE VI
MISCELLANEOUS

Section 1. Books and Records.

The Agency shall keep, at the principal office of the Agency, complete and correct records and books of account, and shall keep minutes of the proceedings of the Members, or any committee appointed by the Members, as well as a list or record containing the names and addresses of all Members.

Section 2. Indemnification.

To the extent permitted by law, the Agency shall indemnify any person made a party to an action by reason of the fact that he/she, his/her testator or intestate, is or was a member, officer, or employee of the Agency, against the reasonable expenses, including attorneys' fees, actually and necessarily incurred by him/her in connection with the defense of such action, or in connection with an appeal therein, except in relation to matters as to which such officer is adjudged to have breached his fiduciary duty to the Agency. The foregoing rights of indemnification shall not be exclusive of other rights to which such an officer may be entitled.

Section 3. Amendments.

The by-laws of the Agency may be amended only with the approval of a majority of all of the Members at a regular or special meeting, but no such amendment shall be adopted unless at least seven (7) days written notice of that meeting has been previously given to all Members.

EXHIBIT D
PUBLIC HEARING RESOLUTION

**PUBLIC HEARING RESOLUTION
70 DELAWARE ASSOCIATES L.P. PROJECT**

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the Common Council Chambers of City Hall located at 97 Mohawk Street, 2nd Floor in the City of Cohoes, Albany County, New York on July 16, 2019 at 8:15 o'clock a.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chair
William T. Keeler	Vice-Chair
Theresa M. Thibodeau	Treasurer
Stanley Szozda	Secretary
Horace Hallock, Jr.	Member

ABSENT:

Cliff Bird	Member
Manny Santos	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Durocher	Chief Financial Officer
Debbie Jacques	Administrative Assistant
Catherine Hedgeman, Esq.	Agency Counsel
Nadene Zeigler, Esq.	Special Counsel

The following resolution was offered by Horace Hallock, Jr., seconded by Theresa M. Thibodeau, to wit:

Resolution No. 0719-

**RESOLUTION AUTHORIZING THE CHAIR OF CITY OF COHOES INDUSTRIAL
DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A
PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF 70
DELAWARE ASSOCIATES L.P.**

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

000161.00320 Business 18626996v2

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, 70 Delaware Associates L.P., a New York State limited partnership (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any "financial assistance" (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Chair of the Agency, after consultation with the members of the Agency and Agency Special Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the "Public Hearing"); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the "Report") to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. The Chair and/or Vice Chair of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. All action taken by the Chair of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Rod Dion	VOTING	<u>YES</u>
William T. Keeler	VOTING	<u>YES</u>
Theresa M. Thibodeau	VOTING	<u>YES</u>
Stanley Szozda	VOTING	<u>YES</u>
Cliff Bird	VOTING	<u>ABSENT</u>
Horace Hallock, Jr.	VOTING	<u>YES</u>
Manny Santos	VOTING	<u>ABSENT</u>

The foregoing Resolution was thereupon declared duly adopted.

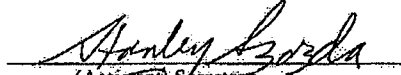
STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of City of Cohoes Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on July 16, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 16th day of July, 2019.



(Assistant) Secretary

(SEAL)

EXHIBIT E

PROOF OF MAILING OF NOTICE OF PUBLIC HEARING

AFFIDAVIT OF MAILING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE
RELATING THERETO

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

The undersigned, being duly sworn, hereby states:

1. That on August 21, 2019, I mailed to the following individuals a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed 70 Delaware Associates L.P. Project to be undertaken by City of Cohoes Industrial Development Agency for the benefit of 70 Delaware Associates L.P. (the "Company"):

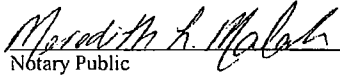
Honorable Daniel P. McCoy, County Executive 112 State Street Room 1200 Albany, New York 12207 ----- 7019 0160 0000 6558 9289	Dr. Jennifer Spring, Superintendent of Schools City of Cohoes Central School District 21 Page Avenue Cohoes, New York 12047 ----- 7019 0160 0000 6558 9296
Shawn M. Morse, Mayor City of Cohoes 97 Mohawk Street Cohoes, New York 12047 ----- 7019 0160 0000 6558 9302	Matthew Nolin, Board President City of Cohoes Central School District 21 Page Avenue Cohoes, New York 12047 ----- 7019 0160 0000 6558 9319

2. That the notice of hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was mailed to the above individuals.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of August, 2019.



Sworn to before me this
21st day of August, 2019.



Notary Public

Meredith L. Malark
Notary Public, State of New York
Qualified in Albany County
No. 01MA6212870
Commission Expires October 26, 2021

EXHIBIT A
COPY OF THE NOTICE OF HEARING

083413.00012 Business 18648193v1

A-1

083413.00012 Business 19678685v3

E-3

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the City of Cohoes Industrial Development Agency (the "Agency") on the 9th day of September, 2019 at 7:00 o'clock p.m., local time, in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York in connection with the following matters:

70 Delaware Associates L.P., a State of New York limited partnership (the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square feet (collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

083413.00012 Business 18648143v2

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Rod Dion, Chair, City of Cohoes Industrial Development Agency, 97 Mohawk Street, Cohoes, New York 12047; Telephone: 518-233-2117.

Dated: August 20, 2019.

CITY OF COHOES INDUSTRIAL DEVELOPMENT
AGENCY

BY: s/Rod Dion
Rod Dion, Chair

7014 0160 0000 6558 9289

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 3.50

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.30
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$.50

Total Postage and Fees
 \$ 6.80

Sent To
 Honorable Daniel P. McCoy,
 County Executive
 12 State Street
 Albany, New York 12207

Postmark Here

083413.00012/NEZ
 Public hearing notice

PS Form 3800, April 2015 PSN 7530-02-000-8047-9001 See Reverse for Instructions

7014 0160 0000 6558 9289

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 3.50

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.30
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$.50

Total Postage and Fees
 \$ 6.80

Sent To
 Dr. Jennifer Spring,
 Superintendent of Schools
 City of Cohoes Central School District
 21 Page Avenue
 Cohoes, New York 12015

Postmark Here

083413.00012/NEZ
 Public hearing notice

PS Form 3800, April 2015 PSN 7530-02-000-8047-9001 See Reverse for Instructions

7014 0160 0000 6558 9302

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 3.50

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.30
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$.50

Total Postage and Fees
 \$ 6.80

Sent To
 Shawn M. Morse, Mayor
 City of Cohoes
 97 Mohawk Street
 Cohoes, New York 12047

Postmark Here

083413.00012/NEZ
 Public hearing notice

PS Form 3800, April 2015 PSN 7530-02-000-8047-9001 See Reverse for Instructions

7014 0160 0000 6558 9316

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 3.50

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.30
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$.50

Total Postage and Fees
 \$ 6.80

Sent To
 Matthew Nolin, Board President
 City of Cohoes Central School District
 21 Page Avenue
 Cohoes, New York 12047

Postmark Here

083413.00012/NEZ
 Public hearing notice

PS Form 3800, April 2015 PSN 7530-02-000-8047-9001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Alison B. Haselt</i> C. Date of Delivery <i>8/22</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>1. Article Addressed to: Honorable Daniel P. McCoy, County Executive 112 State Street Room 1200 Albany, New York 12207</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	
<p>2. Article Number (Transfer from service label) 9590 9402 4980 9063 3532 24</p> <p>7019 0160 0000 6558 9389</p>	<p>Domestic Return Receipt</p>																
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>																	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>1. Article Addressed to: Shawn M. Morse, Mayor City of Cohoes 97 Mohawk Street Cohoes, New York 12047</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	
<p>2. Article Number (Transfer from service label) 9590 9402 4980 9063 3532 48</p> <p>7019 0160 0000 6558 9303</p>	<p>Domestic Return Receipt</p>																
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>																	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: Dr. Jennifer Spring, Superintendent of Schools City of Cohoes Central School District 21 Page Avenue Cohoes, New York 12047</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Kevin Gumprecht</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>9590 9402 4980 9063 3532 31</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7019 0160 0000 6558 9296</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: -Matthew Nolin, Board President City of Cohoes Central School District 21 Page Avenue Cohoes, New York 12047</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Kevin Gumprecht</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>9590 9402 4980 9063 3532 55</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7019 0160 0000 6558 9319</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

EXHIBIT F

PROOF OF PUBLICATION OF
NOTICE OF PUBLIC HEARING

TIMES UNION

timesunion.com

Albany Times Union
News Plaza
Box 15000
Albany, New York 12212

HODGSON RUSS
677 BROADWAY STE 301
ALBANY, NY 12207

Account Number: 015365000
Order Number: 0004071903
Order Invoice Text: 70 Delaware Associates:

T Tomes / R Bernard / T Duquette / P Sheehan / A Rubel of the city of Albany, being duly sworn, says that he/she is principal Clerk of THE TIMES UNION, a daily newspaper printed in the county of Albany, Town of Colonie, and Published in the County of Albany, Town of Colonie and the city of Albany, aforesaid and that notice of which a printed copy is annexed has been regularly published in the said ALBANY TIMES UNION on the following dates

08-23-2019

Perie Jones

Sworn to before me, this 26 day of August 2019.

Marybeth Snyder

Notary Public
Albany County

MARYBETH SNYDER
NOTARY PUBLIC, State of New York
Qualified in Albany County
No. 01SN5030510
Commission Expires July 18, 2022

MARYBETH SNYDER
NOTARY PUBLIC, State of New York
Qualified in Albany County
No. 01SN5030510
Commission Expires July 18, 2022

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the City of Cohoes Industrial Development Agency (the "Agency") on the 9th day of September, 2019 at 7:00 o'clock p.m., local time, in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York in connection with the following matters:

70 Delaware Associates L.P., a State of New York limited partnership (the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square feet (collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therein, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Rod Dion, Chair, City of Cohoes Industrial Development Agency, 97 Mohawk Street, Cohoes, New York 12047; Telephone: 518-233-2117.

Dated: August 20, 2019.

CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY

BY: s/Rod Dion
Rod Dion, Chair

TU11 6071903

EXHIBIT G
PROOFS OF POSTING OF NOTICE
OF THE PUBLIC HEARING

BULLETIN BOARD
AFFIDAVIT OF POSTING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

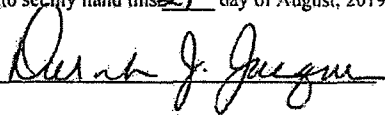
STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

The undersigned, being duly sworn, hereby states:

1. That on August 21, 2019, I posted a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed 70 Delaware Associates L.P. Project to be undertaken by City of Cohoes Industrial Development Agency (the "Agency") for the benefit of 70 Delaware Associates L.P. on a public bulletin board located in the lobby of Cohoes City Hall located at 97 Mohawk Street in the City of Cohoes, Albany County, New York.

2. That the Notice of Hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was posted on such bulletin board.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of August, 2019.



Sworn to before me this
21st day of August, 2019.

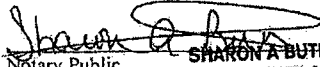

Notary Public **SHARON A. BUTLER**
NOTARY PUBLIC - STATE OF NEW YORK
Registration No. 01BU8046055
Qualified in Albany County
My Commission Expires August 7, 2023

EXHIBIT A
COPY OF THE NOTICE OF HEARING
-SEE ATTACHED-

083413.00012 Business 18648217v1

A-1

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the City of Cohoes Industrial Development Agency (the "Agency") on the 9th day of September, 2019 at 7:00 o'clock p.m., local time, in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York in connection with the following matters:

70 Delaware Associates L.P., a State of New York limited partnership (the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square feet (collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Rod Dion, Chair, City of Cohoes Industrial Development Agency, 97 Mohawk Street, Cohoes, New York 12047; Telephone: 518-233-2117.

Dated: August 20, 2019.

CITY OF COHOES INDUSTRIAL DEVELOPMENT
AGENCY

BY: s/Rod Dion
Rod Dion, Chair

WEBSITE
AFFIDAVIT OF POSTING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

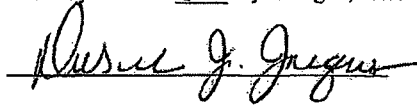
STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

The undersigned, being duly sworn, hereby states:


1. That on August 21, 2019, I posted a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed 70 Delaware Associates L.P. Project to be undertaken by City of Cohoes Industrial Development Agency (the "Agency") for the benefit of 70 Delaware Associates L.P. (the "Company") on the Agency's website.

2. That the Notice of Hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was posted on such website.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of August, 2019.



Sworn to before me this
21st day of August, 2019.


Notary Public

SHARON A BUTLER
NOTARY PUBLIC - STATE OF NEW YORK
Registration No. 01BU6046055
Qualified in Albany County
My Commission Expires August 7, 2022

EXHIBIT A
COPY OF THE NOTICE OF HEARING
- SEE ATTACHED -

083413.00012 Business 19648200v1

A-1

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the City of Cohoes Industrial Development Agency (the "Agency") on the 9th day of September, 2019 at 7:00 o'clock p.m., local time, in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York in connection with the following matters:

70 Delaware Associates L.P., a State of New York limited partnership (the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square feet (collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Rod Dion, Chair, City of Cohoes Industrial Development Agency, 97 Mohawk Street, Cohoes, New York 12047; Telephone: 518-233-2117.

Dated: August 20, 2019.

CITY OF COHOES INDUSTRIAL DEVELOPMENT
AGENCY

BY: s/Rod Dion
Rod Dion, Chair

EXHIBIT H
REPORT OF PUBLIC HEARING

In The Matter Of:
CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY
Public Hearing

RE: 70 DELAWARE ASSOCIATES L.P.
September 9, 2019

COVERING ALL UPSTATE NEW YORK

»«
M-F Reporting, Inc.
»«

MFReportingNY.com

Office: 518-478-7220
Fax: 518-371-8517

Mail to: 5 Southside Dr., Suite 11
Clifton Park, NY 12065

Min-U-Script® with Word Index

1 -----
2 CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY
3 Public Hearing
4 RE: 70 DELAWARE ASSOCIATES L.P.
5 -----
6 Monday, September 9, 2019
7 7:00 p.m. - 7:35 p.m.
8 The Cohoes Senior Center
9 10 Cayuga Plaza
10 Cohoes, New York 12047
11 APPEARANCES:
12 AGENCY STAFF:
13 ROD DION, Chief Executive Officer
14 A. JOSEPH SCOTT, III, ESQ, Agency Counsel
15 AGENCY MEMBERS:
16 DEBORAH JACQUES
17 ALSO PRESENT:
18 TODD CURLEY, Prime Companies
19
20
21
22
23
24
25

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the City of Cohoes Industrial Development Agency (the "Agency") on the 9th day of September, 2019 at 7:00 o'clock p.m., local time, in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York in connection with the following matters:

70 Delaware Associates L.P., a State of New York limited partnership (the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square feet (collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

1083413.00012 Business 18648143v2

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Rod Dion, Chair, City of Cohoes Industrial Development Agency, 97 Mohawk Street, Cohoes, New York 12047; Telephone: 518-233-2117.

Dated: August 20, 2019.

CITY OF COHOES INDUSTRIAL DEVELOPMENT
AGENCY

BY: s/Rod Dion
Rod Dion, Chair

1 MR. DION: Okay. We'll begin. Good
2 evening. My name is Rod Dion, and I'm the
3 Chairperson of the City of Cohoes Industrial
4 Development Agency -- known as the "Agency," as
5 I go through here -- in connection with the
6 project which is the subject of tonight's
7 Public Hearing.

8 Today we are holding this Public
9 Hearing to allow citizens to make a statement,
10 for the record, relating to the involvement of
11 the Agency with a project, (the "Proposed
12 Project"), for the benefit of 70 Delaware
13 Associates L.P., a limited partnership, known
14 as the "Company."

15 The Proposed Project consists of the
16 following: (A) (1), the acquisition of an
17 interest in an approximately 3.5-acre parcel of
18 land located at 70 Delaware Avenue, in the City
19 of Cohoes, Albany County, New York.

