



# CITY OF UTICA

Utica Industrial Development Agency  
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**ROBERT M. PALMIERI**  
MAYOR

VINCENT GILROY, JR.  
CHAIRMAN

JACK N. SPAETH  
EXECUTIVE DIRECTOR

November 2, 2022 9:00a.m.  
Utica Industrial Development Agency Regular Meeting  
Utica City Hall, Utica, NY – WebEx Conference Call/In-Person

**Members Present:** Vin Gilroy, Mark Curley, John Zegarelli, John Buffa

**Excused:** Emmett Martin

**Also Present:** Jack Spaeth (Executive Director), Linda Romano and Laura Ruberto (BSK – Agency Counsel)

**Others:** Bob Calli (MHA – People First)

**1) CALL MEETING TO ORDER:** The meeting was called to order by Mr. Gilroy at 9:04a.m. The Finance, Governance and Audit Committees, as they consist of sitting Agency members, meet as a committee of the whole, and in doing such, meet at every meeting.

**2) APPROVAL OF MINUTES:** A motion was made by Mr. Curley, seconded by Mr. Buffa, to approve the minutes of the September 7, 2022 meeting. All in favor.

### **3A) OLD BUSINESS – Artspace Utica Lofts, L.P. facility**

Ms. Ruberto stated that a final resolution was needed for this project as well as approval of the SEQR resolution.

With no discussion, Mr. Buffa made a motion, seconded by Mr. Curley to approve a SEQR resolution relating to the Artspace Utica Lofts, L.P. facility. The City of Utica Planning Board acted as lead agency for the project, determined it was a “Type I” Action, and adopted a negative declaration for the Project. The Agency wishes to adopt the findings and determinations of the lead agency. All in favor.

Mr. Curley made a motion, seconded by Mr. Zegarelli to approve a final authorizing resolution relating to the Artspace Utica Lofts, LLC Facility, authorizing financial assistance in the form of reduction of real property tax for a period of 32 years (valued at \$6,845,270), which is a deviation from the Agency’s Uniform Tax Exemption Policy and approving the form and execution of related documents, all in the Agency’s standard form and subject to counsel review. The Agency conducted a public hearing on September 21, 2022 and mailed deviation notices to the taxing jurisdictions on September 27, 2022. All in favor.

### **3B) OLD BUSINESS – 268 Genesee Street, LLC**

Mr. Spaeth having previously polled the members, reviewed the request letter to extend the sales tax exemption until December 31, 2022.

After some discussion, Mr. Buffa made a motion, seconded by Mr. Curley to approve the request to extend the sales tax exemption until December 31, 2022. Mr. Gilroy abstained from the vote as he is the accountant for this company, and all other members were in favor.

### **3C) OLD BUSINESS – Burrstone Road Associates, LLC**

Mr. Spaeth having previously polled the members, reviewed the request letter to extend the sales tax exemption until December 31, 2022.

With little discussion, Mr. Buffa made a motion, seconded by Mr. Zegarelli to approve an extension of the Sales Tax Exemption for the Burrstone Road Associates, LLC project until December 31, 2022. All in favor.

### **3D) OLD BUSINESS – 311 Main Street Holdings, LLC**

Ms. Ruberto indicated that a final resolution needed to be approved and that the value of the sales tax exemption was requested to increase due to a clerical error in the Application. The Company submitted corrected pages to its application, which were received by the Agency.

With little discussion, Mr. Zegarelli made a motion, seconded by Mr. Curley to approve a final authorizing resolution relating to the 311 Main Street Holdings, LLC Facility, authorizing financial assistance in the form of exemptions from mortgage recording tax (valued at \$48,975.00), exemptions from sales tax (value increased from \$30,625 to \$350,000) and reduction of real property tax for a period of 12 years (valued at \$451,080), which is a deviation from the Agency's Uniform Tax Exemption Policy and approving the form and execution of related documents, all in the Agency's standard form and subject to counsel review. The Agency conducted a public hearing on April 19, 2022 and delivered deviation notices to the taxing jurisdictions on October 25, 2022. Mr. Buffa abstained as his employer is the lender for the project, and all other members were in favor.

### **3E) OLD BUSINESS – 1002 Oswego Street, LLC/United Auto Supply Facility**

Mr. Spaeth indicated that the facility had been appraised for a higher value than originally considered and as such, the company is requesting an increase in the mortgage recording tax exemption. The Company submitted corrected pages to its application, which were received by the Agency.

