

**PUBLIC HEARING STATEMENT AND MINUTES PURSUANT TO
SECTION 859-a OF
THE GENERAL MUNICIPAL LAW**

Agency	City of Rensselaer Industrial Development Agency
Project Beneficiary:	Railroad Place Apartments, LLC
Project Location:	City of Rensselaer, Rensselaer County, New York
Hearing Date:	July 25, 2022
Hearing Time:	4:00 p.m.
Hearing Location:	City of Rensselaer Town Offices located at 62 Washington Street in the City of Rensselaer, Rensselaer County, New York

PRESENT: MEMBERS STAMMEL, KRETZSCHMAR, STEVENS

IDA STAFF: RIZZO, DANAHER, SCOTT AND WAGNER

PUBLIC: NONE

Opening Remarks: CEO BONESTEEL

Good afternoon.

My name is John Bonesteel and I am the Chief Executive Officer of the City of Rensselaer Industrial Development Agency (the “Agency”) in connection with the project which is the subject of this public hearing.

Today we are holding this Public Hearing to allow citizens to make a statement, for the record, relating to the involvement of the Agency with a project (the “Proposed Project”) for the benefit of Railroad Place Apartments, LLC (the “Company”), a New York State limited liability company.

The Proposed Project consists of the following: (A) (1) the acquisition of an interest in two (2) parcels of land collectively containing approximately 3.38 acres located at 2 Green Street and First Ave (Rear) (tax map nos.: 143.75-6-12 & 143.83-4-3.12) in the City of Rensselaer, Rensselaer County, New York (the “Land”), together with a pre-existing mill-building containing approximately 28,356 square feet of space located thereon (the “Existing Facility”) and an associated parking lot, (2) the reconstruction and renovation of the Existing Facility, (3) the construction of two (2) additions to the Existing Facility containing approximately 1,409 square feet of space (collectively, the “Additions”, the Existing Facility and the Additions being hereinafter collectively referred to as the “Facility”) and associated parking and (4) the acquisition and installation therein and thereon of certain machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company as an approximately 32 market-rate unit residential apartment building, and any other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

I intend to provide general information on the Agency’s general authority and public purpose to provide assistance to this Proposed Project. I will then open the comment period to receive comments from

all present who wish to comment on either the Proposed Project or the Financial Assistance contemplated by the Agency with respect to the Proposed Project.

However, before discussing the general information and opening the hearing for public comments, I would like to first describe the Financial Assistance being considered by the Agency. The estimated costs of the Proposed Project are equal to \$3,600,000, and the benefits being considered by the Agency are described briefly as follows

1. Sales Tax Exemption: estimated to equal \$132,750
2. Mortgage Recording Tax Exemption: estimated to equal \$45,000
3. Real Property Tax Exemption: The amount of PILOT payments to be paid by the Company during the term of the proposed PILOT Agreement are equal to fixed amounts, with an escalation in years 8 and 13. In year 1 the total amount to be paid by the Company is equal to \$15,250. The actual amounts to be paid by the Company during the term of the proposed PILOT Agreement are described in the materials located on the table. Further, the proposed PILOT Agreement does not exempt the Company from paying any special district charges and water and sewer charges.

Note also that the PILOT terms constitute a “deviation” under the Agency’s Uniform Tax Exemption Policy (the “Policy”). As required by the Policy, notice of the proposed deviation from the Policy was mailed on July 15, 2022 to the County Executive of Rensselaer County, the Mayor of the City of Rensselaer, and the Superintendent and the Board President, of the Rensselaer City School District (collectively, the “Affected Tax Jurisdictions”).

The provisions of Chapter 1030 of Laws of 1969 of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Chapter 275 of the 1974 Laws of New York, as amended, constituting Section 903-c of said General Municipal Law (collectively, the “Act”), authorize the Agency to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining and equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others.

Pursuant to Section 859-a(2) of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project. Since the proposed “financial assistance” to be provided by the Agency with respect to the Proposed Project may exceed \$100,000, prior to providing any “financial assistance” (as defined in the Act) of more than \$100,000 to the Proposed Project, the Agency must hold a public hearing on the nature and location of the Project Facility and the proposed “financial assistance” to be provided by the Agency with respect to the Proposed Project.

After consideration of the Application received from the Company, the members of the Agency adopted a resolution on June 27, 2022 (the “Public Hearing Resolution”) authorizing the Agency to conduct this Public Hearing with respect to the Proposed Project pursuant to Section 859-a(2) of the Act.

By way of background, notice of this Public Hearing was published on July 15, 2022 in the Record, a newspaper of general circulation available to the residents of the City of Rensselaer, Rensselaer County, New York. In addition, as required by New York State law, the notice of this Public Hearing (A) was mailed on July 15, 2022 to the Affected Tax Jurisdictions and (B) was posted on July 14, 2022 on a public bulletin

board located at 62 Washington Street in the City of Rensselaer, Rensselaer County, New York and on the Agency's website.

Copies of the notice of this Public Hearing are available on the table.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of this Public Hearing, and instead request that the full text of the notice of this Public Hearing be inserted into the record of this Public Hearing.

The comments received today at this Public Hearing will be presented to the members of the Agency at or prior to the meeting at which the members of the Agency will consider whether to approve the undertaking of the Proposed Project by the Agency and the granting by the Agency of any "financial assistance" in excess of \$100,000 with respect to the Proposed Project. The Agency currently intends to consider the Proposed Project at the meeting of the Agency to be held on August 22, 2022. This meeting, like all meetings of the Agency, will be open to the public.

There being no representatives of the Company present, I will now open this Public Hearing for public comment at 4:07 p.m.

By way of operating rules, if you wish to make a public comment, please raise your hand, and I will call on you. Please wait to be recognized, once recognized, please stand and state your name and address for the record.

No comments from the Public were made.

Having ascertained that there is no one else present who wishes to comment and having ascertained that at least 15 minutes has passed after the scheduled time for the hearing, if there are no further comments, I will now close this Public Hearing at 4:17 p.m.

Thank you all for attending.