

Cohoes Industrial Development Agency
Board of Directors Meeting
Tuesday, October 16, 2018
Cohoes City Hall – Council Chambers

Present

Rod Dion, William Keeler, Theresa Thibodeau, Stanley Szozda, Cliff Bird,

Also in attendance: Shawn Morse, Michael Durocher, Cate Hedgeman, Joseph Scott, Debbie Jacques
Michael Jacobson

Members Absent: Manny Santos

Meeting called to order by Rod Dion at 8:15 a.m. with a quorum present

Introductions:

Catherine Hedgeman, General Counsel for the IDA, opened the meeting by introducing Joseph Scott, Esq., Bond Counsel, Michael Durocher, CFO and Debbie Jacques, Administrative Assistant for the IDA. Ms. Hedgeman asked all of the members to introduce themselves.

Oath of Office

Ms. Hedgeman stated that the City Clerk will be available immediately following the meeting to formally swear into office the new members of the IDA. Debbie Jacques stated that Mr. Szozda had already taken his oath of office.

Signing of ABO Fiduciary Duty Forms, Conflict of Interest Policy and Discussion of PARIS Training

Ms. Hedgeman gave the board members ABO Fiduciary Duty and Responsibility Form and the Cohoes IDA Board of Directors Policy on Conflict of Interest. Ms. Hedgeman gave an overview of duties and responsibilities of the board members. She asked the members to review and sign the forms. Ms. Hedgeman stated that there are no dates posted for the PARIS Training but she will keep checking because all new members are required to take the training within the 1st year.

Election of Officers

Ms. Hedgeman stated that since we have a new board we will need to elect officers and fill the Finance Committee, Governance Committee and Audit Committee.

Mr. Szozda nominated Rod Dion to fill the Chairman position. There were no further nominations. Mr. Bird seconded the nomination. Motion passed unanimously.

Mr. Dion nominated William Keeler to fill the position of Vice Chairman. There were no further nominations. Ms. Thibodeau seconded the nomination. Motion passed unanimously.

Mr. Dion nominated Stanley Szozoda to fill the position of Secretary. There were no further nominations. Ms. Thibodeau seconded the nomination. Motion passed unanimously.

Mr. Dion nominated Theresa Thibodeau to fill the position of Treasurer. There were no further nominations. Mr. Bird seconded the motion. Motion passed unanimously.

Ms. Hedgeman stated that the Board will need to fill the Finance Committee and asked if there were any members who would be willing to be on the Finance Committee. Mr. Szozda, Mr. Keeler and Ms. Thibodau agreed to be on the committee. Mr. Bird made a motion to approve the members of the Finance Committee. Mr. Szozda seconded the motion. Motion passed unanimously.

Ms. Hedgeman stated that the Board will need to fill the Audit Committee and asked if there were any members who would be willing to be on the Audit Committee. Mr. Keeler and Ms. Thibodeau agreed to be on the committee. The board also recommended Mr. Santos be on the committee. Mr. Szozda made a motion to approve the members of the Audit Committee. Mr. Keeler seconded the motion. Motion passed unanimously.

Ms. Hedgeman stated that the Board will need to fill the Governance Committee and asked if there were any members who would be willing to be on the Governance Committee. Mr. Szozda and Mr. Dion agreed to be on the committee. The board also recommended Mr. Santos be on the committee. Mr. Keeler made a motion to approve the members of the Governance Committee. Ms. Thibodeau seconded the motion. Motion passed unanimously.

Overview of Current Projects

Mr. Scott gave the board an overview of his role as Bond Counsel to the IDA. He provided the board members with "An Introduction to Industrial Development Agencies in New York State" handout. Mr. Scott pointed out certain powers of the IDA, such as power to own real estate and the power to condemn real property, which are laid out in Section I paragraph c of the handout. He reported that the IDA currently has 1 active Bond with American Housing Foundation.

Mr. Scott stated that the most used powers of the IDA relate to Section I Paragraphs G, H and I and that our IDA has taken the additional steps in granting PILOTS by adding "clawback" provisions and "second look" provisions in our PILOTS whereby the IDA can review the financial records and make adjustments to the PILOT terms. Mr. Keeler asked Mr. Scott if we are using tax money when we grant a PILOT. Mr. Scott reported that we are not using tax money and we are not giving financial assistance to the applicant. He further reported that the property comes off the tax roll and the applicant then makes a payment in lieu of taxes (PILOT payment) with a portion going to the City, County and School District. Mr. Scott stated that he will be working with Ms. Hedgeman to set up training on the PILOT process.

Mr. Dion asked to say a few words regarding the IDA. He stated that under the leadership of Mike Jacobson and the Mayor of the City of Cohoes has seen a lot of new projects. He further stated that as a business owner he originally was not in favor of PILOT's in general but he has seen results in our City. Mr. Dion further stated that the reality of what is going on in the City is in this room and we need to move forward for the best interest of the City.

