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TOWN OF COLONIE
INDUSTRIAL DEVELOPMENT AGENCY

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In the Matter
of
A Public Meeting of the Town of Colonie Industrial
Development Agency

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TRANSCRIPT OF PROCEEDINGS had at a public
meeting of the Town of Colonie Industrial Development
Agency held at the Public Operations Center, 347 Old
Niskayuna Road, Latham, New York on the 21st day of
April, 2008, commencing at 6:30 p.m.

P R E S I D I N G:

MARC HANNIBAL, Chairman

P R E S E N T:

SHARON BRIGHT HOLUB, Member

FREDERICK BURGESS, Member

KENNETH CHAMPAGNE, Member

DAVID DeLUCA, Member

GARY RINALDI, Member

CORNELIA CAHILL, ESQ., Counsel

1 P R O C E E D I N G S

2 MR. HANNIBAL: I will call the meeting
3 to order.

4 Do we have proof of notice?

5 MR. JOSEPH LaCIVITA: Yes.

6 MR. HANNIBAL: The next order of
7 business is the approval of the minutes of the January
22nd and January 28th meetings.

9 Has everyone gotten those?

10 MR. DeLUCA: I've got the 28th, I
don't have the 22nd.

12 MR. BURGESS: I think you had my wrong
13 e-mail address; the right one is there.

14 MR. LaCIVITA: Do we want to move to
15 postpone?

16 MR. HANNIBAL: Why don't we table that
17 until the next meeting.

18 The next order of business is the New
19 York State Authority Budget Office audit.

20 Joe, do you want to walk us through
21 that?

22 MR. LaCIVITA: Did everyone receive
this
23 copy of the audit?

1 Budget Office review.

six

2 They were with us for, I would say,
3 weeks, and they went through a governance audit, more
4 programmatic than fiscal. We supplied them with the
5 records that we had on hand and went through a number of
6 different questions.

Office

7 We met with the Authority Budget
8 Director, and Marc and Bob were part of that.

any

be

9 The findings that we saw weren't of
10 alarming nature, there was some practices that needed to
11 changed. We did respond to them with some of the changes
12 that we were already trying to put into place.
13 One, for example, was a site visit that I did on May 5th
14 out to Crumb Rubber. When they talked about looking for
15 milestones based on contracts and things like that, it
16 page 13 or something like that they spoke about it, but
17 site visit, reviewed their milestones, and so on, based
18 contractual language with the State of New York.

was

the

on

19 Some of the other things they talked
20 about in here, for example a website, we do have a quote
21 for a website development here.

of 22 So, we were starting to address some
I 23 the problems that they found, but when I get back I guess
24 will try to e-mail everybody again. It is on the ABO

1 website if you wanted to pull it from there,
2 www.nysabo.ny.us

3 MR. HANNIBAL: As reported at the last
4 Board meeting, the reason for the audit was a compliance
5 audit because this Board had failed to submit in a timely
6 fashion, the fact it had failed to submit the annual
7 reviews that the statutory construct requires. As a
8 result, they came in in early January and said we were
9 audit number one.

10 Following their review and their exit
11 interview with Joe, myself, Bob was there with Paula
12 Mahan's office in the Town of Colonie, they were pretty
13 complimentary as to the efforts that this Board is now
14 taking to comply, and any problems that we have had in
15 compliance were not for lack of effort. They noted that
we
16 are cooperating fully. I think we stand in good stead.

17 Joe, anything else on that?

18 MR. LaCIVITA: Yes. Just to notate, I
19 guess, a little bit further. There were a number of
20 findings which we addressed here in the letter I have
given
21 you. This was the exit interview that we had with them
to
22 show some of the things that we were already addressing.

we 23 As Mark was also talking about, when
24 first came into office that's when the PARIS system was

1 starting to be put on line with all public authorities
that
2 they had input to. Shortly after their coming in we did
3 sign up for PARIS, we actually put our 2007 and 2008
budget
4 on the website, as they asked. We are currently trying
to
5 get our annual report on the system, but we're having a
lot
6 of problems getting on their system, and we have a number
7 of e-mails to support our efforts, too. So, if it ever
8 comes back we can show them what we've been trying to do.

9 MR. DeLUCA: In terms of the budget
that
10 was out there for '08, did Craig go through and update
11 that, or is that still the one that was submitted by Mr.
12 Caponera?

13 MR. LaCIVITA: It's still the one.
14 Craig is supposed to be here. He's number three on the
15 items to discuss, the BST audit, but it is the same
budget.

16 We were under the premise we were operating with that
17 budget in mind. We haven't adopted it until we get some
18 information.

19 (Craig Blair arrived at the meeting.)

20 Craig, we were just talking about the
21 ABO audit, and then we're going to be going into the BST.

22 MR. HANNIBAL: We can go to it right
23 now, to the BST audit and review of our monthly
24 expenditures.

1 MR. CRAIG BLAIR: The draft one?

2 MR. LaCIVITA: Yes.

3 MR. BLAIR: Well, it's pretty much,
4 you're in better shape than the Town. Really, there
isn't
5 anything significant over 2006. Some of the things that
6 might be in here, if I remember what page it's on, we'll
7 probably get into it a little bit later, I know Joe and I
8 touched on it, the Cityworks project. Basically, the
9 footnotes pretty much explain everything that is in
there.

10 MR. LaCIVITA: We're on the new 2007
and
11 we've been having a lot of problems.

12 MR. BLAIR: I have a lot of people
13 saying they have been sending me stuff and it hasn't been
14 coming through. I have the draft, actually.

15 MR. LaCIVITA: I will make sure I
Xerox
16 everything, or copy everything and send out packets to
17 everybody.

18 MR. BLAIR: I will tell you this,
19 basically we are up about \$200,000 from last year as far
as
20 the net assets.

21 One of the issues that we're talking

it, 22 about, and I haven't had a chance to talk to you about

23 Joe, is we would like at some point in time to change - -

24 right now your CD's are with Chase, I believe it is. We

1 would like you guys to make a resolution to give us the
2 opportunity to bid it. We find that we bid our CD's and
we
3 make more money, higher interest, when we bid them.
That's
4 up to you. That was one of the other things that we had,
5 but other than that, when you get the financials, the
6 footnotes have it all. If you have any questions, don't
7 hesitate to e-mail me or e-mail Joe.

8 MR. DeLUCA: I just wanted to know a
9 little bit about the micro-loan program. I don't know
how
10 familiar you are with that.

11 MR. BLAIR: I'm not too familiar.

12 MR. LaCIVITA: Is that the one through
13 the Chamber?

14 MR. DeLUCA: The Chamber.

15 MR. LaCIVITA: I just got a booklet
from
16 the Chamber Friday explaining that program. It's
actually
17 a small business loan program. It has a \$25,000 cap.

18 MR. DeLUCA: I saw that, they've got
19 that on the website, the micro-loan program. I kind of
20 looked at that.

21 I was just trying to figure how that
fit

22 into the IDA.

23 MR. LaCIVITA: The IDA actually over a

24 three year period, I think it was 1993, 1996 and 2004

1 invested with the Albany County Chamber. I think we had
an
2 aggregate total of \$200,000 that was given to the
Chamber.
3 Companies apply to them, again, it is small business
loans
4 of \$25,000, then they repay that.