20 Second, the construction on the Land
21 of two four-story buildings and one
22 single-story building, totaling approximately
23 97,816 square feet, (collectively as the
24 "Facility").

25 And three, the acquisition and

1 installation therein and thereon of the related
2 fixtures, machinery, equipment and other
3 personal property; known as the "Equipment."
4 (The Land, the Facility and the Equipment being
5 collectively referred to as the "Project
6 Facility"), all of the foregoing to be owned by
7 the Company and which will constitute a
8 mixed-use, mixed-income, integrated supportive
9 housing community facility. In granting of
10 certain financial assistance (within the
11 meaning of Section 854 of the Act), with
12 respect to the foregoing, including potential
13 exemptions from certain taxes and use taxes,
14 real property taxes, real estate transfer taxes
15 and mortgage recording taxes (collectively as
16 the "Financial Assistance); and the lease (with
17 an obligation to purchase) or sale of the
18 Project Facility to the Company or other such
19 persons that may be designated by the Company
20 and agreed upon by the Agency.

21 I intend to provide general
22 information on the Agency's general authority
23 and public purpose to provide assistance for
24 this Proposed Project. I will then open the
25 commitment period to receive comments from all

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 present who wish to comment on either the
2 Proposed Project or the Financial Assistance
3 contemplated by the Agency with respect to the
4 Proposed Project.

5 The legal authorization and powers of
6 the Agency.

7 The provisions of the Chapter 1030 in
8 the laws of 1969 of New York, constitute Title
9 I of Article 18-A of the General Municipal Law,
10 Chapter 24 of the Consolidated Laws of New York
11 as amended, and Chapter 313 of the 1972 laws of
12 New York as amended, constituting Section 896-a
13 of said General Municipal Law, authorizing the
14 Agency to promote, develop, encourage and
15 assist in the acquiring, constructing,
16 reconstruction, improving, maintaining and
17 equipping and furnishing of manufacturing,
18 warehousing, research, commercial and
19 industrial facilities, among others.

20 The purpose of this Public Hearing is
21 pursuant to Section 859-a of the General
22 Municipality Law of the State of New York,
23 prior to the Agency providing any financial
24 assistance of more than \$100,000 to any
25 project. The Agency, among other things, must

1 hold a Public Hearing pursuant to Section 859-a
2 of the Act with respect of said Project. Since
3 the proposed financial assistance to be
4 provided by the Agency with respect to the
5 Proposed Project may exceed \$100,000, then
6 prior to providing any financial assistance of
7 more than \$100,000, the Agency must hold a
8 Public Hearing on the nature and location of
9 the Project Facility and the proposed financial
10 assistance to be provided by the Agency with
11 respect to Proposed Project.

12 After consideration of the application
13 received from the Company, the members of the
14 Agency adopted a resolution on July 16, 2019,
15 authorizing the Agency to conduct this Public
16 Hearing with respect to the Proposed Project
17 pursuant to Section 859-a of the Act.

18 By way of background, notice of this
19 Public Hearing was published on August 23, 2019
20 in the Times Union, a newspaper of general
21 circulation available to the residents of the
22 City of Cohoes, Albany County, New York. In
23 addition, as required by the Act, the notice of
24 this Public Hearing was mailed to the chief
25 executive officers of the City of Cohoes, the

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 Cohoes City School District and Albany County,
2 on August 21, 2019. Lastly, copies of this
3 Public Hearing notice were posted on August 21,
4 2019 in the lobby of the Cohoes City Hall,
5 located at 97 Mohawk Street, in the City of
6 Cohoes, Albany County, New York, and on the
7 Agency's website. Copies of the notice of this
8 Public Hearing are available on the table. I
9 trust that they are.

10 MR. SCOTT: Right there.

11 MR. DION: The comments received at
12 this Public Hearing will be presented to the
13 members of the Agency at or prior to the
14 meeting, at which time the members of the
15 Agency will consider whether to approve the
16 undertaking of the Project by the Agency and
17 the granting by the Agency of any financial
18 assistance in excess of \$100,000 with respect
19 to the Project.

20 For written comments, the notice of
21 this Public Hearing indicated that written
22 comments can be addressed to myself, Rod Dion,
23 Chairperson of City of Cohoes Industrial
24 Development Agency. No written comments have
25 been received by the Agency prior to this

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 Public Hearing; is that correct?

2 MS. JACQUES: No.

3 CHAIRMAN DION: At this time we'd like
4 to turn this meeting over to Todd. Todd is
5 representing Prim Companies, Todd Drake and --
6 Oh, I'm sorry. I apologize. Todd Curley. And
7 I did know that.

8 MR. CURLEY: Yep, I know.

9 Well, good. Thank you very much.
10 Again, I'm Todd Curley with Prime Companies.
11 We are the Applicant for this proposal. I'll
12 talk about the specifics of the project in a
13 minute, but just a little history about Prime
14 Companies and what we have done here in the
15 City of Cohoes.

16 We've been a property owner here and
17 developer for probably 20 years. Our first big
18 project in the city is Riverwalk, which we
19 still own and manage. We followed it up a few
20 years later with Waters View Apartment Complex,
21 also on the island, and most recently we just
22 finished up Hudson Square Apartments on Van
23 Schaick Island, as well.

24 So we have been a proud supporter of
25 the city. We've done a lot of improvements to

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 the city and made a lot of investments here.
2 The last three projects we've done, too,
3 wouldn't have been possible without the IDA
4 partnership. All three did receive some IDA
5 benefits for the project, and I think it worked
6 out well and did what it was supposed to do.

7 This project that we have here before
8 us tonight is a little bit different than the
9 other three I just talked about. The other
10 three are market-rate apartments; something
11 that's served to really any demographic.

12 We've owned this piece of property,
13 it's about 3.4 acres here, just as you go over
14 the 112th Street Bridge, on the corner of
15 Delaware and Ontario, for a number of years
16 now. And we bought it primarily -- a couple of
17 reasons. One, we wanted to protect our
18 interest in the city. We saw it as an
19 opportunity. We weren't sure what we wanted to
20 do with it, but we also know that we've got a
21 lot of pride in what is going on in the City
22 and we wanted to make sure something was
23 developed right there.

24 Over the course of the last several
25 years we've kicked around a lot of different

1 ideas, not only internally, but working with
2 city officials, and I think we probably went
3 through three different mayors since we
4 acquired this property, and different ideas
5 that came of it.

6 It was actually a culmination of some
7 of the city direction that they gave us, as
8 well as some partnerships we have with some
9 charitable organizations that we work with that
10 helped bring us to what we have proposed here
11 tonight.

12 This project is -- it's an
13 income-restricted project. So it's not a
14 market-rate apartment complex. And not only
15 did we find that it was a requirement -- or not
16 a requirement, but a need from the city, what
17 they were seeing, as well as some of the other
18 organizations that we support from a charity
19 standpoint, but having 700 units or so in this
20 area, we see that there's a gap of people
21 looking for quality housing that don't have the
22 income levels to be able to support it. So
23 that kind of steered us to this area where we
24 are right now. We have a waterfront property
25 that we can do something nice with. We can

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 serve a need that we feel that there is, and
2 our markets today show us that. And also,
3 hopefully bring in some retail restaurant
4 aspect to the site, as well.

5 So that's really what got us here
6 today. So I am just going to read some
7 information about the project for the record,
8 and then we could open up some dialogue, if
9 there's any questions or anything that I might
10 have missed. But this is a project that we're
11 really excited about.

12 Again, excited to be here in the city
13 and again, we have this -- We got this project
14 fully approved. I think we got final approval
15 in May. So we went through the governmental
16 approval process for the last two years or so,
17 going through the Zoning and Planning Boards,
18 as well as all the regulatory agencies: SHPO,
19 DEC, Army Corps, and we received all those
20 approvals already. So this is the last step,
21 and really the most critical step for this
22 project to proceed.

23 The project that we're discussing is a
24 3.36-acre site on Van Schaick Island. What we
25 are proposing is to create a mixed use, mixed

1 income, integrated supportive housing
2 community. The project will include the
3 construction of two four-story residential
4 buildings and a single-story retail building,
5 totaling 97,000 square feet. The residential
6 component will include 30 one-bedroom
7 supportive housing units, 34 one-bedroom tax
8 credit units, and 28 two-bedroom tax credit
9 units.

10 The project is partnered with Catholic
11 Charities to manage and operate the property
12 for the 30 supportive senior units that I just
13 touched on. The following services will be
14 provided by Catholic Charities' housing office
15 for these needs: On-site case management,
16 service planning and implementation,
17 nonemergency/nonhealthcare related
18 transportation, medication and healthcare
19 monitoring, 24-hour security, weekly community
20 shopping trips, on-site laundry, coordination
21 and sponsorship of social and recreational
22 activities, health, health aids, legal
23 services, senior services, adult day care and
24 other services based on identified needs of
25 that senior population.

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 As for the balance of the project, we
2 will have another 29 one-bedroom apartments.
3 They will be tax credit deals. So what we are
4 talking about here is 60 percent average median
5 income, is what we are going for. Now it's an
6 average. It used to be a maximum of 60
7 percent. Now it's an average of the people
8 that live there. What that allows us to do in
9 working with these tax credits, is it allows us
10 to offer new construction one bedroom
11 apartments at around \$860 a month gross. That
12 includes utilities. The two bedroom units that
13 we're talking about will be starting just over
14 \$1,000 gross rent. I mean, these are numbers
15 that we can't touch with regular market-rate
16 apartments.

17 What we're requesting here today, and
18 again, it's different from what we've talked
19 about before in early projects, is a 30-year
20 PILOT. And I know that's eye opening for a
21 lot, and it's the first time we've come for
22 something like this because it's our first tax
23 credit deal, but it's really a minimum because
24 that's how long we have to keep the affordable
25 project there for. It's a 30-year minimum and

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 it lines up with the other funding sources
2 needed for a project like this. It mirrors
3 identical to what Mosaic Village received from
4 the city a year ago or so. So we're looking
5 for a 30-year PILOT, which is a part of the
6 application, as well as standard relief on
7 sales tax on construction and mortgage
8 recording tax.

9 Some of the public benefits that we
10 talked about, in addition to providing quality
11 new housing for a demographic we feel is very
12 underserved right now, at a very nice ideal
13 location, something that's very exciting that
14 will go along with this PILOT, is we'd be
15 conveying over an easement to the waterfront
16 aspect of this property to the City of Cohoes,
17 and then we'd work with them in conjunction to
18 help develop a waterfront public access park.
19 Currently, there's not one public access in the
20 whole City of Cohoes for the residents to
21 access the water, which is amazing to me. This
22 was something we've worked on for two-plus
23 years to try to come up with a plan so that we
24 could convey it in a way to the city so it can
25 be developed, and we feel this is really a

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 critical part of this project, and for the
2 PILOT benefits that we're requesting tonight.

3 At this point I am happy to answer any
4 questions, but that is a good overview of what
5 we're proposing at this time.

6 MR. SZOZDA: Well, I have a quick
7 question.

8 MR. DION: Stanley, I am going to
9 officially open up to the public for comment.
10 Go ahead now. Just making that official.

11 MR. SZOZDA: What do you mean by "two
12 bedroom tax credit"?

13 MR. CURLEY: So the type of financing
14 we're looking for here, it's a tax credit
15 financing. So it's different than our
16 conventional financing for market rate. In
17 order for us to keep the project cost down so
18 we can pass an affordable rental rates, there
19 are tax credits associated with it. So in
20 order for a resident to need to qualify, there
21 is going to be income restrictions on there.
22 So that's what I was mentioning with the tax
23 credit.

24 So there will be properties -- There
25 will be units here that will go up to as high

1 as 90 percent AMI. So AMI in Albany County is
2 \$89,900 right now. That's a pretty high
3 number. So a family of four -- and that's what
4 they mostly qualify it as, that a family of
5 four that makes 90 percent of that could
6 qualify for some of those units. If it's an
7 individual, we're talking about something in
8 the mid 50s.

9 So really we are talking about not so
10 much low income, though that's what they like,
11 low income housing tax credits. In our
12 community we really find it as a workforce
13 housing, or Catholic Charities uses a term
14 called "working forth." There are people that
15 work full-time job, but don't have a high
16 enough income to be able to support good
17 quality housing.

18 I am a board of trustee at Catholic
19 Charities, as is my partner Ken Raymond. This
20 has been part of our mission since we got
21 involved, is to try to find good quality
22 housing to serve a need in our community. So
23 put that in connection with the property that
24 we already own, in a location where people are,
25 like, "Really? You're going to have this with

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 waterfront?" Our response is, "Why not? Why
2 should people that don't have that excess funds
3 right now not have quality housing at a great
4 location?"

5 So we're really excited about it.
6 Again, it's different than the other projects
7 we've done in the City, where they are
8 conventional projects and it's a typical
9 developer hat. This has another feel to it,
10 too, with our work with Catholic Charities, as
11 well as finding a gap that we feel is not being
12 hit right now in the city, and I feel it's an
13 idea location for it.

14 MR. DION: Are there age restrictions
15 on this?

16 MR. CURLEY: There is not. So though
17 we've designed it to be very senior friendly in
18 the Catholic Charities portion of it --

19 MR. DION: That's where I am --

20 MR. CURLEY: Yeah.

21 MR. HALLOCK: Sounds like half of it
22 is a senior center.

23 MR. CURLEY: So about a third. So
24 about a third of it. We've got 30 of the 92,
25 94 units are we've got set aside for seniors

1 through Catholic Charities.

2 All the market studies that we did,
3 the most successful senior projects have
4 integrated housing. So it's integrated age
5 groups, integrated income. So it's a
6 fluctuation of people, as opposed to having
7 everybody all stay together and they are all
8 the same demographic, age, income levels. They
9 find the most successful projects are the ones
10 that they have different income levels and
11 different ages, and the seniors thrive in those
12 types of communities.

13 So with our market studies that we saw
14 through senior housing, and the right way to do
15 it, as well as our own market studies for the
16 workforce housing -- I don't like working poor,
17 but it's a good way to get the point
18 across -- we feel that integrating the two, as
19 well as some outdoor recreation --

20 MR. HALLOCK: So there is no lower
21 limit on wages?

22 MR. CURLEY: No, no. It can go down
23 as low, but it can't go over. So if people
24 have excess funds, they wouldn't qualify for
25 here. That is not the target we are going for.

1 We have got 700 other units up the street we
2 could send them to for quality housing.
3 There's other options for them.

4 MR. HALLOCK: Now, you were talking
5 about security, too. As in?

6 MR. CURLEY: There is 24-hour services
7 on this property for the supportive aspect of
8 it. That being said, the rest of our projects,
9 just like Hudson Square, Waters View, we have
10 got cameras and on-site 24-hour maintenance and
11 service that way, but we don't have 24-hour
12 security service at the property.

13 MR. HALLOCK: Well, speaking as a
14 resident down there, I hate to be devil's
15 advocate, but it is what it is. You're right
16 across the bridge from Second Ave. in Troy.
17 And we all know Second Ave. in Troy, if you
18 want any kind of drugs, go there. What's to
19 stop them from migrating over the bridge into
20 your properties and all of sudden we got a drug
21 problem there, too.

22 MR. CURLEY: We've owned Riverwalk
23 just on the other side of the street for
24 20-plus years. We've managed it ourselves. So
25 I think we have a pretty good comfort level and

1 track record showing that we can manage those
2 properties properly.

3 MR. HALLOCK: And they are the same
4 way as that one is?

5 MR. CURLEY: Right here?

6 MR. HALLOCK: No, I mean they are the
7 same wages and all that?

8 MR. CURLEY: I am not going to
9 discriminate against wages and what people do.
10 If you go through Catholic Charities, also the
11 addiction care center, we don't see customers
12 going through there with lower incomes versus
13 higher incomes. We might see more people that
14 have addiction problems with higher incomes
15 than lower incomes, so I don't think there's a
16 correlation between the two. Just my thoughts
17 and my experience.

18 MR. HALLOCK: Okay. Well, because I
19 live like six blocks from there and that's what
20 I'm worried about, is we don't need what's
21 happening in Troy coming over to Cohoes.

