



Wallace Altes, Chairman  
Andrew Ross, Vice Chairman

Bill Dunne  
Ken Zalewski  
Deputy Mayor Pete Ryan

**TROY LOCAL DEVELOPMENT CORPORATION  
Board of Directors Meeting  
Planning Department Conference Room**

**City Hall  
433 River Street, Suite 5001  
Troy, New York 12180**

**December 13, 2013  
8:30 a.m.**

**AGENDA**

- I. Approval of the Minutes from the December 5, 2013 board member meeting.
- II. Mosaic Associate Architects Authorizing Resolution (Monica)
- III. The Cookie Factory, LLC Façade Grant Application (Monica)
- IV. Global Citizen, LLC – Economic Development Services Agreement (Monica)
- V. O'Briens Public House (Bill/Monica)
- VI. Asbestos Abatement with Air Monitoring estimates for four buildings on the King Fuels site and Sperry Warehouse (Bill)
- VII. Adjournment

THE TROY LOCAL DEVELOPMENT CORPORATION

433 RIVER STREET, TROY, NY 12180  
518-279-7166



**TROY LOCAL DEVELOPMENT CORPORATION  
Board of Director  
Meeting Minutes**

**December 5, 2013  
6:00 p.m.**

**BOARD MEMBERS PRESENT: Wallace Altes, Bill Dunne, Hon. Ken Zalewski, Andy Ross and Dep. Mayor Pete Ryan**

**ABSENT:**

**ALSO IN ATTENDANCE: Justin Miller Esq., Monica Kurzejeski, Joe Mazzariello,, Selena Skiba, Andy Piotrowski, Andrew Kreshik, Laban Coblentz, Kevin Blodgett, Ken Crowe and Denee Zeigler**

**Minutes**

Wallace Altes, Chairman, called the meeting to order at 6:00 p.m.

I. Approval of Minutes from November 8, 2013

**Ken Zalewski made the motion to approve the minutes.  
Bill Dunne seconded the motion, motion carried.**

II. TAP funding agreement

Justin introduced the agreement to the board members for a \$4,000 funding agreement with TAP. Monica explained that TAP and The City of Troy were recipients of a State Historic Preservation Office grant for the documentation of the historic mill buildings located throughout the City. SHPO asked TAP to expand to include additional buildings. The LDC was approached by TAP for assistance in matching their grant funds in the amount of \$4,000.

**Dep. Mayor Pete Ryan made the motion to approve the \$4,000 funding agreement with TAP.  
Ken Zalewski seconded the motion, motion carried.**

III. 9 First Street

Justin Miller explained that the board entered into a LDA with 9 First Street LLC in May 2013. The project originally was for 9 First Street and has since expanded and to include a project at 16 First Street and take on additional

partners in the project. The Troy IDA approved the multi building project for a PILOT. Mr. Miller explained that the applicant is in front of the board to update the terms of their LDA to show 16 First Street LLC as the purchaser instead of 9 First Street LLC. Anytime there is a change to the LDA the board would need to agree to the changes. Jeff Buell explained to the board that they have decided to do their financing through SEFCU and is moving along with the project. The opening of the building should be finished some time next spring. Ken Zalewski asked for clarification for the change from 9 First St 16 First St. Mr. Buell advised that originally they were going to do just the one project, 9 First Street, then added 16 First Street. Mr. Buell explained they are getting financing for both properties under the 16 First Street LLC. As they move forward, 9 First Street LLC will terminate. The Chairman asked about the timeline for both projects. Mr. Buell explained that 9 First Street should be completed in March 2014 and 16 First Street should be completed in the fall.

**Ken Zalewski made a motion to approve the proposal.  
Bill Dunne seconded the motion, motion carried.**

IV. O'Brien's Public House

Bill Dunne spoke to the board about the additional funding request of \$25,000 made by the owner's of O'Brien's Public House to get the building sprinklered. Due to the fact that we are going to discuss their personal finances it was suggested that we should move to executive session.

**Ken Zalewski made the motion to move to executive session  
to discuss personal finances of the applicant.  
Bill Dunne seconded the motion, motion carried.**

The board returned from executive session at 6:50. The Chairman explained that the board conditionally approved their request for additional funding contingent upon the meeting of certain requirements that have been outlined by our legal counsel and executive director who will be meeting with the O'Briens over the next couple of days. We will review the information and make a decision at our next meeting on December 15, 2013.