5 Actually, as I looked through the
6 documents I got on Friday I only saw two companies that
7 defaulted on it. To date I think we've brought back
8 something like \$860,000 back to the Chamber. I think we
9 actually received back about \$75,000 in interest over
time.

10 MR. DeLUCA: I guess I was trying to
11 figure out where from reading what I read in the bylaws I
12 wasn't sure where that could come under the authority. A
13 direct loan program, I guess, was what I was concerned
14 about; whether they use them for retail, we're not
supposed
15 to be doing anything with retail, and was there retails
in
16 there, so I didn't know.

17 MR. LaCIVITA: That was one of the
18 things I was going to hopefully look to do later on with
19 that money is to potentially set up an LDC with it. I
20 think we talked about this a little bit the last time,
21 because the IDA can't invest in retail, as we know
through

22 our mission and our charter. What I was looking to do is
23 taking a portion, portion it off and setting up an LDC,
24 because some of the areas of the Town have a lot of small

1 business, storefronts, and that would be a great economic
2 boon to try to start that where we could invest in
3 companies, maybe give small interest loans, \$15,000, to
4 have small companies start up. Really, we have no direct
5 input on these. In fact, Marc and I are two people that
6 actually sit on this Board when they do loans in Colonie.
7 It is really the Chamber, they send the documents to
their
8 Board and then it's a decision from that point. So, we
are
9 left out of that equation.

10 MR. RINALDI: Was this part of the
same
11 issue that came up? I know when I originally talked to
the
12 previous Board they had an issue with the stuff going
13 through Chamber in terms of them potentially ending up
with
14 more risky loans than the other major banks, and so
forth.
15 They were kind of concerned that if there was a default
16 rate it might not look all that terrific the way that it
17 was being set up. I question that because I know that
was
18 something they were starting to look at and they were a
19 little concerned about, and maybe we should be a little
20 concerned about it also; maybe not, I don't know.

21 MR. LaCIVITA: Like I said, I looked

22 through the portfolio, it looks like there were only two
23 that defaulted on it.

24 MR. HANNIBAL: Did they outline what
the

1 criteria was for making a loan?

2 MR. LaCIVITA: Kevin did in initial
3 conversations, Kevin Catalano over there.

4 What I would suggest is maybe I could
5 see if Kevin could make it to the next meeting and kind
of
6 give us an overview of that.

7 MR. HANNIBAL: That would be great.

8 MR. LaCIVITA: What I will do is I
will
9 make sure I copy that booklet that Kevin gave me as well
10 and get it out to everybody so you can have it for the
next
11 meeting.

12 MR. CHAMPAGNE: Is this the money they
13 were using for those type of loans?

14 MR. LaCIVITA: No, this is actual
15 operational moneys that we use here.

16 MR. CHAMPAGNE: What are we going to
do
17 with two million dollars?

18 MR. BLAIR: You have 1.7 million in a
19 money market in a CD.

20 The only thing I can say is we can
keep
21 investing it, but if you guys can find projects it can be

the 22 used for and so on and so forth, by all means go out in
23 community and use them.
find 24 MR. DeLUCA: Like I say, we have to

1 out what we can do and then we can find out. . .

question

2 MR. CHAMPAGNE: They take this

3 over at PTA virtually every month. They're sitting on
4 thousands of dollars they're not supposed to accumulate
and

5 they don't help out the school.

6 MR. BLAIR: You're talking about that
7 micro-loan; maybe some of this with the micro-loan and
work

8 with the Albany County Chamber, stuff like that.

9 MR. LaCIVITA: One of the other things
10 too is there is a company that is looking in the Colonie
11 area to move from Clifton Park, actually the Halfmoon
area.

12 We're one of two on the short list. They would be
looking

13 for money to do a lot of interior renovations; they are
not

14 looking for mortgage relief or sales tax relief. So,
this

15 would be a potential short-term loan, or something like
16 that, if that's what we're able to do.

17 I'll work with you on that.

18 MS. CAHILL: There are some
restrictions

19 on your ability to make loans, give grants, that sort of
20 thing. So, maybe we could talk, I could prepare a memo,

21 sort of outline for the Board for their review what is
22 permissible and what is not.

23 MR. HANNIBAL: How much would they be
24 looking for?

1 MR. LaCIVITA: Believe it or not, the
2 company is pretty cash fluid, so they are not looking for
a
3 whole lot of money. They are looking more at the PILOT
4 program if they want to go that route, but they are
5 probably looking at, if they had to take anything, maybe
6 four million dollars, if they take anything at all.

7 The Chamber is also looking to work
with
8 them as well. It's really going to be a retrofit
building.

9 MR. BLAIR: I'm not sure if the Job
10 Development Authority, if they are still active with
that,
11 you could couple with some of their loans.

12 MR. DeLUCA: In terms of the expenses,
I
13 don't know if we need to do this, or we haven't done it
14 yet, in terms of both of you are doing work for the
Agency,
15 and, obviously, the Town should be reimbursed for
allotment
16 of your time. I don't know if we have a new one, or
there
17 might have been an old one, a revenue sharing or expense
18 sharing, I don't know whether there has been a new one,
or
19 we should have a new one, obviously, the players have all
20 changed, the numbers are all changed.

in

21 MR. BLAIR: The last contract I have,
22 fact, I just checked this afternoon, was 2007, it was
23 signed in February 2007. I believe legal has a 2008 one.
24 The figure for 2006 was \$28,710, and

2008. 1 that's what it is for 2007, and probably will be for
2 It includes 275 hours for Joe, your assistant 40 hours,
3 mine 130 hours, the Deputy 100, our assistant Joanne
Audino 4 100 hours at their rate, and I adjusted the rate for the
5 new salaries for 2008. It was roughly, I think it was
\$396 6 less than the \$28,710 for 2008, but for 2007 because Ron
7 was higher, I think it was a little bit more than 28,000.

8 If you're not happy with that you can
9 look at it for 2009.

10 MR. DeLUCA: I just want to make sure
11 that we are making an equitable distribution.

12 MR. BLAIR: Basically, we went through
13 and used the same figures that they had for a number of
14 years.

15 MR. HANNIBAL: Craig, are those hours
16 sufficient? Is there a back-up to indicate - -

17 MR. DeLUCA: I was more thinking in
18 terms of Joe. A good portion of his job is running this
19 thing. That allotment just sounds very low.

20 MR. BLAIR: That might be something
you 21 want to look at. We don't want to take more than we
should 22 have. That's something you should probably look at this

23 year and see if it does comes up to that. You're working
24 roughly 1800 hours a year, so your 275 is - - you're

1 probably doing more.

2 MR. HANNIBAL: The fact it has been
3 \$28,710 for - -

runs

4 MR. BLAIR: Three years, it usually
5 in three year groups. Two thousand three, four and five
6 was \$26,300.

7 MR. DeLUCA: That could have been a
8 relevant number three years ago. The question is let's
9 look at it now and see how he is spending his time. This
10 is the engine that drives the IDA.

thing

11 MR. BLAIR: And we'll do the same
12 in our office. You know, Joanne might be doing more than
13 40 hours and I might be doing less than 100, so we'll
14 a look at it and see. At the end of 2008 when we sit
15 to do the budget we'll look at this again.

take

down

16 MR. HANNIBAL: Can we get a suggestion
17 for a motion on that, to study this, because the bottom
18 line is we don't have a contract now, so there is no
19 mechanism for reimbursing them, but we do want to find
20 what exactly it is that we are reimbursing them for.

out

21 MR. DeLUCA: I will make a motion to

do

22 a study.

