STATE OF NEW YORK

COUNTY OF ORANGE

	>
	TOWN OF MONTGOMERY
	INDUSTRIAL DEVELOPMENT AGENCY
	PUBLIC HEARING
	regarding the application of
W	ALDEN CONSTRUCTION ENTERPRISE, LLC
	, >
DATE:	August 18, 2021 Montgomery, New York Commencing at 5:30 P.M.
	Laura Evans, Reporter
	MINUTES
	OF
	PUBLIC HEARING
MARY T	. BABIARZ COURT REPORTING SERVICE, INC. (845) 471-2511

1 2 **APPEARANCES:** 3 4 Montgomery Industrial Development Agency: 5 Conor Eckert, Executive Director Jeffrey D. Crist, Chairman 6 John Dickson J. Thomas Jones 7 Robert Santo (appearing via video conference) 8 Matthew P. Stoddard 9 10 Michelle L. Kennedy, Esq. Whiteman, Osterman & Hanna, LLP Attorneys for the Applicant 11 One Commerce Plaza, 19th Floor 12 96 Washington Avenue Albany, New York 12260 13 14 Richard B. Golden, Esq. 15 Burke, Miele, Golden & Naughton, LLP Attorneys for the Montgomery IDA 16 40 Matthews Street, Suite 209 Goshen, New York 10924 17 18 Richard J. Lampert 19 Real Estate Market Research & Consulting 20 21 22 23 24 25

MIDA PUBLIC HEARING, 8/18/2021 1 2 CHAIRPERSON JEFFREY CRIST: 3 Good afternoon, everybody. Welcome 4 to the Town of Montgomery Industrial 5 Development Agency meeting for August. And have a public hearing scheduled with 6 7 Walden Construction Enterprise here in a few moments. I would like to introduce 8 9 everybody, starting on my far right with 10 Board Member John Dickson; Matt Stoddard; 11 we have Bob Santo on the screen here, and that's as permitted by the Public 12 Officer's Law Section 104.4; Conor 13 14 Eckert, Executive Director; I'm Jeff 15 Crist, Chairperson; Tom Jones, Board 16 Member; we have Meghan Hurlburt, our 17 secretary; Rick Golden, our counsel; 18 Billy Ibberson on the live-stream; and 19 Laura Evans to do the stenography. 20 (OTHER BUSINESS IS ADDRESSED BY IDA BOARD) CHAIRPERSON JEFFREY CRIST: 21 22 We'll move into the public hearing, 23 and I'd like to read a small portion of 24 the public notice which was sent out on 25 July 15, 2021, and this is the notice

MIDA PUBLIC HEARING, 8/18/2021 1 2 that was sent out at that time. 3 It is hereby given that a public 4 hearing pursuant to Section 859 of the 5 General Municipal Law of the State of New York will be held here by the Town of 6 7 Montgomery IDA on the 18th day of August 8 at 5:30 o'clock p.m., here at Town Hall, 9 110 Bracken Road, Town of Montgomery, 10 Orange County, new York. 11 Walden Construction Enterprise, LLC 12 has submitted an application to the 13 Agency, which is us, requesting that the 14 Agency consider undertaking a project for 15 the benefit of the Company, said project consisting of the following: 16 17 The acquisition of an interest in 18 an approximately 6.2 acre parcel of land 19 located at 120 and 126 North Montgomery 20 Street in the Village of Walden, Town of 21 Montgomery, Orange County, New York. 22 Secondly, the construction on the land of an approximately 99,075 square 23 24 foot senior citizen, age 55+, market rate 25 rental housing building with 69 dwelling

MIDA PUBLIC HEARING, 8/18/2021 units and amenities, and the reconstruction and the improvement of an approximately 1,040 square foot existing building to be used as an office for the senior housing building.

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The Agency is considering whether to undertake the project, and to provide certain exemptions from taxation with respect to the project.

11 The Agency, at said time, which is 12 now here, places the opportunity to hear all persons with views on either the 13 14 location and/or nature of the proposed 15 project, or the financial assistance 16 being contemplated by the Agency in 17 connection with the proposed project. 18 And we also have a public opportunity to 19 participate by dialing in to (844) 20 854-8432, and enter the access code when 21 prompted: 2166376598#, if they would like 22 the opportunity to comment that way. 23 Conor will monitor that phone. 24

Additional information can be obtained and written comments may be

MIDA PUBLIC HEARING, 8/18/2021 addressed to myself, Jeffrey Crist, Chairperson, Town of Montgomery IDA, here at 110 Bracken Road, Montgomery, New York 12549.

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I would ask people to be courteous 6 7 about the time and suggest five minutes or less for each person. I will monitor 8 9 that appropriately. I think -- well, I 10 will encourage the Board, as we conclude 11 this portion of the public hearing, to consider taking written comments for 12 13 another ten days after tonight's process, if anyone has more to tell us than time 14 15 permits comfortably. With that, did you want to say anything, Conor? 16 17 EXEC. DIRECTOR CONOR ECKERT: 18 No. 19 CHAIRPERSON JEFFREY CRIST: 20 You're good. I would ask the 21 applicant if they would like to --22 Michelle Kennedy, representing the 23 applicant -- provide some brief comments 24 in opening the discussion. Michelle. 25 MS. MICHELLE KENNEDY:

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Thank you, Chairperson Crist. For the record, I'm Michelle Kennedy with the law firm Whiteman, Osterman & Hanna. I am joined this evening by Richard Lampert of Real Estate Market Research and Consulting.