Ms. Hedgeman stated that there is a lot of noise in the public and that everything that the IDA has done in the past 2 years has been done properly, and she is confident that the IDA is on firm ground.

Ms. Hedgeman gave the board a brief overview of JUNCTA project stating that the IDA has completed the subdivision process to separate the site into 4 separate parcels and that the IDA is currently under contract to sell 3 of the parcels. Ms. Hedgeman reported to the board that the IDA currently is the owner of 180 & 182 Ontario Street and that the IDA should be closing very soon on the property located at 178 Ontario Street and that the IDA is under contract to sell all 3 parcels to a developer.

Financial:

Mr. Durocher reported to the board that on January 1, 2016 the IDA had \$344,677.00 in cash and no assets and as of today the IDA has \$260,645.00 in cash and \$352,000 in assets. He reported that the IDA has purchased the JUNCTA site and 180 & 182 Ontario Street for investment. Mr. Durocher reported that the current balance on the Line of Credit Mortgage with Pioneer Bank is \$161,250 and we are paying interest only. Ms. Hedgeman stated that Line of Credit is for 180 & 182 Ontario Street and the funds will be paid back once we close with the developer, hopefully by the end of 2018. Mr. Durocher reviewed the balance sheet and he provided the board with a copy of the general ledger from January 1, 2018 to date. Mayor Morse stated that the balance sheet does not show the entire picture. He stated that the City has seen around \$400,000 in building permit fees from the projects that have come thru the IDA. Ms. Hedgeman stated that the IDA since her involvement has been through 2 successful audits and is in good shape. Mr. Durocher stated that he will need to add additional signees to the account. He stated that all checks need 2 signatures Ms. Thibodeau and Mr. Szozda will be added to the account to sign checks. Mr. Szozda made a motion to accept the Financial Report. Mr. Bird seconded the motion. Motion passed unanimously.

APPROVAL OF MINUTES:

Mr. Dion asked the members if they had any questions or revisions to the August 21, 2018 Meeting. There were no questions or changes. Mr. Dion made a motion to accept the minutes. Mr. Szozda seconded the motion. Motion passed unanimously.

Discussion

Mr. Jacobson stated that the IDA has received 3 Pilot Applications from Mr. Kaufmann.

Mr. Scott to give an overview of the proposal. Mr. Scott stated that the developer currently has 3 Pilots on his buildings and he is asking for an extension of his current PILOT agreements. Mr. Jacobson stated that the developer is looking to make major renovations to the building and amenities in order to be competitive with other luxury apartments in the area. Mr. Jacobson stated that Mr. Kaufman would like to come to the next board meeting to present his proposal. Ms. Hedgeman stated that we would provide the board members with copies of the new applications.

Mr. Jacobson also stated that all of the work that is done by the IDA is a direct result of the work coming out of the Economic and Community Development Office. He invited all of the members to stop into his office to see what projects are in the works.

Mayor Morse asked to address the Board. He stated that when he took over as CEO in 2016 his vision was to transform the City and he said that we are on the way to achieving that goal with \$80 million in new development. He further reported that the board updated many of its policies during the past 2 years. Mayor Morse stated that by the end of next year the downtown will be re-populated and there will be more new businesses. Mayor Morse thanked the new board members for serving on the board and he looks forward to working with the new board.

Being no further business, Mr. Dion made a motion go into executive session at 9:40 a.m. Mr. Szozda seconded the motion. The motion passed unanimously.

Executive Session ended at 10:40 a.m., no action taken.

2:04 PM
11/15/18
Cash Basis

Cohoes Industrial Development Agency
Balance Sheet
As of November 15, 2018

	<u>Nov 15, 18</u>
ASSETS	
Current Assets	
Checking/Savings	
Pioneer Operating Account	221,421.14
Total Checking/Savings	<u>221,421.14</u>
Total Current Assets	221,421.14
Other Assets	
Property Held for Investment	492,033.32
Total Other Assets	<u>492,033.32</u>
TOTAL ASSETS	<u><u>713,454.46</u></u>
LIABILITIES & EQUITY	
Liabilities	
Long Term Liabilities	
Loan Payable- Pioneer	260,765.00
Total Long Term Liabilities	<u>260,765.00</u>
Total Liabilities	260,765.00
Equity	
Retained Earnings	341,812.11
Net Income	110,877.35
Total Equity	<u>452,689.46</u>
TOTAL LIABILITIES & EQUITY	<u><u>713,454.46</u></u>

1:57 PM
11/15/18
Cash Basis

Cohoes Industrial Development Agency
Profit & Loss
January through December 2018

	<u>Jan - Dec 18</u>
Ordinary Income/Expense	
Income	
Administrative Fees	167,750.00
Total Income	<u>167,750.00</u>
Expense	
Accounting Fees- CFO	5,500.00
CPA Audit	2,000.00
Executive Assistant	5,000.00
Executive Director- CEO	15,000.00
Filing Fees	65.00
Health & Dental Insurance	3,449.24
Interest Expense	5,597.17
Legal Fees	9,455.00
Misc Expenses	233.09
Network Support- Web Site	755.63
Professional Services	1,500.00
Property Insurance	2,027.31
Taxes	5,555.03
Unemployment Insurance	5.77
Utilities	199.58
Workers Comp	529.83
Total Expense	<u>56,872.65</u>
Net Ordinary Income	<u>110,877.35</u>
Net Income	<u><u>110,877.35</u></u>

RESOLUTION GRANTING A SEWER EASEMENT TO THE CITY OF COHOES

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the City Hall of Cohoes in the second floor Common Council Chambers located at 97 Mohawk Street in the City of Cohoes, Albany County, New York on November 20, 2018 at 8:15 o'clock a.m., local time.

