



# CITY OF UTICA

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

VINCENT GILROY, JR.  
CHAIRMAN

JACK SPAETH  
EXECUTIVE DIRECTOR

September 4, 2018 8:30a.m.  
Utica Industrial Development Agency Regular Meeting  
Utica City Hall, 1 Kennedy Plaza, Utica

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

**Member Excused:**

**Also Present:** Jack Spaeth (Executive Director), Laura Ruberto (BSK – Agency Counsel), Mayor Robert Palmieri, Heather Mowat (Budget Director), Brian Thomas (UED Commissioner)

**Others:** Jon Penna and Chris Tolhurst (DePaul Utica, LP), John Mansfield (developer), Eric Smithers (120 Security, LLC)

**1) CALL MEETING TO ORDER:** The meeting was called to order by Mr. Gilroy at 8:34a.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. Zegarelli, seconded by Mr. Curley, to approve the minutes of the June 14, 2018 meeting. All in favor.

### **3A) OLD BUSINESS: BG Warehouse, LLC**

Mr. Spaeth received two requests from BG Warehouse, LLC (letters attached) 1. A request for a time extension for their project as Trenton Technology has expanded its space in the building and a new tenant is expected to occupy space in the facility, and 2. A request to consent to a sub-lease to Precise-Kit.

Mr. Buffa abstained from the vote as NBT Bank has a working relationship with BG Warehouse, LLC.

Mr. Curley made a motion, seconded by Mr. Martin to approve an extension for six months for the BG Warehouse, LLC project until April 30, 2019.

Mr. Curley made a motion, seconded by Mr. Martin to consent to the sublease of Precise Kit.

### **3B) OLD BUSINESS: Harbor Point Lodging Associates, LLC**

Mr. Spaeth received a request from Harbor Point Lodging Associates, LLC (letter attached) for a time extension for their project as they have been waiting for soils to settle per flood plain requirements and HPLA has not utilized the STE as of yet.

Mr. Gilroy abstained from the vote as he is President of the Utica Harbor Point Development Corporation.

Mr. Buffa made a motion, seconded by Mr. Curley to approve an extension for six months for the BG Warehouse, LLC project until April 30, 2019.

### **3C) OLD BUSINESS: Utica Property Development, LLC**

The UIDA is in a position to pass a Final Authorizing Resolution but various Agency members had additional questions that need to be addressed and as such tabled the FAR until representatives from both Utica College and the Utica Municipal Housing Authority could address. Mr. Spaeth was instructed to set up a special meeting within the next two weeks.

### **3D) OLD BUSINESS: 120 Security, LLC**

Mr. Spaeth received two requests from 120 Security, LLC (letters attached) 1. To extend the amount of their STE to October 31, 2018 as construction for their new tenant is nearing completion, and 2. To extend the Mortgage Recording Tax Exemption to the loan they are securing.

After some discussion, Mr. Curley made a motion, seconded by Mr. Martin to extend the STE to October 31, 2018 and to extend the MRTE for the 120 Security, LLC facility. All in favor.

### **3E) OLD BUSINESS: 1900 Bleecker Street**

Mr. Spaeth informed Agency members of the agreement between the City of Utica (as Owner), the Utica Urban Renewal Agency (as marketer) and the UIDA (as Seller) as it pertains to the 1900 Bleecker Street facility. Through vetting, the City and URA have identified a qualified purchaser Bowers Development and as such, are in the process of due diligence to sell the property.

After some discussion, Mr. Martin made a motion, seconded by Mr. Curley to approve the sale of 1900 Bleecker Street to Bowers Development. All in favor.

### **4A) NEW BUSINESS: DePaul Utica, LP**

Mr. Spaeth gave a brief description of the project to be located near the corner of Culver and Dwyer in the City of Utica. He then turned the discussion over to Jon Penna, Chief Legal Office for DePaul. Mr. Penna indicated that DePaul has been developing housing since 1958. Starting Line Apartments will consist of 60 units of which 54 will be 1 bedroom and six will be two bedroom. The apartments will be for affordable (60% of average median income) and special need assisted living persons. The units will be fully-furnished and will have a number of community services offered to the residents. A unique factor to the project is DePaul will seek LEED Silver recognition or better during the development.

After some discussion, Mr. Martin made a motion, seconded by Mr. Buffa to approve an inducement resolution relating to the DePaul Utica, LP facility, providing preliminary approval for financial assistance (real property abatement and sales tax exemption), which is a deviation from the Agency's Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing. All in favor.

After some discussion, Mr. Martin made a motion, seconded by Mr. Buffa to approve a SEQR resolution relating to the DePaul Utica, LP facility. All in favor.

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

Mr. Curley made a motion, seconded by Mr. Buffa to enter Executive Session for the purpose of pending real estate transaction at 9:09am.

Mr. Zegarelli made a motion, seconded by Mr. Curley to exit Executive Session at 9:31am.

After a brief discussion, as noted above, Agency members decided to table the Final Authorizing Resolution until such time as additional questions can be addressed.

**6) ADJOURNMENT:** There being no further business brought before the Agency, Mr. Buffa made a motion to adjourn, seconded by Mr. Curley and the meeting was adjourned at 9:38am.

The next regular meeting of the Utica Industrial Development Agency is scheduled for Tuesday, July 3, 2018 at 8:30am.