With some discussion, Mr. Buffa made a motion, seconded by Mr. Zegarelli to approve an amendment to the final authorizing resolution relating to the 1002 Oswego Street, LLC/United Auto Supply Facility, authorizing an increase in mortgage recording tax exemption (from \$18,750 to \$28,545) and approving the form and execution of related documents. All in favor.

### **4A) NEW BUSINESS – Chancellor Apartments**

Mr. Spaeth gave a brief overview of the Chancellor Apartments and then introduced Mr. Calli who gave a more detailed description.

Mr. Calli stated that there are 93 units in the facility and will be completely renovated. The facility serves seniors and disabled individuals. Impact Utica – Chancellor Broad, LLC will acquire title from NYS for the property and own it in whole. As to displacement, Mr. Calli stated that 12 units are currently vacant so those units will be renovated first and then the next 12 units until all are completed. Closing on the property will occur in March 2023. The PILOT for this project will be 1.00% of Effective Gross Income (EGI).

Mr. Buffa made a motion, seconded by Mr. Curley to approve an inducement resolution relating to the Impact Utica – Chancellor Broad, LLC (417 Bleecker Street) Facility, providing preliminary approval for financial assistance in the form of exemptions from sales tax (valued at \$875,000), and reduction of real property tax for a period of 33 years (valued at \$5,784,640), which financial assistance is a deviation from the Agency's Uniform Tax Exemption Policy and authorizing the Agency to conduct a public hearing. All in Favor.

Mr. Curley further made a motion, seconded by Mr. Buffa to approve a SEQR resolution relating to the Chancellor Apartments facility. The City of Utica Planning Board acted as lead agency for the SEQR review and adopted a negative declaration for the project. The Agency wishes to adopt the findings and determinations of the lead agency. All in favor.

#### **4B) NEW BUSINESS – Broad Street**

Mr. Calli continued and described the Broad Street project. It will be comprised of 74 units. 24 units will be Supportive Living whereby youth in transition ages 18-24 will be targeted. The remaining 50 units will be slated for other populations. This will be affordable housing. The same architect as the Globe Mills project will be retained. Closing on the property will occur in March 2023. The PILOT for this project will be 7.00% of EGI.

Mr. Zegarelli made a motion, seconded by Mr. Curley to approve an inducement resolution relating to the Impact Utica – Chancellor Broad, LLC (700 Broad Street) Facility, providing preliminary approval for financial assistance in the form of exemptions from sales tax (valued at \$1,750,000), and reduction of real property tax for a period of 33 years (valued at \$5,219,664), which financial assistance is a deviation from the Agency’s Uniform Tax Exemption Policy and authorizing the Agency to conduct a public hearing. All in favor.

Mr. Buffa further made a motion, seconded by Mr. Zegarelli to approve a SEQR resolution relating to the Broad Street facility. The City of Utica Planning Board acted as lead agency for the SEQR review and adopted a negative declaration for the project. The Agency wishes to adopt the findings and determinations of the lead agency. All in favor.

#### **5) EXECUTIVE SESSION:**

Mr. Buffa made a motion, seconded by Mr. Curley to enter Executive Session at 9:32am to discuss a Pending Contract

Mr. Buffa made a motion, seconded by Mr. Zegarelli to exit Executive Session at 10:12am.

**3F) OLD BUSINESS – Bowers Development** Mr. Zegarelli made a motion, seconded by Mr. Curley to initiate default proceedings and to terminate and recapture benefits as it relates to the 253 New Century, LLC facility for lack of timely completion of the project, failure to meet employment goals and other stated objectives of the project and non-payment of the Administrative Fee. All in favor.

Mr. Buffa made a motion, seconded by Mr. Curley to initiate default proceedings for non-payment of the annual Administrative Fee as it relates to the 120 Security, LLC project. All in favor.

Mr. Curley made a motion, seconded by Mr. Zegarelli to initiate default proceedings relating to the 1900 Bleecker, LLC project for failure to satisfy an outstanding Mechanic’s Lien. All in favor.

**6) ADJOURNMENT:** There being no further business brought before the Agency, Mr. Zegarelli made a motion to adjourn, seconded by Mr. Curley and the meeting was adjourned at 10:15am.

The next regular meeting of the Utica Industrial Development Agency is scheduled for Wednesday, December 14, 2022 at 12:00pm at the Fort Schuyler Club via WebEx and in-person.