23 MR. BURGESS: Second.

24 MR. HANNIBAL: Any discussion?

1 MR. CHAMPAGNE: I know we still
haven't

2 discussed about the attorney. Is that something that we
3 want to possibly add into this, or keep that for
executive
4 session?

5 MR. HANNIBAL: Keep it for executive
6 session, do it at a later time.

7 MR. BLAIR: What we can do is go
through
8 the list of services that we perform and the manhour time
9 and go from there.

10 MR. HANNIBAL: Can we take a vote?

11 All those in favor?

12 Opposed?

13 It is unanimous.

14 MS. BRIGHT HOLUB: I would like to say
15 one thing as a brand new member.

16 I am very pleased that we have almost
17 two million dollars, and with the economy going the way
it
18 is, I don't think we should rush to spend it.

19 MR. HANNIBAL: I understand that, but
we
20 want to make certain that we. . .

21 MS. BRIGHT HOLUB: Meet our
22 responsibilities.

23

MR. HANNIBAL: Meet our

24

responsibilities, yes.

1 MR. DeLUCA: Really, the way it is set
2 up, as long as you keep paying fees in there is hardly
any
3 that goes out other than administrative type costs, and
4 unless I'm missing something in the program - - that's
why
5 I wanted to try and find programs that fit within the
6 mission, so to speak, of what we're supposed to do.

7 MR. LaCIVITA: One of the things I do
8 know, since, I think, January 31st it sunset with the IDA
9 doing any civic facilities. We can't do any that are
10 not-for-profit.

11 MS. CAHILL: They haven't extended
that
12 yet. There is lots and lots of talk about it.

13 MR. LaCIVITA: The only thing I saw, I
14 am on the Riverspark Committee, I sit on there on behalf
of
15 the Supervisor and the Cohoes IDA came in front of
16 Riverspark and they were able to funnel - -

17 MS. CAHILL: We're involved in that
18 Cohoes project, so I know a little bit about it. In
19 addition to the civic facility exemption that would allow
20 you to do a transaction, there is something for projects
21 for urban cultural parks. If the project fits within the
22 urban cultural park plan, then it's an approved IDA

this 23 project. It takes a lot of work to show that building
park 24 very innovative nursing home fit within urban cultural

1 planning, so they are proceeding on that basis.

2 People are very, very anxious to have
3 civic facilities back in place. There are many
4 not-for-profits out there waiting to do transactions that
5 need that exemption back.

6 MR. HANNIBAL: Moving forward, item
7 number four is just reporting the fact that Bill Wiley
has
8 submitted his resignation. He was a hold-over member of
9 the IDA. We have one vacant position, and I believe
there
10 is some discussion on a nominee for that position, but I
11 don't know when that is going to go to the Town Board.

12 MR. LaCIVITA: I believe that may go
13 this Thursday. I will know more Wednesday if that name
was
14 accepted.

15 MR. HANNIBAL: Item number five, Joe,
do
16 you want to talk about the tracking system?

17 MR. LaCIVITA: Sure.

18 One of the things Craig mentioned
before
19 in the BST audit, it talked about that the IDA, I think
it
20 was back in '04 or '05 invested with the Town of Colonie
in
21 a system called Cityworks. Cityworks is an asset

22 management system. It is a centralized tracking system
too
23 for projects through Planning, Economic Development,
24 through Building. Craig is aware of this. It also
speaks

1 to our Town fiscal software, and we are moving forward in
2 trying to get a centralized tracking system to track all
3 projects within the Town so we could plan our tax base,
4 potential budgeting purposes; the other thing is to keep
5 track of maintenance facilities, or maintenance projects,
6 such as our hydrants, roadways, so we can better plan our
7 capital investments with the Town.

8 The other side of this is I see this
as
9 a great economic tool because we can actually see what is
10 currently sitting on paper in the Planning Department,
and
11 we could try to move projects through the system a lot
12 quicker than what we have. We have about an 18 month lag
13 to get a project through the system, in order to put a
14 shovel in the ground. I'm working very hard to try to
get
15 that down to about 6 to 8 months.

16 The Cityworks software seems to be the
17 tool of choice. Craig was here during the process when
18 they selected this through RFP, I believe it was. I know
a
19 number of different department heads went out to the city
20 of Buffalo area and looked at the software.

21 Again, I think it's a great tool. I
22 know there is money available for input - -

23

MR. BLAIR: Actually, we have borrowed

24

\$200,000, we haven't spent it yet. So we're getting to a

1 situation where we really have to move on this or else we
2 are going to have to pay arbitrage on it.

3 It is a tool not just for the planning
4 and economic development section of it, but also the
5 Supervisor will be able to use it too. If somebody calls
6 for a pothole issue, or whatever, building permit, they
can
7 go in there and look at it and answer the question
without
8 transferring it to Joe or the Building Department.

9 Yes, it has been in the works for a
long
10 time, just nobody had the push to get it done. Joe has
it
11 on the right track now.

12 MR. LaCIVITA: That's one of the
things
13 we will be working on from an IDA perspective. One of
the
14 things that I see we may be investing in from our side of
15 it is hand-held tools, that our people will go out to the
16 site. Our end of it is going to be any type of
17 informational technology, so if we have a building code
18 enforcer out there looking at it, doing an inspection, he
19 will actually have the tool that he can actually input
this
20 in, when he comes back home he docks it and our
information

21 is right then and there, because the one failure of a
22 system like this is the lack of putting the information
in.

23 MR. HANNIBAL: Are those hand-held
24 items, are they Blackberry like, or are they those things

1 that UPS uses?

on

2 MR. LaCIVITA: Exactly, little PDA's

uploads

3 there. We will develop the forms and the checklist that
4 they have currently, and that will go right back to the
5 system. Again, once they dock it, everything just
6 to their system, no loss in time.

7 MR. HANNIBAL: The \$200,000, that was
8 borrowed by the Town?

9 MR. BLAIR: Yes.

10 So, let's say it goes up to \$210,000;
11 maybe we could come to the IDA for their portion of it.

see

12 MR. LaCIVITA: What I would like to

of

13 that money set aside for, instead of buying just a group

it

14 50, I want to make sure we get a universal so we can use

have

15 at any department that we feel could use it; again, the
16 Supervisor's office, the Attorney's office, Craig will

17 the ability to get a universal license so it is townwide,
18 and support personnel could also input to it.

19 So, that's the way I'm looking at it.

20 MR. CHAMPAGNE: Who is getting the
21 initial license and running the program?

22 MR. LaCIVITA: We're meeting on April
23 30th with all department heads and the MIS Department.
We
24 have a person right now who has input one particular job

1 that has already gone through the process. What we are
2 hoping to do is find the time frame, you know, what it
took
3 to do that, that will be my benchmark to see if this is a
4 good project to move forward, but MIS will be the one
5 overseeing it and me as project manager.

6 MR. CHAMPAGNE: You will be doing the
7 project management aspect of that?

8 MR. LaCIVITA: Yes.

9 MR. HANNIBAL: Gary, you look like you
10 have a question.

11 MR. RINALDI: I'm trying to decide
what
12 we're getting back from this exactly. I'm not so clear.
I
13 understand when you went out. I'm just trying to
visualize
14 how this would work in reality. I'm trying to decide how
15 this whole system works collectively when you go out to a
16 project, I'm just trying to visualize it in my mind how
17 this thing will play out.

