

**NYS Urban Development Corporation Meeting**  
**Via Teleconference**  
**Thursday, 7/16/2020**  
**9:30 - 11:30 AM ET**

**I. Corporate Action**

**A. Approval of the Minutes of the June 25, 2020 Directors' Meeting**

*062520 Draft ESD Minutes - Page 3*

**Oral Reports**

**A. President's Report**

**B. Loans and Grants - Summary of Projects**

**II. Projects**

**A. Regional Council Award – Priority Project – Rome (Mohawk Valley Region – Oneida County) – Griffiss International Airport Building 100 – Regional Council Capital Fund – (Capital Grant)**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions; Determination of No Significant Effect on the Environment

*Griffiss International Airport Building 100 - Page 39*

**B. Regional Council Award – Priority Project – Amsterdam (Mohawk Valley Region – Montgomery County) – AIDA Southside Hotel – Regional Council Capital Fund (Capital Grant)**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to a Make Grant and to Take Related Actions; Determination of No Significant Effect on the Environment

*AIDA Southside Hotel - Page 47*

**C. Regional Council Award - Utica (Mohawk Valley Region – Oneida County) – Matt Brewing Capital – Regional Council Capital Fund (Capital Grant)**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions; Determination of No Significant Effect on the Environment

*Matt Brewing Capital - Page 59*

*Matt Brewing Capital Photographs - Page 71*

**D. Utica (Mohawk Valley Region – Oneida County) – DOD Cyber Security Assistance – Federal DOD OEA CYBER 2020 Fund (Working Capital)**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

*DOD Cyber Security Assistance - Page 73*

**E. Regional Council Award – Priority Project – Cazenovia (Central New York Region – Madison County) – Knowles Cazenovia Thin Film Commercial Expansion Capital**

Regional Council Capital Fund (Capital Grant) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

*Knowles Cazenovia Thin Film Commercial Expansion Capital - Page 80*

**F. Garden City (Long Island Region – Nassau County) – Adelphi University Labs for Tomorrow Capital – Regional Council Capital Fund (Capital Grant)**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions  
*Adelphi University Labs for Tomorrow Capital - Page 92*  
*Adelphi University Labs for Tomorrow Capital Photographs - Page 100*

**G. Restore NY Communities – Capital Grants**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

**Grantees**

**A. Village of Warsaw – 283-287 North Main Street RESTORE NY V (Wyoming County) - \$1,000,000**

**B. Village of Massena – The Old Mill Rehabilitation RESTORE NY V – (St. Lawrence County) - \$987,000**

**C. City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (Steuben County) - \$1,000,000**

*RESTORE NY Communities Consent Capital Grants - Page 102*

*RESTORE NY - Village of Warsaw Project Photos - Page 123*

**III. Non-Discretionary Consent Calendar**

**A. Non-Discretionary Consent Calendar**

Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make Grants and to Take Related Actions

**Local Assistance (Assembly)**

**A. Queens Chamber of Commerce Working Capital 2019-2020 - Queens Chamber of Commerce Working Capital – (Queens County) - \$500,000**

**Local Assistance (Base Retention)**

**A. Saratoga County Foundation Capital - Saratoga County Foundation, Inc. (Saratoga County) - \$150,000**

**B. Saratoga County Foundation Capital - Saratoga County Foundation, Inc. (Saratoga County) - \$300,000**

*Non-Discretionary Consent Calendar - Page 125*

**DRAFT – SUBJECT TO REVIEW AND REVISION**

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION**

d/b/a Empire State Development  
Meeting of the Directors

**Conducted Via Teleconference**

June 25, 2020

**MINUTES**

**In Attendance** Howard A. Zemsky - Chair  
**Directors:** Eric J. Gertler  
Hilda Rosario Escher  
Cesar Perales  
Shaunik Panse, Designee - Superintendent of NYS Department of  
Financial Services

**Present for ESD:** Kelly Baquerizo, Business Marketing Program Analyst  
Simone Bethune, Senior Project Manager  
Douglas Bressette, Treasurer  
Vincent Esposito, Director - Finger Lakes Regional Office  
James Fayle, Director - Central New York Regional Office  
Elizabeth Fine, Executive Vice President - Legal and General Counsel  
Ed Hamilton, Executive Vice President - Administration  
Donna Howell, Director of Regional Business Development - Southern  
Tier Regional Office  
Elaine A. Kloss, Chief Financial Officer  
James Kostenblatt, Acting Director - Mid-Hudson Regional Office  
Edwin Lee, Senior Vice President and Director of Economic Incentives  
Cara Longworth, Director - Long Island Regional Office  
Holly Leicht, Executive Vice President - Real Estate Development &  
Planning  
Amanda Mays, Director - Western New York Regional Office  
Glendon McLeary, Vice President and Director - Loans and Grants  
Kathleen Mize, Deputy Chief Financial Officer and Controller  
Richard Newman, Executive Vice President and Chief of Staff  
Pravina Raghavan, Executive Vice President - Small Business and  
Technology Development  
Michael Reese, Director - Mohawk Valley Regional Office  
Debbie Royce, Corporate Secretary  
Goldie Weixel, Senior Managing Attorney  
Bette Yee, Director - Entrepreneurial Assistance Program  
Michael Yevoli, Director - Capital Regional Office  
Kevin Younis, Chief Operating Officer

**DRAFT – SUBJECT TO REVIEW AND REVISION**

Before the meeting was formally called to order by Chair Zemsky, the Corporate Secretary of the New York State Urban Development Corporation (“UDC”) d/b/a Empire State Development (“ESD” or the “Corporation”) welcomed everyone to the meeting and conducted a roll call of the Directors to determine that a quorum was present.

Following the roll call and confirmation that a quorum was present, the meeting of the Directors of ESD was called to order at 9:30 a.m. by Chair Zemsky. He noted for the record that due to public health concerns, this meeting would be conducted by teleconference as authorized by an Executive Order of the Governor.

Next, the Chair noted that the public had been given an opportunity to comment on the Agenda items by submitting their written comments at or before 4:30 p.m. yesterday. He noted that no comments were received on any of the Agenda items.

Chair Zemsky then asked the Directors if they had any conflicts of interest to note on any of the Agenda items and no conflicts were noted at this time. He then reminded everyone to please mute their phones when not speaking and to state their names before speaking.

The Chair then called for a motion to approve the Minutes of the May 21, 2020 and May 29, 2020 Directors’ Meetings. There being no changes or corrections, upon motion duly made and seconded, the following resolution was unanimously adopted:

**DRAFT – SUBJECT TO REVIEW AND REVISION**

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT MAY 21, 2020 AND  
MAY 29, 2020 MEETINGS OF THE DIRECTORS OF THE NEW YORK STATE URBAN  
DEVELOPMENT CORPORATION

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RESOLVED, that the Minutes of the meetings of the Corporation held on May 21, 2020 and May 29, 2020, as presented to this meeting, are hereby approved and all actions taken by the Directors presented at such meetings as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Corporation.

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Next, Chair Zemsky asked Director Gertler to provide the President’s Report on the Corporation’s most recent activities.

Following the full President’s Report, the Chair called on Glendon McLeary to present a summary of the project items on the Agenda.

Mr. McLeary explained that the Directors were being asked to consider 14 projects totaling \$35,350,695 million in grants. He further explained that there was one Buffalo Billion award; eleven Regional Council awards and three discretionary awards that will support various projects in regions throughout the State.

Mr. McLeary noted that these projects will leverage over \$90 million of additional investment, retain 786 jobs and create 394 new jobs in the State.

The Chair then called on Amanda Mays, Director of the Western New York Regional Office to present the first two items on the Agenda for the Directors’ consideration.

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The first project Ms. Mays presented involved a Buffalo Regional Innovation Cluster grant in the amount of \$500,000 to Preservation Buffalo Niagara to administer a portion of the East Side Commercial Building Stabilization Fund Capital, a program announced in March 2018 as part of Governor Cuomo’s \$50 million East Side Corridor Economic Development Fund.

Ms. Mays noted that the program is designed to provide funding for at risk, historic commercial buildings located on the City of Buffalo’s east side for future redevelopment opportunities.

Ms. Mays further noted that the buildings will receive up to \$50,000 each in funding to support smaller field efforts that will eliminate risks that pose a threat to the safety of the building and neighboring structures.

Lastly, Ms. Mays noted that buildings will be solicited to apply for funding by Preservation Buffalo Niagara and the City of Buffalo, which will be responsible for all aspects of grant administration. They will work with property owners to develop scopes of work for each project, provide construction oversight and process payments to contractors for the stabilization work.

The second project Ms. Mays presented involved a Downtown Revitalization Initiative grant in the amount of \$411,250 to Four Mile Brewing LLC to be used to finance a portion of the renovation and construction costs associated with the project at the former Olean Brewing now known as Four Mile Brewing.

**DRAFT – SUBJECT TO REVIEW AND REVISION**

Following the full presentation of both projects, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolutions were unanimously adopted:

Buffalo (Western New York Region – Erie County) – East Side Commercial Building Stabilization Fund Capital (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the East Side Commercial Building Stabilization Fund Capital – Buffalo Regional Innovation Cluster (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Perseveration Buffalo Niagara a grant for a total amount not to exceed Five Hundred Thousand Dollars (\$500,000) from the Buffalo Regional Innovation Cluster for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

**DRAFT – SUBJECT TO REVIEW AND REVISION**

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Olean (Western New York Region – Cattaraugus County) – Four Mile Brewing Capital – Downtown Revitalization Initiative Round 2 (Capital Grant) – Findings and Determinations Pursuant to Section and 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Four Mile BrewingCapital -- Downtown Revitalization Initiative (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Four Mile Brewing, LLC a grant for a total amount not to exceed Four Hundred Eleven Thousand, Two Hundred Fifty Dollars (\$411,250) from the Downtown Revitalization Initiative, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the

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Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Zemsky then called on Vincent Esposito, Director of the Finger Lakes Regional Office to present the next two items on the Agenda for the Directors' consideration.

The first project Mr. Esposito presented involved a Regional Council Capital grant in the amount of \$2 million to SamSen LLC, a company formed by Sessler, to renovate and operate the marina at SemSen State Park on Seneca Lake.

The second project Mr. Esposito presented involved an Upstate Revitalization Initiative grant in the amount of \$2 million to IEC Electronics to be used to support the construction and leasing of a new 150,000 square-foot facility in Newark, Wayne County.

Mr. Esposito noted that this location will serve as IEC Electronics' headquarters and will allow them to create 292 jobs in addition to the 463 existing jobs.

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Mr. Esposito further noted that the project will be completed at the end of June 2020 for a total of \$10 million.

Following the full presentation of both projects, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolutions were unanimously adopted:

Regional Council Award-- Priority Project –Romulus (Finger Lakes Region – Seneca County) – SamSen Capital – Regional Council Capital Fund (Capital Project) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the SamSenCapital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to SamSen, LLC a grant for a total amount not to exceed Two-Million Dollars (\$2,000,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or

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his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award -- Priority Project –Romulus (Finger Lakes Region – Seneca County) – SamSen Capital – Regional Council Capital Fund – (Capital Project) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the SamSen Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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Newark (Finger Lakes Region – Wayne County) – IEC Electronics Capital – Upstate Revitalization Initiative (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the IEC Electronics Capital - Upstate Revitalization Initiative (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

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RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to IEC Electronics Corp. a grant for a total amount not to exceed Two Million Dollars (\$2,000,000) from the Upstate Revitalization Initiative, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The Chair then called on James Fayle, Director of ESD’s Central New York Regional Office to present the next item on the Agenda for the Directors’ consideration.

Mr. Fayle explained that the Directors were being asked to approve a Regional Council Capital grant in the amount of \$450,000 to Immediate Mailing Services to construct and equip a

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6,500 square-foot warehouse and to renovate the existing facility which will provide print and mailing services throughout New York State and the Northeast.

Mr. Fayle noted that the project requirement to create 11 jobs has been met and was exceeded with the creation of 27 jobs with the project completion expected by September 2020.

Following the full presentation, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

Regional Council Award – Liverpool (Central NY Region – Onondaga County) – Immediate Mailing Services Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Immediate Mailing Services Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the

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conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Immediate Mailing Services, Inc. a grant for a total amount not to exceed four hundred and fifty thousand Dollars (\$450,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Liverpool (Central NY Region – Onondaga County) – Immediate Mailing Services Capital – Regional Council Capital Fund (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Immediate Mailing Services Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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The Chair then called on Michael Reese, Director of ESD’s Mohawk Valley Regional Office to present the next two items on the Agenda for the Directors’ consideration.

The first project Mr. Reese presented involved an Upstate Revitalization Initiative grant

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in the amount of \$22 million to the Upper Mohawk Valley Auditorium Authority to be used to fund a portion of the cost of construction of a 169,440 square-foot sports and recreation facility called, the Nexus Center.

Mr. Reese noted that the facility will feature three playing surfaces of 200 x 85 square-feet to be used for ice hockey, box lacrosse, soccer and other field sports, as well as creating locker rooms, college classroom space, retail space and areas for food and beverage services.

The second project Mr. Reese presented involved a Regional Council Capital grant in the amount of \$400,000 to the Masonic Medical Research Institute to be used to fund a portion of the purchase and installation of new equipment for the laboratory.

Mr. Reese noted that the Institute is a non-profit organization founded in 1958 and is located in Utica, New York. He further noted that its primary mission is to conduct high quality, basic clinical research aimed at generating knowledge and information necessary for the development of medical cures and treatments.

Following the full presentation of both projects, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolutions were unanimously adopted:

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Regional Council Award – Priority Project – Utica (Mohawk Valley Region – Oneida County) – Upper Mohawk Valley Auditorium Nexus Center URI Capital – Upstate Revitalization Initiative (Capital Grant) – Findings and Determinations Pursuant to Sections 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Upper Mohawk Valley Auditorium Nexus Center URI Capital -- Upstate Revitalization Initiative (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Oneida County a grant for a total amount not to exceed Twenty Two Million Dollars (\$22,000,000) from the Upstate Revitalization Initiative, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole

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discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Priority Project – Utica (Mohawk Valley Region – Oneida County) – Upper Mohawk Valley Auditorium Nexus Center URI Capital – Upstate Revitalization Initiative (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Upper Mohawk Valley Auditorium Nexus Center URI Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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Regional Council Award – Priority Project – Utica (Mohawk Valley Region – Oneida County) – Masonic Medical Research Laboratory Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Masonic Medical Research Laboratory Capital -- Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Masonic Medical Research Institute a grant for a total amount

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not to exceed four hundred thousand dollars (\$400,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Zemsky then called on Cara Longworth, Director of the Long Island Regional Office to present the next item on the Agenda for the Directors' consideration.

Ms. Longworth explained that the Directors were being asked to approve a Regional Council Capital grant in the amount \$1,050,000 to 1 Mill Road Apartment Investors to help fund the critical infrastructure needed by the large mixed-use transit-oriented development project known as the Ronkonkoma Hub.

Ms. Longworth noted that the grant will be used to pay for a portion of the water and sewer infrastructure work that connects the entire project to the Suffolk County Sewer System.

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Lastly, Ms. Longworth noted that the project is complete for a total cost of \$5,213,000.

Following the full presentation, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

Regional Council Award – Priority Project – Brookhaven (Long Island Region – Suffolk County) – Ronkonkoma Hub Capital – Regional Council Capital Fund (Capital Grants) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make Grants and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Ronkonkoma Hub Capital – Regional Council Capital Fund - Capital Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Ronk Hub, LLC a grant for a total amount not to exceed one million fifty thousand Dollars (\$1,050,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be,

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subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Zemsky then called on James Kostenblatt, Acting Director of the Mid-Hudson Regional Office to present the next three items on the Agenda for the Directors' consideration.

The first project Mr. Kostenblatt presented involved a Regional Council Capital grant in the amount of \$832,000 to City Winery Hudson Valley, LLC to be used for the construction and renovation of a capital project in the Village of Montgomery in Orange County.

Mr. Kostenblatt explained that City Winery will invest \$9,727,302 in the project that consists of a production winery, restaurant and event space. He stated the project will create 30 net new jobs, construction was completed, and the criteria for their first grant disbursement has been met.

The second project Mr. Kostenblatt presented involved a Regional Council Capital grant in the amount of \$1 million to The Research Institute for Brain and Body Health located in the Town of Thompson in Sullivan County.

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Mr. Kostenblatt explained that The Center for Discovery will invest \$4,760,000 for construction and renovation to adaptively reuse a 50,000 square-foot space in the former Frontier Insurance Company headquarters dedicated to the Institute.

The last project Mr. Kostenblatt presented involved a Regional Council Capital grant in the amount of \$832,445 to North Street Brick Works, LLC for its project located in the City of Kingston in Ulster County.

Mr. Kostenblatt explained that the company will invest \$4,718,370 in the first phase of a multi-phase project that will transform the former industrial site of Hutton Brick Works Company into a vibrant, event-centered hospitality venue that will bring tourism, jobs and new revenue to the City of Kingston.

Following the full presentations of all three projects, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolutions were unanimously adopted:

Regional Council Award – Montgomery (Mid-Hudson Region – Orange County) – City Winery Hudson Valley Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is

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hereby ordered filed with the records of the Corporation, relating to the City Winery Hudson Valley Capital -- Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to City Winery Hudson Valley LLC a grant for a total amount not to exceed EIGHT HUNDRED THIRTY TWO THOUSAND Dollars (\$832,000) from the Regional Council Capital Fund , for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Rock Hill (Mid-Hudson Region – Sullivan County) – The Research Institute for Brain and Body Health Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the The Research Institute for Brain and Body Health Capital -- Regional Council Capital Fund - (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to The Center for Discovery, Inc. a grant for a total amount not to exceed One Million Dollars (\$1,000,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole

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discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Priority Project – Kingston (Mid-Hudson Region – Ulster County) – North Street Brick Works Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the North Street Brick Works Capital -- Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to North Street Brick Works a grant for a total amount not to exceed Eight Hundred Thirty Two Thousand and Four Hundred and Forty Five Dollars (\$832,445) from the Regional Council Capital Fund , for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the

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approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Priority Project – Kingston (Mid-Hudson Region – Ulster County) – North Street Brick Works Capital – Regional Council Capital Fund (Capital Grant) Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the North Street Brick Works Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

\* \* \*

Chair Zemsky then called on Michael Yevoli, Director of the Capital Regional Office to present the next item on the Agenda for the Directors' consideration.

Mr. Yevoli explained that the Directors were being asked to approve a Regional Council Capital grant in the amount of \$3 million to fund the Rensselaer Bioscience Development Upgrades Capital Project. The grants will be used for a portion of the cost of construction and renovation to buildings and grounds at the East Greenberg Biotechnology Campus, owned by the University of Albany, Bioprocess Development Corporation.

Following the full presentation, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon

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motion duly made and seconded, the following resolutions were unanimously adopted:

Regional Council Award – Priority Project – Rensselaer (Capital Region – Rensselaer County) – Rensselaer Bioscience Development Upgrades Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Rensselaer Bioscience Development Upgrades Capital – Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to University at Albany Bioscience Development Corporation a grant for a total amount not to exceed Three Million Dollars (\$3,000,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

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RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Priority Project – Rensselaer (Capital Region – Rensselaer County) – Rensselaer Bioscience Development Upgrades Capital – Regional Council Capital Fund (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Rensselaer Bioscience Development Upgrades Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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Chair Zemsky then called on Donna Howell, Director of Regional Business Development in the Southern Tier Regional Office to present the next project on the Agenda for the Directors' consideration.