The meeting was called to order by the Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chairman
Cliff Bird	Member
Horace Hallock, Jr.	Member
William T. Keeler	Member
Manny Santos	Member
Stanley Szozda	Member
Theresa M. Thibodeau	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Jacobson	Commissioner	of	Economic
	Development		
Michael Durocher	CFO		
Debbie Jacques	Executive Assistant		
Catherine Hedgeman, Esq.	Agency Counsel		
A. Joseph Scott, III, Esq.	Agency Special Counsel		

The following resolution was offered by _____ and seconded by _____
to wit:

Resolution No. _____

**RESOLUTION GRANTING A SEWER EASEMENT TO THE CITY OF COHOES FOR
LOT 1 OF THE JUNCTA SUBDIVISION**

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of 1969 Laws of New York, constituting Title 1 of Article 13 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 industrial, manufacturing, warehousing, commercial, research and recreation 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, under Section 858 (4) of the Act, the Agency has the power to use, real property or rights or easements therein necessary for its corporate purposes in compliance with the local zoning and planning regulations; and

WHEREAS, the members of the Agency desire to grant a sewer easement to the City of Cohoes with regard to Lot 1 of the JUNCA/ 367 Saratoga Street Subdivision as more particularly described in Schedule A to this resolution; and

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

Section 1. The Agency hereby grants a sewer easement to the City of Cohoes as more fully described in the attached Schedule A.

Section 2. The Agency hereby authorizes the Chairman, Agency Counsel and Special Agency Counsel to take all steps necessary to carry out the purpose of this resolution.

Section 3. 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	_____
Cliff Bird	VOTING	_____
Horace Hallock, Jr.	VOTING	_____
William T. Keeler	VOTING	_____
Manny Santos	VOTING	_____
Stanley Szozda	VOTING	_____
Theresa M. Thibodeau	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

EASEMENT
LOT 1 367 Saratoga Street
Tax Map ID 20.08 -4-22

EASEMENT AGREEMENT made this _____ day of _____ 20 , between the Cohoes Industrial Development Agency hereinafter referred to as the "Grantor," having an office/residing at 97 Mohawk Street, Cohoes, New York 12047 and the City of Cohoes, hereinafter referred to as the "Grantee," having an office/residing at 97 Mohawk Street, Cohoes, New York 12047.

WHEREAS, the Granter is the fee owner of certain land located in the City of Cohoes, Albany County, State of New York, designated as Tax Map I.D. 20.08 -4 -22 of the City of Cohoes, hereinafter referred to as 367 Saratoga Street and more particularly described by a metes and bounds description set forth in Schedule A annexed hereto and by this reference made a part hereof; and

WHEREAS, the City of Cohoes requires a sewer easement over the Premises known as 367 Saratoga Street; and

WHEREAS, the Granter is willing to grant to the Grantee an easement permitting the City to service that part of the municipal sewer system located on and beneath 367 Saratoga Street;

NOW, THEREFORE, Grantor for itself, its legal representatives, successors and assigns hereby makes the following grant: Grantor hereby grants and conveys to Grantee its legal representatives, successors and assigns and to any, an easement on 367 Saratoga Street, as more particularly described in Schedule A attached hereto, as may be necessary for the purpose maintaining the City of Cohoes Sewer System on and beneath the Parcel

The covenants set forth herein shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns;

This easement agreement shall be recorded at the Albany County Clerk's office against the Parcel more commonly known as 367 Saratoga Street, Cohoes, New York 12047, Tax Map I.D. 20.08-4-22.

IN WITNESS WHEREOF, Granter and Grantee have made and executed the foregoing
easement agreement as of the date hereinabove written.