V. Hudson River Natural Products Recycling

Bill Dunne spoke to the board about the 4.34 acre parcel north of the Wynantskill, outside of the clean up area. The agreement in front of you is between the LDC and Hudson River Natural Products Recycling. The products will be broken down and able to reduce

**Ken Zalewski made a motion to authorize the executions of  
contracts for air monitoring and demolition.  
Andy Ross seconded the motion, motion carried.**

VI. Natural Products Recycling

Bill Dunne spoke to the board about a 4.3 acre parcel located North of the Wynantskill creek on the King Fuels site just outside the clean up area. National Grid will not be doing clean up on this particular site, there is no

contamination. Mr. Dunne explained their process of taking clean dirt, concrete, stone, brick, etc. The contractor is interested in leasing the space from us in order to put in a facility to recycle natural products such as brick, dirt, stone, granite, asphalt, concrete, etc. These materials currently end up in the solid waste stream. It will create great savings for the City of Troy. Debris will be taken for free and the recycled product will also be provided to the City for no cost. They will only charge a cost for his labor to truck it.

The Chairman asked if residents and businesses will be allowed to use this facility. Mr. Dunne answered yes. The details will have to be worked out in the future. This will be a DEC registered facility and will be working with the City Engineer to deal with stormwater. The Chairman asked about the set up of the site. Mr. Dunne advised that the materials will be separated and stored in bins on the site. Pete Ryan noted that this will be great for the site and give the City a place to dump debris from many of their projects. Mr. Dunne advised they are also willing to assume the PILOT payment for the King Fuels site.

The Chairman asked what the length of the agreement is going to be. Justin Miller explained that it is a three year lease with an option to stay another three years. There is a note in the agreement that allows the LDC to give six months notice to terminate the lease if another tenant is found for the King Fuels site or this acre. Andy Ross noted there will be no real infrastructure added to the site. Mr. Dunne added they will be adding lighting, fencing and make improvements to the road that is currently there. Mr. Ross questioned if there would be any issues with stormwater. Mr. Dunne explained that the site will be permeable. The project has been in front of the Planning Commission and they have met with the City Engineer. Ken Zalewski wanted to verify the monthly payment of \$1,333 per year. Mr. Dunne noted that they will pay that along with the PILOT payment for the site.

Mr. Ryan asked for clarification about the section of the agreement that talks about determination. Justin explained that there is a penalty for the LDC if the lease is ended early and he has invested in the property. It is a sliding scale. The Chairman asked if there were further questions from the board.

**Dep. Mayor Pete Ryan made a motion to approve the lease agreement.**

**Andy Ross seconded the motion, motion carried.**

VII. National Grid Amendment to the Agreement

Justin Miller explained the reimbursement agreement currently in place with National Grid gives them three years with the option of extensions to do the remediation. The agreement also gave a license to National Grid for parcels that they don't actually need. This amendment will adjust the property description for the land they can go on.

Mr. Miller also explained that National Grid had also asked to have the \$35 Million project sales tax exempt. Mr. Miller explained that it states in the agreement that no incentives will be given by the boards for the City for doing the remediation. The amendment in front of you proposes that the LDC will give them a sales tax exemption if they pay us a negotiated portion of the break they get.

They indicated they will be starting the remediation in May due to the weather changing. The piles left on the site will be removed. Mr. Miller explained that the new tenant on the site will be helpful in assisting with this.

The Chairman asked how much would we be receiving. There was a general discussion. Mr. Miller that it is tough to say for sure, but approximately \$300,000 that is in addition to the original payouts of \$2.5 Million.

Mr. Dunne gave an overview of the status of the demo work for the remaining buildings on the site. There are three quotes for demo and air monitoring for the two buildings that contain asbestos and three quotes for stand alone asbestos and air monitoring of the remaining buildings. More information will be presented and can be discussed at the next meeting.

Mr. Ross questioned if there were any add-on items to their scopes of work. Mr. Miller explained they will be discussing further with their legal consul and indicated there may be some adjustments.

The Chairman asked if Mr. Dunne needed to add anything about the status of the King Fuels site (agenda item VII). Mr. Dunne advised that he spoke about it during the last agenda item and nothing else to add.

VIII. Adjournment

**Andy Ross made a motion to adjourn the meeting.  
Bill Dunne seconded the motion, motion carried.**

The meeting was adjourned at 7:08 p.m.

**AUTHORIZING RESOLUTION**

*(Dodge Chamberlin Luzine Weber Associates Architects LLP d/b/a Mosaic Associates Architects  
– Loan Agreement)*

A regular meeting of the Troy Local Development Corporation was convened on December 13, 2013, at 8:30 a.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. \_\_\_\_\_

RESOLUTION OF THE TROY LOCAL DEVELOPMENT CORPORATION AUTHORIZING (i) THE ISSUANCE OF A \$50,000 EQUIPMENT LOAN TO DODGE CHAMBERLIN LUZINE WEBER ASSOCIATES ARCHITECTS LLP D/B/A MOSAIC ASSOCIATES ARCHITECTS WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED HEREIN) AND (ii) THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND RELATED DOCUMENTS.