Ms. Howell explained that the Directors were being asked to approve a Regional Council Capital grant in the amount of \$475,000 to Air-Flo Manufacturing to be used for a portion of the cost of construction, as well as renovations and the purchase of material and equipment.

Ms. Howell further explained that the project includes the purchase of a 310,000 square-foot facility that was formerly a Belden facility in Horsehead to install new production lines and consolidate its truck and body accessory manufacturing operations.

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Lastly, Ms. Howell noted that the project will retain 200 existing jobs and create 40 net new jobs over a three-year period and will be completed in January 2021.

Following the full presentation, hearing no questions or comments from the Directors and it being noted that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

Elmira (Southern Tier Region – Chemung County) – Air-Flo Manufacturing Capital – Regional Council Capital Fund (Capital Grant) Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Air-Flo Manufacturing Capital – Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Air-Flo Manufacturing Company, Inc. a grant for a total amount not to exceed Four Hundred and Seventy Five Thousand Dollars (\$475,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

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RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The Chair then called Kelly Baquerizo to present the Market New York Grant Program item on the Agenda for the Directors' consideration.

Ms. Baquerizo explained that the Directors were being asked to approve one Market New York grant in the amount of \$400,000 to Historic Hudson Valley.

Ms. Baquerizo noted that Historic Hudson Valley is a not-for-profit educational organization located in the Mid-Hudson Region that will use the funds to repair the wooden elements of the Phillipsburg Manor's Wharf and a pedestrian bridge.

Following the full presentation, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

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Statewide – Market New York Program (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Market New York Program Project identified below (the “Project”), the Corporation hereby determines pursuant to Section 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written findings being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a to grant to the party and for the amount listed below from Market New York Program for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) receipt of funds;

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Market New York Program

	<b>Project Name</b>	<b>Project #</b>	<b>Grantee</b>	<b>Assistance Up To</b>
	<b>Market New York Program</b>			
A	Philipsburg Manor Bridge and Wharf Market NY Capital	AB572	Historic Hudson Valley	\$400,000
	<b>TOTAL MARKET NY PROJECTS - 1</b>		<b>TOTAL</b>	<b>\$400,000</b>

and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The Chair then called on Simone Bethune to present the Non-Discretionary Consent Calendar item on the Agenda for the Directors' consideration.

The first project Ms. Bethune presented involved a Senate-sponsored grant in the amount of \$300,000 to the Brooklyn Chamber of Commerce on behalf of its economic development partner, Brooklyn Alliance, Inc.

Ms. Bethune explained that each year the Alliance serves over 10,000 businesses and individuals in Brooklyn doing targeted portfolio programs to help address the needs of its communities and small businesses. She further explained that the Brooklyn Chamber of Commerce utilizes these funds for its neighborhood entrepreneurship project to provide competent technical assistance and support services to commercial corridors.

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The second project Ms. Bethune presented involved a Senate-sponsored grant in the amount of \$1 million to the Center for Discovery, Inc., a statewide Center of Excellence, providing residential health and educational services for over 1,200 children and adults with significant disabilities and their families.

Ms. Bethune noted that the funds will be used for a portion of the soft costs associated with the design phase of the Children’s Specialty Hospital at Rock Hill located in Sullivan County.

Following the full presentation of both items, the Chair called for questions or comments from the Directors. Director Escher asked if the Office of Mental Disabilities would be contributing any funding to the Children’s Specialty Hospital project and Ms. Bethune stated that ESD was funding the entire amount.

The Chair then called for any further questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

Local Assistance – (Working Capital and Capital Grants) Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make Grants and to Take Related Actions

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RESOLVED, that on the basis of these materials, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Local Assistance Projects identified below (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section

**DRAFT – SUBJECT TO REVIEW AND REVISION**

16(2) of the Act, the proposed General Project Plans (the “Plan”) for the Projects submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, copies of such Plans, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearings held on the Plans, such Plans shall be effective at the conclusion of such hearing, and that upon such written findings being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a to grant to the party and for the amount listed below from Local Assistance Program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to a make a grant to the party and for the amount listed below from the Local Assistance program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) receipt of funds

**Local Assistance – Senate – Project Summary Table**

	<b>Project Name</b>	<b>Project #</b>	<b>Grantee</b>	<b>Assistance Up To</b>
	<b>Local Assistance (Senate)</b>			
A.	Brooklyn Chamber of Commerce - In Your Neighborhood Working Capital	133,662	Brooklyn Chamber of Commerce	\$300,000

**DRAFT – SUBJECT TO REVIEW AND REVISION**

B.	Children's Specialty Hospital at Rock Hill Capital	133,690	The Center for Discovery, Inc.	\$1,000,000
	<b>TOTAL LOCAL ASST. PROJECTS - 2</b>		<b>TOTAL</b>	<b>\$1,300,000</b>

and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

The Chair then called on Pravina Raghavan to present the next item on the Agenda related to the Entrepreneurial Assistance Centers (“EACs”) for the Directors’ consideration.

Ms. Raghavan explained that the Directors were being asked to approve a grant in the total amount of \$1,676,514 to fund 21 EACs who will receive technical assistance grants from ESD. She also noted that three additional EAC centers will be presented to the Board in August to receive funding.

Ms. Raghavan explained that this program is used to help entrepreneurs learn how to realize their dream and help them through the early formative years to increase their sales, footprint and marketing.

Ms. Raghavan noted that this program is especially important during the COVID-19 stay at home and New York Pause orders as the centers will be used to help businesses recover and

**DRAFT – SUBJECT TO REVIEW AND REVISION**

thrive after COVID-19 by implementing new business models and connecting them to available resources such as the New York Board Loan Fund as well as government contracting opportunities.

Ms. Raghavan further noted that the centers are traditionally located in low to moderate income areas and assist entrepreneurs from single parents, to high school graduates, to brand new entrepreneurs with technical training.

Following the full presentation, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

Statewide – Entrepreneurship Assistance Centers (Training and Technical Assistance Grants) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make Grants and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Empire State Development (“ESD”), relating to the Entrepreneurship Assistance Centers (Training and Technical Assistance Grants) Projects, (the “Projects”), ESD hereby determines pursuant to Section 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized to make grants for a total amount not to exceed One Million Six Hundred Seventy-Six Thousand Five Hundred Fourteen \$1,676,514 from the Entrepreneurship Assistance Centers Program for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such

**DRAFT – SUBJECT TO REVIEW AND REVISION**

actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of ESD to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

The Chair then called on Kevin Younis to provide a summary of the Administrative Action items on today's Agenda for the Directors' consideration.

Mr. Younis called on Ed Hamilton to present the Office Lease Renewal for the Puerto Rico Office. Mr. Hamilton explained that the Directors were being asked to authorize ESD to renew its lease for the Office of Trade and Tourism in San Juan, Puerto Rico. He further explained this action would extend the lease to April 2022.

Mr. Hamilton noted that the lease includes annual property maintenance funding that will allow for mutually agreed maintenance including modifications for COVID-19 protective measures.

Mr. Younis then presented the Market Order Program item on the Agenda for the Directors' consideration. He explained that the Directors were being asked to approve a contract for marketing and promotion services of the New York State Apple Industry through the New York State Apple Association.

**DRAFT – SUBJECT TO REVIEW AND REVISION**

Mr. Younis noted that the contract is in the amount of \$2.1 million and is funded by assessments collected from the State apple growers that will be used to promote New York apples.

Following the summary presentations, the Chair called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT – Office Lease Renewal for the New York State Office of Trade and Tourism for Office Space in Old San Juan, Puerto Rico - Authorization to Enter a Lease Renewal Contract for Office Space in Old San Juan, Puerto Rico for the New York State Office of Trade and Tourism; and Authorization to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds William Alicea Guzmán, to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a lease with William Alicea Guzmán, as Landlord, in an amount not to exceed One Hundred Forty Four Thousand Five Hundred Seventy Five DOLLARS and Fifty Two CENTS (\$144,575.52) for the premises located at 260 Calle San Francisco, Unit LC-3-1, Old San Juan, Puerto Rico substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

\* \* \*

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - Contract for Marketing and Promotion Services of the New York State Apple Industry Through the New York Apple Association, Inc. - Authorization to Enter into a Contract for Marketing and Promotion Services of the New York

**DRAFT – SUBJECT TO REVIEW AND REVISION**

State Apple Industry Relating to the Apple Market Order Program; and  
Authorization to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials") a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds the New York Apple Association, Inc. to be responsible; and be It further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with the New York Apple Association for a total contract amount not to exceed Two Million, One Hundred Thousand Dollars (\$2,100,000) for the purposes and services and substantially on the terms and conditions set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer Designate, or other officer of the Corporation, or his or her designee be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

\* \* \*

There being no further business, the meeting was adjourned at 10:45 a.m.

Respectfully submitted,

Debbie Royce  
Corporate Secretary

FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Regional Council Award – Priority Project – Rome (Mohawk Valley Region – Oneida County) – Griffiss International Airport Building 100 – Regional Council Capital Fund – (Capital Grant)

REQUEST FOR: Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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General Project Plan

I. Project Summary

Grantee: County of Oneida (“Oneida” or the “Grantee”)

ESD\* Investment: A grant of up to \$1,400,000 to be used for a portion of the cost of construction and renovations

\* The New York State Urban Development Corporation doing business as Empire State Development “ESD” or the “Corporation”)

Project Location: 660 Hangar Road, Building 100, Rome, Oneida County

Proposed Project: Renovation of hangar space, office space, operations and incubator space and Unmanned Aerial Vehicle (UAV) operations center. Additionally, the construction of a three-story façade to accommodate new stairways and an elevator providing ADA compliance.

Project Type: Incubator and office space infrastructure renovations

Regional Council: The project is consistent with the Mohawk Valley Regional Economic Development Council’s Plan to invest in technology and innovation.

## II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>
Construction/Renovation	\$11,400,000
Infrastructure/Site Work	300,000
Architectural/Engineering/Soft Costs	<u>1,100,000</u>

Total Project Costs \$12,800,000

<u>Financing Sources</u>	<u>Amount</u>	<u>Percent</u>
ESD-Grant	\$1,400,000	11%
Griffiss Institute	4,300,000	34%
NYS DOT	1,500,000	12%
Company Equity	<u>5,600,000</u>	<u>43%</u>

Total Project Financing \$12,800,000 100%

## III. Project Description

### A. Company

**Grantee History:** Oneida County was formed in 1798 when it separated from Herkimer County. Historically, the County's economy was driven by the silverware industry. Today, the economy focuses mainly on textiles and agriculture, followed by metals manufacturing. Key regional economic drivers are the county's metals, firearms and food manufacturers. The County is home to exciting attractions, historic accommodations, world-class museums, and numerous shopping destinations.

**Ownership:** Municipality

**ESD Involvement:** The project is converting office space to meet modern day facility requirements and provide incubator space for UAV/UAS business development. The renovations represent investment in Griffiss International Airport infrastructure to attract and support a UAS cluster as well as attracting potential aeronautical and non-aeronautical businesses supporting the manufacture, maintenance and repair of manned and unmanned and autonomous aerospace systems and components. Without assistance from ESD, the project would not be financially feasible. The County applied for funding in Round 7 of the Consolidated Funding Application and received an award in April 2018.

**Past ESD Support:** Funding for the past five years to the Grantee is summarized in the following chart:

Program	Project #	Amount	Date Start (ESD Directors' Approval Date)	Date End (Project Completion: Contract Expiration)	Purpose
Local Asst – Base Retention 17-18	AC290	\$450,000	March 26, 2020	December 31, 2021	Capital Grant – Upgrades to the County airport
Regional Council Capital Fund	Y922	\$500,000	November 19, 2015	December 31, 2017	Capital Grant – Construction of 10,000 of a 19,000 square-foot passenger terminal/ fixed-based operation building
Regional Council Capital Fund	Y250	\$300,000	May 21, 2015	December 31, 2018	Capital Grant – Design & Construction of Customs and Border Patrol Facility at Griffiss International Airport

**B. The Project**

Completion: August 2020

Activity: Building 100 includes two 50,000-square-foot hangars connected to a center core office facility. The improved space will provide an incubator center for UAV and UAS business development and the rehabilitation of approximately 31,000-square-feet of office space. The project also includes the addition of a three-story front façade to accommodate new stairways and an elevator that will provide ADA compliance to the second and third floor facilities and upgrades to the HVAC system.

Results: The project aims to continue the County of Oneidas efforts to promote traditional and unmanned aviation education, advance UAS technologies, promote business development, job creation and provide facilities essential to development of UAS technology.

**Business Investment**

Project: No Benefit-Cost Analysis (“BCA”) is required since these projects generate long-term benefits not captured in the short-term period used for the BCA and may involve no permanent job commitments.

Grantee Contact: Anthony J. Picente Jr., Oneida County Executive  
800 Park Ave  
Utica, NY 13501  
Phone: (315) 798-5800  
E-mail: apicente@ocgov.net

ESD Project No.: AC978

Project Team:	Origination	Mark Labuzzetta
	Project Management	Anna Franzini
	Contractor & Supplier Diversity	Danielle Adams
	Finance	Tim Anderson
	Environmental	Soo Kang

### C. Financial Terms and Conditions

1. Upon execution of the grant disbursement agreement, the Grantee shall pay a commitment fee of 1% of the \$1,400,000 capital grant (\$14,000) and reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Grantee will demonstrate no materially adverse changes in its financial condition prior to disbursement.
3. The Grantee will be required to contribute a minimum of 10% of the total project cost in the form of equity contributed after the Grantee's acceptance of ESD's offer. Equity is defined as cash injected into the project by the Grantee or by investors, and should be auditable through Grantee financial statements or Grantee accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project.
4. Up to \$1,400,000 will be disbursed to Grantee upon documentation of construction/renovation, infrastructure/site work and architectural/engineering & soft costs project costs totaling \$7,000,000, upon completion of the project substantially as described in these materials, as evidenced by a certificate of occupancy, assuming that all project approvals have been completed and funds are available. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after December 13, 2017, to be considered eligible project costs. All disbursements must be requested by April 1, 2022.
5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$1,400,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Grantee and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

IV. Statutory Basis – Regional Council Capital Fund

The funding was authorized in the 2018-2019 New York State budget and reappropriated in the 2019-2020, and 2020-2021 New York State budget. No residential relocation is required as there are no families or individuals residing on the site.

V. Environmental Review

ESD staff has determined that the project constitutes a Type II action as defined by the New York State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. No further environmental review is required in connection with the project.

VI. Non-Discrimination and Contractor & Supplier Diversity

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Recipient shall be required to include minorities and women in any job opportunities created, to solicit and utilize Minority and Women Business Enterprises (MWBEs) for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

VII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

VIII. Additional Submissions to Directors

Resolutions  
New York State Map  
Project Finance Memorandum

Regional Council Award – Priority Project – Rome (Mohawk Valley Region – Oneida County) – Griffiss International Airport Building 100 – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Griffiss International Airport Building 100 -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Oneida County a grant for a total amount not to exceed One Million and Four Hundred Thousand Dollars (\$1,400,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

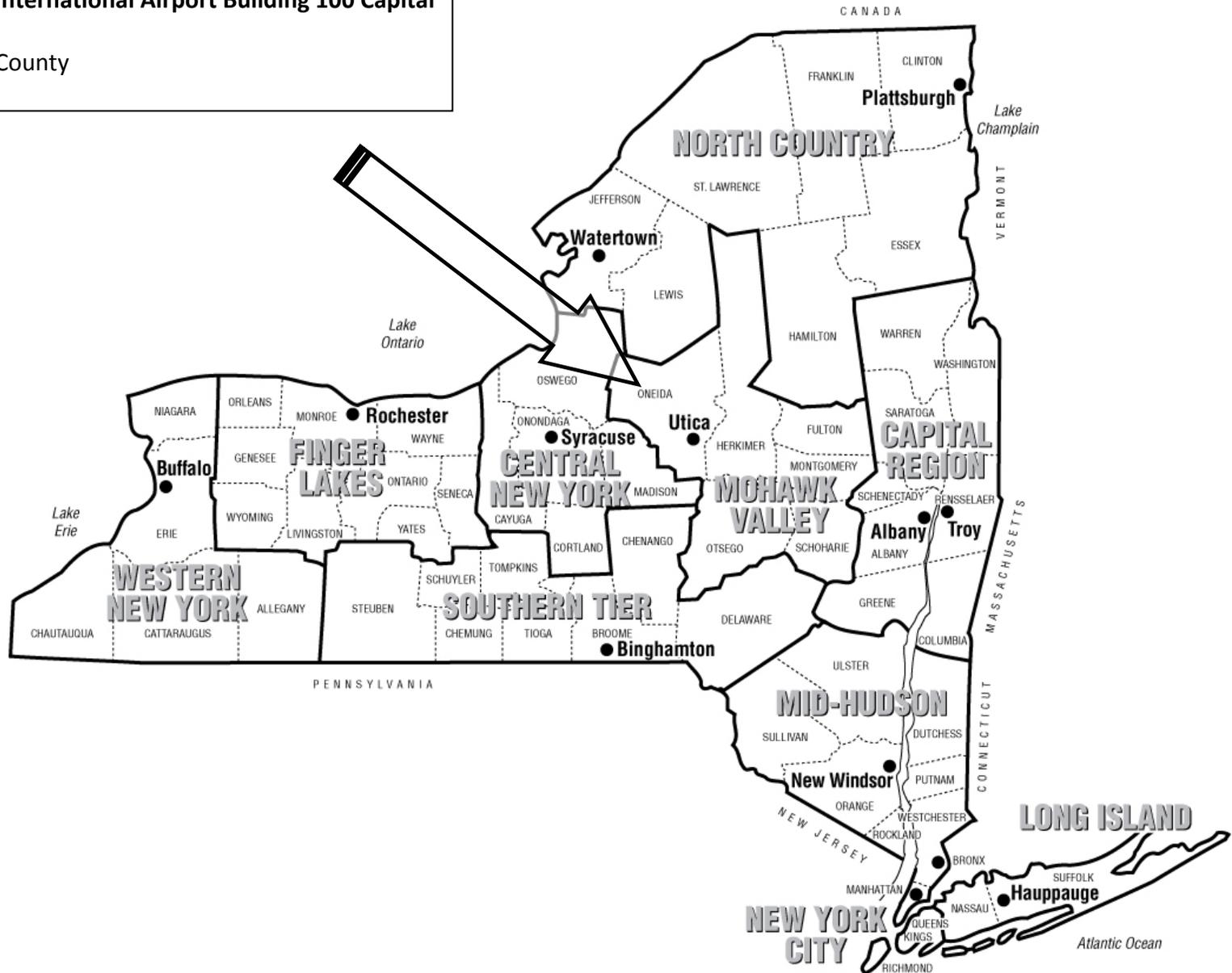
RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and

each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

**Griffiss International Airport Building 100 Capital  
Rome  
Oneida County**



FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Regional Council Award – Priority Project – Amsterdam (Mohawk Valley Region – Montgomery County) – AIDA Southside Hotel – Regional Council Capital Fund (Capital Grant)

REQUEST FOR: Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions; Determination of No Significant Effect on the Environment

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General Project Plan

I. Project Summary

Grantee: Amsterdam Industrial Development Agency (“AIDA” or the “Organization”)

Beneficiary: Valley View Hospitality, Inc.

