

STATE OF NEW YORK COUNTY OF SARATOGA
INDUSTRIAL DEVELOPMENT AGENCY

In the Matter of the Public Hearing
on the Application of
AIROSMITH, INC.
32 Clinton Street
Saratoga Springs, NY 12866

LOCATION AND TIME OF HEARING

Recreation Center of the City of Saratoga Springs
15 Vanderbilt Avenue
Saratoga Springs, New York
Monday, May 13, 2019 at 8:00 a.m.

M-E-M-B-E-R-S and S-T-A-F-F P-R-E-S-E-N-T:

RODNEY SUTTON, Chairman
ARTHUR JOHNSON
PATRICK GREENE
ANDREA DiDOMENICO
MICHAEL MOONEY
WALTER WINTSCH
SCOTT DUFFY, CEO
JEFFREY MANY, CFO
JAMES A. CARMINUCCI, ESQ.
Special Counsel and Bond Counsel

A-P-P-L-I-C-A-N-T

MICHAEL J. TOOHEY, ESQ.

A-L-S-O A-P-P-E-A-R-I-N-G

SARATOGA ECONOMIC DEVELOPMENT CORPORATION
DENNIS A. BROBSTON
President

DONNA L. MARTIN, CSR
Martin Deposition Services, Inc.
(518) 587 - 6832

1 **IDA Hearing - Airosmith, Inc.**

2 **CHAIRMAN SUTTON:** Good morning. It
3 is now 8:00 a.m. on Monday, May 13, 2019. I
4 will call to order the public hearing of the
5 Industrial Development Agency of Saratoga
6 County that is being held in the temporary
7 offices of the Saratoga Springs City Hall at 15
8 Vanderbilt Avenue in Saratoga Springs. The
9 Agency previously received an application and
10 approved a project submitted by Airosmith, Inc.
11 (the Applicant) now located at 32 Clinton
12 Street in Saratoga Springs on behalf of Smith
13 Cassier Real Estate Holding Company, LLC, a
14 limited liability corporation (the Company).

15 The Company has requested that this Agency
16 undertake a project consisting of (a) the
17 acquisition of an interest of approximately
18 0.519 acres of land comprised of one tax map
19 parcel and portions of two abutting tax map
20 parcels located at 318 West Avenue, in the City
21 of Saratoga Springs, Saratoga County, New York
22 (the Land), and (b) the construction on the
23 Land of a 10,400 square foot (revised from
24 9,000 square feet) facility to be operated by
25 the Applicant for its corporate headquarters

IDA Hearing - Airosmith, Inc.

1
2 and housing related to the wireless
3 infrastructure development industry (the
4 Facility), and (c) the acquisition and
5 installation of certain machinery and equipment
6 (the Equipment) in that building, together with
7 the Land and the Facility being known as the
8 Project Facility. The total (revised) cost
9 associated with the acquisition, construction
10 and installation of the Project Facility is now
11 presently estimated to be \$3,665,000.

12 The Agency is considering whether to
13 undertake the Project and finance the Project
14 by executing a mortgage or mortgages (the
15 Mortgage) to secure borrowing or borrowings by
16 the Applicant (the Loan) in an aggregate
17 principal amount sufficient to take finance all
18 or a portion of the cost to acquire, construct
19 and install the Project Facility and the cost
20 of the Loan, currently estimated to be
21 approximately \$2,900,000, up from 2.4 Million
22 being sought in the initial application.

23 If the undertaking of the Project and
24 execution and delivery of the Mortgage is
25 approved by this Agency, then (A) the Project

IDA Hearing - Airosmith, Inc.

1
2 may be granted such exemptions with respect to
3 real property taxes, mortgage recording tax,
4 and state and local sales tax as are applicable
5 to commercial service facilities as described
6 in the Agency's Uniform Tax Exemption Policy
7 adopted on October 14, 2014, subject to
8 deviation as determined by the Agency, (B) the
9 Project Facility will be acquired, constructed,
10 and installed by the Agency and leased (with an
11 obligation to purchase) or sold by the Agency
12 to the Company pursuant to a project agreement
13 (the Agreement), and (C) the Company and the
14 Applicant will be the initial users of the
15 Project Facility, and (D) the Mortgage will be
16 a special obligation of the Agency payable
17 solely out of certain proceeds of the Agreement
18 and certain other assets of the Agency pledged
19 to the repayment of the Loan.

