The minutes of the Public Hearing of the Village of Green Island Industrial Development Agency held on

Tuesday, February 12th, 2019 at 4:05 p.m., at the Green Island Municipal Center, 19 George Street, Green Island, NY.

In attendance: Chairperson Perfetti, Secretary Koniowka, Treasurer Alix, Sean E. Ward, CEO; John J. McNulty III, CFO; Michele Bourgeois, Assistant to the CFO; Anne M. Strizzi, IDA Recording Secretary, Mayor Ellen M. McNulty-Ryan, Chuck Pafundi, Peter Luizzi and Michael Alix, representative for South Island Apartments, LLC, Mike Arcangel, Victor Caponera, Atty., Kristin M. Swinton, Richard Jones, Mark Ryan, Rachel Files, Robert Johnson.

Sean Ward, IDA CEO opened the Public Hearing for the Village of Green Island IDA – Starbuck Island Project and proceeded to introduce the board.

Sean proceeded to ask that the Clerk confirm that the Notice of Public Hearing was published.

The Notice of Public Hearing was published in The Record Newspaper, Troy, NY on January 29th, 2019.

He asked to dispense with the reading of the Notice of the Public Hearing and noted that the notice was published on our website and everyone has had ample notice and they were able to read and noted that the complete notice will be included in the minutes of the public hearing.

The notice reads as follows:

NOTICE OF PUBLIC HEARING

ON PROPOSED PROJECT

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”), will be held by the Village of Green Island Industrial Development Agency (the “Agency”), on the 12th day of February, 2019 at 4:00 p.m., in the Green Island Municipal Center located at 19 George Street in the Village of Green Island, Albany County, New York, in connection with the following matter:

South Island Apartments, LLC (the “Company”) has presented an application (the “Application”), on behalf of itself and entities formed or to be formed on its behalf, to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company and/or entities formed or to be formed on its behalf, said Project consisting of the following: (A)(1) the acquisition of a leasehold interest in approximately 11.26 acres of land located on 1 Osgood Avenue in the Village of Green Island, Albany County, New York (identified as tax parcels: #33.09-1-1, #33.09-1-3, #33.09-1-2.1, #33.09-1-2.2 and #33.09-1-4) (the “Land”); (2) construction on the Land of four (4) residential buildings and one (1) commercial mixed use building to include a bank, restaurant and/or other retail businesses (collectively, the “Facility”), and (3) the acquisition and installation therein and thereon of various machinery, equipment, furnishings and other items of tangible personal property, including sewer and water improvements (the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain other “financial assistance” (within the meaning of Section 854(14) of the New York State General Municipal Law) with respect to the foregoing, including potential exemptions from transfer taxes, mortgage recording taxes (subject to certain statutory limitations), real property taxes (only with respect to the residential component of the Project Facility) and sales and use taxes (the “Financial Assistance”); and (C) the lease (with an obligation to purchase) the Project Facility to the Company.

The Company will be the initial owner of the Project Facility.

The Agency is considering whether to (A) undertake the Project, and (B) provide certain exemptions from taxation with respect to the Project, including exemptions from certain (1) sales and use taxes, (2) real estate transfer taxes on any real estate transfers with respect to the Project, (3) mortgage recording taxes with respect to certain documents to be recorded by the Agency in the Office of the County Clerk of Albany County, New York (subject to applicable statutory limitations), and (4) real property taxes (but not including special assessment and ad valorem levies), subject to the obligation of the Company to make certain payments in lieu of taxes with respect to the Project Facility.

A copy of the application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency located at 20 Clinton Street, Green Island, New York 12183.

The Agency will at said time and place hear all persons with views on the nature of the proposed Project and the granting of Financial Assistance with respect thereto.

Dated: January 28, 2019 VILLAGE OF GREEN ISLAND INDUSTRIAL

DEVELOPMENT AGENCY

By: /s/ RACHEL A. PERFETTI

Chairperson

Sean Ward, IDA CEO then asked for Peter Luizzi, the project developer to give a brief presentation of the South Island Apartments, LLC project pertaining to the IDA application for Financial and Other Assistance.

Mr. Luizzi deferred comment to Michael Alix, Vice President for Luizzi Bros.

Michael Alix proceeded to present project. He stated that he grew up here in Green Island for the first 26 years of his life and he wouldn’t ask for a better place to be raised. He would like to introduce the team members for the project. Victor Caponera, Attorney for the project, Mike Arcangel, who has helped with a lot of the internal workings for the project, Chuck Pafundi, Project Manager on site and the most important guy, who writes the checks, Peter Luizzi. Brian Gross, who is also a Green Island guy, he is the site superintendent. The project definitely hits home for a lot of us. He would like to start with the site map.