WHEREAS, the Troy Local Development Corporation (the “Corporation”) is a duly-established, not-for-profit local development corporation of the State pursuant to Section 1411(h) of the Not-for-Profit Corporation Law (“N-PCL”) and a Certificate of Reincorporation filed on April 5, 2010 (the “Certificate”) established for the charitable and public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, **DODGE CHAMBERLIN LUZINE WEBER ASSOCIATES ARCHITECTS LLP D/B/A MOSAIC ASSOCIATES ARCHITECTS** (the “Company”), has requested assistance from the Corporation with a certain project (the “Project”) consisting of the acquisition of furniture and equipment for the Company’s offices located in the Frear Building, 2 Third Street, Suite 440, Troy, New York; and

WHEREAS, in furtherance of the Project, the Company has requested financing from the Corporation in the form of a \$50,000.00 Equipment Loan (the “Loan”); and

WHEREAS, the Corporation desires to authorize the issuance of the Loan, the terms of which have been presented at this meeting, and approve the execution and delivery of a Loan Agreement (“Agreement”), along with related documents, to memorialize the terms and conditions by which the Loan shall be extended by the Corporation, including the repayment thereof and security therefore.

NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE TROY LOCAL DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The Corporation hereby authorizes the provision of the Loan to the Company in furtherance of the Project. The Chairman, Vice Chairman and/or the Chief Executive Officer of the Corporation are hereby authorized, on behalf of the Corporation, to execute and deliver a Loan Agreement, along with related documents (collectively, the “Loan Documents”), in such form as prepared and approved by counsel to the Corporation and as approved by the Chairman, Vice Chairman and/or the Chief Executive Officer.

Section 2. The Secretary or Assistant Secretary of the Corporation are hereby authorized, where appropriate, to affix the seal of the Corporation to the Loan Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chairman, Vice Chairman and/or Chief Executive Officer of the Corporation shall approve, and the execution thereof by the Chairman, Vice Chairman and/or Chief Executive Officer of the Corporation to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the Corporation are hereby authorized and directed for and in the name and on behalf of the Corporation to do all acts and things required and to execute and deliver all such checks, certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Corporation with all of the terms, covenants and provisions of the documents executed for and on behalf of the Corporation.

Section 4. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nea</i>	<i>Absent</i>	<i>Abstain</i>
Wallace Altes	[    ]	[    ]	[    ]	[    ]
William Dunne	[    ]	[    ]	[    ]	[    ]
Hon. Kenneth Zalewski	[    ]	[    ]	[    ]	[    ]
Andrew Ross	[    ]	[    ]	[    ]	[    ]
Peter Ryan	[    ]	[    ]	[    ]	[    ]

The Resolution was thereupon duly adopted.

STATE OF NEW YORK                    )  
COUNTY OF RENSSELAER            ) ss.:

I, the undersigned Secretary of the Troy Local Development Corporation, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Troy Local Development Corporation (the " Corporation "), including the resolution contained therein, held on December 13, 2013 with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Corporation and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Corporation had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Corporation present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Secretary

[SEAL]

Troy Local Development Corporation  
 50/50 Façade Improvement Program  
 Application for Funding Assistance

**received**  
 11-13-13

**Applicant:**

Building Address 41 RIVER STREET  
 Applicant Name THE COOKIE FACTORY  
 Applicant Address 520 CONGRESS STREET  
 Telephone 268-1060 Email caiberino@cookiefactoryllc.com  
 Is the applicant the owner?  Yes  No  
 Owner Name CHRIS AIBERINO  
 Owner Address 1511 SPRING AVE EXT

**Building Information:**

Type of Construction:  Masonry  Frame  Other  
 Number of Floors: 1 Basement:  Yes  No  
 Building Square Footage: 29,000 Lot Dimensions: 100 x 250

Existing conditions of the building:

Front Façade:	<input type="checkbox"/>	Excellent	<input type="checkbox"/>	Good	<input checked="" type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Side Wall(s):	<input type="checkbox"/>	Excellent	<input type="checkbox"/>	Good	<input checked="" type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Rear Wall:	<input type="checkbox"/>	Excellent	<input type="checkbox"/>	Good	<input checked="" type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Roof:	<input type="checkbox"/>	Excellent	<input checked="" type="checkbox"/>	Good	<input type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Other:	<input type="checkbox"/>	Excellent	<input type="checkbox"/>	Good	<input type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk

**Occupancy Information:**

Building is vacant:  Yes  No

# of commercial units in the building: 1

List all existing businesses at this address or any business proposed to occupy the building:

Business Name	Owner Name & Address	# Of Years at Current Address	# Of Years at Previous Address
<u>COOKIE FACTORY</u>	<u>CHRIS AIBERINO</u> <u>520 CONGRESS ST.</u>	<u>1</u>	