Grantor
By: Rod Dion
Chairman, Cohoes IDA

Grantee
By:

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, **ROD DION** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



FREDERICK J. METZGER
LAND SURVEYOR, P.C.
P.O. BOX 237 - TROY, N.Y. 12182
(518) 783-0688 / FMETZGER1972@GMAIL.COM

LEGAL DESCRIPTION

City of Cohoes IDA
Sewer Easement - Lot 1
0.1346± Acre Parcel – Saratoga Street

October 31, 2018
City of Cohoes
Albany County

BEGINNING at a point located at the Southeast corner of Lot 1 as shown on a map entitled, “Proposed 4-Lot Subdivision of Lands of City of Cohoes Industrial Development Agency, Saratoga Street – Cohoes, N.Y.”, prepared by Frederick J. Metzger, Jr., P.L.S., dated May 07, 2018 and filed in the Albany County Clerk’s Office on August 24, 2018 in Drawer-172 as Map #13611, said point of beginning also being at the point of intersection formed by the North line of Dyke Avenue with the West line of State Route 787 (Cohoes Boulevard-Southbound); thence proceeding in a Westerly direction along the aforesaid North line of Dyke Avenue, S-70°-48’-19”-W 28.82’ to a point, thence in a Northerly direction crossing the aforesaid Lot 1, N-01°-21’-59”-W 244.18’ to a point, thence in an Easterly direction along the division line between Lots 1 & 2 of the afore described Subdivision Map, N-88°-31’-47”-E 21.34’ to a point, thence in a Southerly direction along the aforementioned West line of State Route 787, S-02°-50’-56”-E 235.48’ to a point, said point being the point of beginning.

BEING a parcel of land irregular in shape and containing in all 5,861±Square Feet or 0.1346±Acres.

ALSO being all of the Proposed Sanitary Sewer Easement crossing Lot 1 on the afore described Filed Map.

SUBJECT to Easements, Restrictions, Reservations and Rights of Way of Record.

Prepared by,

Frederick J. Metzger, Jr., P.L.S.

RESOLUTION GRANTING A SEWER EASMENT TO THE CITY OF COHOES

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the City Hall of Cohoes in the second floor Common Council Chambers located at 97 Mohawk Street in the City of Cohoes, Albany County, New York on November 20, 2018 at 8:15 o'clock a.m., local time.

The meeting was called to order by the Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chairman
Cliff Bird	Member
Horace Hallock, Jr.	Member
William T. Keeler	Member
Manny Santos	Member
Stanley Szozda	Member
Theresa M. Thibodeau	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Jacobson	Commissioner	of	Economic
	Development		
Michael Durocher	CFO		
Debbie Jacques	Executive Assistant		
Catherine Hedgeman, Esq.	Agency Counsel		
A. Joseph Scott, III, Esq.	Agency Special Counsel		

The following resolution was offered by _____ and seconded by _____;
to wit:

Resolution No. _____

RESOLUTION GRANTING A SEWER EASEMENT TO THE CITY OF COHOES FOR LOT 1 OF THE JUNCTA SUBDIVISION

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of 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 industrial, manufacturing, warehousing, commercial, research and recreation 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, under Section 858 (4) of the Act, the Agency has the power to use, real property or rights or easements therein necessary for its corporate purposes in compliance with the local zoning and planning regulations; and

WHEREAS, the members of the Agency desire to grant a sewer easement to the City of Cohoes with regard to Lot 2 of the JUNCA/385 Saratoga Street Subdivision as more particularly described in Schedule A to this resolution; and

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

Section 1. The Agency hereby grants a sewer easement to the City of Cohoes as more fully described in the attached Schedule A.

Section 2. The Agency hereby authorizes the Chairman, Agency Counsel and Special Agency Counsel to take all steps necessary to carry out the purpose of this resolution.

Section 3. 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	_____
Cliff Bird	VOTING	_____
Horace Hallock, Jr.	VOTING	_____
William T. Keeier	VOTING	_____
Manny Santos	VOTING	_____
Stanley Szozda	VOTING	_____
Theresa M. Thibodeau	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
)
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 extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on November 20, 2018, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such resolution set forth 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 ___ day of November, 2018.

(Assistant) Secretary

(SEAL)



FREDERICK J. METZGER
LAND SURVEYOR, P.C.
 P.O. BOX 237 - TROY, N.Y. 12182
 (518) 783-0688 / FMETZGER1972@GMAIL.COM

LEGAL DESCRIPTION

City of Cohoes IDA
 Sewer Easement - Lot 2
 0.2622± Acre Parcel – Saratoga Street

September 4, 2018
 City of Cohoes
 Albany County

BEGINNING at a point located on the division line between Lots 2 & 3 as shown on a map entitled, “Proposed 4-Lot Subdivision of Lands of City of Cohoes Industrial Development Agency, Saratoga Street – Cohoes, N.Y.”, prepared by Frederick J. Metzger, Jr., P.L.S., dated May 07, 2018 and filed in the Albany County Clerk’s Office on August 24, 2018 in Drawer-172 as Map #13611, said point being N-37°-40’-00”-E 44.67’ and N-87°-15’-18”-E 112.44’ from a Capped Iron Rod Set (CIRS) located in the Easterly line of Saratoga Street at the division line between lands N/F of Gary H. and Maureen L. Bazar (2591-321) on the North with lands N/F of the City of Cohoes Industrial Development Agency (R2016-25866) on the South; thence proceeding in an Easterly direction along the afore described division line, N-87°-15’-18”-E 30.07’ to a point, thence in a Southerly direction crossing the aforesaid Lot 2, S-01°-17’-36”-W 177.54’ and S-19°-21’-18”-E 136.53’ to a point, thence continuing in a Southerly direction along the Westerly Highway Boundary of State Route 787 (Cohoes Boulevard-Southbound), S-12°-56’-30”-E 38.94’ and S-02°-50’-56”-E 39.98’ to a point, thence in a Westerly direction along the division line between Lots 1 & 2 of the afore described filed map, S-88°-31’-47”-W 21.34’ to a point, thence in a Northerly direction crossing the aforesaid Lot 2, N-00°-07’-03”-W 18.26’, N-19°-21’-18”-W 195.22’ and N-01°-17’-36”-E 180.88’ to a point, said point being the point of beginning.