22 MR. CURLEY: Well, I completely agree
23 with you, but the investments we have here,
24 Waters Views and Hudson Square, we certainly
25 would share the same concerns that you have.

1 That's why we self-manage our properties. Our
2 offices are up the street. I am at the
3 properties personally four days a week at
4 least. We have managers at every property. So
5 it's very important to us, too.

6 MR. HALLOCK: See, I live right on
7 Howard Street, right down the street from your
8 Hudson Waters.

9 MR. DION: Todd, again, can you do the
10 breakdown of apartments, bedroom sizes?

11 MR. CURLEY: Yes. So we have a total
12 of -- let's see. We've got a total of
13 92 units, 30 of which are supportive senior
14 housing. We've got 34 one-bedroom units and 28
15 two-bedroom units. They should add up.

16 MR. DION: Okay.

17 MR. CURLEY: And that's a mix to where
18 it seems heavy on ones, but because of the
19 supportive need and the need for single
20 bedrooms there, the balance is split between
21 ones and twos, is in line with what our market
22 studies show.

23 What it also does, too, and I know,
24 I'm sure school districts, you know, we are
25 talking about families and things like that. I

1 also know those others projects that were
2 developed here that have a similar
3 concentration, that really targeted families.
4 The square footages of these units -- though we
5 wouldn't discriminate against anybody -- it's
6 not -- it's not a target market that we see
7 really going to fit here. What we really see
8 here, aside from our seniors, is we see a lot
9 of young professionals trying to get into the
10 workforce that have a gap that might be
11 missing. We also see a lot of people that are
12 living on retirement, that are retired and are
13 on a fixed income for retirement, that will now
14 fit within those income limits. We have an
15 awful lot of them that live in some of our
16 communities right now that stretch a little bit
17 further, and they are really excited that --
18 not that we want to lose them from somewhere
19 else, but they are excited that their
20 \$40,000-a-year retirement is now going to
21 qualify them for here, and they are going to
22 save 300, 400 bucks a month in rent, and that's
23 good. We'll backfill the other units, and this
24 is doing what we want it to do.

25 MR. DION: The 30 senior apartments,

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 will they be following the same guidelines as,
2 say, Columbia Crest by America Housing would
3 be? Because that's pretty much the same group
4 you are targeting.

5 MR. CURLEY: Yeah. So there's a grant
6 that Catholic Charities received for the
7 supportive aspect of it. So it's really
8 targeted more for the -- It's actually a lower
9 income of seniors and frail and elderly that
10 really need the consistent support that's
11 needed. And again, so when we talk about
12 what's available for them, a lot of times we
13 are talking about housing projects that might
14 not be so conducive for their well being. So
15 again, by being able to incorporate those types
16 of needs into a project like this, with mixed
17 demographics and mixed income levels, we feel
18 they should be able to thrive and get back on
19 their feet or be able to support them and the
20 needs that they need for the rest of their
21 life.

22 MR. HALLOCK: Well, and some parents
23 could move in, like a mother -- mother, father,
24 whoever, and a child could move into these
25 apartments.

1 MR. CURLEY: Absolutely.
2 MR. HALLOCK: Which means they'd be
3 going to Van Schaick schools, correct?
4 MR. CURLEY: Yeah. Yep. And from
5 what I understand from Van Schaick School, they
6 are -- their enrollment is down a little bit?
7 MR. DION: A lot.
8 MR. CURLEY: And so you always tow the
9 line when we are talking about different IDAs,
10 and we get a lot of pushback from the school.
11 And they are not at capacity with what they
12 have, and I am not going to tell anybody their
13 business, but sometimes we get school districts
14 that are saying, "Please bring us more
15 students. We need it so we could qualify for
16 more aid so we could support more services that
17 are needed." And I understand when we went
18 through the Hudson Square project, we went
19 through a lot of those same concerns; bring in
20 most students. And we kind of got deterred
21 from it and now they are saying, "We wish you
22 got more families in here to help build up the
23 enrollment." And again, we are ones and twos
24 we have over there and bigger units, but
25 there's not an awful lot of families that ended

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 up moving in there.

2 MR. HALLOCK: Because I was gonna say,
3 because I went to the Hudson Square, all the
4 meetings for it, and they pushed for single
5 family -- or not single families, but single
6 individuals or just couples. And I asked them
7 about that: "Are the kids going to be going to
8 the school next store?" And they said, "No,
9 we're not having any kids." And I said, "Well,
10 then you're telling me that if a couple has a
11 kid while they are living there, you're gonna
12 kick them out?"

13 "Oh, well, we can't do that."

14 But you just said that you're looking
15 for couples.

16 MR. CURLEY: It was probably me,
17 because I am the one that got it approved, but
18 I don't think I would have said that. But some
19 of those initial public hearings --

20 MR. HALLOCK: Yeah, you did. I was
21 sitting right there. It was 40 other people
22 there.

23 MR. CURLEY: Yeah, and they were
24 yelling, and so you have a few conversations
25 going on at once. We would never discriminate

1 against anybody, but we build for a target
2 demographic. It doesn't mean that somebody is
3 not welcome there. But what our market study
4 says is, there is a certain type of people that
5 want to live here, and these are the types of
6 units that they look for, and so we build
7 towards that. That doesn't mean that -- If a
8 family wants to come in there and it worked for
9 them, we'd welcome them.

10 MR. SCOTT: Just to be clear, what
11 you're talking about is that the size of the
12 unit is set up so that it is not necessarily
13 conducive to a family setting.

14 MR. CURLEY: That's correct. Because
15 of the tax credits that we're talking about
16 here, there are size restrictions that we can
17 go for. So you have to fit within a certain
18 square footage. So these units, though they
19 are going to be two bedrooms and one bedrooms,
20 they are smaller than our conversion
21 market-rate apartments that we have in other
22 communities in the city.

23 MR. DION: Do you have a comparison
24 about that market rate versus the --

25 MR. CURLEY: So I'll just use --

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

1 MR. DION: Just a ballpark.

2 MR. CURLEY: So I will use one
3 bedrooms, because I am more familiar with the
4 square footage. So our typical one bedroom,
5 say, at Hudson Square, might be 950 square
6 feet. Waters Views might be just over 1,000.
7 Here we're about 650 square feet. So there's
8 restrictions to how big you can go.

9 MR. DION: Interesting.

10 MR. CURLEY: So that just shows you.
11 And they give you exact types of -- you know,
12 we have to have a certain square footage of
13 closet storage. There has to be a certain
14 number of feet when you are next to a stove.
15 So there's very specific requirements that we
16 have that have been vetted throughout the
17 Federal program, so that we have to fall
18 between.

19 MR. DION: Would this be eligible for
20 Section 8 housing?

21 MR. CURLEY: No. Well, I shouldn't
22 say that. I don't know if it would or would
23 not be eligible. It is not something that
24 we're pursuing with this project.

25 MR. DION: Got you.

1 MR. HALLOCK: Yeah, because I was
2 gonna say, you just said that taking -- the low
3 wages are just as important as the high wages.
4 So somebody that's working at McDonalds that
5 does warrant Section 8 housing could live
6 there.

7 MR. CURLEY: Yep. That's why I
8 corrected myself. It's not something -- so the
9 current stack that we are putting together for
10 the financial part of it, it is not being
11 considered at this time, but it does not mean
12 there could be some Section 8 clients in there,
13 or down the road that it could be, but it is
14 not something that we're anticipating.

15 MR. DION: Okay. And I don't think
16 you can do this, but is working a requirement?

17 MR. CURLEY: No.

18 MR. DION: Okay.

19 MR. CURLEY: That is why we talked
20 about it could be a lot of retirees. It fits
21 in nicely with the income levels where they
22 could be. Working is not a requirement, but
23 they do have to show a way of being able to pay
24 the minimal amount of rent that is going to be
25 needed, whether it be some kind of other

1 supportive situation or through some other kind
2 of income sources.

3 MR. DION: So you are doing your
4 standard check or whatever you want to call it?

5 MR. CURLEY: Yeah, it's actually,
6 probably -- it's actually much more significant
7 background checks that we have to do for here
8 versus our standard programs where we do, you
9 know, criminal, income and, you know, other
10 things that go right into the computer. This
11 requires a little bit more of a deep dive.

12 MR. DION: Is there -- excuse me. I
13 want to word this properly. Will there be
14 active rehab patients with your relationship
15 with Catholic Charities; is that part of this
16 program?

17 MR. CURLEY: That's not. That's not.

18 MR. DION: I don't know if I'm saying
19 it the right way.

20 MR. CURLEY: So you are talking about
21 addiction recovery type of thing?

22 MR. DION: I guess for lack of a
23 better term.

24 MR. CURLEY: The grant associated with
25 the supportive housing is for the elderly,

1 frail and lower income. It's not for a
2 substance abuse program. There's different
3 grants and different housing associated for
4 that. That's not what these grants are for.

5 MR. DION: Okay.

6 MR. SZOZDA: All outdoor parking; no
7 indoor parking?

8 MR. CURLEY: All outdoor. No indoor.

9 MS. JACQUES: Is there any limits for
10 parking?

11 MR. CURLEY: So the way that we
12 underwrote this, we're about 1.4 parking spots.
13 I know you can't do a .4 parking spot, but on
14 average we are at 1.4 parking spots per unit.
15 And the way we looked at it, too, is of the 30
16 supportive, we don't anticipate much, if any
17 cars, associated with them. For the support
18 staff that will be on here, the management
19 staff, we are talking about a lot of them will
20 be typically 9 to 5. And so for the working
21 folks that come back regular nights and
22 evenings, we feel comfortable with the parking,
23 and that also takes into account additional
24 parking for the proposed retail, as well as
25 hopefully some additional parking overflow for

1 the waterfront amenities.

2 MR. HALLOCK: So the same as for
3 Hudson, you expect everybody to go out at
4 Delaware and go up Ontario if they are working
5 in Albany?

6 MR. CURLEY: We did traffic studies
7 for that through the Planning Board, and we
8 have our traffic engineer come. I don't know
9 off the top of my head what the determination
10 was there.

11 MR. HALLOCK: Here's where we get
12 good, because I was part of that for the Hudson
13 thing, and you guys claimed in your studies
14 that nobody would ever cut up on Van Schaick
15 and down Bridge. It's a parking lot on Bridge
16 now, just from the other ones that are there.
17 With these guys, they are going to see Ontario
18 Street plugged up, like it always is in the
19 morning or afternoons, and they are going to
20 cut up around the Pond and down Bridge, like
21 they are always doing now, and the side
22 streets, you can't get out of. I live on one
23 of them.

24 MR. CURLEY: That's really -- We went
25 before the Planning Board and Zoning Board for

1 about two years and a lot of public hearings.
2 We've had a lot of good comments back and forth
3 with public opposed to the project or for it.

4 MR. HALLOCK: Oh, I wasn't opposed to
5 it. I just wanted them to address the traffic
6 patterns, and they never did. In fact, they
7 kept saying, "Oh no, they will never do that
8 and nobody will ever go up that way." And
9 that's all that is now is just a complete
10 traffic circle.

11 MR. DION: Well, that is not,
12 unfortunately, our issue here today.

13 MR. HALLOCK: Well, no, as a citizen
14 down there, that's what this is for. It's open
15 for the public to ask these questions.

16 MR. DION: We are only considering the
17 pilot here. We would not consider traffic or
18 anything like that. That's what the other
19 boards are for.

20 MR. HALLOCK: So you're going to have
21 another public one open for the people down on
22 the island then that ask these questions?

23 MR. CURLEY: For the last two years we
24 have had public hearings with Planning and
25 Zoning Boards for this project and we're fully

1 approved.

2 MR. HALLOCK: No, I am saying for the
3 residents down there, like you did for Hudson;
4 you had meetings down there at the golf course.

5 MR. CURLEY: We offered it up and
6 nobody came.

7 MR. HALLOCK: Oh, for this one?

8 MR. CURLEY: Yes.

9 MR. HALLOCK: Was it advertised,
10 because I never even heard about it.

11 MR. CURLEY: For two years we had
12 public hearings associated with this project
13 for Planning and Zoning Board, advertised just
14 as this was. Debbie, you'll know better than
15 me. Everybody had an opportunity. There was
16 public hearings on SEQR, site plan approval,
17 zoning variance. Again, we are getting off
18 topic here and I apologize for this, but there
19 was plenty of opportunity. We have had good
20 dialogue with a lot of the residents for that.

21 MS. JACQUES: You had a turnout.
22 There was turnout, quite a couple. I had to
23 cover Zoning and Planning, so...

24 MR. CURLEY: But nothing that
25 warranted a bigger forum that we needed to go

1 leave city hall.

2 MS. JACQUES: No, no.

3 MR. CURLEY: Right.

4 MR. DION: Any other questions?

5 MR. SCOTT: Could you just describe
6 briefly, the administration of the project is
7 going to be by you?

8 MR. CURLEY: Correct.

9 MR. SCOTT: And then Catholic
10 Charities is providing the support for the
11 senior part of the facility?

12 MR. CURLEY: Correct.

13 MR. SCOTT: Could you just walk
14 through that a little bit?

15 MR. CURLEY: Yeah. It's unique. So
16 it will be a joint management, for the most
17 part. From a facilities standpoint and leasing
18 through the general apartments, it will be
19 mostly handled by Prime Companies, Prime
20 Management. And for Catholic Charities, they
21 would be overseeing all the supportive services
22 and their client's needs, as well as their
23 leasing for those units. They've got a long
24 lengthy waiting list for people that are in
25 need of this housing, so they will handle the

1 placement of those folks, as well as the
2 management and support services of them. As
3 for the facility management and the leasing of
4 the other units themselves, most likely it is
5 going to be overseen by our staff that's
6 already down there.

7 MR. SCOTT: Okay. Great. Thank you.

8 MR. HALLOCK: Now, do you have anybody
9 lined up for commercial?

10 MR. CURLEY: Not yet. Not yet. We
11 haven't really started marketing yet, but we
12 hope to do so, you know, pretty soon.

13 MR. HALLOCK: My wife would love a
14 Starbuck's right on that corner.

15 MR. CURLEY: Oh, they are on the list.
16 Really, I mean, everybody wants food, and I'd
17 love to see food there, too. So though it's
18 critical for this project, it's not so critical
19 we are just going to take the first person that
20 knocks on the door. We want to make sure it's
21 a good fit for the community island, because
22 not only do we have units that we want to
23 support here, we have a lot of other residents
24 and investments in the city. We want to make
25 sure it's something right. Especially with the

1 city park, I'd love to be able to have
2 something else that would be able to compliment
3 what is going to happen down here with
4 something up here as well.

5 MR. DION: So would it be the retail
6 is 4,000 square feet?

7 MR. CURLEY: 4,000 feet in total.

8 MR. DION: You're looking at one
9 tenant or subdividing?

10 MR. CURLEY: We could go three, if
11 it's the right fit. You know, if we had the
12 right people, if it's the right tenant. If
13 it's a drive-through use, great. We got it
14 approved that way. If they don't require a
15 drive-through, we don't need it anyway. We
16 just thought it would be good to have it, just
17 in case we get Starbuck's. And they are on our
18 list.

19 MR. HALLOCK: Cumberland has better
20 coffee.

21 MR. CURLEY: Yeah, they are great,
22 too. Well, when we started, Cumberland wasn't
23 there either, so.

24 MR. DION: I'm sorry. Will the retail
25 building be built or will it just be a pad

1 until a tenant is signed?

2 MR. CURLEY: We are hoping we'll have
3 tenants signed prior to the completion,
4 hopefully prior to really the start of this
5 project, but we wouldn't build on spec. Some
6 nationals that we get might have a specific
7 building that they want to see in there, and if
8 we have to do multiple tenants, we'll change
9 the storefront. We put a prototype of
10 something here. It's a quasi-Starbuck's-SEFCU
11 morphed into a building that could be
12 something, you know. It's just for rendering
13 purposes. But that's something we are hopeful
14 the tenant will help drive, the appropriate
15 style of the building.