ESD\* Investment: A grant of up to \$1,200,000 to be used for a portion of the cost of construction costs

\* The New York State Urban Development Corporation doing business as Empire State Development (“ESD” or the “Corporation”)

Project Location: 1393 State Highway 5S, Amsterdam, Montgomery County

Proposed Project: Construction of a 67-room, three-story hotel in downtown Amsterdam.

Project Type: Hotel construction involving job creation.

Regional Council: The project is consistent with the Mohawk Valley Regional Economic Development Council’s Plan to promote tourism.

Employment: Initial employment at time of ESD Incentive Proposal:0  
 Current employment level: 7  
 Minimum employment on January 1, 2024: 14\*

\*It is noted that the job commitments will be satisfied by the Beneficiary

II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>	
Construction/Renovation	\$5,236,000	
Architecture & Engineering	167,200	
Furniture, Fixtures & Equipment	<u>576,000</u>	
 Total Project Costs	 <u>\$5,979,200</u>	
 <u>Financing Sources</u>	 <u>Amount</u>	 <u>Percent</u>
ESD-Grant	\$1,200,000	20%
Organization Equity	<u>4,779,200</u>	<u>80%</u>
 Total Project Financing	 <u>\$5,979,200</u>	 <u>100%</u>

III. Project Description

A. Organization

Industry: Economic Development

Organization

History: Amsterdam Industrial Development Agency, created in 1973, is a Public Benefit Corporation that assists in the creation and retention of employment opportunities and businesses in the City of Amsterdam.

Ownership: AIDA is a seven-member Board of Directors that is appointed by the City of Amsterdam's Common Council to oversee the Organization's operations.

Size: All facilities located in Amsterdam, NY.

Market: N/A

ESD Involvement: Four years ago, the City of Amsterdam's only upscale downtown hotel closed. An independent market analysis and study was performed and indicated that there was a strong need from area businesses for an upscale hotel to serve its customers and clients needs. As a result, the City of Amsterdam has made attracting a developer to build a hotel one of its top priorities. In order to make the project financially feasible, AIDA

applied for funding under round 7 of the Consolidated Funding Application.

Past ESD Support: Funding for the past five years to the Grantee is summarized in the following chart:

Program	Project #	Amount	Date Start (ESD Directors' Approval Date)	Date End (Project Completion: Contract Expiration)	Purpose
Regional Council Capital Fund	AA716	\$50,000	February 15, 2018	December 31, 2021	Capital – Establishment of a childcare center.

**B. The Project**

Completion: July 2020

Activity: Development of a 67-room, three-story, upscale Microtel by Wyndham Flag in downtown Amsterdam.

Results: Create 14 new jobs. The Beneficiary has already created 7 new jobs.

**Business Investment Project:**

Evaluated over a seven-year period, the following are anticipated project impacts (dollar values are present value):

- Fiscal benefits to NYS government from the project are estimated at \$676,842;
- Fiscal cost to NYS government is estimated at \$1,200,000;
- Project cost to NYS government per direct job is \$121,212;
- Project cost to NYS government per job (direct plus indirect) is estimated at \$77,508;
- Ratio of project fiscal benefits to costs to NYS government is 0.56:1;
- Fiscal benefits to all governments (state and local) are estimated at \$1,146,688;
- Fiscal cost to all governments is \$1,200,000;
- All government cost per direct job is \$121,212;
- All government cost per total job is \$77,508;
- The fiscal benefit to cost ratio for all governments is 0.96:1;
- Economic benefits (fiscal plus total net resident disposable income from project employment) are estimated at \$8,593,556, or \$555,056 per job (direct and indirect);
- The economic benefit to cost ratio is 7.16:1;

- Project construction cost is \$5,403,200, which is expected to generate 56 direct job years and 26 indirect job years of employment;
- For every permanent direct job generated by this project, an additional 0.57 indirect jobs are anticipated in the state's economy;
- The payback period for NYS costs is not calculated

Grantee Contact: John Duchessi, Executive Director  
 61 Church Street  
 Amsterdam, NY 12010  
 Phone: (518) 842-5011  
 E-mail: jduchessi@amsterdamny.gov

Beneficiary Contact: Sunita Singh, Vice President  
 292 Johnson Avenue  
 Johnstown, NY 12095  
 Tel: (518) 470-3926  
 E-mail: Sue4703926@gmail.com

ESD Project No.: 131,941

Project Team:	Origination	Mark Labuzzetta
	Project Management	Anna Franzini
	Contractor & Supplier Diversity	Danielle Adams
	Finance	Tim Anderson
	Environmental	Soo Kang

C. Financial Terms and Conditions

1. Upon execution of the grant disbursement agreement, the Organization shall pay a commitment fee of 1% of the \$1,200,000 capital grant (\$12,000) and reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Organization will demonstrate no materially adverse changes in its financial condition prior to disbursement.
3. The Organization will be required to contribute a minimum of 10% of the total project cost in the form of equity contributed after the Organization's acceptance of ESD's offer. Equity is defined as cash injected into the project by the Organization or by investors, and should be auditable through Organization financial statements or Organization accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project.
4. Prior to disbursement, the Beneficiary must employ at least the number of Full-time Permanent Employees set forth as the Baseline Employment in the table below. A Full-time Permanent Employee shall mean (a) a full-time, permanent, private-sector employee on the Beneficiary's payroll, who has worked at the Project Location for a

minimum of thirty-five hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by the Beneficiary to other employees with comparable rank and duties; or (b) two part-time, permanent, private-sector employees on Beneficiary's payroll, who have worked at the Project Location for a combined minimum of thirty-five hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Beneficiary to other employees with comparable rank and duties.

5. Up to \$1,200,000 will be disbursed to the Grantee in two installments as follows:
  - a) an Initial Disbursement of an amount equal to 50% of the grant (\$600,000) upon documentation of construction, architecture & engineering, and furniture, fixtures & equipment project costs totaling \$5,979,200, upon completion of the project substantially as described in these materials as evidenced by a Certificate of Occupancy, and documentation of the employment of at least 7 Full-time Permanent Employees at the Project Location, assuming that all project approvals have been completed and funds are available;
  - b) a Second Disbursement of an amount equal to 50% of the grant (\$600,000) will be disbursed upon documentation of the employment of at least 14 Full-time Permanent Employees at the Project Location (Employment Increment of 7), provided Grantee is otherwise in compliance with program requirements;

Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after December 13, 2017, to be considered eligible project costs. All disbursements must be requested by April 1, 2022.

6. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$1,200,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Organization and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
7. In consideration for the making of the Grant, the Beneficiary will achieve the Employment Goals set forth in Column B of the table below. If the Full-time Permanent Employee Count for the year prior to the reporting date set forth in Column A of the table below is less than eighty-five percent (85%) of the Employment Goal set forth in Column B (an "Employment Shortfall"), then upon demand by ESD, the Beneficiary shall be obligated to repay to ESD a portion of each disbursement of the Grant, as follows:

The Recapture Amount is based on the time that has lapsed between when the Grant funds were disbursed and when the Employment Shortfall occurred. The Recapture Amount shall be calculated by aggregating the Recapture Amount for each disbursement of the Grant, which in each instance shall be equal to:

- (i) 100% of the disbursed amount if the Employment Shortfall occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;

- (ii) 80% of the disbursed amount if the Employment Shortfall occurred in the second full calendar year after the disbursement was made;
- (iii) 60% of the disbursed amount if the Employment Shortfall occurred in the third full calendar year after the disbursement was made;
- (iv) 40% of the disbursed amount if the Employment Shortfall occurred in the fourth full calendar year after the disbursement was made;
- (v) 20% of the disbursed amount if the Employment Shortfall occurred in the fifth full calendar year after the disbursement was made.

The Beneficiary’s number of Full-time Permanent Employees shall be deemed to be the greater of the number as of the last payroll date in the month of December for such year or the average employment for the 12-month period computed by quarter.

Baseline Employment	0
<b>A</b>	<b>B</b>
Reporting Date	Employment Goals
February 1, 2021	0+X+Y
February 1, 2022	0+X+Y
February 1, 2023	0+X+Y
February 1, 2024	0+X+Y

X = Beneficiary’s Employment Increment that will be the basis of the First Disbursement of the Grant as described in section C.5 above (i.e. X=7, and Employment Goals shall equal  $[0 + X = 7]$  if the First Disbursement is made, in the year such disbursement is made and for each year thereafter). If the First Disbursement has not yet been made then X=0.

Y = Beneficiary’s Employment Increment that will be the basis of the Second Disbursement of the Grant as described in section C.5 above (i.e. Y=14, and Employment Goals shall equal  $[0 + X + Y = 14]$  if the Second Disbursement is made, in the year such disbursement is made and for each year thereafter). If the Second Disbursement has not yet been made then Y=0.

**D. Labor Peace**

Public Authorities Law Section 2879-b prohibits public authorities from providing financing for any project that includes, as one of the principal functions, a hotel with more than fifteen employees unless a labor peace agreement (“LPA”) is entered into with a labor organization representing hotel or convention center employees in the State, for a period of at least five years. An LPA is an agreement between the project developer (or its contractors) and a labor organization prohibiting the labor organization and its members from engaging in labor activities that disrupt the hotel’s operations.

Section 2879-b does not apply to this project because it does not meet the employment threshold.

#### IV. Statutory Basis – Regional Council Capital Fund

The funding was authorized in the 2018-2019 New York State budget and reappropriated in the 2019-2020, and 2020-2021 New York State budget. No residential relocation is required as there are no families or individuals residing on the site.

#### V. Environmental Review

The City of Amsterdam Planning Commission, as lead agency, has completed an environmental review of the project pursuant to the requirements of the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. This review found the project to be an Unlisted Action, which would not have a significant effect on the environment. The lead agency issued a Negative Declaration on September 14, 2018. ESD staff reviewed the Negative Declaration and supporting materials and concurs. It is recommended that the Directors make a Determination of No Significant Effect on the Environment.

#### VI. Non-Discrimination and Contractor & Supplier Diversity

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Recipient shall be required to include minorities and women in any job opportunities created, to solicit and utilize Minority and Women Business Enterprises (MWBES) for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

#### VII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

#### VIII. Additional Submissions to Directors

Resolutions  
New York State Map  
Benefit-Cost Analysis  
Project Finance Memorandum

July 16, 2020

Regional Council Award – Priority Project – Amsterdam (Mohawk Valley Region – Montgomery County) – AIDA Southside Hotel – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section and 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the AIDA Southside Hotel -- Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Amsterdam Industrial Development Agency a grant for a total amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) from the Regional Council Capital Fund for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and

each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

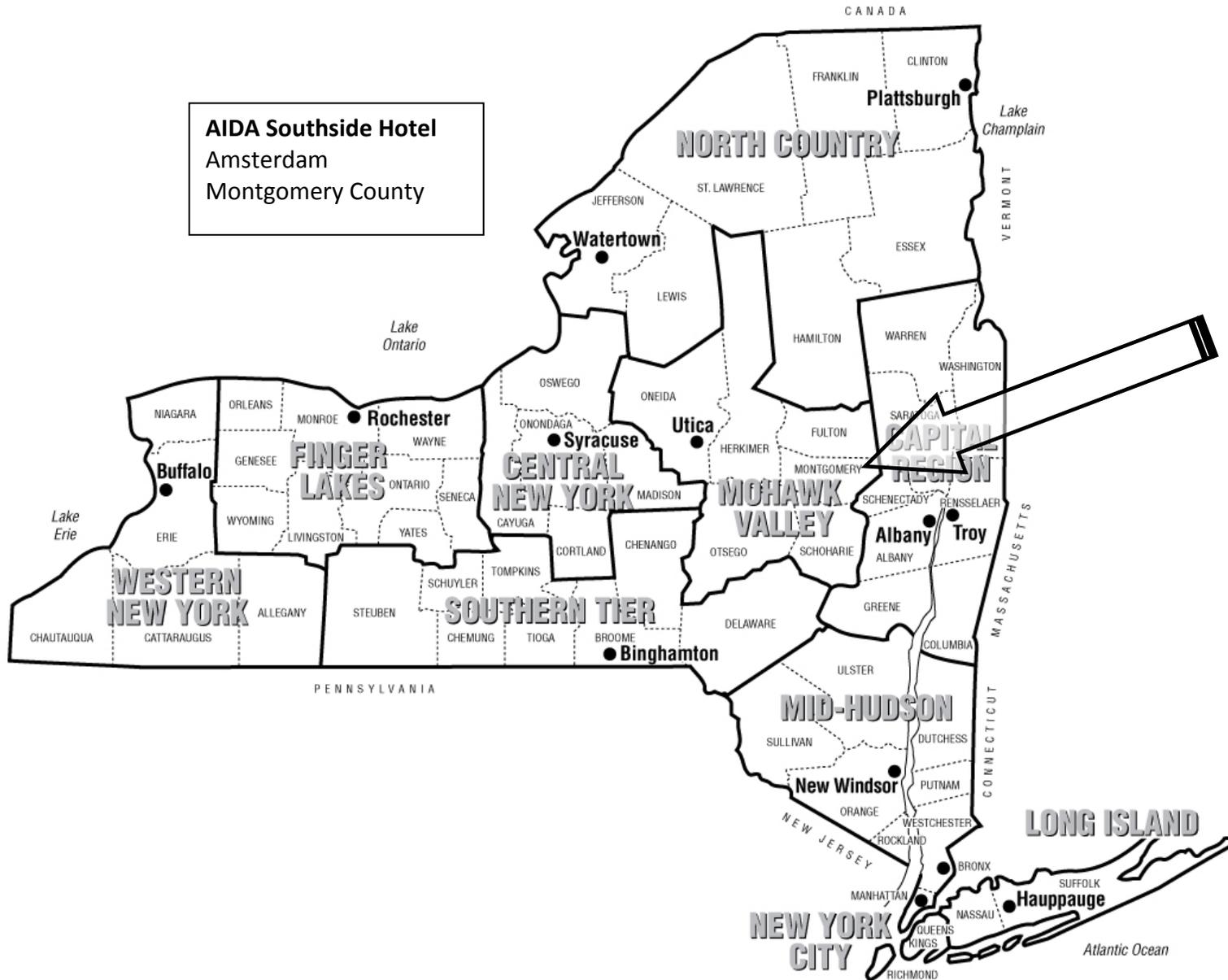
July 16, 2020

Regional Council Award – Priority Project – Amsterdam (Mohawk Valley Region – Montgomery County) – AIDA Southside Hotel – Regional Council Capital Fund - RC7 Capital – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the AIDA Southside Hotel Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

\* \* \*





FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Regional Council Award - Utica (Mohawk Valley Region – Oneida County)  
– Matt Brewing Capital – Regional Council Capital Fund (Capital Grant)

REQUEST FOR: Findings and Determinations Pursuant to Section 10(g) of the Act;  
Authorization to Adopt the Proposed General Project Plan; Authorization  
to Make a Grant and to Take Related Actions; Determination of No  
Significant Effect on the Environment

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General Project Plan

I. Project Summary

Grantee: Matt Brewing Co., Inc. (“Matt Brewing” or the “Company”)

ESD\* Investment: A Grant of up to \$1,500,000 to be used for a portion of the cost of machinery and equipment, and construction and renovation expenses improvements

\* The New York State Urban Development Corporation doing business as Empire State Development “ESD” or the “Corporation”)

Project Location: 811 Edward Street, Utica, Oneida County

Proposed Project: Construction of a new brewhouse and cellar adjacent to the existing facility in Utica to increase the Company’s ability to contract manufacture

Project Type: Business expansion involving job retention

Regional Council: The project is consistent with the Mohawk Valley Regional Economic Development Council Plan to retain manufacturing jobs, and foster an entrepreneurial spirit and the renewal of the region’s communities by investing in local businesses.

Employment:	Initial employment at time of ESD Incentive Proposal:	114
	Current employment level:	114
	Minimum employment through January 1, 2023:	114*

\*Employees cannot be transferred from other NYS locations

## II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>
Construction/Renovation	\$7,572,000
Machinery/Equipment	\$21,521,000
Design/Planning	<u>\$5,407,000</u>
 Total Project Costs	 <u>\$34,500,000</u>

<u>Financing Sources</u>	<u>Amount</u>	<u>Percent</u>
ESD-Grant	\$1,500,000	4%
Bank of Utica*	\$10,000,000	29%
Company Equity	<u>\$23,000,000</u>	<u>67%</u>
 Total Project Financing	 <u>\$34,500,000</u>	 <u>100%</u>

\*Bank of Utica Loan is up to \$10MM Construction Loan at Prime Rate (determined by Federal Prime rate) and term is from September 2017 to September 2020 (to be renewed upon mutual agreement), and dependent on Project length. There is no lien. Outstanding balance is \$2MM.

## III. Project Description

### A. Company

Industry: Beverage and brewing manufacturer

Company History: The Matt Brewing Co., Inc. is a family-owned company founded in 1888 by F.X. Matt, the grandfather/great-grandfather of the current management. The Company's primary products have been beer and soft drinks but in recent times to remain in a changing market have added other products such as seltzers and distilled spirit drinks.

Ownership: The Matt Brewing Co., Inc. is privately owned.

Size: The Matt Brewing Co., Inc. operates two facilities with 122 employees in New York State; one in Utica (project location) and one in Buffalo (Flying Bison).

Market: Matt Brewing Co., Inc. is a medium sized brewery competing with other larger craft beverage producers in New York and throughout the United States.

ESD Involvement: Matt Brewing approached ESD in mid-2017 to bridge a funding gap in order to expand its brewery operations and construct a new brewhouse and outfit that facility with machinery and equipment. In June of 2017, ESD offered the company a \$1,500,000 grant from the Regional Council Capital Fund, which the company accepted in September of the same year. Without financial assistance this project would not have moved forward.

The Company was also awarded Excelsior tax credits of up to \$500,000 to retain 122 Full-time Permanent Employees in New York State through January 1, 2028.

Past ESD Support: This the Company's first project with ESD.

## B. The Project

Completion: April 2020

Activity: The project consisted of the construction of a new brewhouse and cellar adjacent to the Company's existing facility in Utica, NY. The brewhouse is a three-story building totaling 1,700-square-feet per floor. The cellar is a one-story tank farm totaling 5,580-square-feet. Also constructed was a two-story adjacent process building totaling 4,300-square-feet per floor.

The Company also purchased new equipment, including the following:

- Mash Conversion Vessel (MCV)
- Brewing Kettle
- External Wort Heater (EWH)
- Clean-In-Place System (CIP)
- Hops Addition (multiple areas)
- Centrifuge (located in existing building)
- 16 vertical fermentation tanks
- Yeast Propagation System
- Supporting Utilities – Steam, Glycol, Water

This equipment completely replaces the existing brewhouse equipment from the mashing process to the existing mash filter and whirlpool process areas. Brewing efficiency is enhanced because of this updated equipment, and will allow the Company to ultimately double production.

Results: Retain 114 existing jobs.