18 You will have the permits you will be
19 able to look at, how far along they were in the project,
is
20 that kind of all the information you would be submitting
in
21 there? Is there going to be forms on these little things

22 and there will be checks on each one, is that what we're
23 looking at?

24 MR. LaCIVITA: One of the key things

1 that I see the benefit to it is actually looking at what
2 the potential tax base will be for a given year. If any
of
3 these projects were to come through we would get to see
4 what the tax benefit would be coming from a specific
5 project. Right now it's on paper, we have no idea. So,
6 it's a potential budgeting tool that we could use.

7 The other side is when a company comes
8 to the Planning Department, they meet with what they call
9 the DCC, the Development and Coordination Committee, and
10 it's all department heads, and they discuss the plans at
a
11 given time. A person comes in and they talk about the
12 concept of their plan. Now, they meet with all the
13 department heads and everyone sits there with their
14 handwritten notes and they talk about the project, the
15 plus's and minus's, and what is needed. Each one of
those
16 Department persons, they give them to someone in my
office,
17 he then types it up and submits the notes to the engineer
18 three weeks later.

19 The way this project tracking system
20 works is the information is going to be typed into that
21 system on the project right from the get-go. They click
22 the button that says DCC so the notes then are compiled
to

23 someone. So, when the engineer meets with all the
24 Department heads he leaves that day and he understands
what

1 he has to do, and therefore, you're shaving three to four
2 weeks off our process already.

3 So, it's a tool to shave time off our
4 timeframe of 18 months to get a shovel into the ground
for
5 these projects. To me, I think it's a development tool,
6 and a tool that is really going to start to lighten the
7 time and the burden on the contractors to get these
8 projects through the door.

9 MR. HANNIBAL: The one concern I've
had
10 on this, and please, if you can speak to this, this RFP
was
11 done a couple of years ago and we bought those licenses
two
12 years ago, three years ago?

13 MR. BLAIR: I'm not really sure where
we
14 stand with it. I checked with Lisa today and she didn't
15 get back to me, where we actually stand with it. I know
we
16 dealt with Hansen at that time, and there was a contract.
17 I don't know whether that contract is still out there, or
18 whether it has been signed and they are just waiting to
get
19 the okay to go ahead, but I know this was one of the
things
20 when I came on board it was in the back of my mind. Joe

21 kind of pushed it to the front burner. So, I would like
to
22 get it cleared up. I apologize for not having Lisa get
23 back to me on what the timeframe is, but I will
definitely
24 get ahold of her.

1 MR. RINALDI: In that contract will it
2 also have support costs subsequent to that?

3 MR. BLAIR: Yes, and again, these
4 numbers might have changed since then.

5 MR. CHAMPAGNE: Well, if this was
6 decided a number of years ago, are all the departments
7 still on board and committed to this?

8 MR. LaCIVITA: This is actually coming
9 from the Supervisor on down, where before we didn't have
10 that support from the top. That's why the system kind of
11 lingered. When I talked to the Supervisor about it and
12 showed her the positive aspects of it, she agreed to move
13 forward with it. We called the department head meeting.
14 She will be in that meeting and addressing it. She is
15 pushing from the top down that this will be the system of
16 choice to go forward.

17 MR. BLAIR: I really don't understand
18 why it hasn't gone forward. The Building Department,
when
19 I was here a couple of years ago, went to Buffalo to look
20 at it. They loved it, they couldn't wait to get it
21 started. For whatever reason, no matter how hard we
tried
22 to push it - - all departments seem to be on board with
it
23 and like it, it does integrate with everybody.

MR. DeLUCA: Right now the IDA has no

1 commitment to it, this is something we could - -

2 MR. LaCIVITA: The IDA paid for it
3 initially, they paid for the initial license. I think
they
4 got 12 licenses when the time came. We don't own a copy
of
5 it right now even though we paid for it. I have no
access
6 to this software, but through Craig, the fund that he has
7 available, if we do an Agency wide license, that's what
I'm
8 hoping will cover the cost. I'm hoping the IDA doesn't
9 have to pay anything more in the future.

10 MR. DeLUCA: The global tracking
system,
11 is that what you're talking about, or is that something
12 different?

13 MR. BLAIR: That's something else.

14 MR. DeLUCA: That must have been a
15 couple years ago.

16 MR. BLAIR: 2005 maybe, probably
around
17 early 2005.

18 MR. CHAMPAGNE: Where are you at this
19 point with going back out to all the department heads and
20 letting them know this is going to come?

21 MR. LaCIVITA: Actually, they have all

22
department

responded to the meeting April 30th, that's the

23 head meeting.

24

MR. CHAMPAGNE: I ran the project

1 management system for Fairchild, across the street here,
in
2 the '80s, and I can tell you from that experience if
people
3 are not on board you can get useless data that will mean
4 nothing to you.

5 MR. LaCIVITA: When I came from Empire
6 State Development we implemented a project tracking
system
7 for all our fundings and everything else. So, having run
8 that system, I am fairly confident we can get - - again,
9 that's why I think having the hand-held - -

10 MR. CHAMPAGNE: Its got a lot of
11 positives, but if people don't commit, then it will be
12 useless.

13 MR. LaCIVITA: Well, I think we have a
14 commit from the top, so hopefully, that will set the
tone.

15 MR. HANNIBAL: That will set the tone,
16 but is someone going to be there on April 30th from the
17 software provider; who is going to provide the training?

18 MR. LaCIVITA: Not at this point. We
19 still have some legwork to do with it. Again, I think
20 Craig is going to talk funding and so on. We just want
to
21 submit to them the potential. The Supervisor is going to
22 talk as to this is going to be the software of choice and

23 the reasons why. We'll start to have subsequent meetings
24 after that with different departments as to which forms

1 they need and so on, so we can start developing it.

2 MR. HANNIBAL: Anything else on this?

3 (No response.)

4 Well, keeping in our electronic mode,
we
5 go to the website next.

6 MR. LaCIVITA: Part of the finding, as
7 we saw, from the ABO audit was a website. Prior to the
ABO
8 coming in I was working on getting quotes for a website,
I
9 was working with Siena College. You will see here the
cost
10 of a website from a Siena College grad is very minimal.

11 What I'm looking for is a three to
four
12 page website that is going to be hosted off-site of the
13 Town of Colonie's website, therefore, again doing as the
14 ABO talked about, creating that independence between the
15 Town and the IDA. They are going to host it externally.
16 They're going to create, again, three to four pages.

They
17 are going to integrate a logo, create banners for us, all
18 initial electronic e-mails and so on, at a cost of \$1,000
19 for that. Then we will have recurring costs, if agreed,
20 anywhere from \$14 for one year to \$134 for ten years,
which
21 will be domain name, hosting space.

22 Then any website maintenance or upkeep
23 we are looking at about \$125 per month if we decide we
want
24 to go that route. So, it's roughly about \$2500 the first

then
to
1 year which, again, will be the initial cost of \$1,000,
2 after that we are looking at about \$1500 a year annually
3 maintain the website if we use it to it's fullest
4 potential.

5 What will be on this website, we will
6 post the minutes that we have, any reports that we have,
we
7 will be linking to the ABO website anything that is
8 required by the ABO.