16 MR. DION: Any other comments,
17 questions?

18 Okay. How are we on time?

19 MR. SCOTT: We are good.

20 MR. DION: Well, at this point then I
21 will officially close the Public Hearing and
22 thank everybody for attending and we wish you
23 all a good evening.

24 (Whereupon, the above-titled matter
25 was concluded at 7:35 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T I O N

I, Deborah M. McByrne, a Shorthand Reporter
and Notary Public of the State of New York, do
hereby certify that the above and foregoing is a
true and correct transcript of the proceedings as
mentioned in the heading hereof, to the best of my
knowledge and belief.



Deborah M. McByrne

M-F Reporting, Inc. (518) 478-7220
MFReportingNY.com

Public Hearing Sign-in Sheet
 September 9, 2019
 City of Cohoes Industrial Development Agency - 70 Delaware Associates L.P. Project

(Please Print)

Name	Affiliation	Address	Phone	E-mail Address
Todd Curley	Prime Cos	621 Columbia St Cohoes NY	518 785-8000	tcurley@cbcpri.me.net
Stan Szypka	IDA	177 Berkeley Ave Cohoes, NY 12047	518-577-4105	
Bud HALLOCK	IDA	144 Hudson Ave Cohoes, NY 12047	518 542 4574	Bud.Hallock@stello.com
A. JACQUES	Hedgesville	677 Hudson Ave NY 12047	518.465.2333	ascott@hedgesville.com
Debbie Jacques	IDA	6 Thonow Ave Cohoes NY 12047	(518) 495-7518	djacques@ci.cohoes.ny.us
Bob Dion	ESDA	381 Columbia St Cohoes NY	(518)-727-9127	rdion@two1220.com

083413.00012 Business 19678685v3

<p>\$</p> <p>\$1,000 (1) 12:14 \$100,000 (4) 4:24; 5:5,7;6:18 \$40,000-a-year (1) 21:20 \$860 (1) 12:11 \$89,900 (1) 15:2</p>	<p>15,16,17,24,25 Agency's (2) 3:22;6:7 ages (1) 17:11 ago (1) 13:4 agree (1) 19:22 agreed (1) 3:20 ahead (1) 14:10 aid (1) 23:16 aids (1) 11:22 Albany (6) 2:19;5:22; 6:1,6;15:1;30:5</p>	<p>authorization (1) 4:5 authorizing (2) 4:13; 5:15 available (3) 5:21;6:8; 22:12 Ave (2) 18:16,17 Avenue (1) 2:18 average (4) 12:4,6,7; 29:14 awful (2) 21:15;23:25</p>	<p>called (1) 15:14 came (2) 9:5;32:6 cameras (1) 18:10 can (14) 6:22;9:25; 25;13-24;14:18; 17:22;19:1;20:9; 25:16;26:8;27:16 capacity (1) 23:11 care (2) 11:23;19:11 cars (1) 29:17 case (2) 11:15;35:17 Catholic (12) 11:10, 14;15:13,18;16:10, 18;17:1;19:10;22:6; 28:15;33:9,20 center (2) 16:22; 19:11 certain (6) 3:10,13; 25:4,17;26:12,13 certainly (1) 19:24 CHAIRMAN (1) 7:3 Chairperson (2) 2:3; 6:23 change (1) 36:8 Chapter (3) 4:7,10,11 charitable (1) 9:9 Charities (14) 11:11; 15:13,19;16:10,18; 17:1;19:10;22:6; 28:15;33:10,20 Charities' (1) 11:14 charity (1) 9:18 check (1) 28:4 checks (1) 28:7 chief (1) 5:24 child (1) 22:24 circle (1) 31:10 circulation (1) 5:21 citizen (1) 31:13 citizens (1) 2:9 City (28) 2:3,18;5:22, 25;6:1,4,5,23;7:15,18, 25;8:1,18,21;9:2,7, 16;10:12;13:4,16,20, 24;16:7,12;25:22; 33:1;34:24;35:1 claimed (1) 30:13 clear (1) 25:10 clients (1) 27:12 client's (1) 33:22 close (1) 36:21 closet (1) 26:13 coffee (1) 35:20 Cohoes (12) 2:3,19; 5:22,25;6:1,4,6,23; 7:15;13:16,20;19:21 collectively (3) 2:23; 3:5,15 Columbia (1) 22:2 comfort (1) 18:25 comfortable (1) 29:22 coming (1) 19:21 comment (2) 4:1;14:9</p>	<p>comments (7) 3:25; 6:11,20,22,24;31:2; 36:16 commercial (2) 4:18; 34:9 commitment (1) 3:25 communities (3) 17:12;21:16;25:22 community (6) 3:9; 11:2,19;15:12,22; 34:21 Companies (4) 7:5,10, 14;33:19 Company (5) 2:14; 3:7,18,19;5:13 comparison (1) 25:23 complete (1) 31:9 completely (1) 19:22 completion (1) 36:3 Complex (2) 7:20; 9:14 compliment (1) 35:2 component (1) 11:6 computer (1) 28:10 concentration (1) 21:3 concerns (2) 19:25; 23:19 concluded (1) 36:25 conductive (2) 22:14; 25:13 conduct (1) 5:15 conjunction (1) 13:17 connection (2) 2:5; 15:23 consider (2) 6:15; 31:17 consideration (1) 5:12 considered (1) 27:11 considering (1) 31:16 consistent (1) 22:10 consists (1) 2:15 Consolidated (1) 4:10 constitute (2) 3:7;4:8 constituting (1) 4:12 constructing (1) 4:15 construction (4) 2:20; 11:3;12:10;13:7 contemplated (1) 4:3 conventional (2) 14:16;16:8 conversations (1) 24:24 conversion (1) 25:20 convey (1) 13:24 conveying (1) 13:15 coordination (1) 11:20 copies (2) 6:2,7 corner (2) 8:14;34:14 Corps (1) 10:19 corrected (1) 27:8 correlation (1) 19:16 cost (1) 14:17 County (5) 2:19;5:22;</p>
<p>A</p> <p>A1 (1) 2:16 able (8) 9:22;15:16; 22:15,18,19;27:23; 35:1,2 above-titled (1) 36:24 Absolutely (1) 23:1 abuse (1) 29:2 access (3) 13:18,19, 21 account (1) 29:23 acquired (1) 9:4 acquiring (1) 4:15 acquisition (2) 2:16,25 acres (1) 8:13 across (2) 17:18; 18:16 Act (4) 3:11;5:2,17,23 active (1) 28:14 activities (1) 11:22 actually (4) 9:6,22:8; 28:5,6 add (1) 20:15 addiction (3) 19:11, 14;28:21 addition (2) 5:23; 13:10 additional (2) 29:23, 25 address (1) 31:5 addressed (1) 6:22 administration (1) 33:6 adopted (1) 5:14 adult (1) 11:23 advertised (2) 32:9,13 advocate (1) 18:15 affordable (2) 12:24; 14:18 afternoons (1) 30:19 Again (10) 7:10, 10:12,13;12:18,16;6; 20:9;22:11,15;23:23; 32:17 against (3) 19:9;21:5; 25:1 age (3) 16:14,17;4:8 Associates (1) 10:18 Agency (20) 2:4,4,11; 3:20;4:3,6,14,23,25; 5:4,7,10,14,15;6:13,</p>	<p>allow (1) 2:9 allows (2) 12:8,9 along (1) 13:14 always (3) 23:8; 30:18,21 amazing (1) 13:21 amended (2) 4:11,12 amenities (1) 30:1 America (1) 22:2 AMI (2) 15:1,1 among (2) 4:19,25 amount (1) 27:24 anticipate (1) 29:16 anticipating (1) 27:14 Apartment (2) 7:20; 9:14 Apartments (10) 7:22; 8:10,12;2:11,16; 20:10;21:25;22:25; 25:21;33:18 apologize (2) 7:6; 32:18 Applicant (1) 7:11 application (2) 5:12; 13:6 appropriate (1) 36:14 approval (3) 10:14,16; 32:16 approvals (1) 10:20 approve (1) 6:15 approved (4) 10:14; 24:17;32:1;35:14 approximately (2) 2:17,22 area (2) 9:20,23 Army (1) 10:19 around (3) 8:25; 12:11;30:20 Article (1) 4:9 aside (2) 16:25;21:8 aspect (4) 10:4;13:16; 18:7;22:7 assist (1) 4:15 assistance (9) 3:10, 16,23;4:2,24;5:3,6, 10;6:18 associated (5) 14:19; 28:24;29:3,17;32:12 Associates (1) 2:13 attending (1) 36:22 August (3) 5:19;6:2,3 authority (1) 3:22</p>	<p>B</p> <p>back (3) 22:18;29:21; 31:2 backfill (1) 21:23 background (2) 5:18; 28:7 balance (2) 12:1; 20:20 ballpark (1) 26:1 based (1) 11:24 bedroom (5) 12:10, 12;14:12;20:10;26:4 bedrooms (4) 20:20; 25:19,19;26:3 begin (1) 2:1 benefit (1) 2:12 benefits (3) 8:5;13:9; 14:2 better (3) 28:23; 32:14;35:19 big (2) 7:17;26:8 bigger (2) 23:24; 32:25 bit (5) 8:8;21:16;23:6; 28:11;33:14 blocks (1) 19:19 board (5) 15:18;30:7, 25,25;32:13 Boards (3) 10:17; 31:19,25 bought (1) 8:16 breakdown (1) 20:10 Bridge (6) 8:14;18:16, 19,30;15,15,20 briefly (1) 33:6 bring (4) 9:10;10:3; 23:14,19 bucks (1) 21:22 build (4) 23:22;25:1, 6;36:5 building (6) 2:22; 11:4;35:25;36:7,11, 15 buildings (2) 2:21; 11:4 built (1) 35:25 business (1) 23:13</p>	<p>C</p> <p>call (1) 28:4</p>	

<p>6.1,6,15:1 couple (3) 8:16; 24:10;32:22 couples (2) 24:6,15 course (2) 8:24;32:4 cover (1) 32:23 create (1) 10:25 credit (7) 11:8,8;12:3, 23;14:12,14,23 credits (4) 12:9;14:19; 15:11;25:15 Crest (1) 22:2 criminal (1) 28:9 critical (4) 10:21;14:1; 34:18,18 culmination (1) 9:6 Cumberland (2) 35:19,22 Curley (52) 7:6,8,10; 14:13;16:16,20,23; 17:22;18:6,22;19:5,8, 22;20:11,17,22;5; 23:1,4,8;24:16,23; 25:14,25;26:2,10,21; 27:7,17,19;28:5,17, 20,24;29:8,11;30:6, 24;31:23;32:5,8,11, 24;33:3,8,12,15; 34:10,15;35:7,10,21; 36:2 current (1) 27:9 Currently (1) 13:19 customers (1) 19:11 cut (2) 30:14,20</p>	<p>devil's (1) 18:14 dialogue (2) 10:8; 32:20 different (12) 8:8,25; 9:3,4;12:18;14:15; 16:6;17:10,11;23:9; 29:2,3 DION (32) 2:1,2;6:11, 22;7:3;14:8;16:14,19; 20:9,16;21:25;23:7; 25:23;26:1,9,19,25; 27:15,18;28:3,12,18, 22;29:5;31:11,16; 33:4;35:5,8,24;36:16, 20 direction (1) 9:7 discriminate (3) 19:9; 21:5;24:25 discussing (1) 10:23 District (1) 6:1 districts (2) 20:24; 23:13 dive (1) 28:11 done (4) 7:14,25;8:2; 16:7 door (1) 34:20 down (14) 14:17; 17:22;18:14,20:7; 23:6;27:13;30:15,20; 31:14,21,32:3,4;34:6, 35:3 Drake (1) 7:5 drive (1) 36:14 drive-through (2) 35:13,15 drug (1) 18:20 drugs (1) 18:18</p>	<p>excess (3) 6:18;16:2; 17:24 excited (5) 10:11,12; 16:5;21:17,19 exciting (1) 13:13 excuse (1) 28:12 executive (1) 5:25 exemptions (1) 3:13 expect (1) 30:3 experience (1) 19:17 eye (1) 12:20</p>	<p>four (3) 15:3,5;20:3 four-story (2) 2:21; 11:3 frail (2) 22:9;29:1 friendly (1) 16:17 full-time (1) 15:15 fully (2) 10:14;31:25 funding (1) 13:1 funds (2) 16:2;17:24 furnishing (1) 4:17 further (1) 21:17</p>	<p>4:20;5:1,8,16,19,24; 6:3,8,12,21;7:1,36:21 hearings (5) 24:19; 31:1,24;32:12,16 heavy (1) 20:18 help (3) 13:18;23:22; 36:14 helped (1) 9:10 Here's (1) 30:11 high (4) 14:25;15:2, 15;27:3 higher (2) 19:13,14 history (1) 7:13 hit (1) 16:12 hold (2) 5:1,7 holding (1) 2:8 hope (1) 34:12 hopeful (1) 36:13 hopefully (3) 10:3; 29:25;36:4 hoping (1) 36:2 housing (23) 3:9; 9:21;11:7,14;13:11; 15:1,13,17,22;16:3; 17:4,14,16;18:2; 20:14,22;2,13;26:20; 27:5;28:25;29:3; 33:25 Howard (1) 20:7 Hudson (10) 7:22; 18:9;19:24;20:8; 23:18;24:3;26:5;30:3, 12;32:3</p>
<p style="text-align: center;">D</p>	<p style="text-align: center;">E</p>	<p style="text-align: center;">F</p>	<p style="text-align: center;">G</p>	<p style="text-align: center;">I</p>
<p>day (1) 11:23 days (1) 20:3 deal (1) 12:23 deals (1) 12:3 Debbie (1) 32:14 DEC (1) 10:19 deep (1) 28:11 Delaware (4) 2:12,18; 8:15;30:4 demographic (4) 8:11; 13:11;17:8;25:2 demographics (1) 22:17 describe (1) 33:5 designated (1) 3:19 designed (1) 16:17 determination (1) 30:9 deterred (1) 23:20 develop (2) 4:14; 13:18 developed (3) 8:23; 13:25;21:2 developer (2) 7:17; 16:9 Development (2) 2:4; 6:24</p>	<p>early (1) 12:19 easement (1) 13:15 either (2) 4:1;35:23 elderly (2) 22:9;28:25 eligible (2) 26:19,23 else (2) 21:19;35:2 encourage (1) 4:14 ended (1) 23:25 engineer (1) 30:8 enough (1) 15:16 enrollment (2) 23:6,23 equipment (3) 3:2,3,4 equipping (1) 4:17 Especially (1) 34:25 estate (1) 3:14 even (1) 32:10 evening (2) 2:2;36:23 evenings (1) 29:22 everybody (5) 17:7; 30:3;32:15;34:16; 36:22 exact (1) 26:11 exceed (1) 5:5</p>	<p>facilities (2) 4:19; 33:17 Facility (8) 2:24;3:4,6, 9,18;5:9;33:11;34:3 fact (1) 31:6 fall (1) 26:17 familiar (1) 26:3 families (5) 20:25; 21:3;23:22,25;24:5 family (5) 15:3,4;24:5; 25:8,13 father (1) 22:23 Federal (1) 26:17 feel (9) 10:1;13:11, 25;16:9,11,12;17:18; 22:17;29:22 feet (8) 2:23;11:5; 22:19;26:6,7,14;35:6, 7 few (2) 7:19;24:24 final (1) 10:14 financial (9) 3:10,16; 4:2,23;5:3,6,9;6:17; 27:10 financing (3) 14:13, 15,16 find (4) 9:15;15:12, 21;17:9 finding (1) 16:11 finished (1) 7:22 first (4) 7:17;12:21,22, 34:19 fit (5) 21:7,14;25:17; 34:21;35:11 fits (1) 27:20 fixed (1) 21:13 fixtures (1) 3:2 fluctuation (1) 17:6 folks (2) 29:21;34:1 followed (1) 7:19 following (3) 2:16, 11:13;22:1 food (2) 34:16,17 footage (3) 25:18; 26:4,12 footages (1) 21:4 foregoing (2) 3:6,12 forth (2) 15:14;31:2 forum (1) 32:25</p>	<p>gap (3) 9:20;16:11; 21:10 gave (1) 9:7 general (7) 3:21,22; 4:9,13,21;5:20;33:18 golf (1) 32:4 gonna (3) 24:2,11; 27:2 Good (15) 2:1;7:9; 14:4;15:16,21;17:17; 18:25;21:23;30:12; 31:2;32:19;34:21; 35:16;36:19,23 governmental (1) 10:15 grant (2) 22:5;28:24 granting (2) 3:9;6:17 grants (2) 29:3,4 great (4) 16:3;34:7; 35:13,21 gross (2) 12:11,14 group (1) 22:3 groups (1) 17:5 guess (1) 28:22 guidelines (1) 22:1 guys (2) 30:13,17</p>	<p>IDA (2) 8:3,4 IDAs (1) 23:9 Idea (1) 16:13 Ideal (1) 13:12 ideas (2) 9:1,4 identical (1) 13:3 identified (1) 11:24 implementation (1) 11:16 important (2) 20:5; 27:3 improvements (1) 7:25 improving (1) 4:16 include (2) 11:2,6 includes (1) 12:12 including (1) 3:12 income (18) 9:22; 11:1;12:5;14:21; 15:10,11,16;17:5,8, 10;21:13,14;22:9,17; 27:21;28:2,9;29:1 income-restricted (1) 9:13 incomes (4) 19:12,13, 14,15 incorporate (1) 22:15</p>
<p>Min-U-Script®</p>	<p>M-F Reporting, Inc. (518) 478-7220 MFRReportingNY.com</p>			<p>(39) couple - incorporate</p>