BEING a parcel of land irregular in shape and containing in all 11,421±Square Feet or 0.2622±Acres.

ALSO being all of the Proposed Sanitary Sewer Easement crossing Lot 2 on the afore described Filed Map.

SUBJECT to Easements, Restrictions, Reservations and Rights of Way of Record.

Prepared by,

EASEMENT
LOT 2: 385 Saratoga Street
Tax Map ID 20.08-4-23

EASEMENT AGREEMENT made this _____ day of _____ 20 , between the Cohoes Industrial Development Agency hereinafter referred to as the "Grantor," having an office/residing at 97 Mohawk Street, Cohoes, New York 12047 and the City of Cohoes, hereinafter referred to as the "Grantee," having an office/residing at 97 Mohawk Street, Cohoes, New York 12047.

WHEREAS, the Granter is the fee owner of certain land located in the City of Cohoes, Albany County, State of New York, designated as Tax Map I.D. 20.08-4-23 of the City of Cohoes, hereinafter referred to as 385 Saratoga Street and more particularly described by a metes and bounds description set forth in Schedule A annexed hereto and by this reference made a part hereof; and

WHEREAS, the City of Cohoes requires a sewer easement over the Premises known as 385 Saratoga Street; and

WHEREAS, the Granter is willing to grant to the Grantee an easement permitting the City to service that part of the municipal sewer system located on and beneath 385 Saratoga Street;

NOW, THEREFORE, Grantor for itself, its legal representatives, successors and assigns hereby makes the following grant: Grantor hereby grants and conveys to Grantee its legal representatives, successors and assigns and to any, an easement on 385 Saratoga Street, as more particularly described in Schedule A attached hereto, as may be necessary for the purpose maintaining the City of Cohoes Sewer System on and beneath the Parcel

The covenants set forth herein shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns;

This easement agreement shall be recorded at the Albany County Clerk's office against the Parcel more commonly known as 385 Saratoga Street, Cohoes, New York 12047, Tax Map I.D. 20.08-4-23.

IN WITNESS WHEREOF, Granter and Grantee have made and executed the foregoing
easement agreement as of the date hereinabove written.

Grantor
By: Rod Dion
Chairman, Cohoes IDA

Grantee
By:

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, **ROD DION** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

MEMORANDUM FROM



A. Joseph Scott
Direct Dial: 518.433.2419
Facsimile: 518.465.1567

To: Members of the City of Cohoes Industrial Development Agency
Date: November 15, 2018
Subject: City of Cohoes Industrial Development Agency
Proposed Cohoes II Limited Partnership Project

Enclosed please find the following materials for discussion at the meeting scheduled for Tuesday, November 20, 2018:

- A. Proforma of Company – see Schedule A
- B. PILOT request (excerpt from IDA Application) – see Schedule B
- C. Company E-Mails – see Schedule C.

AJS/sjh

Enclosures

cc: Michael Jacobson
Debbie Jacques
Michael Durocher
Catherine Hedgeman

SCHEDULE A
PROFORMA OF COMPANY

- SEE ATTACHED -

SCHEDULE B

PILOT REQUEST
(EXCERPT FROM IDA APPLICATION)

- SEE ATTACHED -

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"):

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year 2018	\$34,814	\$34,814	0
Year 1 2019	0	0	0
Year 2 2020	0	0	0
Year 3 2021	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 4 2022	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 5 2023	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 6 2024	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 7 2025	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 8 2026	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 9 2027	\$222,195.00 or % net income	\$45,000	(\$177,195)
Year 10 2028	\$222,195.00 or % net income	\$45,000	(\$177,195)

III. Please provide a detailed description for the impact of other economic benefits and all anticipated community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response):

See attached.

SCHEDULE C
COMPANY E-MAILS
- SEE ATTACHED -

Scott III, A. Joseph

Subject: FW: City of Cohoes IDA - Community Builders Project - PILOT
Attachments: Cohoes II - 9Perc.pdf

From: Susan A. Nixon [mailto:SNixon@chwattys.com]
Sent: Wednesday, November 7, 2018 3:43 PM
To: Scott III, A. Joseph <Ascott@hodgsonruss.com>
Cc: Jeremy R. Root <jroot@chwattys.com>
Subject: RE: City of Cohoes IDA - Community Builders Project - PILOT

Good afternoon Joseph --

Attached is the pro forma for Erie Point.

