The minutes of the monthly meeting of the Village of Green Island Industrial Development Agency meeting held on Wednesday, February 19, 2020 at 3:00 p.m. at the Green Island Municipal Center, 19 George Street, Green Island, NY.

Chairperson Rachel A. Perfetti called the meeting to order.

Present: Chairperson Perfetti, Treasurer Alix, Secretary Koniowka and Attorney Legnard.

Also, in attendance: John J. McNulty III, Chief Financial Officer and Michele Bourgeois, Assistant to the Chief Financial Officer.

Special Agency Counsel – Amanda Mirabito, Esq. of Barclay Damon, LLP.

Absent: Sean E. Ward, IDA CEO.

On a motion by Treasurer Alix seconded by Secretary Koniowka and carried, to excuse the absentee. All ayes.

Chairperson Perfetti stated that the next item on our agenda is consideration of the minutes from the regular meeting, annual meeting and committee meetings held on December 18, 2019. Chairperson Perfetti noted two minor corrections on the minutes for the regular monthly meeting, it would be on page two referencing the percentage in two locations, it should read .75% in both locations.

On a motion by Secretary Koniowka seconded by Treasurer Alix and carried, to approve the minutes of the regular meeting, annual meeting and committee meetings held on December 18, 2019 with corrections as noted for regular monthly meeting minutes. All ayes.

Chairperson Perfetti then asked for a motion on the monthly financial reports for FYE 12/31/19 (Unaudited) as submitted by the Chief Financial Officer.

John McNulty stated that he provided copies to all members on January 15, 2020 and he would to note that these are unaudited. The auditors have not been in to audit them yet but they normally don’t make any changes to them.

On a motion by Treasurer Alix seconded by Secretary Koniowka and carried, to accept the monthly financial reports for FYE 12/31/19 (Unaudited) as submitted by the Chief Financial Officer. All ayes.

Chairperson Perfetti stated that the next item is consideration of the Audit of Claims for December 18, 2019 to present.

On a motion by Treasurer Alix seconded by Secretary Koniowka and carried, to approve the audit of claims for December 18, 2019 to present. All ayes.

Chairperson Perfetti stated that next is consideration of Additional Financial Assistance for our South Island Apartments and Attorney Mirabito is going to say a few words.

Attorney Mirabito stated that as you remember in March of 2019 you closed on the South Island Apartments Project and at the time you had approved $560,000 of a Mortgage Recording Tax Exemption ….

John McNulty questioned wasn’t it $56,000,000?

Attorney Mirabito stated that it was a $56,000,000 mortgage which was a $560,000 mortgage recording tax exemption. You pay 1% of the mortgage in order to record.

Attorney Mirabito proceeded to state that back in December, South Island Apartments came to the IDA board and said that they had closed on the 1st and 2nd mortgages at the time of the March closing and that for the final pieces of the financing the 3rd and 4th mortgages, the amount of the mortgage had increased so subsequently in connection with that the mortgage recording tax amount had increased. So, the company had asked for an increase in the mortgage recording tax exemption at the time of $23,000. You approved that in December. The 3rd and 4th mortgages never closed in December and since the amount of the 4th mortgage has increased by $2,000,000, so the company has come to you today to request an additional $20,000 mortgage recording tax exemption.

John McNulty stated that he was looking at a letter from Chuck Pafundi, Project Manager dated February 14, 2020 and he states that “he is looking for a present exemption amount of $56,000,000 to $60,300,000, i.e. a net increase of $4,300,000”.

Attorney Mirabito stated that is the amount of the mortgage that has increased. You only pay a mortgage recording tax on 1% of the mortgage or the amount of the mortgage recording tax is 1% of the mortgage and that is where the IDA benefit kicks in, it is to exempt them from that mortgage recording tax. In their letter, they indicated how much the actual mortgage will increase but where the IDA offers their benefit it is just on the amount of the mortgage recording tax.

Chairperson Perfetti confirmed that we were all clear on this.

Chairperson Perfetti stated that we will ask Treasurer Alix to abstain on this matter.

Chairperson Perfetti then asked for a motion to approve the RESOLUTION APPROVING ADDITIONAL FINANCIAL ASSISTANCE AND AUTHORIZING EXECUTION AND DELIVERY OF AMENDED LENDER DOCUMENTS AND ADDITIONAL LENDER DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT FOR SOUTH ISLAND APARTMENTS, LLC AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

Attorney Mirabito would like to add that this will allow for the 1st and 2nd mortgage that were recorded that had an incorrect legal description. Back in December, you approved the change of the IDA documents with their legal description but the bank has since asked for their documents to be amended as well. So, this resolution includes your approval to amend the description that was attached to the 1st and 2nd mortgages that were already recorded.

On a motion by Secretary Koniowka seconded by Chairperson Perfetti and carried, to adopt a RESOLUTION APPROVING ADDITIONAL FINANCIAL ASSISTANCE AND AUTHORIZING EXECUTION AND DELIVERY OF AMENDED LENDER DOCUMENTS AND ADDITIONAL LENDER DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT FOR SOUTH ISLAND APARTMENTS, LLC AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH. Two ayes and Treasurer Alix recused herself from the vote on this matter.

No further business.

On a motion by Secretary Koniowka seconded by Treasurer Alix and carried, to adjourn the meeting at 3:07 p.m. All ayes.