<p>indicated (1) 6:21 individual (1) 15:7 individuals (1) 24:6 indoor (2) 29:7,8 Industrial (3) 2:3;4:19; 6:23 information (2) 3:22; 10:7 initial (1) 24:19 installation (1) 3:1 integrated (5) 3:8; 11:1;17:4,4,5 integrating (1) 17:18 intend (1) 3:21 interest (2) 2:17;8:18 Interesting (1) 26:9 internally (1) 9:1 into (7) 18:19;21:9; 22:16,24;28:10; 29:23;36:11 investments (3) 8:1; 19:23;34:24 involved (1) 15:21 involvement (1) 2:10 island (5) 7:21,23; 10:24;31:22;34:21 issue (1) 31:12</p>	<p>34:3 least (1) 20:4 leave (1) 33:1 legal (2) 4:5;11:22 lengthy (1) 33:24 level (1) 18:25 levels (5) 9:22;17:8; 10:22;17:27-21 life (1) 22:21 likely (1) 34:4 limit (1) 17:21 limited (1) 2:13 limits (2) 21:14;29:9 line (2) 20:21;23:9 lined (1) 34:9 lines (1) 13:1 list (3) 33:24;34:15; 35:18 little (6) 7:13;8:8; 21:16;23:6;28:11; 33:14 live (7) 12:8;19:19; 20:6;21:15;25:5; 27:5;30:22 living (2) 21:12;24:11 lobby (1) 6:4 located (2) 2:18;6:5 location (5) 5:8;13:13; 15:24;16:4,13 long (2) 12:24;33:23 look (1) 25:6 looked (1) 29:15 looking (5) 9:21;13:4; 14:14;24:14;35:8 lose (1) 21:18 lot (20) 7:25;8:1,21, 25;12:21;21:8,11,15; 22:12;23:7,10,19,25; 27:20;29:19;30:15; 31:1,2;32:20;34:23 love (3) 34:13,17;35:1 low (4) 15:10,11; 17:23;27:2 lower (5) 17:20;19:12, 15;22:8;29:1 LP (1) 2:13</p>	<p>manufacturing (1) 4:17 market (8) 14:16;17:2, 13,15;20:21;21:6; 25:3,24 marketing (1) 34:11 market-rate (4) 8:10; 9:14;12:15;25:21 markets (1) 10:2 matter (1) 36:24 maximum (1) 12:6 may (3) 3:19;5:5; 10:15 mayors (1) 9:3 McDonalds (1) 27:4 mean (7) 12:14; 14:11;19:6;25:2,7; 27:11;34:16 meaning (1) 3:11 means (1) 23:2 median (1) 12:4 medication (1) 11:18 meeting (2) 6:14;7:4 meetings (2) 24:4; 32:4 members (3) 5:13; 6:13,14 mentioning (1) 14:22 mid (1) 15:8 might (7) 10:9;19:13; 21:10;22:13;26:5,6; 36:6 migrating (1) 18:19 minimal (1) 27:24 minimum (2) 12:23,25 minute (1) 7:13 mirrors (1) 13:2 missed (1) 10:10 missing (1) 21:11 mission (1) 15:20 mix (1) 20:17 mixed (4) 10:25,25; 22:16,17 mixed-income (1) 3:8 mixed-use (1) 3:8 Mohawk (1) 6:5 monitoring (1) 11:19 month (2) 12:11; 21:22 more (11) 4:24;5:7; 19:13;22:8;23:14,16, 16,22;26:3;28:6,11 morning (1) 30:19 morphed (1) 36:11 mortgage (2) 3:15; 13:7 Mosaic (1) 13:3 most (7) 7:21;10:21; 17:3,9;23:20;33:16; 34:4 mostly (2) 15:4;33:19 mother (2) 22:23,23 move (2) 22:23,24</p>	<p>moving (1) 24:1 much (5) 7:9;15:10; 22:3;28:6;29:16 multiple (1) 36:8 Municipal (2) 4:9,13 Municipality (1) 4:22 must (2) 4:25;5:7 myself (2) 6:22;27:8</p>	<p>ones (5) 17:9;20:18, 21;23;23;30:16 only (4) 9:1,14;31:16; 34:22 On-site (3) 11:15,20; 18:10 Ontario (3) 8:15;30:4, 17 open (5) 3:24;10:8; 14:9;31:14,21 opening (1) 12:20 operate (1) 11:11 opportunity (3) 8:19; 32:15,19 opposed (3) 17:6; 31:3,4 options (1) 18:3 order (2) 14:17,20 organizations (2) 9:9, 18 others (2) 4:19;21:1 ourselves (1) 18:24 out (4) 8:6;24:12; 30:3,22 outdoor (3) 17:19; 29:6,8 over (10) 7:4;8:13,24; 12:13;13:15;17:23; 18:19;19:21;23:24; 26:6 overflow (1) 29:25 overseeing (1) 33:21 overseen (1) 34:5 overview (1) 14:4 own (3) 7:19;15:24; 17:15 owned (3) 3:6;8:12; 18:22 owner (1) 7:16</p>
<p>J</p> <p>JACQUES (4) 7:2; 29:9;32:21;33:2 job (1) 15:15 joint (1) 33:16 July (1) 5:14</p>				
<p>K</p> <p>Keep (2) 12:24;14:17 Ken (1) 15:19 kept (1) 31:7 kick (1) 24:12 kicked (1) 8:25 kid (1) 24:11 kids (2) 24:7,9 kind (5) 9:23;18:18; 23:20;27:25;28:1 knocks (1) 34:20 known (3) 2:4,13;3:3</p>				
<p>L</p> <p>lack (1) 28:22 land (3) 2:18,20;3:4 last (5) 8:2,24;10:16, 20;31,23 Lastly (1) 6:2 later (1) 7:20 laundry (1) 11:20 Law (3) 4:9,13,22 laws (3) 4:8,10,11 lease (1) 3:16 leasing (3) 33:17,23;</p>	<p>M</p> <p>machinery (1) 3:2 mailed (1) 5:24 maintaining (1) 4:16 maintenance (1) 18:10 makes (1) 15:5 making (1) 14:10 manage (3) 7:19; 11:11;19:1 managed (1) 18:24 management (6) 11:15;29:18;33:16, 20;34:2,3 managers (1) 20:4</p>			
			<p>N</p> <p>name (1) 2:2 nationals (1) 36:6 nature (1) 5:8 necessarily (1) 25:12 need (12) 9:16;10:1; 14:20;15:22;19:20; 20:19,19;22:10,20; 23:15;33:25;35:15 needed (5) 13:2; 22:11;23:17;27:25; 32:25 needs (5) 11:15,24; 22:16,20;33:22 New (9) 2:19;4:8,10, 12,22;5:22;6:6;12:10; 13:11 newspaper (1) 5:20 next (2) 24:8;26:14 nice (2) 9:25;13:12 nicely (1) 27:21 nights (1) 29:21 nobody (3) 30:14; 31:8;32:6 nonemergency/nonhealthcare (1) 11:17 notice (5) 5:18,23;6:3, 7,20 number (3) 8:15;15:3; 26:14 numbers (1) 12:14</p>	<p>O</p> <p>obligation (1) 3:17 off (2) 30:9;32:17 offer (1) 12:10 offered (1) 32:5 office (1) 11:14 officers (1) 5:25 offices (1) 20:2 official (1) 14:10 officially (2) 14:9; 36:21 officials (1) 9:2 once (1) 24:25 one (13) 2:21;8:17; 12:10;13:19;19:4; 24:17;25:19;26:2,4; 30:22;31:21;32:7; 35:8 one-bedroom (4) 11:6,7;12:2;20:14</p>
				<p>P</p> <p>pad (1) 35:25 parcel (1) 2:17 parents (1) 22:22 park (2) 13:18;35:1 parking (10) 29:6,7, 10,12,13,14,22,24,25; 30:15 part (8) 13:5;14:1; 15:20;27:10;28:15; 30:12;33:11,17 partner (1) 15:19 partnered (1) 11:10 partnership (2) 2:13; 8:4 partnerships (1) 9:8 pass (1) 14:18 patients (1) 28:14 patterns (1) 31:6 pay (1) 27:23 people (15) 9:20; 12:7;15:14,24;16:2;</p>

18:1,23;20:2,7,7; 30:18 streets (1) 30:22 stretch (1) 21:16 students (2) 23:15,20 studies (6) 17:2,13, 15,20;22:30:6,13 study (1) 25:3 style (1) 36:15 subdividing (1) 35:9 subject (1) 2:6 substance (1) 29:2 successful (2) 17:3,9 sudden (1) 18:20 support (10) 9:18,22; 15:16;22:10,19; 23:16;29:17;33:10; 34:2,23 supporter (1) 7:24 supportive (12) 3:8; 11:1,7,12;18:7;20:13, 19;22:7;28:1,25; 29:16;33:21 supposed (1) 8:6 sure (5) 8:19,22; 20:24;34:20,25 SZOZDA (3) 14:6,11; 29:6	thrive (2) 17:11;22:18 throughout (1) 26:16 Times (2) 5:20;22:12 Title (1) 4:8 Today (5) 2:8;10:2,6; 12:17;31:12 Todd (6) 7:4,4,5,6,10; 20:9 together (2) 17:7;27:9 tonight (3) 8:8;9:11; 14:2 tonight's (1) 2:6 top (1) 30:9 topic (1) 32:18 total (3) 20:11,12;35:7 totaling (2) 2:22;11:5 touch (1) 12:15 touched (1) 11:13 tow (1) 23:8 towards (1) 25:7 track (1) 19:1 traffic (5) 30:6,8;31:5, 10,17 transfer (1) 3:14 transportation (1) 11:18 trips (1) 11:20 Troy (3) 18:16,17; 19:21	20:13,14,15;21:4,23; 23:24;25:6,18;33:23; 34:4,22 up (21) 7:19,22;10:8; 13:1,23;14:9,25;18:1; 20:2,15;23:22;24:1; 25:12;30:4,14,18,20; 31:8;32:5;34:9;35:4 upon (1) 3:20 use (5) 3:13;10:25; 25:25;26:2;35:13 used (1) 12:6 uses (1) 15:13 utilities (1) 12:12	15:15;16:10 worked (3) 8:5;13:22; 25:8 workforce (3) 15:12; 17:16;21:10 working (9) 9:1;12:9; 15:14;17:16;27:4,16, 22;29:20;30:4 worried (1) 19:20 written (3) 6:20,21,24	13:5 313 (1) 4:11 34 (2) 11:7;20:14 4 4 (1) 29:13 4,000 (2) 35:6,7 40 (1) 24:21 400 (1) 21:22 5 5 (1) 29:20 50s (1) 15:8 6 60 (2) 12:4,6 650 (1) 26:7 7 7:35 (1) 36:25 70 (2) 2:12,18 700 (2) 9:19;18:1 8 8 (3) 26:20;27:5,12 854 (1) 3:11 859-a (3) 4:21;5:1,17 896-a (1) 4:12 9 9 (1) 29:20 90 (2) 15:1,5 92 (2) 16:24;20:13 94 (1) 16:25 950 (1) 26:5 97 (1) 6:5 97,000 (1) 11:5 97,816 (1) 2:23
T		V	Y	5
table (1) 6:8 talk (2) 7:12;22:11 talked (4) 8:9;12:18; 13:10;27:19 talking (12) 12:4,13; 15:7,9;18:4;20:25; 22:13;23:9;25:11,15; 28:20;29:19 target (3) 17:25;21:6; 25:1 targeted (2) 21:3;22:8 targeting (1) 22:4 tax (13) 11:7,8;12:3,9, 22;13:7,8;14:12,14, 19,22;15:11;25:15 taxes (5) 3:13,13,14, 14,15 telling (1) 24:10 tenant (4) 35:9,12; 36:1,14 tenants (2) 36:3,8 term (2) 15:13;28:23 therein (1) 3:1 thereon (1) 3:1 third (2) 16:23,24 though (5) 15:10; 16:16;21:4;25:18; 34:17 thought (1) 35:16 thoughts (1) 19:16 three (7) 2:25;8:2,4,9, 10;9:3;35:10	trust (1) 6:9 trustee (1) 15:18 try (2) 13:23;15:21 trying (1) 21:9 turn (1) 7:4 turnout (2) 32:21,22 two (11) 2:21;10:16; 11:3;12:12;14:11; 17:18;19:16;25:19; 31:1,23;32:11 two-bedroom (2) 11:8; 20:15 two-plus (1) 13:22 twos (2) 20:21;23:23 type (3) 14:13;25:4; 28:21 types (4) 17:12;22:15; 25:5;26:11 typical (2) 16:8;26:4 typically (1) 29:20	Van (5) 7:22;10:24; 23:3,5;30:14 variance (1) 32:17 versus (3) 19:12; 25:24;28:8 vetted (1) 26:16 View (2) 7:20;18:9 Views (2) 19:24;26:6 Village (1) 13:3	year (1) 13:4 years (10) 7:17,20, 8:15;25;10:16;13:23; 18:24;31:1,23;32:11 yelling (1) 24:24 Yep (3) 7:8;23:4;27:7 York (7) 2:19;4:8,10, 12,22;5:22;6:6 young (1) 21:9	6 7 8
U	W	Z	1	9
underserved (1) 13:12 undertaking (1) 6:16 underwrote (1) 29:12 unfortunately (1) 31:12 Union (1) 5:20 unique (1) 33:15 unit (2) 25:12;29:14 units (24) 9:19;11:7,8, 9,12;12:12;14:25; 15:6;16:25;18:1;	wages (5) 17:21;19:7, 9;27:3,3 waiting (1) 33:24 walk (1) 33:13 wants (2) 25:8;34:16 warehousing (1) 4:18 warrant (1) 27:5 warranted (1) 32:25 water (1) 13:21 waterfront (5) 9:24; 13:15,18;16:1;30:1 Waters (5) 7:20;18:9; 19:24;20:8;26:6 way (12) 5:18;13:24; 17:14,17;18:11;19:4; 27:23;28:19;29:11, 15;31:8;35:14 website (1) 6:7 week (1) 20:3 weekly (1) 11:19 welcome (2) 25:3,9 weren't (1) 8:19 What's (3) 18:18; 19:20;22:12 Whereupon (1) 36:24 whole (1) 13:20 wife (1) 34:13 wish (3) 4:1;23:21; 36:22 within (3) 3:10;21:14; 25:17 without (1) 8:3 word (1) 28:13 work (4) 9:9;13:17;	Zoning (6) 10:17; 30:25;31:25;32:13, 17,23	1,000 (1) 26:6 1.4 (2) 29:12,14 1030 (1) 4:7 112th (1) 8:14 16 (1) 5:14 18-A (1) 4:9 1969 (1) 4:8 1972 (1) 4:11 2 20 (1) 7:17 2019 (4) 5:14,19;6:2, 4 20-plus (1) 18:24 21 (2) 6:2,3 23 (1) 5:19 24 (1) 4:10 24-hour (4) 11:19; 18:6,10,11 28 (2) 11:8;20:14 29 (1) 12:2 3 3.36-acre (1) 10:24 3.4 (1) 8:13 3.5-acre (1) 2:17 30 (6) 11:6,12;16:24; 20:13;21:25;29:15 300 (1) 21:22 30-year (3) 12:19,25;	8 9 9 (1) 29:20 90 (2) 15:1,5 92 (2) 16:24;20:13 94 (1) 16:25 950 (1) 26:5 97 (1) 6:5 97,000 (1) 11:5 97,816 (1) 2:23