The PILOT value formula is 5% of the EGI which is on page 7 under Income & Expense of the pro forma, \$887,532. NYSDHCR requires the PILOT at this rate as proof of local municipal commitment to the development.

Please let us know if you need any further information or have any questions.

Thank you,
Susan

Susan A. Nixon
Associate
Cannon Heyman & Weiss, LLP
office: (518) 465-1500 x250
email: SNixon@chwattys.com

From: Scott III, A. Joseph [mailto:Ascott@hodgsonruss.com]
Sent: Wednesday, November 07, 2018 2:31 PM
To: Susan A. Nixon
Cc: Jeremy R. Root
Subject: City of Cohoes IDA - Community Builders Project - PILOT

Susan,

Thank for the materials noted below. I have reviewed with Michael Jacobson. In connection with residential projects seeking long-term PILOT structures, we typically request an explanation for the PILOT formula offered by the project applicant, along with a copy of the pro-forma for the Project.

Can you provide both to me and I will then review further with Michael? FYI, the next scheduled meeting of the City of Cohoes IDA is Tue, November 20. If we could receive the information by Friday this week, or Monday of next week, that would put us in a position to complete our staff review prior to the November 20 meeting.

Please call with any comments or questions.

A. Joseph Scott
Partner
Hodgson Russ LLP

Tel: 518.433.2419
Mobile: 518.424.7749
Fax: 518.465.1567



[website](#) | [vCard](#) | [bio](#) | [email](#)

677 Broadway, Suite 301 Albany, NY 12207
Tel: 518.465.2333 [map](#)



COHOES
OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT
97 Mohawk Street
Cohoes, New York
12047-2897



City Planner, Robyn M. Reynolds
Phone: (518) 233-2130
Fax: (518) 233-2162
E-mail: rreynolds@ci.cohoes.ny.us

City of Cohoes

HAND DELIVERED

Cohoes Industrial Development Agency
97 Mohawk Street
Cohoes, NY 12047

November 15, 2018

Dear Cohoes Industrial Development Agency Board Members,

The City of Cohoes is working with Prime Companies, Inc. on a proposed development for a retail building and two multi-family buildings on a vacant parcel at 70 Delaware Avenue, Cohoes, NY, 12047. This property represents a key gateway to our City, and we look forward to seeing this vacant and underutilized parcel host a development that will welcome visitors and residents into our City. A key component of this site is a publicly accessible kayak and boat launch, which will open up our waterfront for public use for the first time in recent history and will be linked to our robust trail system.

The Cohoes Planning Board is seeking lead agency status on the SEQR Review. The involved agency has 30 days to respond. More information will be provided to you as plans develop.

Please forward any questions, comments or concerns you may have both about the designation of the Cohoes Planning Board as lead agency and the project's SEQR review to the City Planner at **(518) 233-2130** or email at rreynolds@ci.cohoes.ny.us.

Thank you for your time.

Sincerely,

Robyn Reynolds
City Planner

Enc.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Delaware Ave & Ontario St		
Project Location (describe, and attach a general location map): 70 Delaware Ave Cohoes NY		
Brief Description of Proposed Action (include purpose or need): Development of 2 multi-family dwelling buildings and 1 retail building.		
Name of Applicant/Sponsor: Todd Curley/Prime Delaware Ave LLC	Telephone:	E-Mail: tcurley@CBCPrime.net
Address: 621 Columbia Street		
City/PO: Cohoes	State: NY	Zip Code:
Project Contact (if not same as sponsor, give name and title/role): Jamie Easton MJ Engineering & Land Surveying	Telephone: 518-371-0799	E-Mail: jeaston@mjels.com
Address: 21 Corporate Drive, Suite 105		
City/PO: Clifton Park	State: NY	Zip Code: 12065
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	City of Cohoes Planning Board	
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	City of Cohoes Zoning Board of Appeals	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Cohoes IDA	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Albany County Health	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC, NYSOPRHP, NYSHCR, NYS Housing Finance Agency	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Corridor, NYS Heritage Areas: Hudson-Mohawk

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 MU-2 Mixed Use Waterfront District

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Cohoes City School District

b. What police or other public protection forces serve the project site?
 Cohoes PD

c. Which fire protection and emergency medical services serve the project site?
 Cohoes FD

d. What parks serve the project site?
 Van Schaick Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed - retail and residential

b. a. Total acreage of the site of the proposed action? 3.34 acres
 b. Total acreage to be physically disturbed? 3 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.34 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed?
 iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				92
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 1
 ii. Dimensions (in feet) of largest proposed structure: 25 height; 50 width; and 80 length
 iii. Approximate extent of building space to be heated or cooled: 4000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: stormwater
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: stormwater runoff
 iii. If other than water, identify the type of impounded/contained liquids and their source.
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging?
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time?
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe.
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____

- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 14,690 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____

- Does the existing public water supply have capacity to serve the proposal? Yes No