9 MR. DeLUCA: Are you going to have
10 applications, the application process?

11 MR. LaCIVITA: Agendas will be posted
12 there. Anything required by the ABO will be on this
13 website.

14 MR. DeLUCA: Now, did they give you a
15 specific list of what is required? In other words, do
you
16 have from ABO what should be on the website?

17 MR. LaCIVITA: When they were here we
18 did a lot of talking, I have a lot of notes as far as
what
19 they said. Again, it is minimal at best.

20 On the PARIS system we posted the
21 Comptroller's office and we post to the ABO, and all I
have

22 to do is provide that link. So, it's not physically on
23 our's, but if we provide the link to the ABO and the OSC,
24 then we are doing our work because then they can find the

actually

1 information on the Town of Colonie's IDA. That's

space.

2 better for us because then we are not taking as much

and

3 So, I submit that to you for review

4 approval. If we can go forward, I can get this guy on

5 board.

for

6 It was my initial intent to get this

7 free from Siena working with an intern, but this is what

8 they gave me and I think this is pretty good as a quote.

like

9 MR. RINALDI: Joe, everything is just
10 going to be posted, there is going to be no questions
11 coming through it, there is not going to be anything that
12 is related to us or to you? Are you maintaining it on a
13 month to month basis in terms of the questions, things

14 that?

departments

15 MR. LaCIVITA: What happens for like,
16 say, the Town of Colonie's website, most of the
17 get - - like for me I get PED@colonie.org, so if any
18 questions come it comes directly to my desk and I go from
19 that point.

20 I would tend to think I would want to
21 have something like that, at least a link, if there are

22 questions regarding the IDA so we can make the IDA as
23 active as we possibly can.

24 If there are no action items, or

1 anything like that, it will be simply a reply, or forward
2 the information to the person as needed, but our
3 application will be on there, so if there is a question I
4 could just point them to where they have to go.

5 MR. HANNIBAL: Is there a frequently
6 asked questions section, that kind of thing, on the
website
7 also?

8 MR. LaCIVITA: That could be.
9 When it comes to design I will show
you
10 some of the templates when it comes and have approvals
from
11 you.

12 MR. HANNIBAL: The \$1,000 it's going
to
13 cost to set up, he is going to give us various designs we
14 can choose and perhaps mix and match, and get what we
want?

15 MR. LaCIVITA: Correct.

16 MR. CHAMPAGNE: Do you know where the
17 site will be hosted?

18 MR. LaCIVITA: On his servers. He has
19 security and everything on his servers, but I would ask
him
20 to get me a little bit more detail on that.

21 MR. CHAMPAGNE: If he goes out of

22 business do you maintain the rights to the website?

23 MR. LaCIVITA: Yes, all the rights are

24 our's.

1 MR. CHAMPAGNE: Do you know how much
2 storage you will have with the website, is it limited or
3 can you have unlimited storage, because it seems to me
you
4 will be posting a lot of large documents on here for
people
5 to be able to retrieve.

6 MR. LaCIVITA: Like I said, if there
is
7 anything that is going to be large, like audit reports,
or
8 anything like that, that will be on someone else's
server,
9 it won't be on this one. The only thing you might find
in
10 large documents are minutes; everything else is going to
be
11 linked to other places.

12 I'm inputting annual reports, fiscal
13 reports, onto the PARIS system which is hosted on the
14 State's, it's not even on this one. So, my hope is we
are
15 not going to take up a lot of space.

16 MR. HANNIBAL: Are project
applications
17 going to be linked, or are they going to be there?

18 MR. LaCIVITA: They probably will be
19 scanned and put on as a PDF. I will have to check into
20 that because I wasn't sure if I would be putting

21 applications on there because I'm not sure if that's. . .

22 MS. CAHILL: It's not required.

23 Many IDAs do, just to make it easy for

24 people.

about 1 MR. LaCIVITA: I wasn't sure just
2 the linkage as far as fiscal, or anything like that, any
3 type of financial issues.

4 MS. CAHILL: You would just put the
5 application up to respond. If a company wanted to apply
6 all they would have to do is click on it and they could
7 print it out and send it to you. You wouldn't post the
8 applications.

put 9 The other thing you might see people
it 10 on is the Uniform Tax Exemption Policy, or a summary of
policy 11 at least, so someone would know what your sales tax
12 is, your mortgage recording tax.

13 MR. CHAMPAGNE: Can you clarify that,
14 are you talking strictly the blank application forms?

15 MR. HANNIBAL: I was talking about the
16 potential applications that we are going to be looking
at. 17 Those would be pretty large.

18 MR. CHAMPAGNE: That's another reason
19 why I wanted to make sure we have enough storage there,
20 because if we're limited to only a couple hundred
megabytes
21 of storage - -

22 MR. LaCIVITA: But the projects
23 themselves, I actually have to extract information out of
24 those projects and actually put it onto the Comptroller's

1 website and to PARIS, so that information is there. Once
2 we approve it as a Board, that has to go onto the PARIS
and 3 to the Comptroller's office. So I wouldn't be looking to
4 put an application on because that information is
5 elsewhere.

6 MR. DeLUCA: Can we access PARIS, is
7 that a public accessible site?

8 MR. LaCIVITA: No. I have to assign
9 rights to people who actually can have it.

10 MR. DeLUCA: So that site is for
11 government to use but not the public?

12 MS. CAHILL: A lot of the information
13 that you put on is available to the public. You can get
it 14 on the end by clicking on the Authority Budget Office
15 website.

16 MR. CHAMPAGNE: It would seem to me in
17 the interests of openness if we posted those completed
18 applications on the site then people wouldn't have to
fool 19 around with FOILs if they were interested. We wouldn't
20 have any challenges to our integrity on those kind of
21 cases.

22 MR. LaCIVITA: I'll talk to Bryon as
far

23 as size of documents and how much storage we will get for
24 that.

1 MR. HANNIBAL: Then the question is
how
2 long would we have to keep it up, do we keep it up while
it
3 is under consideration, or until there is action?
4 MR. CHAMPAGNE: Something like that.
I
5 would think it would be our determination since it is not
6 prescribed by law, it's purely voluntary.
7 MR. HANNIBAL: I don't know storage
8 capacity, how much that would cost. If it's going to be
an
9 exorbitant expense, maybe we should look at just putting
10 the blank application on and maybe a summary of what's
11 currently under consideration.
12 MR. RINALDI: How easy is it to
actually
13 go back historically and look at what the IDA has
14 essentially approved, and what the application looked
like?
15 That seems to be the big issue even
16 though we look at jobs and things like that. Is there
any
17 historical database that really gives you a sense of
that?
18 MR. LaCIVITA: That is probably the
19 hardest thing in putting the information onto the PARIS
20 system. There are seven files that are missing of
projects

21 that are already approved from a report I got from the
22 Comptroller's office. In talking with the ABO office, I
23 have to put that information onto their system. I don't
24 want to put it on there because I can't validate it. To

1 me, I'm just forcing the system - - as we talked about
2 earlier, you're putting information that they know and I
3 can't test it or do whatever I want to do. These were
the
4 amount of jobs they said they were going to create, or
5 these were the amount of jobs they were going to retain;
6 they've got it somewhere, I don't know where it is, and
the
7 files are not here to even support it. In talking with
8 them last week they said put the information in and then
9 use a January 1 date of each year that has been there,
10 because again, I don't know when these things were
11 approved, but yet that is a specific question to say when
12 was it approved, when did the IDA take ownership or
action.
13 I don't know that, but they're telling me just put a
14 January 1 date for each and get it in because otherwise
we
15 can not submit our annual report if these seven projects
16 are outstanding.