20 I will now ask Special Counsel to the
21 Agency, James Carminucci if proper legal notice
22 was provided for the Public Hearing in
23 accordance with regulations.

24 **MR. CARMINUCCI:** Yes. Notice of the
25 Public Hearing was published in *The Saratogian*

1 **IDA Hearing - Airosmith, Inc.**

2 on April 20, 2019 and notices were sent to the
3 involved taxing jurisdictions.

4 **CHAIRMAN SUTTON:** Thank you.

5 Agency members present today are Arthur
6 Johnson, Patrick Greene, Andrea DiDomenico,
7 Michael Mooney, Walter Wintsch and myself,
8 Rodney Sutton, Chairman. Staff present today
9 are Scott Duffy, CEO; Jeffrey Many, CFO; and
10 Special Counsel, James A. Carminucci, also
11 serving as Bond Counsel.

12 On the application, this request for the
13 Project was last presented to this Agency on
14 April 8, 2019. That application and supporting
15 material have been available for review by
16 interested parties since April 4, 2019 at the
17 IDA office at 50 West High Street in Ballston
18 Spa.

19 Since the presentation of that
20 application, are there any additional comments
21 or thoughts from staff or the Applicant that
22 need to be provided at this public hearing
23 relative to the revised application that is now
24 being submitted.

25 **MR. TOOHEY:** Mr. Chair, I'm Mike

IDA Hearing - Airosmith, Inc.

1
2 Toohy. I'm representing the applicant on
3 this. The mortgage amount has been committed
4 to and all city approvals needed with regard to
5 the construction of this project have been
6 approved by the various City boards. As a
7 result, subject to the findings of the Agency,
8 we're prepared to move forward with the project
9 rapidly.

10 **CHAIRMAN SUTTON:** Dennis?

11 **MR. BROBSTON:** Mr. Chairman, I have
12 been asked to amend two pages of the
13 application. Just there was a number that was
14 incorrect on both -- the 10,400 square foot for
15 the building -- so I replaced that on the memo
16 originally and then on that page and just
17 wanted to hand it up to you today. Other than
18 that, everything is the same.

19 **CHAIRMAN SUTTON:** I'm, therefore, now
20 going to open the hearing for any input from
21 the public for response or comment relative to
22 the application. Any comments from anyone?

23 (No response.)

24 **CHAIRMAN SUTTON:** Is there any other
25 input in this public hearing relative to this

IDA Hearing - Airosmith, Inc.

1 application?
2

3 (No response)

4 **CHAIRMAN SUTTON:** And seeing none,
5 we'll close the public hearing?

6 Thank you.

7 (The Proceedings were concluded.)
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 IDA Hearing - Airosmith, Inc.

2 C-E-R-T-I-F-I-C-A-T-I-O-N

3
4 I, **DONNA L. MARTIN**, Certified Shorthand Reporter
5 and Notary Public in and for the State of New York,
6 do hereby **CERTIFY** that I recorded stenographically
7 the foregoing testimony taken at the time and place
8 herein stated and the preceding testimony is a true
9 and accurate transcript hereof to the best of my
10 knowledge and belief.

11
12
13 *Donna L. Martin, C.S.R.*

14 **DONNA L. MARTIN, CSR**

15
16 **Dated:** 6/10/19

17 © PLEASE NOTE: This transcript is not to be
18 distributed to any third-party. You may copy it or
19 send it internally within your own offices and
20 branches. Notify this office first if you need to
distribute or copy any portion of it for any other
purposes.

21 Martin Deposition Services, Inc.
22 Malta Commons Business Park
23 100 Saratoga Village Boulevard
24 Building 37, Suite 37C
25 Malta, New York 12020
Phone: (518) 587-6832
Toll free: (800) 587-6832
Fax: (518) 587-1539
website: www.martindepo.com

DONNA L. MARTIN, CSR
Martin Deposition Services, Inc.
(518) 587 - 6832