## Business Investment

### Project:

Benefit-Costs Evaluations are used in evaluating projects that are categorized as Business Investment, Infrastructure Investment, and Economic Growth Investment and that involve 1) job retention and/or creation and/or 2) construction-related activity. For Business Investment projects, benefits typically reflect the impact of both jobs and construction-related activity. For Infrastructure Investment and Economic Growth Investment projects, which generate long-term benefits not captured in the period of analysis and may involve no permanent job commitments, the estimated benefits typically reflect only construction-related activity.

Evaluated over a seven-year period, the following are anticipated project impacts (dollar values are present value):

- Fiscal benefits to NYS government from the project are estimated at \$6,154,909;
- Fiscal cost to NYS government is estimated at \$1,953,618;
- Project cost to NYS government per direct job is \$26,426;
- Project cost to NYS government per job (direct plus indirect) is estimated at \$9,317;
- Ratio of project fiscal benefits to costs to NYS government is 3.15:1;
- Fiscal benefits to all governments (state and local) are estimated at \$10,155,180;
- Fiscal cost to all governments is \$1,953,618;
- All government cost per direct job is \$26,426;
- All government cost per total job is \$9,317;
- The fiscal benefit to cost ratio for all governments is 5.20:1;
- Economic benefits (fiscal plus total net resident disposable income from project employment) are estimated at \$81,046,348, or \$386,534 per job (direct and indirect);
- The economic benefit to cost ratio is 41.49:1;
- Project construction cost is \$11,711,696, which is expected to generate 122 direct job years and 57 indirect job years of employment;
- For every permanent direct job generated by this project, an additional 1.88 indirect jobs are anticipated in the state's economy;
- The payback period for NYS costs is three years.

### Grantee Contact:

Mr. Fred Matt  
President and COO  
811 Edward Street  
Utica, NY 13502  
Phone: (315) 624-2475  
E-mail: fredm@saranac.com

ESD Project No.: 131,420

Project Team:	Origination	Mark Labuzzetta
	Project Management	Marisa Silipo
	Contractor & Supplier Diversity	Danah Alexander
	Finance	Timothy Anderson
	Environmental	Soo Kang

C. Financial Terms and Conditions

1. Upon execution of the grant disbursement agreement, the Company shall pay a commitment fee of 1% of the \$1,500,000 capital grant (\$15,000) and reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Company will demonstrate no materially adverse changes in its financial condition prior to disbursement.
3. The Company will be required to contribute a minimum of 10% of the total project cost in the form of equity contributed. Equity is defined as cash injected into the project by the Company or by investors, and should be auditable through Company financial statements or Company accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project.
4. Prior to disbursement, the Company must employ at least the number of Full-time Permanent Employees set forth as the Baseline Employment in the table below. A Full-time Permanent Employee shall mean (a) a full-time, permanent, private-sector employee on the Grantee's payroll, who has worked at the Project Location for a minimum of thirty-five hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Grantee to other employees with comparable rank and duties; or (b) two part-time, permanent, private-sector employees on Grantee's payroll, who have worked at the Project Location for a combined minimum of thirty-five hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Grantee to other employees with comparable rank and duties.
5. Up to \$1,500,000 will be disbursed to Grantee in lump sum upon completion of the project substantially as described in these materials as evidenced by a Certificate of Occupancy, and documentation of the employment of at least 114 Full-time Permanent Employees at the Project Location, total project expenditures totaling \$27,250,000 assuming that all project approvals have been completed and funds are available. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after September 14, 2017, to be considered eligible project costs. All disbursements must be requested by April 1, 2021.

6. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$1,500,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Company and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
7. In consideration for the making of the Grant, Grantee will achieve the Employment Goals set forth in Column B of the table below. If the Full-time Permanent Employee Count for the year prior to the reporting date set forth in Column A of the table below is less than eighty-five percent (85%) of the Employment Goal set forth in Column B (an "Employment Shortfall"), then upon demand by ESD, Grantee shall be obligated to repay to ESD a portion of each disbursement of the Grant, as follows:

The Recapture Amount is based on the time that has lapsed between when the Grant funds were disbursed and when the Employment Shortfall occurred. The Recapture Amount shall be calculated by aggregating the Recapture Amount for each disbursement of the Grant, which in each instance shall be equal to:

- (i) 100% of the disbursed amount if the Employment Shortfall occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;
- (ii) 80% of the disbursed amount if the Employment Shortfall occurred in the second full calendar year after the disbursement was made;
- (iii) 60% of the disbursed amount if the Employment Shortfall occurred in the third full calendar year after the disbursement was made;
- (iv) 40% of the disbursed amount if the Employment Shortfall occurred in the fourth full calendar year after the disbursement was made;
- (v) 20% of the disbursed amount if the Employment Shortfall occurred in the fifth full calendar year after the disbursement was made.

The Grantee's number of Full-time Permanent Employees shall be deemed to be the greater of the number as of the last payroll date in the month of December for such year or the average employment for the 12 month period computed by quarter.

Baseline Employment	114
<b>A</b>	<b>B</b>
Reporting Date	Employment Goals
February 1, 2021	114
February 1, 2022	114
February 1, 2023	114

#### IV. Statutory Basis – Regional Council Capital Fund

The funding was authorized in the 2013-2014 New York State budget and reappropriated in the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, and 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site.

#### V. Environmental Review

The City of Utica Planning Board, as lead agency, has completed an environmental review of the project pursuant to the requirements of the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. This review found the project to be an Unlisted Action, which would not have a significant effect on the environment. The lead agency issued a Negative Declaration on October 18, 2017. ESD staff reviewed the Negative Declaration and supporting materials and concurs. It is recommended that the Directors make a Determination of No Significant Effect on the Environment.

#### VI. Non-Discrimination and Contractor & Supplier Diversity

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Recipient shall be required to include minorities and women in any job opportunities created, to solicit and utilize Minority and Women Business Enterprises (MWBEs) for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

#### VII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

#### VIII. Additional Submissions to Directors

Resolutions  
New York State Map  
Benefit-Cost Analysis  
Project Finance Memorandum  
Project Photographs

July 16, 2020

Regional Council Award – Utica (Mohawk Valley Region - Oneida County) Matt Brewing Capital - Regional Council Capital Fund (Capital Grant) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Matt Brewing Capital – Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to a grant for a total amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and

each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

July 16, 2020

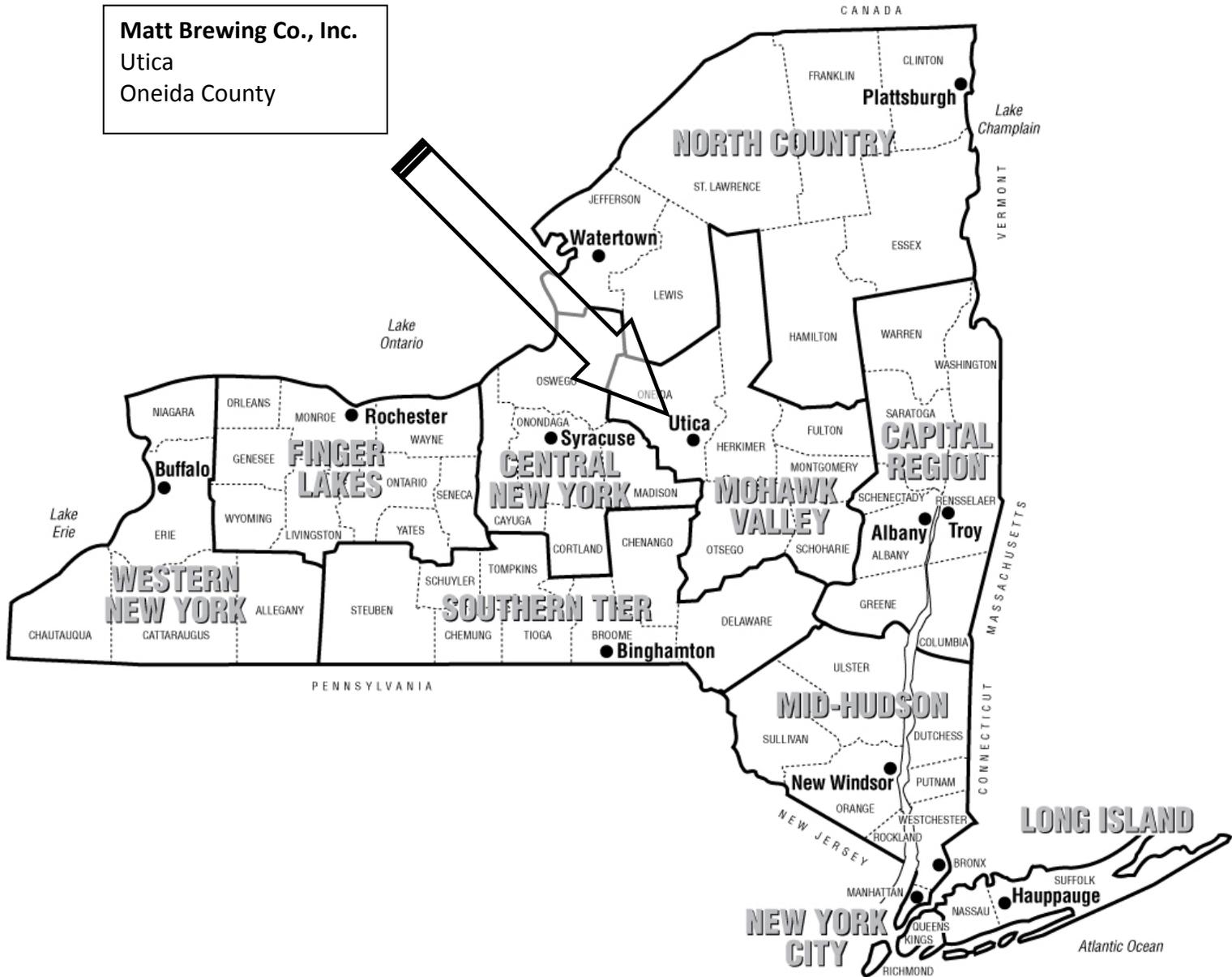
Regional Council Award – Utica (Mohawk Valley Region – Oneida County) – Matt Brewing Capital – Regional Council Capital Fund (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Matt Brewing Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

\* \* \*

**Matt Brewing Co., Inc.**  
Utica  
Oneida County



**Project Summary  
Benefit-Cost Evaluation<sup>1</sup>**

**Matt Brewing Co., Inc. – Business Investment**

Benefit-Costs Evaluations are used in evaluating projects that are categorized as Business Investment, Infrastructure Investment, and Economic Growth Investment and that involve 1) job retention and/or creation and/or 2) construction-related activity. For Business Investment projects, benefits reported in the table below typically reflect the impact of both jobs and construction-related activity. For Infrastructure Investment and Economic Growth Investment projects, which generate long-term benefits not captured in the period of analysis and may involve no permanent job commitments, the table typically reflects only construction-related activity. Benchmarks for each type of project are noted in the footnotes.

**Initial Jobs: 114**

**Construction Job Years (Direct): 122**

**New Jobs: 0**

**Construction Job Years (Indirect): 57**

<b>Evaluation Statistics</b>	<b>Project Results NYS Gov't.</b>	<b>NYS Gov't. Benchmarks<sup>2</sup></b>	<b>Project Results State &amp; Local Government</b>	<b>State &amp; Local Government Benchmarks</b>
<b>Fiscal Costs<sup>3</sup></b>	\$1,953,618	\$794,250	\$1,953,618	\$1,020,500
<b>Fiscal Benefits<sup>4</sup></b>	\$6,154,909	\$2,085,600	\$10,155,180	\$4,271,980
<b>Fiscal Cost /Direct Job</b>	\$26,426	\$3,000	\$26,426	\$4,110
<b>Fiscal Cost/Total Jobs</b>	\$9,317	\$1,424	\$9,317	\$1,964
<b>Fiscal B/C Ratio</b>	3.15	7.00	5.20	10.60
	<b>Project Results</b>	<b>Benchmarks</b>		
<b>Economic Benefits<sup>5</sup></b>	\$81,046,348	\$119,468,000		
<b>Econ. Benefits/Total Jobs</b>	\$386,534	\$147,600		
<b>Economic B/C Ratio</b>	41.49	75.00		

<sup>1</sup> Dollar values are present value calculated over a seven-year period. Separate evaluations are made and reported for New York State government assistance alone and for State and Local government.

<sup>2</sup> The current project evaluation results (both fiscal and economic) are compared to performance measure benchmarks based on results of a sample of ESD non-retail projects. Business Investment project benchmarks are 7.00 (Fiscal) and 75.00 (Economic). Infrastructure Investment (or Economic Growth Investment) project benchmarks are 3.00 (Fiscal) and 30.00 (Economic).

<sup>3</sup> Fiscal cost includes the value of grants, loans and associated default risks, and discretionary subsidies (such as tax exemptions or abatements on sales, property, and interest income).

<sup>4</sup> Fiscal benefits are the loan repayments and tax revenues to New York State and Local governments generated by project activity. This includes estimated taxes on personal incomes from project direct and indirect employment, corporate and business incomes, excise and user taxes, property taxes, and other taxes.

<sup>5</sup> Economic benefits are estimated project benefits measuring fiscal flows to government plus net resident disposable income from project direct and indirect employment net of transfers, without adjusting for individual income earners' opportunity cost of employment.

**Matt Brewing Capital**





FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Utica (Mohawk Valley Region – Oneida County) – DOD Cyber Security Assistance – Federal DOD OEA CYBER 2020 Fund (Working Capital)

REQUEST FOR: Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to a Make a Grant and to Take Related Actions

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I. Project Summary

Grantee: Mohawk Valley Community College - Advanced Institute for Manufacturing ( “MVCC-AIM”, or the “Grantee”)

ESD\* Investment: A grant of up to \$900,000 to be used for a portion of the cost of performing cybersecurity assessments, travel, workshops, training, and marketing.

\* The New York State Urban Development Corporation doing business as Empire State Development (“ESD” or the “Corporation”)

Project Location: Statewide

Proposed Project: Provide cybersecurity assessments, implementations, and final compliance assessments to defense focused manufacturers in New York State to ensure they meet minimum cybersecurity standards required by the Department of Defense.

Project Type: Working Capital

Regional Council: The New York Regional Economic Development Councils have been made aware of this item. The project is consistent with the Regional Plans to increase the competitiveness of New York State manufacturers.

## II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>
Personnel:	\$368,060
Cybersecurity Assessments & Implementations:	\$550,000
Travel:	\$ 15,000
Workshops/Training/Marketing:	\$ 29,625
Other:	<u>\$ 49,339</u>

Total Project Costs \$1,012,024

<u>Financing Sources</u>	<u>Amount</u>	<u>Percent</u>
ESD-Grant	\$900,000	89%
Organization Equity/In-Kind	<u>\$112,024</u>	<u>11%</u>
Total Project Financing	<u>\$1,012,024</u>	<u>100%</u>

## III. Project Description

### A. Organization

Industry: Manufacturing

Company History: MVCC-AIM was designated an New York Manufacturing Extension Partnership (“MEP”) center by ESD’s Division of Science, Technology & Innovation (“NYSTAR”). MVCC-AIM provides Mohawk Valley manufacturers located in Oneida, Herkimer, Fulton, Montgomery, Otsego and Schoharie counties a centralized access point for manufacturing and technology assistance, and leverages the college’s partner programs in workforce development, business incubation, and STEM fields. Additionally, it provides support to the Mohawk Valley’s cybersecurity industry cluster.

Ownership: Non-Profit

Size: MVCC-AIM is located in Utica, NY and employs a staff of approximately five full-time employees.

ESD Involvement: In March 2020, NYSTAR received a federal award from the Department of Defense Office of Economic Adjustment (“OEA”) to assist defense focused manufacturers with achieving cybersecurity compliance across New York State. On April 24, 2020, NYSTAR released a 2020 Cybersecurity Assistance Request For Proposals to competitively select an organization to perform assessments and assist with implementations of cyber security protocols for New York State defense companies. MVCC submitted a proposal and was selected to receive an award by the

NYSTAR review committee on June 17, 2020. NYSTAR extended an offer to MVCC-AIM on June 30, 2020 with a project lookback date of June 17, 2020 from the Federal OEA CYBER 2020 fund.

Past ESD Support: Funding for the past five years, totaling \$3.179 million, to the Grantee is summarized in the following chart:

Program	Project #	Amount	Date Start (ESD Directors' Approval Date)	Date End (Project Completion: Contract Expiration)	Purpose
NYSTAR Manufacturing Extension Partnership (MEP) Center	C160095	\$2,875,000	January 1, 2016	December 31, 2020	Grow and sustain small and medium manufacturing in the Mohawk Valley Region
Federal DOD OEA Cyber 2018 Fund Working Capital Project	132,227	\$303,600	December 20, 2018	December 31, 2019	Assist defense companies with meeting minimum cybersecurity standards

**B. The Project**

Completion: November 30, 2020

Activity: The Project will provide assistance to small and medium sized manufacturers throughout New York State in meeting cybersecurity requirements for defense contractors through education, assessments, and project solutions implementations. These requirements will be crucial in renewing existing contracts with the Department of Defense. ESD funds will be used to strengthen the defense supply chain and increase the competitiveness of defense suppliers. Eligible program activities include but are not limited to:

- Marketing and outreach to increase awareness of cybersecurity and the cybersecurity program;
- Planning and executing workshops and webinars designed to work directly with defense companies to increase awareness and knowledge of cybersecurity;
- Training individuals on how to walk through and perform a cyber security self-assessment to increase compliance and help companies determine their confidence in performing these tasks;
- Training individuals from other entities on effective methods/strategies to improve technical knowledge of performing cybersecurity assessments and remediations for defense businesses in New York State;

- Performing assessments and remediation/implementation projects to increase the rate of cybersecurity compliance in New York State; and,
- Capturing metrics to determine the effectiveness of various activities supported under this program.

Results: The Project will strengthen the defense supply chain and increase the competitiveness of over 67 defense suppliers, ultimately contributing to economic growth in New York State. Additionally, at least five workshops or webinars will occur to train companies to complete self-assessments of cybersecurity practices.

Grantee Contact: Cory Albrecht  
 Mohawk Valley Community College - Advanced Institute for Manufacturing  
 326 Broad Street  
 Utica, NY 13501  
 Phone: (315) 624-9800  
 E-mail: calbrecht@mvcc.com

ESD Project No.: TBD

Project Team:	Origination	Matt Watson
	Project Management	Jessica Herbert/Cheyenne Keppler
	Legal	Jensen Ambachen
	Contractor & Supplier Diversity	Alejandra Villanueva
	Environmental	Soo Kang

C. Financial Terms and Conditions

1. The Grantee will demonstrate no materially adverse changes in its financial condition prior to disbursement.
2. The Grantee will be required to contribute a minimum of 8% (\$112,024) of the total project cost in the form of equity or in-kind contribution incurred on or after June 17, 2020. Equity is defined as cash injected into the project by The Grantee or by investors and should be auditable through Company financial statements or Company accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project.
3. Up to \$900,000 will be disbursed to the Grantee, as reimbursement for eligible expenses incurred no more frequently than quarterly, in proportion to ESD’s funding share, assuming that all project approvals have been completed and funds are available.

Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after June 17, 2020 to be considered eligible project costs. All disbursements must be requested by December 15, 2021.

4. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$900,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of The Organization and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

IV. Statutory Basis – Federal OEA DOD CYBER 2020 Fund; UDC Act Section 10(g)

This initiative is supported by a federal award, which the Corporation is authorized to accept pursuant to Section 5(25) of the UDC Act, Chapter 174 of the Laws of 1968, as amended. No residential relocation is required as no families or individuals will be displaced from the project area in connection with project activities.

V. Environmental Review

ESD staff has determined that the approval of the assistance does not constitute an action as defined by the New York State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. No further environmental review is required in connection with the action.

VI. Non-Discrimination and Contractor & Supplier Diversity

Pursuant to New York State Executive Law Articles 15-A, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority and women-owned business enterprises (MWBES) and service-disabled veteran-owned businesses (SDVOBs) in the performance of ESD projects. The Grantees shall be required to use Good Faith Efforts [pursuant to 5 NYCRR §142.8 and 9 NYCRR § 252.2(m)] to achieve MWBE and SDVOB Participation. In addition, ESD's MWBE and SDVOB Participation/Equal Employment Opportunity Policy will apply to this project. Specific goals related to the total value of ESD's funding will be established on a grant by grant basis.

VII. ESD Employment Enforcement Policy

ESD's Employment Enforcement Policy will not apply since the project will not directly create or retain jobs.

VIII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

IX. Additional Submissions to Directors

Resolutions

Utica (Mohawk Valley Region – Oneida County) – DOD Cyber Security Assistance – Federal DOD OEA CYBER 2020 Fund (Working Capital) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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BE IT RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the “Materials”), relating to the DOD Cyber Security Assistance – Federal OEA DOD CYBER 2020 Fund (Working Capital) (the “Project”), the Corporation hereby determines pursuant to Section 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized to make a grant for a total amount not to exceed Nine Hundred Thousand (\$900,000) from the Corporation’s Federal OEA DOD CYBER 2020 award for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, subsequent to the making of the grants, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grants; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other applicable approvals; and be it further

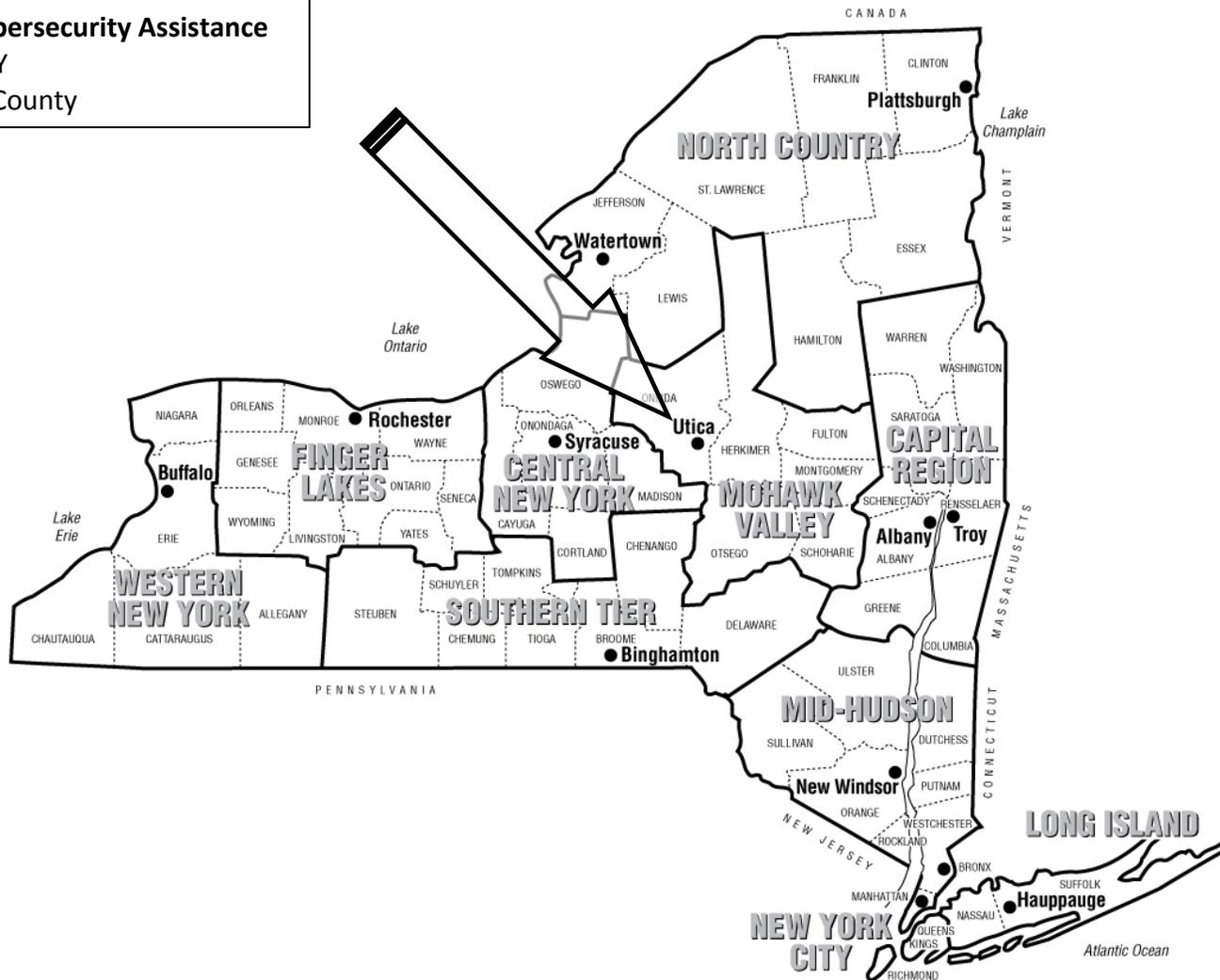
RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of ESD to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

**DOD Cybersecurity Assistance**

Utica, NY

Oneida County



**FOR CONSIDERATION**

July 16, 2020

**TO:** The Directors

**FROM:** Eric J. Gertler

**SUBJECT:** Regional Council Award – Priority Project – Cazenovia (Central Region – Madison County) – Knowles Cazenovia Thin Film Commercial Expansion Capital – Regional Council Capital Fund (Capital Grant)

**REQUEST FOR:** Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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**General Project Plan****I. Project Summary**

**Grantee:** Knowles Cazenovia, Inc. (“Knowles” or the “Company”)

**ESD\* Investment:** A grant of up to \$1,800,000 to be used for a portion of the cost of renovations and the purchase of machinery and equipment

\* The New York State Urban Development Corporation doing business as Empire State Development (“ESD” or the “Corporation”)

**Project Location:** 2777 Route East, Cazenovia, Madison County

**Proposed Project:** Knowles Cazenovia will undertake facility renovations and install new machinery and equipment to expand production capacity.

**Project Type:** Business Expansion involving job retention and creation

**Regional Council:** The project is consistent with the Central New York Regional Economic Development Council’s Plan to strengthen targeted industry concentrations that leverage unique economic assets.

**Employment:**

Initial employment at time of ESD Incentive Proposal:	284
Current employment level:	316
Minimum employment through January 1, 2023:	325

## II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>
Renovation	\$8,761,353
Machinery and Equipment	\$5,959,933
Furniture, Fixtures & Equipment	\$510,265
Soft Costs	<u>\$2,207,275</u>
Total Project Costs	<u>\$17,438,826</u>

<u>Financing Sources</u>	<u>Amount</u>	<u>Percent</u>
ESD-Grant	1,800,000	10.3%
Company Equity	<u>15,638,826</u>	<u>89.7%</u>
Total Project Financing	<u>\$17,438,826</u>	<u>100%</u>

## III. Project Description

### A. Company

Industry: Manufacturer of wireless communication and electronic equipment

Company History: Founded by Hugh Knowles in 1946, Knowles Cazenovia Inc. is a manufacturer of high-performance audio solutions. In 1954, Knowles Cazenovia Inc. developed the first miniature microphone and receiver for hearing aids. Today, Knowles Cazenovia Inc. serves customers worldwide through its various affiliates.

In 2014, Knowles Precisions Devices was founded as a business segment under Knowles Cazenovia Inc. to manage the various manufacturing plants, including the facility in Madison County, the recipient of this award which was founded in 1979.

Ownership: Knowles Cazenovia Inc. is a publicly-traded company

Size: Knowles operates nationally and internationally, and has facilities in California, Illinois, the United Kingdom and Asia in addition to its two facilities in Cazenovia, New York

Market: Knowles serves the military, medical, electric vehicle, and 5G market sectors, for radar, pacemakers, MRI equipment, satellites, airplanes, electric vehicles and mobile phone base stations.

**ESD Involvement:** In July 2018, the Company applied under Round 8 of the Central New York Regional Economic Development Council’s Consolidated Funding Application for assistance with an expansion project. The goal was to support a growing market in the radio frequency filtering industry that is primarily driven by military and industrial customers.

Knowles identified its plant in Cazenovia, Madison County to make this investment in business expansion. The Company planned to add machinery and equipment as well as renovate the facility to allow for this addition to its operations. Further, the Company planned to add 41 new jobs in the effort. Knowles encountered a funding gap in its plan and needed ESD assistance to bridge the gap.

In April 2019, ESD made the Knowles an offer of assistance in the amount of \$1.8 million to complete the project. Knowles accepted the offer in October 2019. Without ESD’s assistance the project could not have moved forward.

**Competition:** N/A

**Past ESD Support:** Funding for the past five years to the Grantee is summarized in the following chart:

<b>Program</b>	<b>Project #</b>	<b>Amount</b>	<b>Date Start (ESD Directors’ Approval Date)</b>	<b>Date End (Project Completion: Contract Expiration)</b>	<b>Purpose</b>
Regional Council Capital Fund – RC 2	Y327	\$500,000	July 17, 2017	April 2, 2018	Capital Grant - Relocation of an existing capacitor manufacturing operation from Maryland to Cazenovia

**B. The Project**

**Completion:** April 2020

**Activity:** The Company added machines and equipment and renovated the facility. Knowles built out additional capacity within the current footprint of approximately 18,000 square-feet. Within the build-out Knowles focused on technology and the selection of tools to support & broaden the scope of Thin Film product design for precision and performance, eliminating large prior manual processes within the existing real estate by collapsing multiple operations into a single step through robotics and systems automation. Thanks to ESD’s grant, Knowles will be able to produce ceramic radio frequency filters which are used in military and commercial applications.

Results: Retain 284 jobs and create 41 jobs. The Company has already created 32 jobs.

Business Investment  
Project:

Benefit-Costs Evaluations are used in evaluating projects that are categorized as Business Investment, Infrastructure Investment, and Economic Growth Investment and that involve 1) job retention and/or creation and/or 2) construction-related activity. For Business Investment projects, benefits typically reflect the impact of both jobs and construction-related activity. For Infrastructure Investment and Economic Growth Investment projects, which generate long-term benefits not captured in the period of analysis and may involve no permanent job commitments, the estimated benefits typically reflect only construction-related activity.

Evaluated over a seven-year period, the following are anticipated project impacts (dollar values are present value):

- Fiscal benefits to NYS government from the project are estimated at \$2,456,648;
- Fiscal cost to NYS government is estimated at \$1,800,000;
- Project cost to NYS government per direct job is \$58,550;
- Project cost to NYS government per job (direct plus indirect) is estimated at \$22,904;
- Ratio of project fiscal benefits to costs to NYS government is 1.36:1;
- Fiscal benefits to all governments (state and local) are estimated at \$4,195,878;
- Fiscal cost to all governments is \$1,800,000;
- All government cost per direct job is \$58,550;
- All government cost per total job is \$22,904;
- The fiscal benefit to cost ratio for all governments is 2.33:1;
- Economic benefits (fiscal plus total net resident disposable income from project employment) are estimated at \$27,612,187, or \$351,353 per job (direct and indirect);
- The economic benefit to cost ratio is 15.34:1;
- Project construction cost is \$10,951,691, which is expected to generate 87 direct job years and 51 indirect job years of employment;
- For every permanent direct job generated by this project, an additional 1.58 indirect jobs are anticipated in the state's economy;
- The payback period for NYS costs is five years.

See Project Summary Benefit-Cost Evaluation (attached) for detail and definitions.

Grantee Contact: Tom Wu, Vice President Finance  
Knowles Precision Devices  
2777 Route 20 East  
Cazenovia, NY 13035  
Phone: (717) 422-4990  
E-mail: Tom.Wu@Knowles.com

ESD Project No.: 132,606

Project Team:	Origination	Ray Lawrence
	Project Management	Simone Bethune
	Contractor & Supplier Diversity	Jordan Lopez
	Finance	Tim Anderson
	Environmental	Soo Kang

C. Financial Terms and Conditions

1. Upon execution of the grant disbursement agreement, the Company shall pay a commitment fee of 1% of the \$1,800,000 capital grant (\$18,000) and reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Company will demonstrate no materially adverse changes in its financial condition prior to disbursement.
3. The Company will be required to contribute a minimum of 10% of the total project cost in the form of equity contributed after the Company's acceptance of ESD's offer. Equity is defined as cash injected into the project by the Company or by investors, and should be auditable through Company financial statements or Company accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project or grants from a government source.
4. Prior to disbursement, the Company must employ at least the number of Full-time Permanent Employees set forth as the Baseline Employment in the table below. A Full-time Permanent Employee shall mean (a) a full-time, permanent, private-sector employee on the Grantee's payroll, who has worked at the Project Location for a minimum of thirty-five hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Grantee to other employees with comparable rank and duties; or (b) two part-time, permanent, private-sector employees on Grantee's payroll, who have worked at the Project Location for a combined minimum of thirty-five hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Grantee to other employees with comparable rank and duties.
5. Up to \$1,800,000 will be disbursed to the Grantee in three installments as follows:

- a) an Initial Disbursement of an amount equal to 50% of the grant (\$900,000) upon documentation of renovation, machinery and equipment, furniture, fixtures and equipment and soft project costs totaling \$9,000,000, upon completion of the project substantially as described in these materials, as evidenced by a certificate of occupancy, and upon documentation of the employment of at least 284 Full-time Permanent Employees at the Project Location, assuming that all project approvals have been completed and funds are available;
- b) a Second Disbursement of an amount equal to 25% of the grant (\$450,000) will be disbursed upon documentation of the employment of at least 305 Full-time Permanent Employees at the Project Location (Employment Increment of 21), provided Grantee is otherwise in compliance with program requirements;
- c) a Third Disbursement of an amount equal to 25% of the grant (\$450,000) will be disbursed upon documentation of the employment of at least 325 Full-time Permanent Employees at the Project Location (Employment Increment of 20), provided Grantee is otherwise in compliance with program requirements.

Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after December 18, 2018, to be considered eligible project costs. All disbursements must be requested by April 1, 2023.

- 6. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$1,800,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Company and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
- 7. In consideration for the making of the Grant, Grantee will achieve the Employment Goals set forth in Column B of the table below. If the Full-time Permanent Employee Count for the year prior to the reporting date set forth in Column A of the table below is less than eighty-five percent (85%) of the Employment Goal set forth in Column B (an "Employment Shortfall"), then upon demand by ESD, Grantee shall be obligated to repay to ESD a portion of each disbursement of the Grant, as follows:

The Recapture Amount is based on the time that has lapsed between when the Grant funds were disbursed and when the Employment Shortfall occurred. The Recapture Amount shall be calculated by aggregating the Recapture Amount for each disbursement of the Grant, which in each instance shall be equal to:

- (i) 100% of the disbursed amount if the Employment Shortfall occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;
- (ii) 80% of the disbursed amount if the Employment Shortfall occurred in the second full calendar year after the disbursement was made;
- (iii) 60% of the disbursed amount if the Employment Shortfall occurred in the third full calendar year after the disbursement was made;

- (iv) 40% of the disbursed amount if the Employment Shortfall occurred in the fourth full calendar year after the disbursement was made;
- (v) 20% of the disbursed amount if the Employment Shortfall occurred in the fifth full calendar year after the disbursement was made.

The Grantee’s number of Full-time Permanent Employees shall be deemed to be the greater of the number as of the last payroll date in the month of December for such year or the average employment for the 12 month period computed by quarter.

Baseline Employment	284
<b>A</b>	<b>B</b>
Reporting Date	Employment Goals
February 1, 2021	284+X+Y
February 1, 2022	284+X+Y
February 1, 2023	284+X+Y
February 1, 2024	284+X+Y

X = Grantee’s Employment Increment that will be the basis of the Second Disbursement of the Grant as described in section C.5 above (i.e. X=21, and Employment Goals shall equal [284 + X = 305] if the Second Disbursement is made, in the year such disbursement is made and for each year thereafter). If the Second Disbursement has not yet been made then X=0.

Y = Grantee’s Employment Increment that will be the basis of the Third Disbursement of the Grant as described in section C.5 above (i.e. Y=20, and Employment Goals shall equal [284 + X + Y = 325] if the Third Disbursement is made, in the year such disbursement is made and for each year thereafter). If the Third Disbursement has not yet been made then Y=0.

IV. Statutory Basis – Regional Council Capital Fund

The funding was authorized in the 2018-2019 New York State budget and reappropriated in the 2019-2020 and 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site.

V. Environmental Review

ESD staff has determined that the project constitutes a Type II action as defined by the New York State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. No further environmental review is required in connection with the project.

VI. Non-Discrimination and Contractor & Supplier Diversity

Pursuant to New York State Executive Law Article 15-A, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned businesses (MWBs) in the performance of ESD projects. For purposes of this project, however, goals will not be established due to the unavailability of certified MWBs for performance of this Contract.