17 MR. RINALDI: Didn't I see something
in
18 the paper recently that talked about the fact that
actually
19 those files did exist, or something?

20 MR. LaCIVITA: According to Mr. Hess
who
21 was the former Chair. We met and talked about this last

my 22 week. So, we're going to draft a letter under Marc and
can 23 signature to Mr. Hess to submit those files to us so we
24 at least have them here.

1 MS. BRIGHT HOLUB: But you don't have
2 any rough chronological indication - -

3 MR. LaCIVITA: No. Actually, there is
4 four files that the Comptroller's office doesn't even
know
5 about projects, so it's really hard to go back and
recreate
6 it.

7 MR. RINALDI: Maybe we can agree on
some
8 estimate that we can build something historical anyway.

9 It would be good to have some kind of
10 historical idea of what has been approved and what we
11 should get out of it, because without being able to mine
12 any of that data it's impossible to know what paid off
and
13 what didn't.

14 MR. LaCIVITA: One of the other things
15 our application doesn't speak to and our contract doesn't
16 speak to at all is any recapture. If they say they're
17 going to create a certain amount of jobs and we're giving
18 them the mortgage tax relief and the sales tax relief, if
19 they don't do it after a certain period of time, there is
20 no provision for recapture. I know in the Empire Zone
21 program if they didn't do anything there was that ability
22 to recapture some type of funding or benefits. So,
that's

23 something we should also think about looking into is
24 recapturing any benefits.

1 MR. HANNIBAL: Do we know of any IDAs
2 that do attempt to recapture benefits?

3 MR. LaCIVITA: I don't.

4 MS. CAHILL: The Erie County IDA has a
5 callback provision.

6 MR. HANNIBAL: Maybe we can look at
7 that.

8 MS. CAHILL: I can get you a copy of
the
9 Uniform Tax Exemption.

10 MR. HANNIBAL: We still have the McKim
11 Strategies website issue on the table.

12 Will someone move to accept Joe's
13 recommendation that we contract with McKim Strategies for
a
14 website creation?

15 MR. RINALDI: I will move it.

16 MR. CHAMPAGNE: Second.

17 MR. HANNIBAL: Any further discussion?

18 MR. CHAMPAGNE: One comment I would
make
19 is I would advise against a hyphenated name. It doesn't
20 search well on Google, and when you tell the name to
people
21 they tend to forget it.

22 MR. LaCIVITA: So, like the TOC IDA,
or

23 something like that?

24 MR. CHAMPAGNE: You've got two
examples

1 in here. The ColonieIDA.org is fine, but I would not
2 recommend using the one with the hyphen in it, Colonie-
IDA.

3 MR. HANNIBAL: Anything further?

4 MR. DeLUCA: Just a general
observation,

5 in the future when we do something it's probably best if
6 we, this is a small dollar amount, but over a certain
7 dollar amount I would like to see a couple proposals.

This
8 is small enough where it is not that significant.

9 MR. LaCIVITA: I was kind of going by
10 State standards where you have the discretionary
spending,
11 we're up to \$1700 now. That's why I didn't go to
multiple
12 when I saw the bill was reasonable.

13 MR. DeLUCA: Yes, I was just making a
14 general observation.

15 MR. HANNIBAL: Anything further?

16 (No response.)

17 Call the question.

18 All those in favor?

19 Opposed?

20 Let the record show it is unanimous.

21 The IDA bill and audit fees.

22 MR. LaCIVITA: Craig can speak to this

23 as well.

24 We're getting a bill here for \$12,500

1 which is our portion of the IDA audit.

2 What I am giving you is the proposal
3 that the Town of Colonie entered into which is a four
year
4 contract BS&T. The note at the bottom you will see the
5 four year incremental increase, and we received a bill of
6 \$12,500 on April 7th.

7 I am coming to the Board asking for
8 approval based on prior commitment to pay the bill.

9 MR. DeLUCA: I'm trying to refresh my
10 memory here. Did the IDA already approve the hiring of
11 services?

12 I guess we didn't have our governance
in
13 place, so this wouldn't have been required, but our new
14 governance, the new term, we would have to be involved in
15 the front end.

16 MR. LaCIVITA: Right.

17 It looks like the first year of this
18 contract was 2006.

19 MR. DeLUCA: Wasn't there a three year
20 requirement?

21 MR. BLAIR: I don't know, I think it
22 might be five.

23 MR. DeLUCA: I will make a motion that

24 we pay it.

1 MR. CHAMPAGNE: Second.

2 MR. HANNIBAL: Any discussion?

3 (No response.)

4 All in favor?

5 Opposed?

6 Let the record show it is unanimous.

7 MR. DeLUCA: There was a letter of
some

8 suggestions that Bollam, Sheedy made to the IDA, I guess,
9 nothing too significant, there was four items.

10 Have we responded to that yet?

11 MR. BLAIR: I will check and see. I
12 think we already have, but I will check and see.

13 MR. DeLUCA: I know whistleblower's is
14 one of the things in there. I'm just curious, they
wanted
15 somebody on the Board to look at the bank statements?

16 MR. BLAIR: Up until now, to be honest
17 with you, the oversight for this Board wasn't that - -
the

18 Comptroller's office did all the work, signed the checks
19 and everything and they just went out. Now, we're
getting
20 more in line with what BST is looking for.

21 I'm not sure whether we responded to
22 that or not, I will check and see.

23

MR. HANNIBAL: Can we get an update on

24

Crumb Rubber?

1 MR. LaCIVITA: Sure.

2 Essentially what Crumb Rubber is is a
3 waste tire company out on Albany Street, just off of New
4 Karner Road. They process waste tires throughout the
State
5 and they chip that up into particle use where you can
6 actually see it used in ballfields, Siena College
actually
7 has it on one of their fields, running tracks, and things
8 like that.

9 MR. HANNIBAL: Afrim's has it.

10 MR. LaCIVITA: Yes, Afrim's uses Crumb
11 Rubber.

12 The State of New York actually has
13 agreed to a second contract with Crumb Rubber. It will
be
14 in the amount of \$410,000. What this is, is the IDA
15 becomes the recipient of the funds from the State of New
16 York, then the IDA sends it to Crumb Rubber. The
17 milestones are designed by the State of New York and we
18 really kind of oversee what happens, hence that March 5th
19 walk-through I had with them for their prior contract.

20 I am not going to act on this contract
21 based on the fact they have outstanding things with the
22 Planning Department for construction of one of their
other

23 additions, and so on. They have a number of outstanding
24 things they have to clear up yet. They have storm water

1 issues. They have some other issues for a roofline that
2 they had to fix, and we have been after the company to do
3 it. I want to use this a little bit as leverage.

4 To do that, I talked with the State of
5 New York a little bit and they said it would certainly be
6 within our ability to do so. So, I'm going to be talking
7 with Barry Takallou and Mike Harrigan about those
8 deficiencies that need to be cleaned up so we can move
9 forward. They are anxious to move forward on this

because

10 it is going to be an addition to some of their other
11 systems that are needed. So, once that all comes into

play

12 I will come back to the Board in order to enter into
13 contract with the State of New York, and that will be
14 entering into that contract.