EXHIBIT I
SEQR RESOLUTION

**RESOLUTION CONFIRMING SEQR DETERMINATION
70 DELAWARE ASSOCIATES L.P. PROJECT**

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the Common Council Chambers of City Hall located at 97 Mohawk Street, 2nd Floor in the City of Cohoes, Albany County, New York on November 22, 2019 at 8:15 o'clock a.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chair
Theresa M. Thibodeau	Treasurer
Stanley Szozda	Secretary
Horace Hallock, Jr.	Member
Kathleen Mayo	Member

ABSENT:

Cliff Bird	Member
------------	--------

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Durocher	Chief Financial Officer
Debbie Jacques	Executive Assistant
Catherine Hedgeman, Esq.	Agency Counsel
A. Joseph Scott, III, Esq.	Agency Special Counsel

The following resolution was offered by Theresa M. Thibodeau, seconded by Kathleen Mayo, to wit:

Resolution No. 1119-

**RESOLUTION CONCURRING IN THE DETERMINATION BY CITY OF COHOES
PLANNING BOARD, AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW
OF THE 70 DELAWARE ASSOCIATES L.P. PROPOSED PROJECT.**

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

083413.00012 Business 19046475v1

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in July, 2019, 70 Delaware Associates L.P., a New York State limited partnership (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on July 16, 2019 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Financial Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on August 21, 2019 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on August 21, 2019 in the lobby of Cohoes City Hall located at 97 Mohawk Street in the City of Cohoes, Albany County, New York, and on the Agency's website, (C) caused notice of the Public Hearing to be published on August 23, 2019 in the Albany Times Union, a newspaper of general circulation available to the residents of the City of Cohoes, Albany County, New York, (D) conducted the Public Hearing on September 9, 2019 at 7:00 o'clock p.m., local time in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the Agency has been informed that (1) the City of Cohoes Planning Board (the "Planning Board") was designated to act as "lead agency" with respect to the Project, and (2) the Planning Board issued a Determination of Non Significance on April 8, 2019 (the "Negative Declaration"), attached hereto as Exhibit A; and

WHEREAS, the Agency is an "involved agency" with respect to the Project and the Agency now desires to concur in the determination by the Planning Board, as "lead agency" with respect to the Project,

to acknowledge receipt of a copy of the Negative Declaration and to indicate whether the Agency has any information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to SEQRA and, therefore, that no environmental impact statement need be prepared with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency has received copies of, and has reviewed, the Application and the Negative Declaration (collectively, the "Reviewed Documents") and, based upon said Reviewed Documents, the Agency hereby ratifies and concurs in the designation of the Planning Board as "lead agency" with respect to the Project under SEQRA (as such quoted term is defined in SEQRA).

Section 2. The Agency hereby determines that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to the SEQRA and, therefore, that environmental impact statement need not be prepared with respect to the Project (as such quoted phrase is used in SEQRA).

Section 3. The members of the Agency are hereby directed to notify the Planning Board of the concurrence by the Agency that the Planning Board shall be the "lead agency" with respect to the Project, and to further indicate to the Planning Board that the Agency has no information to suggest that the Planning Board was incorrect in its determinations contained in the Negative Declaration.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Rod Dion	VOTING	<u>YES</u>
Theresa M. Thibodeau	VOTING	<u>YES</u>
Stanley Szozda	VOTING	<u>YES</u>
Cliff Bird	VOTING	<u>ABSENT</u>
Horace Hallock, Jr.	VOTING	<u>YES</u>
Kathleen Mayo	VOTING	<u>YES</u>

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (~~Assistant~~) Secretary of City of Cohoes Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on November 22, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 22 day of November, 2019.



(Assistant) Secretary



EXHIBIT A
NEGATIVE DECLARATION
-SEE ATTACHED-

A-1

083413.00012 Business 19046475v1

I-6

083413.00012 Business 19678685v3

Resolution #6 for 2019 Cohoes Planning Board
Negative Declaration for SEQR purposes for a mixed-use project at 70 Delaware (S.B.L. 11.13-1-4)

Member Couture presented the following Resolution, which was
seconded by Member Bucher

WHEREAS, the Planning Board of the City of Cohoes has received an application, Environmental Assessment Form, drawings and related materials, from the applicant to review a site plan for a 4,000 square foot commercial drive-thru, a 44-unit multi-family residential building, a 48-unit multi-family residential building, and a public waterfront park with kayak and boat launch at 70 Delaware Avenue, City of Cohoes, New York (hereinafter the "premises");

WHEREAS, the premises is located in a mixed-use zoning district (MU-2) where multi-family buildings and commercial structures are permissible;

WHEREAS, the proposal has received a use variance from the Cohoes Zoning Board of Appeals per Resolution 5b-2018 for the drive-thru facility and area variances for parking, number of units, and setbacks per Resolution 5c-2018;

WHEREAS, the Planning Board took lead agency in the coordinated SEQR review at the December 17, 2018 meeting by Resolution 32-2018 after all involved and interested agencies were notified and given 30 days to respond under 6 NYCRR §617.6(b)(3)(i), specifically Albany County Health Department, Albany County Planning Board, City of Troy, Cohoes Industrial Development Agency, New York State Division of Homes and Community Renewal, New York State Housing Finance Agency, New York State Department of Environmental Conservation, New York State Office of Parks, Recreation, and Historic Preservation, New York State Historic Preservation Office, and the Cohoes Zoning Board of Appeals;

WHEREAS, the City of Cohoes responsible officer completed part II and part III of the SEQR EAF and found that the new construction will not create negative environmental impacts on the land, air, water, or surrounding neighborhoods;


WHEREAS, said Planning Board did meet at its offices at Cohoes City Hall, New York, on the 8th day of April, 2019 at 6:30 o'clock P.M., and did then and there hear all persons interested in the subject matter concerning the same; Now,

THEREFORE, BE IT RESOLVED, that the Planning Board as Lead Agency for the coordinated review makes a negative declaration for SEQR purposes for the 4,000 square foot commercial drive-thru, a 44-unit multi-family residential building, a 48-unit multi-family residential building, and a public waterfront park with kayak and boat launch at 70 Delaware Avenue, City of Cohoes, Albany County, New York.


THE FOREGOING RESOLUTION was put to vote as follows:

 AYE , Mark DeFruscio, Chairman
 AYE , Bob Bucher
 AYE , Joseph Nadeau
 AYE , Jack Carroll, Vice Chairman

_____ AYE _____, Stephanie Couture

 4/12/19

Mark DeFrusco Date
Chairman, Cohoes Planning Board

 4/11/19

Robyn Reynolds Date
Zoning Officer

EXHIBIT J

COMMERCIAL/RETAIL FINDINGS RESOLUTION

**COMMERCIAL/RETAIL FINDINGS RESOLUTION
70 DELAWARE ASSOCIATES L.P. PROJECT**

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the Common Council Chambers of City Hall located at 97 Mohawk Street, 2nd Floor in the City of Cohoes, Albany County, New York on November 22, 2019 at 8:15 o'clock a.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chair
Theresa M. Thibodeau	Treasurer
Stanley Szozda	Secretary
Horace Hallock, Jr.	Member
Kathleen Mayo	Member

ABSENT:

Cliff Bird	Member
------------	--------

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Durocher	Chief Financial Officer
Debbie Jacques	Executive Assistant
Catherine Hedgeman, Esq.	Agency Counsel
A. Joseph Scott, III, Esq.	Agency Special Counsel

The following resolution was offered by Stanley Szozda, seconded by Theresa M. Thibodeau, to wit:

Resolution No. 1119-

RESOLUTION (A) DETERMINING THAT THE PROPOSED 70 DELAWARE ASSOCIATES L.P. (THE "COMPANY") PROJECT IS A COMMERCIAL PROJECT, AND (B) MAKING CERTAIN FINDINGS REQUIRED UNDER THE GENERAL MUNICIPAL LAW.

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial, manufacturing and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in July, 2019, 70 Delaware Associates L.P., a New York State limited partnership (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on July 16, 2019 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Financial Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on August 21, 2019 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on August 21, 2019 in the lobby of Cohoes City Hall located at 97 Mohawk Street in the City of Cohoes, Albany County, New York, and on the Agency's website, (C) caused notice of the Public Hearing to be published on August 23, 2019 in the Albany Times Union, a newspaper of general circulation available to the residents of the City of Cohoes, Albany County, New York, (D) conducted the Public Hearing on September 9, 2019 at 7:00 o'clock p.m., local time in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on November 19, 2019 (the "SEQR Resolution"), the Agency (A) concurred in the determination that the City of Cohoes Planning Board (the "Planning Board") is the "lead agency" with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Planning Board issued on April 8, 2019 (the "Negative Declaration"), in which the Planning Board determined that the Project would not have a

significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be prepared with respect to the Project; and

WHEREAS, in Opinion of the State Comptroller Number 85-51, the State Comptroller indicated that the determination whether a project that consists of the construction of an apartment house is a commercial activity within the meaning of the Act is to be made by local officials based upon all of the facts relevant to the proposed project, and that any such determination should take into account the stated purpose of the Act, that is, the promotion of employment opportunities and the prevention of economic deterioration; and

WHEREAS, to aid the Agency in determining whether the Project qualifies for Financial Assistance as a commercial project within the meaning of the Act, the Agency has reviewed the following (collectively, the "Project Qualification Documents"): (A) the Application, including the attached Cost Benefit Analysis; and (B) the City of Cohoes Community Development master plan for downtown development of the City of Cohoes (the "Master Plan"); and

WHEREAS, the Agency has given due consideration to the Project Qualification Documents, and to representations by the Company that although the Project constitutes a project where facilities or property that are primarily used in making retail sales to customers who personally visit such facilities constitute more than one-third of the total project cost, the Project is located within census tract 127 in the City of Cohoes which is considered to be a distressed census tract and therefore is in a "highly distressed area", as that term is defined in Section 854(18) of the Act; and

WHEREAS, pursuant to Section 862(2)(b) of the Act, the Agency would be authorized to provide financial assistance in respect of the Project provided that the obligation of the Agency to proceed with the Project was subject to certain conditions, including (1) following compliance with the procedural requirements of Section 859-a of the Act, a finding by the Agency that the Project would preserve permanent, private sector jobs in the State of New York or increase the overall number of permanent, private sector jobs in the State of New York and (2) confirmation by the Mayor of the City of Cohoes of the proposed action by the Agency with respect to the Project; and

WHEREAS, having complied with the requirements of SEQRA and Section 859-a of the Act with respect to the Project, the Agency now desires, pursuant to Section 862(2)(c) of the Act, to make its final findings with respect to the Project and its final determination whether to proceed with the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Based upon an examination of the Project Qualification Documents and based further upon the Agency's knowledge of the area surrounding the Project and such further investigation of the Project and its economic effects as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Project:

- A. The Project is located in an area having a mixture of residential, not-for-profit, commercial, retail, and service uses.

B. The Project Qualification Documents make the following comments/findings regarding housing in the City of Cohoes:

- Encourage development and improvement in the downtown
- Provide all income resident housing options
- Improving the housing stock in the City of Cohoes will increase job opportunities for all residents
- Encourage the revival of the downtown City of Cohoes
- Development of vacant sites in the downtown is a priority
- Creation of new retail space will encourage additional commercial development in the downtown City of Cohoes

C. That undertaking the Project is consistent with the Project Qualification Documents and will assist and maintain current and future residential and commercial development and expansion in the neighborhood area.

D. The Company has informed representatives of the Agency that the Project is expected to create approximately 31 full time permanent, private sector jobs.

E. The Company has informed representatives of the Agency that the Company is not aware of any adverse employment impact caused by the undertaking of the Project.

Section 2. Based upon the foregoing review of the Project Qualification Documents and based further upon the Agency's knowledge of the area surrounding the Project Facility and such further investigation of the Project and its economic effects as the Agency has deemed appropriate, the Agency makes the following determinations with respect to the Project:

A. That although the Project does constitute a project where facilities or property that are primarily used in making retail sales to customers who personally visit such facilities constitute more than one-third of the total project cost, the Project is located in a "highly distressed area" (as defined in the Act).

B. That (1) the Project Facility will provide necessary infrastructure for area employers and businesses, (2) the completion of the Project Facility will have an impact upon the creation, retention and expansion of employment opportunities in the City of Cohoes and in the State of New York, and (3) the completion of the Project will assist in promoting employment opportunities and assist in preventing economic deterioration in the City of Cohoes and in the State of New York.

C. That the acquisition, construction and installation of the Project Facility is essential to the retention of existing employment and the creation of new employment opportunities and is essential to the prevention of economic deterioration of businesses and neighborhoods located in the City of Cohoes.

D. That the Project constitutes a "commercial" project, within the meaning of the Act.

E. That the undertaking of the Project will serve the public purposes of the Act by preserving and creating permanent private sector jobs in the State of New York.

Section 3. Having reviewed the Hearing Report, and having considered fully all comments contained therein, and based upon the findings contained in Section 1 above, the Agency hereby determines to proceed with the Project and the granting of the financial assistance described in the notice of the Public Hearing; provided, however, that no financial assistance shall be provided to the Project by the Agency unless and until the Mayor of the City of Cohoes, New York, as chief executive officer of the City of Cohoes, New York, shall, pursuant to Section 862(2)(c) of the Act, confirm the proposed action of the Agency with respect to the Project.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Rod Dion	VOTING	<u>YES</u>
Theresa M. Thibodeau	VOTING	<u>YES</u>
Stanley Szozda	VOTING	<u>YES</u>
Cliff Bird	VOTING	<u>ABSENT</u>
Horace Hallock, Jr.	VOTING	<u>YES</u>
Kathleen Mayo	VOTING	<u>YES</u>

The foregoing Resolution was thereupon declared duly adopted.

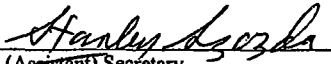
STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned ~~(Assistant)~~ Secretary of City of Cohoes Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on November 22, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 22nd day of November, 2019.



(Assistant) Secretary

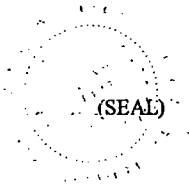


EXHIBIT K

PILOT DEVIATION APPROVAL RESOLUTION

**PILOT DEVIATION APPROVAL RESOLUTION
70 DELAWARE ASSOCIATES L.P. PROJECT**

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the Common Council Chambers of City Hall located at 97 Mohawk Street, 2nd Floor in the City of Cohoes, Albany County, New York on November 22, 2019 at 8:15 a.m. o'clock local time, local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chair
Theresa M. Thibodeau	Treasurer
Stanley Szozda	Secretary
Horace Hallock, Jr.	Member
Kathleen Mayo	Member

ABSENT:

Cliff Bird	Member
------------	--------

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Durocher	Chief Financial Officer
Debbie Jacques	Executive Assistant
Catherine Hedgeman, Esq.	Agency Counsel
A. Joseph Scott, III, Esq.	Agency Special Counsel

The following resolution was offered by Stanley Szozda, seconded by Theresa M. Thibodeau, to wit:

Resolution No. 1119-

RESOLUTION AUTHORIZING A DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY IN CONNECTION WITH THE PROPOSED PAYMENT IN LIEU OF TAX AGREEMENT TO BE ENTERED INTO BY THE AGENCY IN CONNECTION WITH THE PROPOSED PROJECT FOR 70 DELAWARE ASSOCIATES L.P. (THE "COMPANY").