VII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

VIII. Additional Submissions to Directors

Resolutions  
New York State Map  
Benefit-Cost Analysis  
Project Finance Memorandum

July 16, 2020

Regional Council Award – Priority Project – Cazenovia (Central Region – Madison County)  
– Knowles Cazenovia Thin Film Commercial Expansion Capital – Regional Council Capital  
Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act;  
Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant  
and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Knowles Cazenovia Thin Film Commercial Expansion Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Knowles Precision Devices a grant for a total amount not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000) from the Regional Council Capital Fund for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

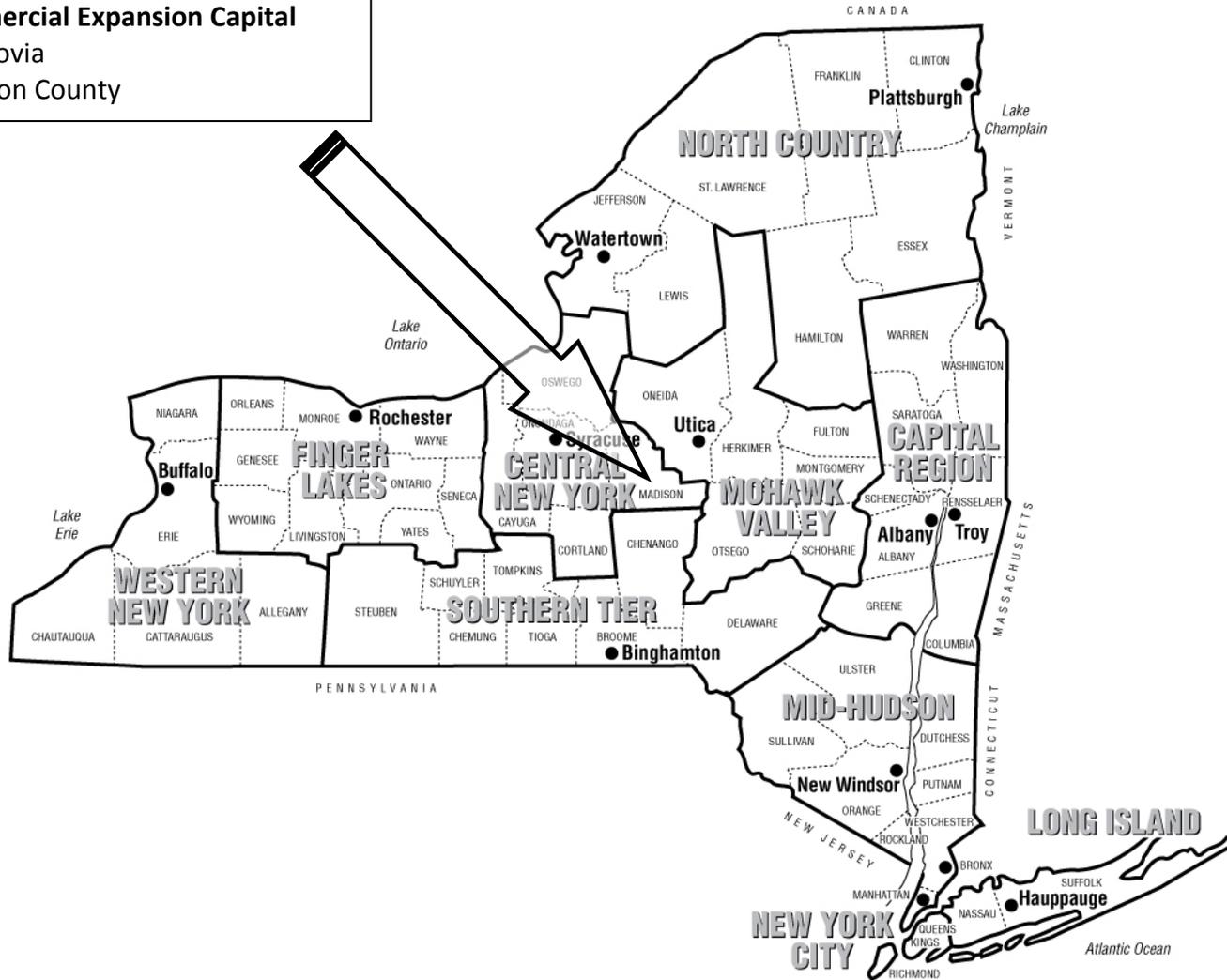
RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and

each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

**Knowles Cazenovia Thin Film  
Commercial Expansion Capital  
Cazenovia  
Madison County**





FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Garden City (Long Island Region – Nassau County) – Adelphi University Labs for Tomorrow Capital – Regional Council Capital Fund (Capital Grant)

REQUEST FOR: Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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General Project Plan

I. Project Summary

Grantee: Adelphi University (“Adelphi” or the “University”)

ESD\* Investment: A grant of up to \$300,000 to be used for a portion of the cost of construction and renovations

\* The New York State Urban Development Corporation doing business as Empire State Development “ESD” or the “Corporation”)

Project Location: Multiple locations at the Garden City campus of Adelphi University

Proposed Project: Renovate 5,189 square-feet of laboratory and classroom space, and install state-of-the-art equipment

Project Type: Economic Growth Investment

Regional Council: The project is consistent with the Long Island Regional Economic Development Council Plan to invest in programs that will support and position Long Island as a thriving technology, biotech, and healthcare center.

II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>	
Construction/Renovation	\$1,268,956	
Furniture, Fixtures, Equipment	<u>603,514</u>	
Total Project Costs	<u>\$1,872,470</u>	
<u>Financing Sources</u>	<u>Amount</u>	<u>Percent</u>
ESD-Grant	\$300,000	16%
University's Equity	<u>1,572,470</u>	<u>84%</u>
Total Project Financing	<u>\$1,872,470</u>	<u>100%</u>

III. Project Description

A. Grantee

Industry: Higher education

Grantee History: In 1929, Adelphi University became the first, private, coeducational institution of higher learning on Long Island. Currently the school serves more than 8,000 students and maintains a student/faculty ratio of 10:1. The main campus is located in Garden City, with academic centers in Manhattan, Hauppauge, and Poughkeepsie.

Ownership: Adelphi is a not-for-profit, private educational institution.

Size: Adelphi enrolls 5,360 undergraduate students, 2,631 graduate students, and has 2,868 employees.

ESD Involvement: Adelphi University needed assistance for targeted improvements in lab facilities in disciplines that support significant labor needs within the Long Island region, and more broadly for a substantive project to create an Innovation Center. The Innovation Center in Swirbul Library is a new direction for the University and will be a nexus for connecting across Long Island to better serve economic and workforce needs.

In July 2017, Adelphi applied under Round 7 of the Long Island Regional Economic Development Council's Consolidated Funding Application for assistance to close a funding gap in its project budget. In March 2018, ESD made Adelphi an offer of assistance which was accepted the following month. Without ESD's assistance the project would not have been feasible.

Competition: N/A

Past ESD Support: Funding for the past five years to the Grantee, totaling \$2,575,532 million, is summarized in the following chart:

Program	Project #	Amount	Date Start (ESD Directors' Approval Date)	Date End (Project Completion: Contract Expiration)	Purpose
Regional Council Capital Fund	Z646	\$2,500,000	June 23, 2016	December 31, 2019	Capital – Construction, renovation, and acquisition of equipment for nursing training center
Regional Council Capital Fund	AB553	\$75,532	November 15, 2018	December 31, 2022	Capital – advanced teaching lab for medical and healthcare students

**B. The Project**

Completion: January 2020

Activity: The Innovation Center and Veterans Center at Adelphi University were fully constructed and established, which includes 5,189 square-feet of laboratory and classroom space, and the installation of state-of-the-art equipment. Several other critical lab upgrades were also completed, moving forward, Adelphi's STEM and health related lab support infrastructure significantly.

Results: This project will help Adelphi become a regional leader in the information technologies, life sciences, and healthcare space, which will also support a greater demand for the workforce in these sectors in the Long Island region.

**Economic Growth**

Investment Project: No Benefit-Cost Analysis ("BCA") is required since these projects generate long-term benefits not captured in the short-term period used for the BCA and may involve no permanent job commitments.

Grantee Contact: Robert DeCarlo, Controller and Associate Vice President  
1 South Avenue  
Garden City, NY 11530  
Phone: (516) 877-3184  
E-mail: decarlo@adelphi.edu

ESD Project No.: AC776

Project Team:	Origination	Elisabeth Muehlemann
	Project Management	Scott Lamkin
	Contractor & Supplier Diversity	Danah Alexander
	Finance	Kathleen Uckert
	Environmental	Soo Kang

C. Financial Terms and Conditions

1. Upon execution of the grant disbursement agreement, the University shall pay a commitment fee of 1% of the \$300,000 capital grant (\$3,000) and reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The University will demonstrate no materially adverse changes in its financial condition prior to disbursement.
3. The University will be required to contribute a minimum of 10% of the total project cost in the form of equity contributed after the University's acceptance of ESD's offer. Equity is defined as cash injected into the project by the University or by investors, and should be auditable through Company financial statements or University accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project.
4. Up to \$300,000 will be disbursed to Grantee in lump sum upon documentation of construction/renovation and furniture, fixtures and equipment project costs totaling \$1,872,470, and upon completion of the project substantially as described in these materials, as evidenced by a certificate of occupancy, assuming that all project approvals have been completed and funds are available. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after December 13, 2017, to be considered eligible project costs. All disbursements must be requested by April 1, 2022.
5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$300,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Company and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

#### IV. Statutory Basis – Regional Council Capital Fund

The funding was authorized in the 20017-2018 New York State budget and reappropriated in the 2018-2019, 2019-2020 and 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site.

#### V. Environmental Review

ESD staff has determined that the project constitutes a Type II action as defined by the New York State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. No further environmental review is required in connection with the project.

#### VI. Non-Discrimination and Contractor & Supplier Diversity

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Grantee shall be required to include minorities and women in any job opportunities created, to solicit and utilize certified Minority-and Women-owned Business Enterprises ("MWBEs") for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

#### VII. ESD Employment Enforcement Policy

ESD's Employment Enforcement Policy will not apply since the project will not directly create or retain jobs.

#### VIII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

#### IX. Additional Submissions to Directors

Resolutions  
New York State Map  
Project Finance Memorandum  
Project Photographs

July 16, 2020

Garden City (Long Island Region – Nassau County) – Adelphi University Labs for Tomorrow Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Adelphi University Labs for Tomorrow Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Adelphi University a grant for a total amount not to exceed Three Hundred Thousand Dollars (\$300,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

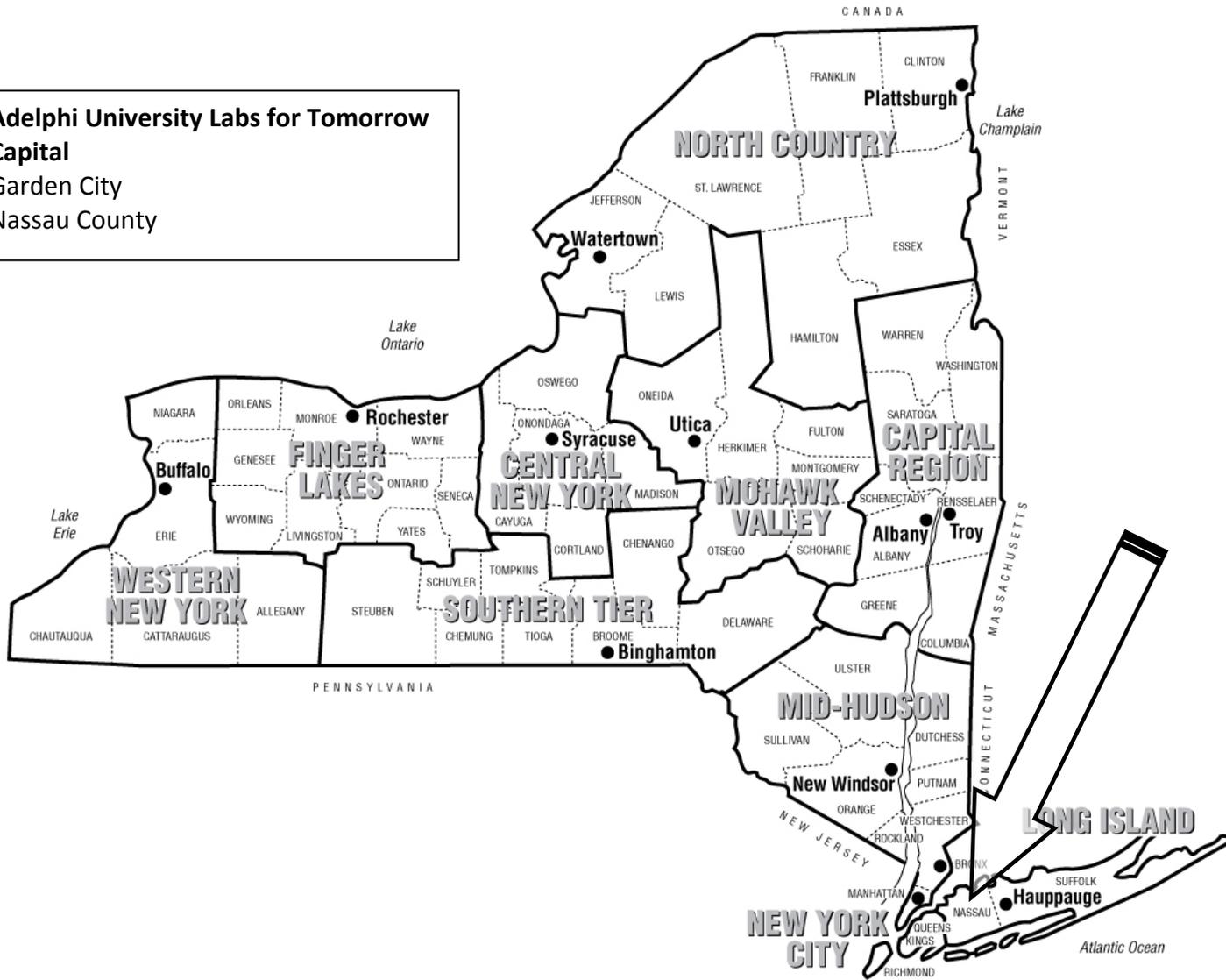
RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer Designate or his designee(s) be, and

each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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**Adelphi University Labs for Tomorrow**  
**Capital**  
 Garden City  
 Nassau County



# Adelphi University Labs for Tomorrow Capital





FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Statewide – Restore New York Communities – Capital Grant

REQUEST FOR: Findings and Determinations Pursuant to Sections 10(g) and 16-n of the Act; Authorization to Adopt the Proposed General Project Plans; Authorization to Make a Grant and to Take Related Actions; Determination of No Significant Effect on the Environment

General Project Plan

I. Project Summary

	<b>Grantee</b>	<b>Project Name</b>	<b>Project #</b>	<b>Grant</b>	<b>Village, Town, City</b>	<b>County</b>
A.	Village of Warsaw	Village of Warsaw – 283-287 North Main Street RESTORE NY V	131,754	\$1,000,000	Warsaw	Wyoming
B.	Village of Massena	Village of Massena - The Old Mill Rehabilitation RESTORE NY V	131,746	\$987,000	Massena	St. Lawrence
C.	City of Hornell	City of Hornell - Marion-Rohr Redevelopment RESTORE NY V	131,761	\$1,000,000	Hornell	Steuben
	<b>Total RESTORE NY – 3 Projects</b>	<b>TOTAL</b>		<b>\$2,987,000</b>		

II. Program Description

A. Background

The purpose of the Restore New York Communities Initiative (“Restore NY” or the “Program”) is to revitalize urban areas and stabilize neighborhoods as a means to attract residents and businesses. Restore NY funds municipally sponsored projects for the demolition, deconstruction, rehabilitation, or reconstruction of vacant, obsolete or surplus structures. Since 2006, ESD has

received \$300 million in appropriations for Restore New York to fund three rounds of projects. The appropriations were allocated as follows: up to \$50 million in FY 2006-2007; \$100 million in FY 2007-2008; and \$150 million in FY 2008-2009.

In FY 2015-2016, \$25 million was appropriated in the New York State budget for Round IV of Restore NY. In addition, \$25 million of unused funds from previous Restore NY appropriations were also allocated to Round IV for a total of \$50M. On June 20, 2016, applicants were informed of eligibility to apply under the Program, and on January 26, 2017, awardees were announced. Following the issuance of an RFP in June 2016, a total of 75 municipalities were selected in January 2017 for funding assistance under Round IV.

In FY 2017-2018, \$70 million was appropriated for Round V of the Restore NY program. The application process was opened on August 17, 2017, and awardees were announced on March 26, 2018. A total of 71 municipalities were awarded funding under Round V. It is anticipated that upon completion the projects funded by New York State will attract individuals, families, industry, and commercial enterprises to the municipalities.

#### B. The Project

ESD will make a grant to the Grantee for the purpose of enhancing the Grantee's capacity to provide support in revitalizing urban areas and stabilizing neighborhoods as a means to attract residents and businesses in New York State. ESD will enter into an agreement with the Grantee that will stipulate the manner in which funds will be disbursed.

The attached Project schedule provides a more detailed description of the recommended Project.

#### III. Statutory Basis

The funding was authorized in the 2017-2018 New York State budget and reappropriated in the 2018-2019, 2019-2020 and 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site.

#### IV. Environmental Review

Unless otherwise noted on the Project summary, ESD staff has determined that the Project described in Schedule A constitutes a Type II action as defined by the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations for the New York State Department of Environmental Conservation. No further environmental review is required in connection with the Project.

#### V. Non-Discrimination and Contractor & Supplier Diversity

Pursuant to New York State Executive Law Article 15-A, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority and

women-owned businesses in the performance of ESD contracts. Accordingly, ESD's Non-discrimination and Contractor & Supplier Diversity policies will apply to the Project.

Unless otherwise specified in the Project summary, the grantee shall use their "Good Faith Efforts" to achieve an overall Minority and Women Business Enterprise ("MWBE") Participation Goal of 23% related to the total value of ESD's funding. This shall include a Minority Business Enterprise ("MBE") Participation goal of 13% and a Women Business Enterprise ("WBE") Participation goal of 10%. Grantee shall use Good Faith Efforts to solicit and utilize MWBEs for any contractual opportunities generated in connection with the Project and to include minorities and women in any job opportunities created by the Project.

VI. ESD Employment Enforcement Policy

ESD's Employment Enforcement Policy will not apply since the Project will not directly create or retain jobs.

VII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

VIII. Additional Submissions to Directors

Resolutions  
Project Summaries  
New York State Map

July 16, 2020

Statewide – Restore NY Communities (Capital Grants) – Findings and Determinations Pursuant to Sections 10(g) and 16-n of the Act; Authorization to Adopt the Proposed General Project Plans; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Restore New York Communities Initiative Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written findings being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a to grant to the party and for the amount listed below from Restore NY Communities, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grants; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

Restore New York Communities Initiative Program – Projects Summary Table

	<b>Grantee</b>	<b>Project Name</b>	<b>Project #</b>	<b>Grant</b>	<b>Village, Town, City</b>	<b>County</b>
A.	Village of Warsaw	Village of Warsaw – 283-287 North Main Street RESTORE NY V	131,754	\$1,000,000	Warsaw	Wyoming
B.	Village of Massena	Village of Massena - The Old Mill Rehabilitation RESTORE NY V	131,746	\$987,000	Massena	St. Lawrence
C.	City of Hornell	City of Hornell - Marion-Rohr Redevelopment RESTORE NY V	131,761	\$1,000,000	Hornell	Steuben
	<b>Total RESTORE NY – 3 Projects</b>	<b>TOTAL</b>		<b>\$2,987,000</b>		

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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**A. Village of Warsaw – 283-287 North Main Street RESTORE NY V (131,754)**

July 16, 2020

General Project Plan

- Grantee:** Village of Warsaw (“Warsaw” the “Village”)
- ESD Investment:** A grant of up to \$1,000,000 to be used for a portion of the cost of construction, demolition and rehabilitation
- Project Location:** 283-287 North Main Street, Warsaw, Wyoming County
- Proposed Project:** Demolition, rehabilitation and construction for the creation of a 31,450 square-foot new hotel
- Project Type:** The demolition and rehabilitation of properties to revitalize a blighted area of the Village
- Regional Council:** The Finger Lakes Regional Council has been made aware of this item. The project is consistent with the Regional Plan as it fosters community development and neighborhood growth, and promotes a vibrant, high quality of life.

**Background:**

Grantee History - The Village of Warsaw is the county seat for Wyoming County and lies inside the Town of Warsaw. Warsaw has a rich history of agriculture and manufacturing. According to 2019 data, there are 3,473 people living in Warsaw, with 1,514 households and 806 owner occupied households, and a population density of 803.7 people per square mile. The Village was classified under Restore New York guidelines as a “highly distressed community.”