Michael stated that the first two (2) buildings that you will see on the site plan, these are the commercial buildings. The first one depicted is plus or minus 14,000 sq. ft. of commercial office space. They haven’t fully decided what they want to do with it. If you are looking at the site plan, there is talks of possibly a bank, etc. and on this side we would like to get a restaurant and tie it all in to the amphitheater and what we have going on down here with the river front. The first building which is the senior building is 40 units and followed by the 68 unit building and building 30 and 20 are to follow with a total of 268 apartment units. Some of the amenities are the pool, a club house with a top of the line fitness center, community room with pool tables, ping pong tables and a gaming room; apparently that is the new thing. The rental office was depicted.

Michael depicted three (3) buildings that would have underground parking and he doesn’t believe that it provides parking for all units, but the balance will have exterior parking. They are proposing a tennis court, basketball court and we really are not sure how that is going to shake out yet with a pavilion to be eventually tied in with a restaurant. Originally, approximately three (3) years ago, Peter asked about this piece of property and as most of you know was a contaminated site and he had a vision of what you see going on here. Basically, we took a contaminated site and brought it to something that will be built on and approved for residential, which is the hardest approval process to go through and a lot of that is thanks to the team and thanks to Gianni, who is from Envirospect, and is not here with us today, There was a lot of work hand in hand with DEC every step of the way, he wishes they were here to be a part of this, they were great. All this planning which you guys see going on along the retaining wall along the river, it was like a partnership with those guys, we proposed some things and they kicked it back to us and together we came up with what he believes is a fantastic design for the river front and to be able to tie all this in is going to be unbelievable and it is a little hard for some people to envision right now, but when this is all built out, this will be a walkway on grade to where it will tie in all the pedestrian traffic and foot traffic and it really revitalizes this whole river front into something magnificent in his opinion. What it has taken us to get there is incredible and to be able to, and as of four (4) years ago, no one ever turned their head that way anymore and now to see what is going on there is incredible. You will be able to walk, this area will have a wrought iron railing and you will be able to walk their and it will tie everything in with what is going on in Troy and people see they are on the move and we are going to be on the move here and it is going to be awesome.

The amphitheater he believes will seat a 120 people at max capacity. The amphitheater will be very similar to Troy and what they have going on, if you want to try an envision this will all be sitting area with grass landscaping in between and whatever happens with the Village, if they want to have their band down there, it is available. It is really cool to be right down on the river. This bottom elevation, it is one whole section of this boardwalk where you are actually right on the water.

As far as some of the upgrades, as they will call it, is that they are adding a traffic light in the middle of the bridge span, the entrance to the project and the owner is paying for it. It will be a plus or minus, $200,000.00 upgrade, which is the cost of the light, the infrastructure and the inspections. It will also have license plate readers. They are donating to the Police Department for license plate readers to help them better protect the bridge and the traffic going over the bridge. It will be a benefit for all of us.

Some other upgrades that they are making are to the pump station, which he depicted on diagram.

Chuck Pafundi stated they are looking right now to see that everything is functionally working correctly, electrical panel upgrade, being able to tie the Wi-Fi system back to the infrastructure here in the Village Offices and just cleaning it up and revitalizing it for this development which is all located in the light house right now.

Mike proceeded that is another thing and we are also offering to pave the Green Island Little League parking lot road way which would help the Little League and that area. He just wants people to understand that the environmental cleanup alone was just north of $2.3 million and it is not something that you could really plan for, you kind of get into and as crazy as it sounds, what it shakes out to be, it shakes out to be and we were chasing what is a liquid on the surface basically of the river, and we are approximately 35 feet into the ground and there is really no way to quantify the liquid. We originally went to DEC and they said look can you pump and treat and we said yes. They didn’t want to build a community like this and have an oil truck come in once a month to suck it out of a vac system that they would have had to create down in this circle. He wanted to think that the original talks were approximately $1 million but when they got the crust off of it at 32 or 33 feet, you saw a black liquid that, it was frustrating for sure, but it was a very vulnerable state for the owner and the company because you can’t quantify it. They vac’d that for probably for three (3) months and this isn’t a product that can go to any kind of a waste area, it has to go to a special waste area that doesn’t exactly charge the same as a normal waste area. That environmental cleanup alone, it was an isolated area right under this depicted area was north of $2.3 million, so that was one of the new adventures that they ran into and they got to this point and had to keep going.

Michael asked if anyone had any questions or comments.