Marc

15 pressure

MR. HANNIBAL: Is there a time
16 for that contract, for the \$410,000?

the

17 MR. LaCIVITA: No, they are still on
18 2006 one right now.

19 MR. HANNIBAL: Okay. If there is no
20 other questions - -

21 because

MR. ROBERT TENGELER: Secretary

22 Bill Wiley resigned? Do you want to table that?

23 I think the Board needs a secretary.

24 MR. HANNIBAL: Why don't we wait until

1 we see whether or not we have a full complement after the
2 24th, and for our next meeting we will take that up.

3 Do we want to talk about Computer
4 Sciences Corporation?

5 MR. LaCIVITA: Yes.

6 These are the three action items that
7 will be needed for next month: We will need a meeting
next
8 month for the review and approval of the application here
9 for Computer Sciences.

10 They are a company moving from
11 Rensselaer County to the old Montgomery Ward's building.
12 They are to bring 400 jobs to Montgomery Ward's.

13 They're basically renovating one of
the
14 floors in the old Montgomery Ward's building. They are
15 bringing in approximately 10.8 million dollars, looking
16 strictly for sales tax exemption of \$615,000. That's for
17 their computer systems, their bid out for furniture, and
so
18 on.

19 I know Connie has reviewed the
contract
20 and has some suggestions. I don't know if you want to
21 speak to those now.

22 MS. CAHILL: In reviewing the

23 application there are some items where they put "to be
24 determined". I noticed the Authority Budget Office, one
of

1 their comments is the applications are not always
complete.

2 So that before you take action we may go back to them and
3 say, give us estimates on these things.

4 MR. DeLUCA: We're going to have this
5 answered before the public hearing?

6 MR. LaCIVITA: I'm actually going to
7 reach out to the gentleman tomorrow, Richard Eads, who
8 dropped off the application. I will tell him that he
needs
9 to submit to us information that we need.

10 MS. CAHILL: For example, sales tax,
now
11 maybe their business doesn't generate any sales tax, but
12 they answered the question "to be determined", as opposed
13 to not applicable.

14 MR. LaCIVITA: For those of you who
15 don't know who Computer Sciences is, they are the
Medicaid
16 processing under contract for the State of New York. I
17 believe they won a ten year contract with the State.

18 They are just busting out of where
they
19 are right now because Regeneron, who owns the building,
is
20 expanding into the space that they have been leasing.
They

21 need to be out, so therefore, Computer Sciences was
looking
22 for their own space, that's why they came to Albany
County.
23 I've already checked with Albany
County,
24 the Empire Zone people in Albany County, to see if there
is

1 any pirating issues. This is not one because they
searched

2 us out, we didn't search them out, so there is not going
to

3 be any problems there.

4 They are not in an Empire Zone over in
5 Rensselaer County, so there is not going to be any need
for

6 any zone shift resolution on either side.

7 So, this seems to be pretty clear cut
8 for them to come to us to ask for benefit and relocation.

9 MR. HANNIBAL: Anything further on
this?

10 Do we need to schedule a hearing?

11 MR. LaCIVITA: We will need to
schedule

12 a hearing. Hopefully, if we can act within 30 days I can
13 schedule a meeting notice for May.

14 MR. DeLUCA: They are looking for a
one

15 time sales tax exemption for equipment purchases?

16 MR. LaCIVITA: Correct.

17 MR. DeLUCA: Similar to the materials
at

18 the hotel when we did that one.

19 MR. CHAMPAGNE: In the past when the
20 application was submitted didn't the principals come in
for

21 questions?
22 MR. LaCIVITA: They will come in for
the
23 public hearing.
24 MR. CHAMPAGNE: Just the public
hearing.

1 So we only get to see them one time, because I got the
2 impression in the past they physically came before the
3 Board twice, once when they submitted the application,
and
4 then once for the general public. I may be mistaken.

5 MR. LaCIVITA: We don't have to act
next
6 week; we don't have to act next month. If you wanted to,
7 we could bring them in the end of May. Then if you
wanted
8 to table and take action the following month, we could
9 bring them back again.

10 MR. DeLUCA: Maybe a clarification.
11 I think even what we did with the
hotel,
12 they came in and made a presentation, the public hearing,
13 and then they came back for the approval. That's where
you
14 have your two shots, I think that may be what you are
15 referring to. I know they did come in twice.

16 MR. TENGELER: The public hearing was
17 first and then they came back for the approval.

18 MR. CHAMPAGNE: The first time they
came
19 in was a public hearing also?

20 MR. TENGELER: Yes.

21 MR. LaCIVITA: So we will have them

22 present in May, and then we could have approval, if you
23 want to do two weeks later, whatever you think.

24
updated

MR. CHAMPAGNE: We will have an

1 application by then with missing information?

update

2 MR. LaCIVITA: I will ask them to

3 the "to be determined".

stuff

4 MR. DeLUCA: Because most of this

5 is probably not applicable.

6 MS. CAHILL: That's what I'm thinking.

7 Maybe that's all they need to do is send a new page four

8 with N/A.

meeting

9 MR. LaCIVITA: So, I will call a

10 for - -

11 MS. CAHILL: You need 30 days.

12 May 26th is Memorial Day.

meeting,

13 MR. LaCIVITA: If we do a June

14 by the January minutes we talked about a July 21st

15 quarterly meeting anyway, so that might actually work.

then

16 So, we will do it on June 2nd, and

17 make approval at our regularly scheduled meeting in July.

18 MR. DeLUCA: Just for my benefit, in

19 terms of our mission, on this one in particular, this is

are

20 one where they are moving from somewhere else. Yes, we

the

21 creating jobs, in terms of our mission, would this meet

22 criteria of - - I guess, creating jobs are primary,
23 foremost, but. . .

24 MR. LaCIVITA: You know, I wouldn't
even

1 say this is job creation. It might be jobs created in
2 Albany County because these jobs reside in Rensselaer
3 County. It is more of a job shift. I think if anybody
was
4 to actually push that, that's what it would be, it's more
5 of a job shift.

6 MR. DeLUCA: Right, we're just taking
it
7 from somewhere else. Some of the stuff I read in terms
of
8 taking it from another county, but yet we didn't solicit
9 them.

10 MS. CAHILL: And they go on to
explain.
11 There is a question in your application that asks about
are
12 you stealing them from somewhere else, and the fact that
13 their landlord is really pushing them out is also an
14 important factor here. Not only did they come looking
for
15 you, but they have a reason. They are not shopping
16 benefits, they were pushed out of their current site.

17 MR. DeLUCA: But this would fit in
that
18 mission, I guess is my thing, in terms of trying to get a
19 better feel for what that global mission is for the IDA,
20 does it fit within the four walls of what we're supposed
to

21 be doing?

22 MS. CAHILL: From a legal point, yes,
23 because your job is to create jobs within the Town of
24 Colonie, as long as you are not pirating.

1 As a policy matter, you may decide
that 2 is not what you want to do, but from a legal matter you
are 3 within the General Municipal Law requirements.

4 MR. HANNIBAL: Are you ready to talk
5 about the easement from the Department of Transportation?

6 MR. LaCIVITA: The Department of
7 Transportation has called me on this. They are looking
to 8 settle an easement at 1179 Troy Schenectady Road. You
have 9 the documents there. This is really a dollar payment
10 waived, I believe it is.

11 Mike Magguilli was supposed to look
into 12 this.

13 I don't know, Connie, if you have
14 any - -

15 MS. CAHILL: I saw it this morning,
but 16 I haven't - - what I wasn't sure, this is property that
the 17 IDA currently owns?