- Is the project site in the existing district? Yes No

- Is expansion of the district needed? Yes No

- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____

- Date application submitted or anticipated: _____

- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 14,690 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

sanitary waste water

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: City of Albany North Plant

- Name of district: City of Cohoes

- Does the existing wastewater treatment plant have capacity to serve the project? Yes No

- Is the project site in the existing district? Yes No

- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
 - Will line extension within an existing district be necessary to serve the project? Yes No
- If Yes:
- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 2.35 acres (impervious surface)

_____ Square feet or 3.34 acres (parcel size)

ii. Describe types of new point sources, storm water closed drainage system _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

on-site storm water management facilities _____

- If to surface waters, identify receiving water bodies or wetlands:
Hudson River

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
73,200 kilowatt hours

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
local utility

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply

i. During Construction:		ii. During Operations:	
• Monday - Friday:	7-9	• Monday - Friday:	_____
• Saturday:	7-9	• Saturday:	_____
• Sunday:	7-5	• Sunday:	_____
• Holidays:	_____	• Holidays:	_____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
 From 7-5 general construction noise may be higher than ambient noise level _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 parking lot lighting. Will conform to dark sky policy _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	2.36+/-	2.36+/-
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	.34+/-	0.98+/-	0.64+/-
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	3.0+/-	0	3.0+/-
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No

i. If Yes: explain:

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No

If Yes,

i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No

If Yes:

i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No

Yes - Spills Incidents database

Provide DEC ID number(s): 1409120, 1502505

Yes - Environmental Site Remediation database

Provide DEC ID number(s): _____

Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No

If yes, provide DEC ID number(s): 546031, 546018

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth bedrock on the project site? _____ >6 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Urban land	89 %
Silt loam	11 %
	%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 100 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 80 % of site
 10-15%: _____ % of site
 15% or greater: 20 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name Hudson River	Classification C
• Lakes or Ponds:	Name	Classification
• Wetlands:	Name Federal Waters	Approximate Size
• Wetland No. (if regulated by DEC)		

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: Principal Aquifer



m. Identify the predominant wildlife species that occupy or use the project site:
small mammals

n. Does the project site contain a designated significant natural community? Yes No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
Shale Cliff and Talus Community, Vernal Pool, Floodplain Grassland
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
• Currently: 16.48, 3.66, 1.5 acres
• Following completion of project as proposed: _____ acres
• Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
Bald Eagle

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? Yes No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
If Yes:
i. Nature of the natural landmark: Biological Community Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: Enlarged Erie Barge Canal Nominated by NPS (2014)

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: Peebles Island State Park

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): state park

iii. Distance between project and resource: 1 1/2 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

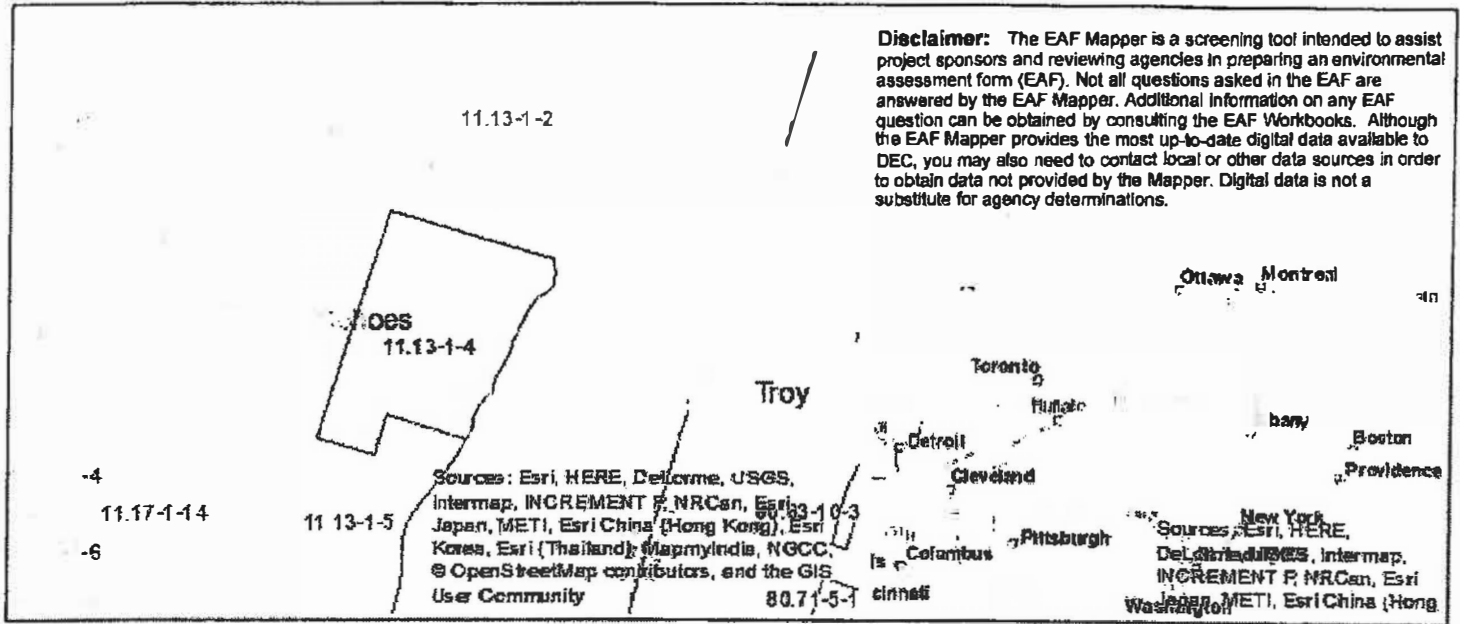
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Prime Delaware AC LLC Date 9-10-19