# of residential units in the building: 0

**Schedule of Work:**

Proposed Method of Work:  Contract  Self-Help  Combination

Date work can begin by: 3/14  
Date work must be completed by:

Do you anticipate a need for architect design services?  Yes  No  
Do you anticipate a need for contractor design services?  Yes  No

Total Project Cost: 40,000 Grant Request: 5,000

Describe any recent improvements you have made to the building, if any:

WE HAVE PUT IN NEW BATHROOMS, NEW FLOORING, NEW WALLS + PAINT  
ALL NEW WINDOWS + SOLAR SYSTEM IN BUILDING WITHIN LAST  
6 MONTHS. ALSO, NEW EXTERIOR DOORS, ENTRANCE, AND 8 OVERHEAD  
DOORS.

Provide a brief summary of all proposed activities:

WE ALSO PLAN TO LANDSCAPE PAVE A SECTION ON THE NORTH  
SIDE OF THE BUILDING WITH NEW FENCING. WE WOULD LIKE  
TO HAVE BUILDING FINISH WITH STUCCO + PAINT AS WELL

**Additional Information:**

Are you or any other owner of the property a City of Troy employee?  Yes  No

Have you ever received grant money for this project?  Yes  No  
If yes, please describe:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature CM Alvarez Date 11/12/13

The Troy Development Corporation certifies that it will comply with all Federal statutes and regulations that prohibit discrimination on the basis of race, color, national origin, religion, sex, handicap, age, or any other nondiscrimination statute(s), which may apply to the applicant.

Troy Local Development Corporation  
 50/50 Façade Improvement Program  
 Application for Funding Assistance

Received  
 11-13-13

Applicant:

Building Address 520 CONGRESS STREET

Applicant Name THE COOKIE FACTORY

Applicant Address SAME

Telephone 268-1060 Email CAlberino@cookiefactoryllc.com

Is the applicant the owner?  Yes  No

Owner Name CHRIS M. ALBERINO

Owner Address 1511 SPRING AVE EXT

Building Information:

Type of Construction:  Masonry  Frame  Other

Number of Floors: 2 Basement:  Yes  No

Building Square Footage: 8000 Lot Dimensions: \_\_\_\_\_

Existing conditions of the building:

Front Façade:	<input type="checkbox"/>	Excellent	<input type="checkbox"/>	Good	<input checked="" type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Side Wall(s):	<input type="checkbox"/>	Excellent	<input checked="" type="checkbox"/>	Good	<input type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Rear Wall:	<input type="checkbox"/>	Excellent	<input checked="" type="checkbox"/>	Good	<input type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Roof:	<input type="checkbox"/>	Excellent	<input checked="" type="checkbox"/>	Good	<input type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk
Other:	<input type="checkbox"/>	Excellent	<input type="checkbox"/>	Good	<input type="checkbox"/>	Fair	<input type="checkbox"/>	Poor	<input type="checkbox"/>	At Risk

Occupancy Information:

Building is vacant:  Yes  No

# of commercial units in the building: 1

List all existing businesses at this address or any business proposed to occupy the building:

Business Name	Owner Name & Address	# Of Years at Current Address	# Of Years at Previous Address
<u>COOKIE FACTORY</u>	<u>CHRIS ALBERINO</u> <u>520 CONGRESS STREET</u>	<u>6</u>	

# of residential units in the building: 0

**Schedule of Work:**

Proposed Method of Work:  Contract  Self-Help  Combination

Date work can begin by: 1/3/14  
Date work must be completed by:

Do you anticipate a need for architect design services?  Yes  No  
Do you anticipate a need for contractor design services?  Yes  No

Total Project Cost: 18,000 Grant Request: 5,000

Describe any recent improvements you have made to the building, if any:  
ALL IMPROVEMENTS THUS FAR HAVE BEEN INTERIOR

Provide a brief summary of all proposed activities:  
WE PLAN TO REPLACE EXISTING WINDOWS @ LOCATION STATED.  
WE ALSO PLAN TO LANDSCAPE ON THE WEST SIDE OF OUR  
PARKING LOT AND RE-PAVE THE PARKING LOT TO GIVE  
BUILDING A NICE FRESH LOOK TO COMPLEMENT THE NEWLY, AND  
BEAUTIFUL CONGRESS ST. CORRIDOR.

**Additional Information:**

Are you or any other owner of the property a City of Troy employee?  Yes  No

Have you ever received grant money for this project?  Yes  No  
If yes, please describe:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature CM Allured Date 11/12/13

The Troy Development Corporation certifies that it will comply with all Federal statutes and regulations that prohibit discrimination on the basis of race, color, national origin, religion, sex, handicap, age, or any other nondiscrimination statute(s), which may apply to the applicant.