18 MR. LaCIVITA: That's what the
19 Department of Transportation tells me.

20 MS. CAHILL: What I wasn't sure, you

21 just had legal title to it because it is part of a
project

22 that you had done, so there is really a beneficial owner
or

23 some not-for-profit out there.

24 I wasn't sure exactly where it was, so
I

1 didn't know why the IDA would own that piece of property.

why,

2 MR. LaCIVITA: I couldn't tell you

3 the only thing I'm thinking is we always ask for
easements

4 when we do developments.

my

5 MS. CAHILL: Usually that would be the

6 Town that would want the easement, not the IDA, that was

7 biggest question.

8 MR. DeLUCA: What are you asking us to

9 do?

Magguilli

10 MR. LaCIVITA: I thought Mike

will

11 would be here, he was supposed to check on it. What I

we

12 do is I will get a summary from Mike and make sure that

13 have this for our next meeting.

one.

14 So, no action will be taken on this

15 MR. HANNIBAL: Picotte extension.

16 MR. LaCIVITA: Yes, Picotte extension.

the

17 Picotte Companies is asking for an

18 extension of their sales tax and use exemption. One of

a

19 things that this project was doing, they were renovating

20 building, I believe it is in Corporate Woods, and they

21 don't have a tenant yet for 6,000 square feet remaining.
22 That is currently vacant.
23 There was actually prior extensions
when
24 this project first started. This came to me when Nancy

1 Carey called me on the phone and asked me where the
2 application for extension was in process. When I looked
3 into the file, I noticed there was something filed way
back
4 on December 27, 2007. So, no action had been taken on
5 this. Unfortunately, it sat there and lapsed.

6 So, the Picotte Companies is asking
that
7 we extend this sales tax exemption, like it had been done
8 historically over years when a portion of their project
9 became vacant. Again, the sales tax exemption would be
for
10 the remaining 6,000 square feet that they are currently
11 looking to lease. They will come to us with a lease when
12 they find a tenant for the site.

13 MR. DeLUCA: What are we waiving, just
14 the sales tax on the renovation?

15 MR. LaCIVITA: It looks like this has
16 been done before, all the exemptions.

17 The initial application back in 2003
18 asked for \$150,000 in sales tax and compensation use tax,
19 and a mortgage recording of \$40,000. The total
renovation
20 at the time was \$4,000,000.

21 My assumption when I read this was
being
22 that the 6,000 remained unleaseable during the course of

23 this renovation, they probably haven't gotten the

24 full - -

used
of
a
their

1 MS. CAHILL: They probably haven't
2 up what they originally told us, either that or the cost
3 the project has increased over time. Sometimes these
4 larger projects take longer than people expect.

5 MR. LaCIVITA: One of the things I've
6 done is I've sent a letter - - any actions that the
7 projects that the IDA currently has, you're seeing here
8 they're saying jobs created is 5,000, being that this was
9 new property, renovated and so on, we will get an
10 up-to-date information as to what they currently have
11 within their site, so we will see if they are meeting
12 job target as well.

13 MR. DeLUCA: Is this one of those that
14 is in the database of that PARIS system?

15 MR. LaCIVITA: It will be in the PARIS
16 system.

17 MR. DeLUCA: It's not in there now?

18 MR. LaCIVITA: Right.

19 MR. HANNIBAL: But we have all the
20 information?

21 MR. LaCIVITA: We have all the
22 information for this one.

23

MS. BRIGHT HOLUB: Do you know

24

specifically which building they are talking about?

1 MR. LaCIVITA: One Park Place is the
2 location in Colonie. The initial application is by Delta
3 Properties, LLC.

4 Again, it looks like there are a
series
5 of extensions dating right back to the initial
application.

6 It was the renovation of a 30 year old building.

7 So, I would question to see if we
could
8 make a motion to approve the extension, or is there
further
9 information that is needed?

10 MS. BRIGHT HOLUB: I know that this
11 particular group has been very kind in terms of some
12 not-for-profit corporations. They have allowed them to
use
13 space that was otherwise not rentable. I wonder what
kind
14 of tax write-off or tax benefit they might be getting
from
15 that gesture, and how that might effect what we do here.

16 MR. LaCIVITA: I don't have an answer
17 for that. I didn't know they did that.

18 MS. BRIGHT HOLUB: I don't know that
19 it's the same building, but I do know it is one of their
20 buildings.

21 MR. LaCIVITA: Delta Properties, or

22 Picotte?

23 MS. BRIGHT HOLUB: Picotte Companies.

24 MR. DeLUCA: Within the four walls

1 again, this is something we can extend. This is already
2 approved, if we want to extend it, we can extend it?

3 MR. LaCIVITA: History shows, yes.

4 MR. DeLUCA: The question is, I think
5 you quoted there was an original limit on the amount of
6 total sales tax that would be waived, something about
7 \$150,000?

8 MR. LaCIVITA: The initial application
9 asks for sales tax.

10 MR. DeLUCA: The ten dollar question
is
11 how much have they waived so far. I'm sure we don't know
12 and we'll never be able to find out.

13 MR. LaCIVITA: Actually, no, we should
14 get that information on the report that should be coming
15 back from them.

16 MR. DeLUCA: Well, if we said we were
17 only going to waive 150 and we're already at 148 - -

18 MS. CAHILL: That's just in the
19 application, their estimate, but that's not a limit
20 necessarily.

21 Every project that is entitled to
sales
22 tax exemption does need to file a report, not only with
the
23 IDA, but with New York State Tax & Finance. So, you can

find out exactly how much this project has saved since

1 September of 2003.

2 MR. HANNIBAL: Is there a motion to
3 extend?

4 MR. DeLUCA: I will make that motion.

5 MR. HANNIBAL: Is there a second?

6 MR. BURGESS: Second.

7 MR. HANNIBAL: Further discussion?

8 MR. CHAMPAGNE: This property hasn't
9 been rentable since they started. Do we keep this thing
10 open indefinitely for a business?

11 MR. LaCIVITA: These are all good
12 questions.

13 MS. CAHILL: You can keep it open as
14 long as you decide. Apparently, they have been giving
15 one year extensions in the past, but you can say no, you
16 have X time left.

them

17 MR. DeLUCA: We could always make a
18 letter that this is the last extension.

19 MS. CAHILL: You have a lot of
20 flexibility.

table

21 MR. CHAMPAGNE: Or do you want to
22 until you get the report from them and see what they have
23 spent already?

MR. LaCIVITA: The information is

1 supposed to be in April 30th.

2 Do you want to table it until the June
3 meeting?

4 MR. DeLUCA: I will pull back my
motion.

5 MR. HANNIBAL: So, Joe, you will reach
6 out to them and get that additional information?

7 MR. LaCIVITA: I will ask about the
8 non-profits.

9 I'm also going to ask about the jobs.

10 I am also going to ask about the total
11 tax benefits to date, that will be on that report.

12 MR. HANNIBAL: That leaves us with
only
13 the administrative things to discuss.

14 (The public meeting was concluded.)

15

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

ability

I, Susanne Lynch, Shorthand Reporter and
Notary Public in and for the State of New York, do hereby
CERTIFY that the foregoing record taken by me at the time
and place as noted in the heading hereof is a true and an
accurate transcript of the same, to the best of my
and belief.

Susanne Lynch

Date: _____