ESD Involvement – In 2017, the Wyoming County Industrial Development Agency (“IDA”) approached Warsaw about the possibility of building a hotel on blighted lots that existed in one of the Village’s residential neighborhoods. The Village and the IDA saw an opportunity to respond to the location as a hub for economic growth since it was situated near a major hospital, a large state park and could take advantage of recent tourism growth in the area.

The Mayor worked with the County and the IDA to connect with hotel developers to design a hotel on these blighted lots. The Village applied for a Restore grant in December 2017 and was awarded \$1 million to close the funding gap in the project in April 2018. Restore V funding will further the Village’s on-going strategy to build and sustain healthy neighborhoods by leveraging a variety of public and private resources.

Past ESD Support - This is the Village’s first project with ESD.

**Village of Warsaw – 283-287 North Main Street RESTORE NY V (131,754)**

July 16, 2020

**The Project:**

Completion – June 2020

Activity – The Village selected Indus Hospitality Group to develop the 2.5 acres site into a new, 31,450 square-foot hotel. The project commenced in May 2019 and included the demolition of 31,500 square-feet of vacant and blighted buildings at the project site. Indus constructed a three-story, 67-room Microtel Inn & Suites, which will open in June 2020.

Results - The revitalization of 283 - 287 North Main St into a hotel will advance the revitalization of downtown Warsaw by creating hospitality jobs and turning a blighted building into a community asset, providing a needed place to stay for visitors to Wyoming County. Restore NY funds are critical to the success of this project.

Financing Uses	Amount	Financing Sources	Amount	Percent
Real Estate acquisition	\$263,000	ESD Grant	\$1,000,000	16%
Construction/renovation	3,890,300	Office of Community Renewal	525,000	9%
Demolition	109,700	Five Star Bank Loan*	3,875,000	64%
Infrastructure/site work	600,000	Grantee Equity**	700,000	11%
Furniture/Fixtures	660,000			
Soft costs	577,000			
<b>Total Project Costs</b>	<b>\$6,100,000</b>	<b>Total Project Financing</b>	<b>\$6,100,000</b>	<b>100%</b>

\*Interest Rate 2.75%, Term 10 years, First Lien Collateral

\*\* Source of equity is from the Developer

Grantee Contact - Joseph Robinson, Mayor  
 15 South Main Street  
 Warsaw, NY 14569  
 Phone: (585) 786-2120  
 E-mail: Robinson\_joseph@hotmail.com

Project Team - Project Management Casey Remer  
 Contractor & Supplier Diversity Geraldine Ford  
 Environmental Soo Kang

**Financial Terms and Conditions:**

1. Upon execution of the grant disbursement agreement, the Village will reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Village will be obligated to advise ESD of any materially adverse changes in its

**Village of Warsaw – 283-287 North Main Street RESTORE NY V (131,754)**

July 16, 2020

financial condition prior to disbursement.

3. The Village will ensure the contribution of at least a 10% match of the grant amount to the Project.
4. Up to \$1,000,000 will be disbursed to Grantee, in a lump sum, upon documentation of project costs totaling \$6,100,000 and upon completion of the project substantially as described in these materials, as evidenced by a certificate of occupancy assuming that all project approvals have been completed and funds are available. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after December 15, 2017 to be considered eligible project costs.
5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$1,000,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Village and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
6. Public Authorities Law Section 2879-b prohibits public authorities from providing financing for any project that includes, as one of the principal functions, a hotel with more than fifteen employees unless a labor peace agreement (“LPA”) is entered into with a labor organization representing hotel or convention center employees in the State, for a period of at least five years. An LPA is an agreement between the project developer (or its contractors) and a labor organization prohibiting the labor organization and its members from engaging in labor activities that disrupt the hotel’s operations.

Section 2879-b does not apply to this project because it does not meet the employment threshold.

**Statutory Basis – Restore NY Communities:**

The funding was authorized in the 2017-2018 New York State budget and re-appropriated in the 2018-2019, 2019-2020 and 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site.

**Environmental Review:**

The Joint Planning Board of the Town and Village of Warsaw, as lead agency, has completed an environmental review of the project pursuant to the requirements of the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. This review found the project to be an Unlisted Action, which would not have a significant effect on the environment. The lead agency issued a Negative Declaration on November 13, 2018. ESD staff reviewed the Negative Declaration and supporting

**Village of Warsaw – 283-287 North Main Street RESTORE NY V (131,754)**

July 16, 2020

materials and concurs. It is recommended that the Directors make a Determination of No Significant Effect on the Environment.

**Non-Discrimination and Contractor and Supplier Diversity:**

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Recipient shall be required to include minorities and women in any job opportunities created, to solicit and utilize Minority and Women Business Enterprise (MWBEs) for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

**Attachments:**

Resolution

Photographs

July 16, 2020

Warsaw (Finger Lakes Region – Wyoming County) – Village of Warsaw – Restore NY V – 283-287 North Main Street – Restore NY Comm 17-18 – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Village of Warsaw – Restore NY V – 283-287 North Main Street Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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**B. Village of Massena- The Old Mill Rehabilitation RESTORE NY V (131,746)**

July 16, 2020

General Project Plan

- Grantee:** Village of Massena (“Massena” or the “Village”)
- Beneficiary Company:** GoCo Ventures, LLC (“GoCo” or the “Company”)
- ESD Investment:** A grant of up to \$987,000 to be used for a portion of the cost of rehabilitation of the Old Mill building.
- Project Location:** 38 Water Street, Massena, St. Lawrence County
- Proposed Project:** The rehabilitation of a vacant grain mill into a 11,000-square-foot mixed-use space.
- Project Type:** The rehabilitation of property to revitalize a neighborhood as part of the Village’s comprehensive plan, the Water Street Corridor Plan, and the Local Waterfront Revitalization Plan
- Regional Council:** The North Country Regional Council has been made aware of this item. The project is consistent with the Regional Plan to integrate residential, commercial, and cultural functions into unique properties that will leverage private investment in the community.

**Background:**

Grantee History - The Village of Massena was first settled in the early 1800's. Massena has a population of nearly 11,000 people. The region and the Village are easily accessed by various means of transportation and is very close to the Canadian border, allowing for business within the Village to reach a broader audience.

Throughout the mid-20th century, Massena experienced enormous growth due to the construction of the Franklin D. Roosevelt power project and the Eisenhower locks, which helped connect the Atlantic Ocean to the Great Lakes via the St. Lawrence River. The Village established itself as the manufacturing center of St. Lawrence county with Aluminum Company of America (“Alcoa”) plant, Reynolds Metals plant (now Alcoa) and a General Motors Powertrain plant.

ESD Involvement - The Village of Massena sought Restore NY funds to rehabilitate the vacant Old Mill building into a mixed-use building. The Village’s plan is designed to advance downtown revitalization in the municipality and they directly align with New York State’s downtown revitalization initiatives. The project also aligns with the Water Street Corridor Plan and the Local Waterfront Revitalization Plan.

**Village of Massena- The Old Mill Rehabilitation RESTORE NY V (131,746)**

July 16, 2020

In December 2017, the Village of Massena applied for Restore New York funds to rehabilitate the building into a mixed-use building. In April 2018, Massena was awarded state assistance through both a Restore New York grant and a grant and loan from the North Country Redevelopment Fund, which is administered by the Development Authority of the North Country on behalf of the region. The vacant building will be transformed into a brewery and market-rate apartments.

Past ESD Support - Funding for the past five years to the Grantee is summarized in the following chart:

Program	Project #	Amount	Date Start (ESD Directors' Approval Date)	Date End (Project Completion: Contract Expiration)	Purpose
Restore NY Comm 16-17	AB793	\$500,000	February 20, 2020	December 31, 2021	Capital

**The Project:**

Completion – September 2021

Activity - The project will transform the Old Mill that once operated as a grain mill in the late 1800s. The Mill has been vacant for many years, has structural issues, and lacks modern infrastructure needs. The project will redevelop the 11,365 square-foot building into a mixed-use development with top floor river views, two residential apartments, and a local brewery/pub on the main floor.

Construction began in April 2019 and is expected to be completed by September 2020. The plans for construction include: Excavation of the perimeter of the building and pouring of a new foundation alongside the old. Demolition of interior walls and flooring on all three levels. Save and reuse old grain bins, beams and mill hardware. The lower basement will be leveled with granular material.; and concrete will be poured c for the basement floor.

Results - The project will result in the rehabilitation of a historically-significant property in downtown Massena, will create economic opportunity for local residents, and will contribute to the revitalization of downtown Massena. The mixed-use facility will result in two market-rate apartments, and commercial space including a brewery on the main floor. Restore NY funds are critical to the success of this project.

**Village of Massena- The Old Mill Rehabilitation RESTORE NY V (131,746)**

July 16, 2020

Financing Uses	Amount	Financing Sources	Amount	Percent
Building Purchase	\$125,000	ESD Grant	\$987,000	66%
Construction	1,145,000	Village Equity*	268,000	18%
Machinery/Equipment/Furniture	185,000	DANC** Grant	125,000	8%
Soft Costs	50,000	DANC Loan	125,000	8%
Total Project Costs	\$1,505,000	Total Project Financing	\$1,505,000	100%

*\*Source of equity is funds from the building's owner.*

*\*\* Development Authority of the North Country*

Grantee Contact- Timmy Currier, Mayor  
60 Main Street  
Village of Massena, 13662  
Phone: (315) 769-8625  
E-mail: tcurrier@village.massena.ny. us

Beneficiary Contact- William Fiacco, Owner  
5 Julia Court, Suite 115  
Boonton Township, NJ 07050  
Phone: (516) 672-8218  
E-mail: wvfiacco123@gmail. com

Project Team: Project Management Arturo Rodriguez  
Contractor & Supplier Diversity Danah Alexander  
Environmental Soo Kang

**Financial Terms and Conditions:**

1. Upon execution of the grant disbursement agreement, the Village will reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Village will be obligated to advise ESD of any materially adverse changes in its financial condition prior to disbursement.
3. The Village ensure the contribution of at least a 10% match of the grant amount to the Project.
4. Up to \$987,000 will be disbursed to Grantee during the course of the project no more frequently than quarterly, in compliance with ESD's Design and Construction requirements, and in proportion to ESD's funding share, assuming that all project approvals have been completed and funds are available. The final ten percent (10%) of the Grant shall not be disbursed by ESD until all tasks and reports required have been

**Village of Massena- The Old Mill Rehabilitation RESTORE NY V (131,746)**

July 16, 2020

completed to ESD's satisfaction, and project is complete as evidenced by a certificate of occupancy. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after December 15, 2017 to be considered reimbursable project costs.

5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$987,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Village and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

**Environmental:**

The Village of Massena Board of Trustees, as lead agency, has completed an environmental review of the project pursuant to the requirements of the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. This review found the project to be an Unlisted Action, which would not have a significant effect on the environment. The lead agency issued a Negative Declaration on ESD staff reviewed the Negative Declaration and supporting materials and concurs. It is recommended that the Directors make a Determination of No Significant Effect on the Environment.

**Non-Discrimination and Contract & Supplier Diversity:**

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Grantee shall be required to include minorities and women in any job opportunities created, to solicit and utilize certified Minority-and Women-owned Business Enterprises ("MWBEs") for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

**Statutory Basis – Restore NY Communities:**

The funding was authorized in the 2016-2017 New York State budget and re-appropriated in the 2017-2018, 2018-2019, 2019-2020, 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site

**Attachment:**

Resolution

July 16, 2020

Massena (North Country Region – St. Lawrence County) – The Old Mill Rehabilitation  
RESTORE NY V – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the The Old Mill Rehabilitation RESTORE NY V Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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## C. City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (131,761)

July 16, 2020

### General Project Plan

- Grantee:** City of Hornell (“Hornell” or the “City”)
- Beneficiary:** PG Rockland Corp
- ESD Investment:** A grant of up to \$1,000,000 to be used for a portion of the cost of renovation of a historic, vacant building into a mixed-use, commercial development and 23 residential loft apartments
- Project Location:** 18 North Main Street Hornell, Steuben County
- Proposed Project:** The City of Hornell will rehabilitate and transform 34,500 square-foot space on the site of a 20th century historical building in the heart of Hornell into a state-of-the-art, multi-family loft style apartment building with available commercial space.
- Project Type:** Rehabilitation of a historic property
- Regional Council:** The Southern Tier Regional Council has been made aware of this item. The project is consistent with the Regional Plan to revitalize the region’s downtowns.

### **Background:**

Grantee History - The City of Hornell was chartered in 1888 as the "City of Hornellsville" (having been first organized as the "Village of Hornellsville" in 1852). The name was changed to Hornell in 1906. Through the first half of the century, the Erie railroad remained the primary economic anchor in Hornell. The railroad facilities were expanded in 1901 and again in 1923. At its peak the Erie had nearly 5,000 employees in Hornell. In 1997, ALSTOM Transportation Incorporated, began leasing the former Erie railroad facilities for rail equipment repair and manufacturing operations. In 2016 Alstom Transportation (“Alstom”) was awarded a \$2.5 billion contract to build the next generation of high-speed rail trains for Amtrak. Alstom anticipates that this work will create 400 new jobs in Hornell at their Hornell facilities, and an additional 350 jobs to subcontractors in the Hornell area.

ESD Involvement – The Marion-Rohr renovation project conforms to several goals set forth in the City of Hornell’s Comprehensive plan. The Land Use goal of “Protect historical zones within city limits” is addressed through the preservation of a historically contributing building. The housing goal of “Create new housing for all income levels” is addressed by creating twenty-three, new, market-rate apartments.

**City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (131,761)**

July 16, 2020

Past ESD Support - Funding for the past five years to the Grantee is summarized in the following chart.

<b>Program</b>	<b>Project #</b>	<b>Amount</b>	<b>Date Start (ESD Directors' Approval Date)</b>	<b>Date End (Project Completion: Contract Expiration)</b>	<b>Purpose</b>
Restore NY Comm 08-09	W861	\$1,500,000	January 1, 2010	February 16, 2017	Capital Grant- The renovation of the Federation Building for commercial and residential use

**The Project:**

Completion - April 2021

Activity – The City of Hornell will rehabilitate a historical building that is vacant in the downtown area of Hornell. The rehabilitation will encompass 34,500 square-feet of vacant space to create twenty-three, market rate apartments.

PG Rockland Corp will transform the current 22,500 square-foot main building into twenty-three, state- of-the art, market rate, residential apartment homes. With high ceilings, and an already existing open floor plan the building is ideal for residential use and preserves the historic appearance of the building while transforming it into modern housing. The western building will be converted into 6,500 sf of commercial space. The 6,000-square-foot central building will be demolished and turned into a courtyard for use by both residents and commercial tenants.

Results – The proposed project will help Hornell provide new housing units to families that are commuting from areas all over the Southern Tier. Companies like Alstom and their subcontractors will be able to attract and retain quality employees when they can ensure excellent housing options in a convenient location. Hornell is down the road from Alfred University and many artists, professors, and art students who live in the City of Hornell will also benefit from the project. Commercial tenants have yet to be identified.

Based on current market demand, PG Rockland Corp anticipates they will be 35% leased by April 2021.

Restore NY funds are critical to the success of this project.

**City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (131,761)**

July 16, 2020

No Benefit-Cost Analysis (“BCA”) is required since these projects generate long-term benefits not captured in the short-term period used for the BCA and may involve no permanent job commitments.

Financing Uses	Amount	Financing Sources	Amount
Construction/Renovation	\$4,575,000	ESD Grant	\$1,000,000
Soft Costs	\$513,074	NYS Historic Tax Credits	\$759,119
		Federal Historic Tax Credits	\$1,084,456
		First Bank-Loan*	\$2,244,499
Total Project Costs	\$5,088,074	Total Project Financing**	\$5,088,074

*\*rate: 4.75%; term: 5 years*

*\*\*The City of Hornell IDA contributed property valued at over \$300,000 which fulfils the equity requirement for this project*

Grantee Contact - Heather Reynolds, Director, Planning Office  
82 Main Street  
Hornell, NY 14843  
Phone: (607) 324-7421  
E-mail: hreynolds@infoblvd.net

Beneficiary Contact - Tim Crilly, PG Rockland Corp  
46 Prince Street  
Rochester, NY 14607  
Phone: (585) 732-4086  
E-mail: tcrilly@parkgrovellc.com

Project Team- Project Management Sarah Glose  
Design and Construction Marty Piecuch  
Contractor & Supplier Diversity Jordan Lopez  
Environmental Soo Kang

**Financial Terms and Conditions:**

1. Upon execution of the grant disbursement agreement, the City of Hornell will reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The City will be obligated to advise ESD of any materially adverse changes in its financial condition prior to disbursement.
3. The City will ensure the contribution of at least the 10% match of the grant amount to the Project.

**City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (131,761)**

July 16, 2020

4. Up to \$1,000,000 will be disbursed to Grantee, during the course of the project no more frequently than quarterly, in proportion to ESD's funding share, and in compliance with ESD's Design and Construction requirements, assuming that all project approvals have been completed and funds are available. The final ten percent (10%) of the Grant shall not be disbursed by ESD until all of the tasks and reports required have been completed to ESD's satisfaction, and project is complete as evidenced by a certificate of occupancy. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require.
5. Expenses must be incurred on or after December 15, 2017 to be considered reimbursable project costs.
6. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$1,000,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the City and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

**Environmental Review:**

ESD staff has determined that the project constitutes a Type II action as defined by the New York State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation. No further environmental review is required in connection with the project.

Due to the building's eligibility for inclusion in the New York State and National Registers of Historic Places, ESD has confirmed that the project sponsor consulted with the New York State Office of Parks, Recreation and Historic Preservation pursuant to the requirements of Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. The project is in compliance with Section 14.09.

**Non-Discrimination and Contractor & Supplier Diversity:**

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Organization/Recipient shall be required to include minorities and women in any job opportunities created, to solicit and utilize Minority and Women Business Enterprises (MWBES) for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% (\$300,000) related to the total value of ESD's funding.

The Recipient is encouraged to use "Good Faith Efforts," pursuant to 9 NYCRR §252.2(m), to utilize NYS-certified Service-Disabled-Veteran-owned Business Enterprises ("SDVOBs") in the execution of the grant. Any utilization of SDVOBs would be in addition to goals established pursuant to Article 15-A of the Executive Law with respect to MWBEs. Should SDVOBs be utilized, a further explanation of the SDVOB reporting requirements is attached hereto.