Signature [Handwritten Signature] Title Member



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor, NYS Heritage Areas: Hudson-Mohawk
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	548031 , 548018
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes

E.2.n. [Aquifers]	Yes
E.2.i. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Shale Cliff and Talus Community, Vernal Pool, Floodplain Grassland
E.2.n.i [Natural Communities - Acres]	16.48, 3.66, 1.5
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Enlarged Erie Barge Canal Nominated by NPS (2014)
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

	A	B	C	D	E	F
1	2018 Property	IDA				
2	Address	SBL	Purchase Price	Acquired	Code	Notes
3	Ontario Street	10.68-3-20			<u>330</u>	
4	Saratoga Street	10.20-4-13	143,500.00	8/31/2016	330	JUNTA lots purchase from Canal Corp 124000
5	Saratoga Street	10.20-4-17	0.00	8/31/2016	330	and DOT 19500
6	Saratoga Street	20.8-4- 6	0	9/21/2016	330	
7	180 Ontario Street	10.60-3-3	95000	12/19/2017	220	
8	182 Ontario Street	10.60-3-2	120000	12/19/2017	331	
9	178 Ontario Street	10.60-3-4	140000	11/7/2018	220	

	A	B	C	D	E	F
1	2018 Property	IDA				
2	Address	SBL	Purchase Price	Acquired	Code	Notes
3	Ontario Street	10.68-3-20			330	
4	Saratoga Street	10.20-4-13	143,500.00	8/31/2016	330	JUNTA lots purchase from Canal Corp 124000
5	Saratoga Street	10.20-4-17	0.00	8/31/2016	330	and DOT 19500
6	Saratoga Street	20.8-4-16	0	9/21/2016	330	
7	180 Ontario Street	10.60-3-3	95000	12/19/2017	220	
8	182 Ontario Street	10.60-3-2	120000	12/19/2017	331	
9	178 Ontario Street	10.60-3-4	140000	11/7/2018	220	

RESOLUTION REGARDING CHIEF EXECUTIVE OFFICER

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the City Hall of Cohoes in the second floor Common Council Chambers located at 97 Mohawk Street in the City of Cohoes, Albany County, New York on November 20, 2018 at 8:15 o'clock a.m., local time.

The meeting was called to order by the Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chairman
Cliff Bird	Member
Horace Hallock, Jr.	Member
William T. Keeler	Member
Manny Santos	Member
Stanley Szozda	Member
Theresa M. Thibodeau	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Jacobson	Commissioner of Economic Development
Michael Durocher	CFO
Debbie Jacques	Executive Assistant
Catherine Hedgeman, Esq.	Agency Counsel
A. Joseph Scott, III, Esq.	Agency Special Counsel

The following resolution was offered by _____ and seconded by _____, to wit:

Resolution No. _____

RESOLUTION DETERMINING NOT TO RE-APPOINT SHAWN MORSE AS THE CHIEF EXECUTIVE OFFICER OF THE CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of 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 industrial, manufacturing, warehousing, commercial, research and recreation 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, under Section 858 of the Act, the Agency has the power to make certain appointments and approve certain administrative matters; and

WHEREAS, the members of the Agency desire to review the position of Chief Executive Officer of the Agency, including, but not limited to, its duties and responsibilities; and

WHEREAS, the members of the Agency recognize that the term of the current Chief Executive Officer expires on December 31, 2018; and

WHEREAS, the members do not want to appoint anyone to fill the position of the Chief Executive Officer pending the review by the members of the Agency of the position;

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

Section 1. The Agency hereby determines not to reappoint Shawn Morse as the Chief Executive Officer and to leave such position vacant until the members of the Agency have completed their review of the position of Chief Executive Officer of the Agency.

Section 2. The Agency hereby authorizes the Chairman, Agency Counsel and Special Agency Counsel to take all steps necessary to carry out the purpose of this resolution.

Section 3. 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	_____
Cliff Bird	VOTING	_____
Horace Hallock, Jr.	VOTING	_____
William T. Keeler	VOTING	_____
Manny Santos	VOTING	_____
Stanley Szozda	VOTING	_____
Theresa M. Thibodeau	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
)
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 extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on November 20, 2018, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such resolution set forth 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 ___ day of November, 2018.

(Assistant) Secretary

(SEAL)