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial, manufacturing and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of

083413.00012 Business 19055955v1

the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in July, 2019, 70 Delaware Associates L.P., a New York State limited partnership (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on July 16, 2019 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Financial Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on August 21, 2019 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on August 21, 2019 in the lobby of Cohoes City Hall located at 97 Mohawk Street in the City of Cohoes, Albany County, New York, and on the Agency's website, (C) caused notice of the Public Hearing to be published on August 23, 2019 in the Albany Times Union, a newspaper of general circulation available to the residents of the City of Cohoes, Albany County, New York, (D) conducted the Public Hearing on September 9, 2019 at 7:00 o'clock p.m., local time in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on November 19, 2019 (the "SEQR Resolution"), the Agency (A) concurred in the determination that the City of Cohoes Planning Board (the "Planning Board") is the "lead agency" with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Planning Board issued on April 8, 2019 (the

“Negative Declaration”), in which the Planning Board determined that the Project would not have a significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be prepared with respect to the Project; and

WHEREAS, in connection with the Project, the Company has requested that the Agency deviate from its uniform tax exemption policy with respect to the terms of the proposed payment in lieu of tax agreement to be entered into by the Agency with respect to the Project Facility, which proposed deviation is outlined in the letter dated November 8, 2019 (the “Pilot Deviation Letter”), a copy of which Pilot Deviation Letter is attached hereto as Exhibit A; and

WHEREAS, pursuant to Section 874(4) of the Act, prior to taking final action on such request for a deviation from the Agency’s uniform tax exemption policy, the Agency must give the chief executive officers of the City and each city, town, village and school district in which the Project Facility is located (collectively, the “Affected Tax Jurisdictions”) written notice of the proposed deviation from the Agency’s uniform tax exemption policy and the reasons therefor prior to the meeting of the Agency at which the members of the Agency shall consider whether to approve such proposed deviation; and

WHEREAS, on November 8, 2019, the Chair of the Agency sent a copy of the Pilot Deviation Letter to the Affected Tax Jurisdictions to notify the Affected Tax Jurisdictions of the proposed deviation from the Agency’s uniform tax exemption policy in connection with the Project; and

WHEREAS, through the Pilot Deviation Letter, the Chair of the Agency notified the chief executive officers of the Affected Tax Jurisdictions of the proposed deviation from the Agency’s uniform tax exemption policy and further notified said chief executive officers that the members of the Agency would consider whether to approve such proposed deviation at this meeting;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby finds and determines as follows:

(A) The Agency has considered any and all responses from the Affected Tax Jurisdictions to the Pilot Deviation Letter.

(B) The Agency has reviewed and responded to all written comments received from any Affected Tax Jurisdiction with respect to the proposed deviation.

(C) The Agency has given all representatives from an Affected Tax Jurisdictions in attendance at this meeting the opportunity to address the members of the Agency regarding the proposed deviation.

Section 2. Based upon (A) the findings and determinations in Section 1 above, (B) any comments received at the Public Hearing, (C) input received at this meeting from the Affected Tax Jurisdictions with respect to the proposed deviation, (D) the Agency’s knowledge of the Project, (E) the recommendations of Agency staff, and (F) such further investigation of the Project and the effect of the proposed deviation as the Agency has deemed appropriate, the Agency hereby determines to deviate from the Agency’s uniform tax exemption policy with respect to the terms of the proposed payment in lieu of tax agreement to be entered into by the Agency with respect to the Project Facility for the reasons set forth in the Pilot Deviation Letter. Based upon the aforementioned, the Agency hereby approves a deviation from the Agency’s uniform tax exemption policy, the terms of the approved deviation to be as described in the Pilot Deviation Letter attached hereto as Exhibit A.

Section 3. Upon preparation by special counsel to the Agency of a payment in lieu of tax agreement with respect to the Project Facility reflecting the terms of this resolution (the "Payment in Lieu of Tax Agreement") and approval of same by the Chair (or Vice Chair) of the Agency, the Chair (or Vice Chair) of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Payment in Lieu of Tax Agreement, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in such form as is approved by the Chair (or Vice Chair), the execution thereof by the Chair (or Vice Chair) to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Payment in Lieu of Tax Agreement, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Payment in Lieu of Tax Agreement binding upon the Agency.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Rod Dion	VOTING	<u>YES</u>
Theresa M. Thibodeau	VOTING	<u>YES</u>
Stanley Szozda	VOTING	<u>YES</u>
Cliff Bird	VOTING	<u>ABSENT</u>
Horace Hallock, Jr.	VOTING	<u>YES</u>
Kathleen Mayo	VOTING	<u>YES</u>

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (~~Assistant~~) Secretary of City of Cohoes Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on November 22, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 22 day of November, 2019.



(Assistant) Secretary



EXHIBIT A
PILOT DEVIATION LETTER

- SEE ATTACHED -

083413.00012 Business 19055955v1

A-1

083413.00012 Business 19678685v3

K-7

CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY
97 Mohawk Street
Cohoes, New York 12047
Tel: 518-233-2117
Fax: 518-233-2168

November 8, 2019

The Honorable Daniel P. McCoy
County Executive of Albany County
Albany County Office Building
112 State Street, Room 1200
Albany, New York 12207

Dr. Jennifer Spring, Superintendent of Schools
Cohoes City School District
21 Page Avenue
Cohoes, New York 12047

The Honorable Christopher Briggs
Mayor of the City of Cohoes
97 Mohawk Street
Cohoes, New York 12047

Matthew Nolin, Board President
Cohoes City School District
21 Page Avenue
Cohoes, New York 12047

RE: City of Cohoes Industrial Development Agency
Proposed Deviation from Uniform Tax Exemption Policy
70 Delaware Associates L.P. Project

Dear Ladies and Gentlemen:

This letter is delivered to you pursuant to Section 874(4)(c) of the General Municipal Law.

In July, 2019, City of Cohoes Industrial Development Agency (the "Agency") received an application (the "Application") from 70 Delaware Associates L.P. (the "Company"), requesting the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project to consist of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

In connection with the Application, the Company has made a request to the Agency enter into a payment in lieu of tax agreement (the "Proposed Pilot Agreement") which terms would deviate from the Agency's Uniform Tax Exemption Policy (the "Policy"). Pursuant to the Pilot Request, the Agency would enter into a payment in lieu of tax agreement (the "Proposed Pilot Agreement") which terms are described

083413.00012 Business 19049430v2

A-2

083413.00012 Business 19055955v1

K-8

083413.00012 Business 19678685v3

Hon. Daniel P. McCoy, County Executive
 Dr. Jennifer Spring, Superintendent of Schools
 Hon. Christopher Briggs, Mayor
 Matthew Nolin, Board President
 November 8, 2019
 Page 2

below. The Proposed Pilot Agreement would not provide any abatements for any special assessments levied on the Project Facility. Capitalized terms not otherwise defined herein are defined in the Policy.

The Proposed Pilot Agreement would be for a term of 30 years with the Company making the following payments to the affected tax jurisdictions:

Year	Proposed (PILOT) Total	Taxes
1	\$43,000	
2	\$44,290	
3	\$45,619	
4	\$46,987	
5	\$48,397	
6	\$49,849	
7	\$51,344	
8	\$52,885	
9	\$54,471	
10	\$56,105	
11	\$57,788	
12	\$59,522	
13	\$61,308	
14	\$63,147	
15	\$65,041	
16	\$66,993	
17	\$69,002	
18	\$71,072	
19	\$73,205	
20	\$75,401	
21	\$77,663	
22	\$79,993	
23	\$82,392	
24	\$84,864	
25	\$87,410	
26	\$90,032	
27	\$92,733	
28	\$95,515	
29	\$98,381	
30	\$101,332	

The Policy provides that the real property tax abatements to be provided by the Agency shall apply only to the value added by an applicant's construction or renovation activities to the existing parcel and improvements involved (the "Added Value"). The period of the exemption will not exceed the period of the respective financing or lease and will be for a period of up to twenty (20) years. The Policy requires continued payment of amounts measured upon existing property assessed valuation (the "Base Value") and

083413.00012 Business 1904500v2

Hon. Daniel P. McCoy, County Executive
Dr. Jennifer Spring, Superintendent of Schools
Hon. Christopher Briggs, Mayor
Matthew Nolin, Board President
November 8, 2019
Page 3

a graduated schedule of abatement to the Added Value for applicable County, Municipal and School taxes. Each schedule will result in declining abatement to the Added Value and corresponding increasing percentages of payments-in-lieu of taxes due with a maximum initial abatement of up to one hundred percent (100%) with annual increases over the life of the project averaging no less than a two and one-half percent (2.5%) increase per annum, where greater than fifty percent (50%) abatement is provided.

The purpose of this letter is to inform you of such Pilot Request and that the Agency is considering whether to grant the Pilot Request and to approve a Proposed Pilot Agreement conforming to the terms of the Pilot Request. The Agency expects to consider whether to approve the terms of the Proposed Pilot Agreement at its meeting scheduled for November 19, 2019 at 8:15 o'clock a.m., local time in the Common Council Chambers of City Hall located at 97 Mohawk Street, 2nd Floor, in the City of Cohoes, Albany County, New York (the "Meeting"). During the meeting on November 19, 2019, the Agency will review the terms of the Pilot Request and based on the discussions during such meeting the terms of the Pilot Request may be modified.

This letter is forwarded to you for purposes of complying with Section 874 of the General Municipal Law of the State of New York, which requires written notice prior to the Agency taking final action with respect to the Proposed Pilot Agreement (if said Proposed Pilot Agreement may deviate from the provisions of the Policy).

The Agency considered the following factors in considering the proposed deviation:

1. **The nature of the Project:** The Project will provide a mixed-use, mixed-income, integrated supportive housing community facility.
2. **The present use of the property:** The Project site is currently vacant waterfront.
3. **The economic condition of the area at the time of the request of the Company and the economic multiplying effect that the Project will have on the area:** The economic condition of the Project site is below average to low, and the effect that the Project will have on the area is significant, and it is consistent with the economic development efforts of the City and the Agency.
4. **The extent to which the Project will create or retain permanent, private sector jobs and the number of jobs to be created or retained and the salary range of such jobs:** The Project will create approximately 31 full-time jobs.

The Company expects that the Project will also result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.

5. **The estimated value of new tax exemptions to be provided:** The estimated value of the tax exemptions are the following: \$720,000, sales and use tax; \$240,000, mortgage recording tax; and \$320,953 real property taxes.

083413.00012 Business 19045450v1

A-4

083413.00012 Business 19055955v1

K-10

083413.00012 Business 19678685v3

Hon. Daniel P. McCoy, County Executive
Dr. Jennifer Spring, Superintendent of Schools
Hon. Christopher Briggs, Mayor
Matthew Nolin, Board President
November 8, 2019
Page 4

6. **The economic impact of the Proposed Pilot Agreement on affected tax jurisdictions:** Very positive as the amount of payments in lieu of taxes will increase over the amount of real property taxes currently being collected at the site.

7. **The impact of the Proposed Pilot Agreement on existing and proposed businesses and economic development projects in the vicinity:** Very positive as the Project will significantly improve the existing buildings and vacant lots, and the building locations are prominent in the City's waterfront area. Further, as part of the Project the Company will grant an easement to the City for access to the waterfront.

8. **The amount of private sector investment generated or likely to be generated by the Proposed Pilot Agreement:** The investment by the Company in undertaking the Project is equal to approximately \$22,976,646.

9. **The effect of the Proposed Pilot Agreement on the environment:** The Project will not have a significant effect on the environment.

10. **Project Timing:** It is anticipated that the Project will be accomplished in a timely fashion.

11. **The extent to which the Proposed Pilot Agreement will require the provision of additional services including, but not limited to, additional educational, transportation, police, emergency medical or fire services:** Depending on the number of families to be located in the Project Facility, there may be some impact on the School District, otherwise there is not expected to be any significant impacts.

12. **Anticipated tax Revenues:** As noted above, the amount of payments in lieu of taxes will increase in connection with the undertaking of the Project.

13. **The extent to which the Proposed Pilot Agreement will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the Project Facility is located:** The Project is consistent with the City's overall downtown development efforts.

The Agency will consider the Proposed Pilot Agreement (and the proposed deviation from the Agency's Uniform Tax Exemption Policy) at the Meeting. The Agency would welcome any written comments that you might have on this proposed deviation from the Agency's Uniform Tax Exemption Policy. In accordance with Section 874(4)(c) of the General Municipal Law, prior to taking final action at the Meeting, the Agency will review and respond to any written comments received from any affected tax jurisdiction with respect to the proposed deviation. The Agency will also allow any representative of any affected tax jurisdiction present at the Meeting to address the Agency regarding the proposed deviation.

083413.00012 Business 19045430v2

Hon. Daniel P. McCoy, County Executive
Dr. Jennifer Spring, Superintendent of Schools
Hon. Christopher Briggs, Mayor
Matthew Nolin, Board President
November 8, 2019
Page 5

If you have any questions or comments regarding the foregoing, please do not hesitate to contact me at the above telephone number.

CITY OF COHOES INDUSTRIAL DEVELOPMENT
AGENCY

By: /s/Rod Dion
Chairman

083413.00012 Business 19040420v1

A-6

083413.00012 Business 19055955v1

K-12

083413.00012 Business 19678685v3

AFFIDAVIT OF MAILING
OF PILOT DEVIATION NOTICE LETTER

STATE OF NEW YORK)
) SS:
COUNTY OF ALBANY)

The undersigned, being duly sworn, hereby states:

1. That on November 8, 2019, I mailed to the following individuals a copy of a letter (the "Pilot Deviation Notice Letter") informing said individuals of (A) a proposed deviation (the "Deviation") by City of Cohoes Industrial Development Agency (the "Agency") from the Agency's Uniform Tax Exemption Policy relating to the proposed 70 Delaware Associates L.P. Project to be undertaken by the Agency for the benefit of 70 Delaware Associates L.P. (the "Company") and (B) the time and place of the meeting of the members of the Agency at which the question of whether to proceed with said Deviation is scheduled to be considered by the Agency:

7018 2290 0000 2892 1458

The Honorable Daniel P. McCoy
County Executive of Albany County
Albany County Office Building
112 State Street, Room 1200
Albany, New York 12207

7018 2290 0000 2892 1441

Dr. Jennifer Spring, Superintendent of Schools
Cohoes City School District
21 Page Avenue
Cohoes, New York 12047

7018 2290 0000 2892 1434

The Honorable Christopher Briggs
Mayor of the City of Cohoes
97 Mohawk Street
Cohoes, New York 12047

7018 2290 0000 2892 1427

Matthew Nolin, Board President
Cohoes City School District
21 Page Avenue
Cohoes, New York 12047

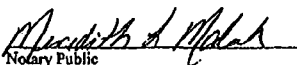
2. That the letter attached hereto as Exhibit A is a duplicate copy of the Pilot Deviation Notice Letter which was mailed to the above individuals.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of November, 2019.



Adam Carson

Sworn to before me this
8th day of November, 2019.