Michael stated that the docks will be roughly a $1.2 million upgrade to the river front that will be happening. They are still trying to finalize the dock system. He stated that he didn’t want to bore everyone but the river narrows up at this location right as you come under the bridge, so as much as everyone out their can see that the river is running ferociously this way, it is actually has a swirling effect, so the dock system that is proposed here won’t really work because this is fighting against the current and the current is very aggressive. You can see that CD Perry on the other side is struggling with the turbidity and current and what not. This is conceptual here but you will probably see these docks come on a slant and they are still working on the inner workings here. It lessens as the river starts to widen here and anyone can tell as you go down there, so this docking system will potentially go out there to start as we finalize these drawings, those boats ran north and south with the current. Conceptually in a couple of years, you won’t see exactly what is shown, it will be slanted.

Michael proceeded to provide detail on the wall. This system with the help of DEC and McFarland & Johnson and Chuck and Peter and everybody else that had input on it, this wall is at an Elevation 6, which is basically our property line, so we are off of DEC and Army Corp, we are off of their property but this system is actually supported by 35 to 40’ wood piles, there are 600 of them and the reason for that is because of the aggressiveness of the river, that if in the event this was to undermine, it is made to basically to sit on an exposed footing and that is what all these piles are doing. So these piles are driven to 40 +/- depths and then there is a 2 foot footing that is encapsulated in the piles that is the whole length of it. So, if that rip rap was to undermine, you would potentially be able to look across the river and this would be a free standing wall. It is a Ready Rock system that came out of New Hampshire that through a lot of design efforts with Chuck and Ready Rock, they came up with a unbelievable product and this jog out area is going to have basically a wrought iron sign with 4 foot letters that is going to read “Starbuck Island” and Peter is proposing to light up from the corner of the tip to the amphitheater with LED lighting so at night from what we call the top of the cap, it kind of cantilevers the wall by 6 inches, will shine down and will light this whole waterfront up from the tip to the end which is roughly 1,500 feet.

Peter Luizzi also pointed out that we have a planter area being incorporated.

Michael then pointed out that in this lower area, in this upper area where the jog is, which he would say is plus or minus 10 feet taller than the lower area, they are going to put some nice plantings in here to kind of break up the magnitude of the wall, so then when you are looking over it, it doesn’t look like one big massive wall, they want to break it up a little bit.

IDA CFO Jack McNulty asked Michael when you were talking about the docks, are you talking about putting boat slips in there too?

Michael stated this is kind of on their wish list so don’t hold him to it, what they are trying to do is, they are trying to get the restaurant tenant to run this pavilion, so what would happen is and for the time being if they go back to their original approved dock system until all this design is done, what they are hoping to do is you pull up in the boat and you can order food and they would be able to send the order to the restaurant and they will work hand in hand with having a food service, beverage service and they really haven’t made it that far yet. He feels some of the penthouse and what they are calling the really nice units, and he wants to say that there are 10 units in the project that are approximately 1,600 sq. ft. or bigger and potentially those units would go with a boat slip, but it is not going to be public at this time.

Peter Luizzi stated that they would rent to the public, there have been a lot of tenants down there that have had boats there for a very long time and have expressed interest in going back there and they have had their boat for a very long time and we want to be able to afford them the same opportunity to go back there, if they should wish to go back there.

Michael stated that they have made provisions as they have built the wall for an anchoring system and from preliminary engineering that we hope will coincide with the docking system that they believe is going to work and as these docks take off and the units fill up, he feels the docking system will eventually slide up as they go, more and more docks. We don’t want to put in 40 docks and it doesn’t get any interest. Just from what was in place in the past, at peak it was roughly 25 to 35 boats and that was the striper season thing. We are looking for traffic but they are also looking to put a nice product in to draw nice traffic into the area.

IDA CEO Sean Ward then asked if anyone from the public has any comments that they would like to make on the record.

Mayor McNulty-Ryan stated that she a question did you have to do stabilization of the wall on the other side.

Michael stated that basically everything from Elevation 6 up has been re-stabilized and re-compacted because the whole piece after they did testing after the car wash and the banker building came down, this also qualified to go into the Brownfield so they had to put a two (2) foot cap on the whole island. So anything that is impervious, the concrete and black top will act as your cap, he then depicted the area that had to be capped and again they went from Elevation 6 up to the new retaining wall down, but this has all been capped and stabilized. They tried to leave as many trees as they good that would work with the grading and you can kind of see as you are out there, but this whole slope has been addressed.

No further comments.

Sean Ward, IDA CEO closed the public hearing and thanked everyone for coming and braving the elements today. The hearing was closed at 4:26 p.m.