**City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (131,761)**

July 16, 2020

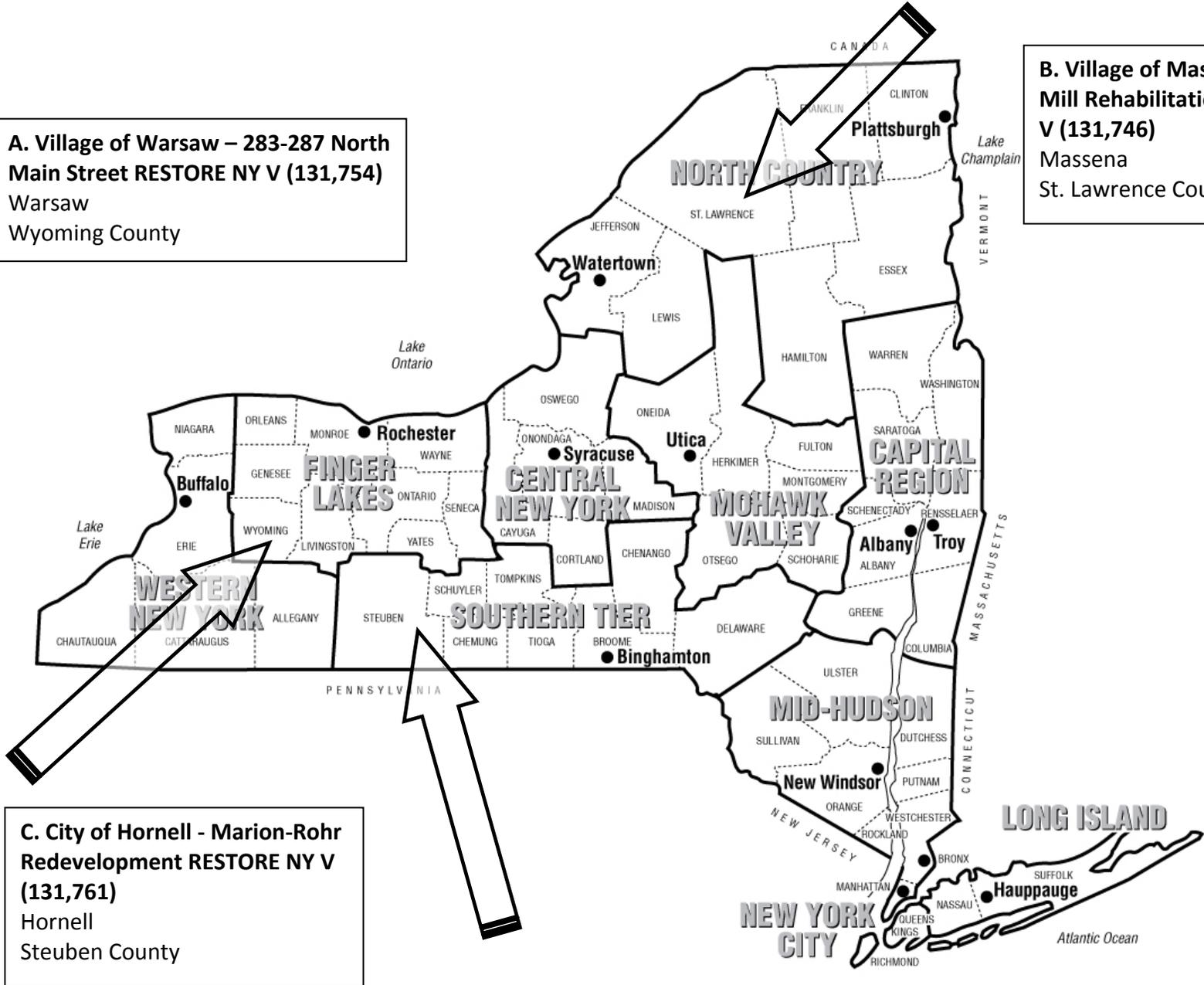
**Statutory Basis – Restore NY Communities:**

The funding was authorized in the 2016-2017 New York State budget and re-appropriated in the 2017-2018, 2018-2019, 2019-2020, 2020-2021 New York State budgets. No residential relocation is required as there are no families or individuals residing on the site

**Restore New York Communities Initiative Project Map**

**A. Village of Warsaw – 283-287 North Main Street RESTORE NY V (131,754)**  
 Warsaw  
 Wyoming County

**B. Village of Massena - The Old Mill Rehabilitation RESTORE NY V (131,746)**  
 Massena  
 St. Lawrence County



**C. City of Hornell - Marion-Rohr Redevelopment RESTORE NY V (131,761)**  
 Hornell  
 Steuben County

# Village of Warsaw – 283-287 North Main Street Restore V

## Demolition and Construction



After Construction



FOR CONSIDERATION

July 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: Non-Discretionary Projects

REQUEST FOR: Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make Grants and to Take Related Actions

Attached is the summary of the projects sponsored by the New York State Executive and Legislative branches:

	Project Name	Project #	Grantee	Assistance Up To
	<b>Local Assistance (Assembly)</b>			
A.	Queens Chamber of Commerce Working Capital 2019-20	133,054	Chamber of Commerce of the Borough of Queens	\$500,000
	<b>Local Assistance (Base Retention)</b>			
B.	Saratoga County Foundation Capital	AC246	Saratoga County Foundation, Inc.	\$150,000
C.	Saratoga County Foundation Capital	AC247	Saratoga County Foundation, Inc.	\$300,000
	<b>TOTAL NON-DISCRETIONARY PROJECTS - 3</b>		<b>TOTAL</b>	<b>\$950,000</b>

I. Statutory Basis

The project was sponsored by the Executive, Assembly or Senate, and was authorized or reappropriated in the 2020-2021 New York State budget. No residential relocation is required as there are no families or individuals residing on the site(s).

## II. Environmental Review

Unless otherwise noted on a project summary, ESD\* staff has determined that the projects constitute Type II actions as defined by the New York State Environmental Quality Review Act and the implementing regulations for the New York State Department of Environmental Conservation. No further environmental review is required in connection with the projects.

## III. Non-Discrimination and Contractor & Supplier Diversity

Pursuant to New York State Executive Law Article 15-A, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority and women-owned businesses in the performance of ESD contracts. Accordingly, ESD's Non-discrimination and Contractor & Supplier Diversity policy will apply to the projects. Unless otherwise specified in the project summary, Grantees shall use their Good Faith Efforts to achieve an overall Minority and Women Business Enterprise ("MWBE") Participation Goal of 30% related to the total value of ESD's funding. This shall include a Minority Business Enterprise ("MBE") Participation goal of 15% and a Women Business Enterprise ("WBE") Participation goal of 15%. Grantees shall use Good Faith Efforts to solicit and utilize MWBEs for any contractual opportunities generated in connection with the projects and to include minorities and women in any job opportunities created by the projects.

## IV. ESD Employment Enforcement Policy

Unless otherwise noted on a project summary, the ESD Employment Enforcement Policy will not apply since the projects will not directly create or retain jobs.

## V. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

## VI. Additional Requirements

Pursuant to direction received from the New York State Office of the Attorney General ("OAG"), individual project summaries may be subject to comment and approval by the OAG.

Due diligence has been exercised by ESD staff in reviewing information and documentation received from grantees/borrowers and other sources, in preparation for bringing projects to the ESD Directors for approval. The due diligence process also involves coordination with a number of external constituents, including the OAG, and grantees/borrowers have provided ESD with the required Disclosure and Accountability Certifications.

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\* The NYS Urban Development Corporation d/b/a as Empire State Development ("ESD" or the "Corporation")

Also, pursuant to s.2879-a of the Public Authorities Law, the Office of the State Comptroller (“OSC”) has notified the Corporation that it will review all grant disbursement agreements (“GDAs”) of more than one million dollars (\$1 million) that are supported with funds from the Community Projects Fund (“007”). Such GDAs, therefore, will not become valid and enforceable unless approved by the OSC. A clause providing for OSC review will be included in all GDAs that are subject to such approval.

VII. Additional Submissions to Directors

Resolutions

Project Summaries

New York State Map

July 16, 2020

Local Assistance – (Working Capital and Capital Grants) Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make Grants and to Take Related Actions

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RESOLVED, that on the basis of these materials, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Local Assistance Project identified below (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the President and Chief Executive Officer Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearings held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written findings being made, the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a to grant to the party and for the amount listed below from Local Assistance Program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to a make a grant to the party and for the amount listed below from the Local Assistance program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) receipt of funds

Local Assistance – Project Summary Table

	<b>Project Name</b>	<b>Project #</b>	<b>Grantee</b>	<b>Assistance Up To</b>
	<b>Local Assistance (Assembly)</b>			
A.	Queens Chamber of Commerce Working Capital 2019-20	133,054	Chamber of Commerce of the Borough of Queens	\$500,000
	<b>Local Assistance (Base Retention)</b>			
B.	Saratoga County Foundation Capital	AC246	Saratoga County Foundation, Inc.	\$150,000
C.	Saratoga County Foundation Capital	AC247	Saratoga County Foundation, Inc.	\$300,000
	<b>TOTAL NON-DISCRETIONARY PROJECTS - 3</b>		<b>TOTAL</b>	<b>\$950,000</b>

and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

**A. Queens Chamber of Commerce Working Capital 2019-20 (133,054)**

July 16, 2020

- Grantee:** Chamber of Commerce of the Borough of Queens (the “Chamber”)
- ESD Investment:** A grant of up to \$500,000 to be used for a portion of the cost of various programmatic and administrative expenses
- Project Location:** 75-20 Astoria Boulevard, East Elmhurst, Queens County
- Proposed Project:** Funds will be used for various initiatives to support small businesses with technical assistance, access to new business, information via networking, events, webinars, as well as marketing, business growth, and relocation services
- Project Type:** Working Capital
- Regional Council:** The New York City Regional Economic Development Council has been made aware of this item.

**Background:**

Industry - Economic Development

Organizational History - Founded in 1911, the Chamber of Commerce of the Borough of Queens is the oldest and largest business association in the borough of Queens. In 2018, membership grew to represent over 90,000 Queens based employees. The Chamber seeks to foster economic growth and prosperity within the Queens business community via a three-pronged approach: “educate, advocate, and network.”

The Chamber provides educational classes, forums, and workshops for businesses. These opportunities are offered on a recurring basis and are facilitated by the Chamber’s educational partners from government, not-for-profits, other members, and academia. Additionally, The Chamber seeks to promote the interests of business by continually focusing on legislation which will impact both the businesses and communities which the Chamber supports.

The Chamber maintains a knowledge base and relationships which enable it to successfully influence the legislative process on a variety of topics. Finally, the Chamber hosts a wide array of networking events to empower members to meet and build relationships with business people from companies of all sizes.

Ownership – Chamber of Commerce of the Borough of Queens is a not-for-profit organization.

**A. Queens Chamber of Commerce Working Capital 2019-20 (133,054)**

July 16, 2020

ESD Involvement - A \$500,000 appropriation was included in the FY 2019-2020 New York State budget.

Past ESD Support - Funding for the past five years to the Grantee is summarized in the following chart:

Program	Project #	Amount	Date Start (ESD Directors' Approval Date)	Date End (Project Completion: Contract Expiration)	Purpose
LOCAL ASST (A)	132,004	\$500,000	February 21, 2019	December 31, 2020	Working Capital Grant - programmatic and administrative expenses

**The Project:**

Completion – December 2020

Activity - Funds will be used for various initiatives to support small businesses with technical assistance, access to new business, information via networking, events, webinars, as well as marketing, business growth, and relocation services. Initiatives include, webinars on topics relating to small business financing strategies, procurement, marketing, and hiring, technical assistance around COVID-reopening, online marketing, furloughs/hiring, internship connections for Queens based students to members of the Queens business community in healthcare, tech, manufacturing, transportation, finance, marketing, support for hospitality and restaurants to market their businesses through “Queens Best” website, eblasts, and GIS (Geographic Information Systems) data, as well as further support with virtual Pop Up Chamber for direct referrals for specific and timely technical assistance on loans, MWBE certification, and permitting.

Results – Through the initiatives funded by this grant, the Chamber will support more than 300 businesses with information, technical assistance, and/or direct business support services to grow their business. The Chamber will also provide support to retain and/or increase jobs, market businesses and business sectors across the borough of Queens in the areas of hospitality, tourism, restaurants, as well as provide key information on programs and services to help businesses retain and increase jobs

Upon completion of the project, the Grantee will furnish a final report describing the impact and effectiveness of the project.

**A. Queens Chamber of Commerce Working Capital 2019-20 (133,054)**

July 16, 2020

Financing Uses	Amount	Financing Sources	Amount	Percent
Staffing	\$179,565	ESD Grant	\$500,000	100%
Fringe	13,737			
Business Services	108,260			
Consulting	150,000			
Rent & Utilities	32,184			
OTPS*	16,254			
<b>Total Project Costs</b>	<b>\$500,000</b>	<b>Total Project Financing</b>	<b>\$500,000</b>	<b>100%</b>

*\*Other than personal services*

Grantee Contact - Thomas Grech, President & CEO  
 75-20 Astoria Boulevard, Suite 140  
 East Elmhurst, NY 11370  
 Phone: (718) 898-8500  
 E-mail: tgrech@queenschamber.org

Project Team - Project Management                      Jay Vido  
 Contractor & Supplier Diversity              Danah Alexander  
 Environmental    Soo Kang

**Financial Terms and Conditions:**

1. The Grantee will be obligated to advise ESD of any materially adverse changes in its financial condition prior to disbursement.
2. Up to \$500,000 will be disbursed to Grantee, no more frequently than quarterly, upon documentation of eligible working capital expenses, assuming that all project approvals have been completed and funds are available. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. All project expenditures must have been incurred on or after April 1, 2019, the date that the New York State budget, in which the project is authorized, was passed. The final ten percent (10%) of the Grant shall not be disbursed by ESD until all of the tasks and reports required have been completed to ESD's satisfaction.
3. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$500,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Grantee and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

**A. Queens Chamber of Commerce Working Capital 2019-20 (133,054)**

July 16, 2020

**Statutory Basis – Local Assistance:**

The funding was authorized in the 2019-2020 New York State budget and reappropriated in the 2020-2021 New York state budget. No residential relocation is required as there are no families or individuals residing on the site.

**Non-Discrimination and Contractor & Supplier Diversity:**

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. The Grantee shall be required to include minorities and women in any job opportunities created, to solicit and utilize certified Minority-and Women-owned Business Enterprises ("MWBEs") for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% related to the total value of ESD's funding.

**Disclosure and Accountability Certifications:**

The Grantee has provided ESD with the required Disclosure and Accountability Certifications. Grantee's certifications indicate that Grantee has no conflict of interest or good standing violations and, therefore, staff recommends that the Corporation authorize the grant to the Grantee as described in these materials.

## B., C. Saratoga County Foundation Capital (AC246 & AC247)

July 16, 2020

### General Project Plan

- Grantee:** Saratoga County Foundation, Inc. (“Saratoga County Foundation” or the “Foundation”)
- ESD Investment:** Grants of up to \$450,000 to be used for a portion of the cost of construction
- AC246 \$150,000
  - AC247- \$300,000
- Project Location:** 19 JF King Drive, Saratoga Springs,
- Proposed Project:** Design and build a 7,700 square-foot indoor field house, on the Naval Support Activity Center, on Route 29, in Saratoga Springs, in order to provide United States (“U.S.”) Navy Sailors who are stationed and training within the region with access to a safe and secure facility to train and drill, take classes and host graduations
- Project Type:** Infrastructure Investment
- Regional Council:** The Capital Regional Economic Development Council has been made aware of this item. The project is consistent with the Capital Country Regional Economic Council Plan to help the local economy to enhance cultural and recreational facilities and provide for military and their families.

### **Background:**

Industry – Community Service

Organization History – Saratoga County Foundation, Inc., is a nonprofit 501 (c ) 3 charitable organization managed by the Saratoga County Chamber of Commerce. The Foundation dedicated to improving the quality of life for everyone in Saratoga County. The Foundation’s program seeks to engage the community in a range of meaningful goals.

Ownership – Saratoga County Foundation is a not-for-profit corporation.

Size – All facilities are located in Saratoga Springs, NY.

**B., C. Saratoga County Foundation Capital (AC246 & AC247)**

July 16, 2020

ESD Involvement – A \$150,000 appropriation was included in the 2014-2015 New York State budget. A \$300,000 appropriation was included in the 2016-2017 New York State budget.

Past ESD Support – This is the Company’s first project with ESD

**The Project:**

Completion – December 2019

Activity – The Foundation was asked to work with the United States Navy National Security Agency (“NSA”) Commander to identify how the community could better help U.S. Navy Sailors and their families while stationed in Saratoga. With the hiring of Munter Enterprises, the foundation designed and built a 7,700 square foot field house on the NSA Saratoga Springs base. This facility will support U.S. Navy Sailors and their families who are stationed and training locally.

Results – The new Field house will house a wide range of programs that previously had to be done off-base and thus in far less secure locations. This means that the U.S. Navy will be able to do even more programming with and for those Sailors and their families while stationed in Saratoga. The range of activities runs from drills, to educational workshops, to volleyball, to movies, etc. This space will also be made available for programs involving the local community in collaboration with the U.S. Navy. This will help to build even more ties and better relationships with area organizations and U.S. Navy Sailors. The new facility is a physical and meaningful statement of support for keeping NSA Saratoga Springs in operation for years and decades to come.

Financing Uses	Amount	Financing Sources	Amount	Percent
Construction	\$481,253	ESD Grant	\$450,000	94%
		Grantee Equity	\$31,253	6%
Total Project Costs	\$481,253	Total Project Financing	\$481,253	100%

Grantee Contact - Todd L. Shimkus, President  
28 Clinton Street  
Saratoga Springs, NY 12065  
Phone: (518) 584-3255

**B., C. Saratoga County Foundation Capital (AC246 & AC247)**

July 16, 2020

<u>Project Team</u> -	Project Management	Jane Ji
	Contractor & Supplier Diversity	Adams Danielle
	Environmental	Soo Kang

**Financial Terms and Conditions:**

1. Upon execution of the grant disbursement agreement, the Grantee shall reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Grantee will be obligated to advise ESD of any materially adverse changes in its financial condition prior to disbursement.
3. Up to \$450,000 will be disbursed to Grantee in a lump sum, upon documentation of construction project expenditures, upon completion of the project as evidenced by a certificate of occupancy, and upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require, assuming that all project approvals have been completed and funds are available. Expenses must be incurred on or after April 1, 2014, the date that the New York State budget, in which the project is authorized, was passed.
4. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$450,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Company and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.

**Environmental Review:**

ESD staff has determined that, although the funding of this project by ESD may constitute an “action” as defined by the State Environmental Quality Review Act, the project itself has been previously completed. ESD’s action in the funding decision will not alter the adverse environmental impacts, if any, of the project as completed. ESD staff accordingly believes that funding the completed project will not have any significant adverse impacts on the environment. Therefore, it is recommended that the Directors make a Determination of No Significant Effect on the Environment.

**Non-Discrimination and Contractor & Supplier Diversity:**

Pursuant to New York State Executive Law Article 15-A, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises (MWBES) in the performance of ESD projects. The Office of Contractor and Supplier Diversity has reviewed the project and has determined that MWBE participation goals need not be applied to this project.

**B., C. Saratoga County Foundation Capital (AC246 & AC247)**

July 16, 2020

**Statutory Basis – Local Assistance:**

The funding was authorized in the 2014-2015 New York State budget and reappropriated in the 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021 New York state budget. No residential relocation is required as there are no families or individuals residing on the site.

**Disclosure and Accountability Certifications:**

The Grantee has provided ESD with the required Disclosure and Accountability Certifications. Grantee's certifications indicate that Grantee has no conflict of interest or good standing violations and, therefore, staff recommends that the Corporation authorize the grant to the Grantee as described in these materials.

July 16, 2020

Saratoga Springs (Capital Region – Saratoga County) – Saratoga Foundation Capital –  
Local Assistance Base Retention (Capital Grant) – Determination of No Significant Effect  
on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Saratoga County Foundation Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

\* \* \*