Notary Public

Meredith L. Malark
Notary Public, State of New York
Qualified in Albany County
No. 01MA6212870
Commission Expires October 28, 2021

083413.00012 Business 19661702-v1

A-7

083413.00012 Business 19055955v1

K-13

083413.00012 Business 19678685v3

EXHIBIT L
APPROVING RESOLUTION

**APPROVING RESOLUTION
70 DELAWARE ASSOCIATES L.P. PROJECT**

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the Common Council Chambers of City Hall located at 97 Mohawk Street, 2nd Floor in the City of Cohoes, Albany County, New York on November 22, 2019 at 8:15 o'clock a.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chair
Theresa M. Thibodeau	Treasurer
Stanley Szozda	Secretary
Horace Hallock, Jr.	Member
Kathleen Mayo	Member

ABSENT:

Cliff Bird	Member
------------	--------

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Durocher	Chief Financial Officer
Debbie Jacques	Executive Assistant
Catherine Hedgeman, Esq.	Agency Counsel
A. Joseph Scott, III, Esq.	Agency Special Counsel

The following resolution was offered by Stanley Szozda, seconded by Theresa M. Thibodeau, to wit:

Resolution No. 1119-

**RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION
WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR 70
DELAWARE ASSOCIATES L.P. (THE "COMPANY").**

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial, manufacturing and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

083413.00012 Business 19046626v1

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in July, 2019, 70 Delaware Associates L.P., a New York State limited partnership (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the "Land"), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility") all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on July 16, 2019 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Financial Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on August 21, 2019 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on August 21, 2019 in the lobby of Cohoes City Hall located at 97 Mohawk Street in the City of Cohoes, Albany County, New York, and on the Agency's website, (C) caused notice of the Public Hearing to be published on August 23, 2019 in the Albany Times Union, a newspaper of general circulation available to the residents of the City of Cohoes, Albany County, New York, (D) conducted the Public Hearing on September 9, 2019 at 7:00 o'clock p.m., local time in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQR"), by resolution adopted by the members of the Agency on November 19, 2019 (the "SEQR Resolution"), the Agency (A) concurred in the determination that the City of Cohoes Planning Board (the "Planning Board") is the "lead agency" with respect to SEQR and (B) acknowledged receipt of a negative declaration from the Planning Board issued on April 8, 2019 (the "Negative Declaration"), in which the Planning Board determined that the Project would not have a significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be prepared with respect to the Project; and

WHEREAS, by further resolution adopted by the members of the Agency on November 19, 2019 (the "Commercial/Retail Finding Resolution"), the Agency (A) determined that the Project constituted a "commercial project" within the meaning of the Act, (B) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the Project Facility is located in a highly distressed area, (C) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York, (D) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Project by the Agency unless and until the Mayor of the City of Cohoes, as chief executive officer of the City of Cohoes, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project; and

WHEREAS, the Uniform Tax Exemption Policy (the "Policy") provides a standardized method for the determination of payments in lieu of taxes for a facility similar to the Project Facility. In connection with the Application, the Company made a request to the Agency (the "Pilot Request") that the Agency deviate from the Policy with respect to Project Facility. The Chair of the Agency caused a letter dated November 8, 2019 (the "Pilot Deviation Notice Letter") to be mailed to the chief executive officers of the Affected Tax Jurisdictions, informing said individuals that the Agency would consider a proposed deviation from the Policy with respect to the payment in lieu of tax agreement to be entered into by the Agency with respect to the Project Facility (the "Payment in Lieu of Tax Agreement") and the reasons for said proposed deviation; and

WHEREAS, by resolution adopted by the members of the Agency on November 19, 2019 (the "Pilot Deviation Approval Resolution"), the members of the Agency approved the Pilot Request (as defined in said resolution) and determined to enter into the Payment in Lieu of Tax Agreement; and

WHEREAS, pursuant to Section 862(2) of the Act, prior to providing the Financial Assistance to the Project, the Mayor, as chief executive officer of the City of Cohoes, New York, must confirm the proposed action of the Agency; and

WHEREAS, the Agency has given due consideration to the Application, and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in City of Cohoes, Albany County, New York and (B) the completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of the City of Cohoes, New York by undertaking the Project in City of Cohoes, Albany County, New York; and

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance described in the notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the "Agency Documents"): (A) a certain lease to agency (the "Lease to Agency" or the "Underlying Lease") by and between the Company, as landlord, and the Agency, as tenant, pursuant to which the Company will lease to the Agency a portion of the Land and all improvements now or hereafter located on said portion of the Land (collectively, the "Leased Premises"); (B) a certain

license agreement (the "License to Agency" or the "License Agreement") by and between the Company, as licensor, and the Agency, as licensee, pursuant to which the Company will grant to the Agency (1) a license to enter upon the balance of the Land (the "Licensed Premises") for the purpose of undertaking and completing the Project and (2) in the event of an occurrence of an Event of Default by the Company, an additional license to enter upon the Licensed Premises for the purpose of pursuing its remedies under the Lease Agreement (as hereinafter defined); (C) a lease agreement (and a memorandum thereof) (the "Lease Agreement") by and between the Agency and the Company, pursuant to which, among other things, the Company agrees to undertake the Project as agent of the Agency and the Company further agrees to lease the Project Facility from the Agency and, as rental thereunder, to pay the Agency's administrative fee relating to the Project and to pay all expenses incurred by the Agency with respect to the Project; (D) a payment in lieu of tax agreement (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; (E) a uniform agency project agreement (the "Uniform Agency Project Agreement") by and between the Agency and the Company regarding the granting of the financial assistance and the potential recapture of such assistance; (F) a certain recapture agreement (the "Section 875 GML Recapture Agreement") by and between the Company and the Agency, required by the Act, regarding the recovery or recapture of certain sales and use taxes; (G) a sales tax exemption letter (the "Sales Tax Exemption Letter") to ensure the granting of the sales tax exemption which forms a part of the Financial Assistance; (H) a New York State Department of Taxation and Finance form entitled "IDA Appointment of Project Operator or Agency for Sales Tax Purposes" (the form required to be filed pursuant to Section 874(9) of the Act) (the "Thirty-Day Sales Tax Report") and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales tax exemption benefit for the Project (the "Additional Thirty-Day Project Report"); (I) if the Company intends to finance the Project with borrowed money, a mortgage and any other security documents and related documents (collectively, the "Mortgage") from the Agency and the Company to the Company's lender with respect to the Project ("the "Lender"), which Mortgage will grant a lien on and security interest in the Project Facility to secure a loan from the Lender to the Company with respect to the Project (the "Loan"); and (J) various certificates relating to the Project (the "Closing Documents");

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. All action taken by the Chair of the Agency with respect to the Public Hearing with respect to the Project is hereby ratified and confirmed.

Section 2. The law firm of Hodgson Russ LLP is hereby appointed Agency Special Counsel to the Agency with respect to all matters in connection with the Project. Agency Special Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company, counsel to the Agency and others to prepare, for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution. Agency Special Counsel has prepared and submitted an initial draft of the Agency Documents to staff of the Agency.

Section 3. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act;

(B) The Project constitutes a "project," as such term is defined in the Act;

(C) The Project site is located entirely within the boundaries of City of Cohoes, New York;

(D) It is estimated at the present time that the costs of the planning, development, acquisition, construction, reconstruction and installation of the Project Facility (collectively, the "Project Costs") will be approximately \$22,976,646.00;

(E) The completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York;

(F) Although the Project constitutes a project where facilities or property that are primarily used in making retail sales to customers who personally visit such facilities constitute more than one-third of the total project cost, the Company has represented to the Agency that (i) the Project is located within a census tract which is considered to be a distressed census tract, or is located in a census tract adjacent to a census tract considered to be a distressed census tract, and therefore is in a "highly distressed area", as that term is defined in Section 854(18) of the Act, and (ii) completion of the Project will serve the public purposes of the Act by increasing the overall number of permanent, private sector jobs in the State of New York;

(G) The granting of the Financial Assistance by the Agency with respect to the Project will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of City of Cohoes, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act;

(H) The Agency has reviewed the Hearing Report and has fully considered all comments contained therein;

(I) The Project should receive the Financial Assistance in the form of exemption from sales tax, mortgage recording tax and real property tax based on an evaluation of the Project based on the Agency's Uniform Criteria for the Evaluation of Projects Policy and the description of expected public benefits to occur as a result of this Project, as described on Exhibit A attached hereto; and

(J) It is desirable and in the public interest for the Agency to enter into the Agency Documents.

Section 4. In consequence of the foregoing, the Agency hereby determines to: (A) accept the License Agreement; (B) lease the Project Facility to the Company pursuant to the Lease Agreement; (C) acquire, construct and install the Project Facility, or cause the Project Facility to be acquired, constructed, and installed; (D) enter into the Payment in Lieu of Tax Agreement; (E) enter into the Section 875 GML Recapture Agreement; (F) enter into the Uniform Agency Project Agreement; (G) secure the Loan by entering into the Mortgage; and (H) grant the Financial Assistance with respect to the Project; provided, however, that no financial assistance shall be provided to the Project by the Agency unless and until the Mayor of the City of Cohoes, New York, as chief executive officer of the City of Cohoes, New York, shall, pursuant to Section 862(2)(c) of the Act, confirm the proposed action of the Agency with respect to the Project.

Section 5. The Agency is hereby authorized (A) to acquire a license in the Licensed Premises pursuant to the License Agreement, (B) to acquire a leasehold interest in the Leased Premises pursuant to

the Underlying Lease, (C) to acquire title to the Equipment pursuant to a bill of sale (the "Bill of Sale to Agency") from the Company to the Agency, and (D) to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisitions are hereby approved, ratified and confirmed; provided, however, that no financial assistance shall be provided to the Project by the Agency unless and until the Mayor of the City of Cohoes, New York, as chief executive officer of the City of Cohoes, New York, shall, pursuant to Section 862(2)(c) of the Act, confirm the proposed action of the Agency with respect to the Project.

Section 6. The Agency is hereby authorized to acquire, construct and install the Project Facility as described in the Lease Agreement and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition, construction and installation are hereby ratified, confirmed and approved; provided, however, that no financial assistance shall be provided to the Project by the Agency unless and until the Mayor of the City of Cohoes, New York, as chief executive officer of the City of Cohoes, New York, shall, pursuant to Section 862(2)(c) of the Act, confirm the proposed action of the Agency with respect to the Project.

Section 7. The Chair (or Vice Chair) of the Agency, with the assistance of Agency Counsel and/or Agency Special Counsel, is authorized to negotiate and approve the form and substance of the Agency Documents.

Section 8. (A) The Chair (or Vice Chair) of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in the forms thereof as the Chair (or Vice Chair) shall approve, the execution thereof by the Chair (or Vice Chair) to constitute conclusive evidence of such approval.

(B) The Chair (or Vice Chair) of the Agency is hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 9. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 10. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Rod Dion	VOTING	<u>YES</u>
Theresa M. Thibodeau	VOTING	<u>YES</u>
Stanley Szozda	VOTING	<u>YES</u>
Cliff Bird	VOTING	<u>ABSENT</u>
Horace Hallock, Jr.	VOTING	<u>YES</u>
Kathleen Mayo	VOTING	<u>YES</u>

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (~~Assistant~~) Secretary of City of Cohoes Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on November 22, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 22 day of November, 2019.



(Assistant) Secretary



EXHIBIT A

DESCRIPTION OF THE EXPECTED PUBLIC BENEFITS

In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of the City of Cohoes, Albany County, New York (the "Public Benefits"):

Description of Benefit		Applicable to Project (indicate Yes or NO)		Expected Benefit
1.	Retention of existing jobs	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	This Project consists of new construction on a vacant site and therefore there are no jobs retained at the Project site. The Project will, however, assist in the further development of the waterfront/downtown area of the City of Cohoes and therefore assist in the retention of existing jobs in the downtown area.
2.	Creation of new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Approximately 31 full time equivalent new jobs at the Project Facility within 2 years of the date hereof. This estimate does not include any jobs created by the tenants in the retail space located in the Project Facility.
3.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Nearly \$22,976,646 million at the Project Facility within 3 years of the date hereof.
4.	Likelihood of project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	High likelihood that Project will be completed in a timely fashion.
5.	Extent of new revenue provided to local taxing jurisdictions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Project is construction of the Facility on a vacant site, so the Project represents new revenue to the local taxing jurisdictions. The amount of payments in lieu of taxes being paid by the project applicant will increase due to the Project.
6.	Any additional public benefits	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Additional development in the community, particularly the waterfront. The Project site is currently vacant, so the Project will result in filling vacant property in the downtown.

				The Project results in the City obtaining access to the waterfront.
7.	Creation of construction employment for local labor	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Creation of local labor jobs.
8.	Regional wealth creation (% of sales/customers outside of the City)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A
9.	Locate in a highly distressed census tract	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Project is located in a highly distressed census tract (or in a census directly adjacent to a distressed census tract).
10.	Alignment with local planning and development efforts	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Project is consistent with City planning and development efforts.
11.	Promotes walkable community areas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Promotes walkable community areas.
12.	Elimination or reduction in blight	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Improves a site in the City. The Project converts a vacant site to the site of new construction.
13.	Proximity/support of regional tourism attractions/facilities	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A
14.	Local or City official support	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Significant local support of City officials.
15.	Building or site has historic designation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A
16.	Provides brownfield remediation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A

EXHIBIT M
PUBLIC APPROVAL

CERTIFICATE OF THE MAYOR

APPROVING THE PROPOSED ACTION BY CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR THE 70 DELAWARE ASSOCIATES L.P. PROJECT.

WHEREAS, City of Cohoes Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial, manufacturing and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, 70 Delaware Associates L.P., a New York State limited partnership (the “Company”), submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.50 acre parcel of land located at 70 Delaware Avenue (tax map number 11.13-1-4) in the City of Cohoes, Albany County, New York (the “Land”), (2) the construction on the Land of two (2) 4 story buildings and one (1) single story building, totaling approximately 97,816 square foot (the “Facility”), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”) all of the foregoing to be owned by the Company and which will constitute a mixed-use, mixed-income, integrated supportive housing community facility; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the Agency on July 16, 2019 (the “Public Hearing Resolution”), the Chair of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on August 21, 2019 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on August 21, 2019 in the lobby of Cohoes City Hall located at 97 Mohawk Street in the City of Cohoes, Albany County, New York, and on the Agency’s website, (C) caused notice of the Public Hearing to be published on August 23, 2019 in the Albany Times Union, a newspaper of general circulation available to the residents of the City of Cohoes, Albany County, New

York, (D) conducted the Public Hearing on September 9, 2019 at 7:00 o'clock p.m., local time in the Cohoes Senior Center located at 10 Cayuga Plaza in the City of Cohoes, Albany County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on November 19, 2019 (the "SEQR Resolution"), the Agency (A) concurred in the determination that the City of Cohoes Planning Board (the "Planning Board") is the "lead agency" with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Planning Board issued on April 8, 2019 (the "Negative Declaration"), in which the Planning Board determined that the Project would not have a significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be prepared with respect to the Project; and

WHEREAS, pursuant to Section 862(2)(b) of the Act, the Agency would be authorized to provide financial assistance in respect of the Project provided that the obligation of the Agency to proceed with the Project was subject to certain conditions, including (1) following compliance with the procedural requirements of Section 859-a of the Act, a finding by the Agency that the Project would preserve permanent, private sector jobs in the State of New York or increase the overall number of permanent, private sector jobs in the State of New York and (2) confirmation by the Mayor of the City of Cohoes of the proposed action by the Agency with respect to the Project; and

WHEREAS, by further resolution adopted by the members of the Agency on November 19, 2019 (the "Commercial/Retail Finding Resolution"), the Agency (A) determined that the Project constituted a "commercial project" within the meaning of the Act, (B) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the Project Facility is located in a highly distressed area, (C) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York and (D) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Project by the Agency unless and until the Mayor of the City of Cohoes, as chief executive officer of the City of Cohoes, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project; and

WHEREAS, pursuant to Section 862(2) of the Act, prior to providing any Financial Assistance to the Project, the Mayor of the City of Cohoes, as the chief executive officer of the City of Cohoes, must confirm the proposed action of the Agency; and


WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that any obligation of the Agency shall not be a debt of the City of Cohoes, New York, nor shall the City of Cohoes, New York be liable thereon;

NOW, THEREFORE, the Mayor hereby determines as follows:

Section 1. I have reviewed the notice of the Public Hearing and the Hearing Report with respect to the Project.

Section 2. Pursuant to Section 862(2)(c) of the Act, I hereby approve and confirm the proposed action by the Agency in connection with the Project.

IN WITNESS WHEREOF, I have set my hand unto these presents this 29 day of ~~June~~^{July}, 2020.



William T. Keeler, Mayor
City of Cohoes, New York