At the Board's last meeting, the 8 9 Board indicated that they would like to 10 receive additional information with 11 respect to the market analysis, 12 particularly in terms of rents and with 13 respect to the availability of housing in the Village of Walden. And while this 14 15 particular moment may not be the best 16 time to present that information, I do 17 want you to be aware that Mr. Lampert has 18 graciously given his time this evening to 19 be available to answer any questions that 20 the Board may have or that the public may 21 have with respect to those two topics. 22 So just be aware that he's here. He's an 23 expert appraiser. He is engaged in the 24 market analysis with respect to this 25 project. He is aware of the

MIDA PUBLIC HEARING, 8/18/2021 affordability and cap to rent offer that we submitted to the Board, and it's posted to your website. And he can speak in relation to that offer and the potential rents that the project may otherwise receive if that offer's not in place.

9 But again, I think that this 10 opportunity is for the public primarily 11 to voice their concerns, and we welcome their comments. We'll certainly listen 12 intently and take their comments into 13 14 account as we move through these 15 proceedings. Again, we welcome their comments and questions. 16 So thank you 17 again for the opportunity to present to 18 the Board.

19 CHAIRPERSON JEFFREY CRIST:

20Thank you, Michelle. Could I see a21show of hands of who would like to speak22tonight? Very good. Would any of you23like to begin the public comments? John24Revella.

25 MR. JOHN REVELLA:

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2 Hi, I'm John Revella. Let me first 3 start by saying that, personally, and on 4 behalf of the village, we're in favor of 5 the project in general. We were 6 delighted to hear from the developer when 7 they first came to the village about 8 coming and starting a senior housing 9 project that is much needed in our 10 community. Touting the development of an 11 old gravel bank and an area that's been 12 slated for development for some time was 13 very encouraging, and we were very 14 supportive. The Board of Trustees went 15 out of their way to try to help encourage development there by making zoning 16 17 changes and encouraging development. The 18 developer was also very enthusiastic 19 about trying to bring some tax revenue 20 back to the village in the form of 21 property taxes and other fees that are 22 going to come in from the building of the 23 So the community itself was development. 24 very encouraged because a lot of people have families that need housing, 25

MIDA PUBLIC HEARING, 8/18/2021 especially in that age bracket. They're very difficult to find. Some housing complexes in the area have a one- to three-year wait list for senior housing 55 and up. So we are in favor of the development in general.

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What we're not encouraged by is the 8 request for a PILOT. To put the burden 9 10 on the rest of the taxpayers for services 11 that are going to be in that community 12 isn't fair to the rest of us. Granted, 13 they are 55 and up. It doesn't mean 14 they're not going to have children living 15 in the place. It's not exclusive. 16 They're touting this as being market 17 rate. We went back, and the Board 18 changed the code to allow 55 and up as 19 opposed to 60 years old and up to help 20 make it a little more attainable to make 21 sure the units are going to be filled. 22 There won't be vacancies, so there won't 23 be a problem for the owner either. 24 One thing we were encouraged by as

well is they were going to put a sidewalk

MIDA PUBLIC HEARING, 8/18/2021 in front of the development to encourage walking to downtown and local shopping, which is something we always look for in any project in the village.

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6 I mean, there are some 7 give-and-take things there. They wanted 8 to move the -- they wanted to have 9 separate buildings; we ended up having 10 one building. There was a lot of give 11 and take on the Planning Board side and 12 the Village Board side to make the project more affordable for the 13 14 developer. So when we found that they 15 were coming for a PILOT, it was a little 16 discouraging for us, and I think that I 17 can speak on behalf of the majority of 18 the residents and Board in saying that we 19 oppose giving the PILOT and those kinds 20 of benefits to the project when the 21 developer had initially come to us saying 22 they were coming to bring tax revenue to 23 the village. So now that they want to 24 take that back, it's discouraging, and 25 obviously, we oppose that.

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2 There are going to be police calls 3 there, fire calls there. There's going 4 to be services that are going to be 5 needed there. I did hear something from the developer about putting more water 6 7 and sewer services in. And yes, they'll 8 pay for water and sewer service, but we 9 have to pay to get it there as well, so 10 it's not like we're earning a lot of 11 money from that. It's mostly a wash. So I don't want to take up too much 12 13 time. I just want to reiterate that we 14 are -- and I think everyone is going to 15 say they're in favor of the project in general and we want to move forward. 16 Ι 17 just don't see how a market rate housing 18 project that came to us, touting bringing 19 tax revenue to the village, is now going 20 to request a tax break. That's all. 21 Thank you. 22 CHAIRPERSON JEFFREY CRIST: 23 Thank you, John. Who else would 24 like to speak at this time? 25 MR. WILLIE CARLEY:

1 2 Willie Carley. I am also on the 3 Village Board but I am a resident of 4 Walden. 5 I will speak on behalf of the people that I know and the individuals 6 7 that approached me, that we still oppose the tax revenue, the increase. 8 As the 9 village manager stated, we do want the 10 project for our seniors, but it is the 11 increase that we're opposing. 12 So with that being said, I want to also yield my time to our village mayor 13 so that he can have a little bit more 14 15 time, my time plus his time, to present 16 his information, if that's okay with the 17 Board. Thank you. 18 CHAIRPERSON JEFFREY CRIST: 19 Thank you, Willie. John Ramos, 20 welcome. MR. JOHN RAMOS: 21 22 Good evening, ladies and gentlemen. 23 I have before me Trustee Lynn Thompson 24 and Trustee Brian Sebring and Deputy 25 Mayor Willie Carley.

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2 Obviously, we do want the project. 3 We wanted the project in 2017 when they 4 approached the Village Board. We were 5 excited that we were going to check off one of our boxes for a senior residence 6 7 in the village. Very excited. We compiled a committee within the Board. 8 9 We continued with the processes with the 10 old developer, in making sure there are 11 certain things that we're going to need within the village. Amenities -- if you 12 13 wanted more than 60 units, obviously, you 14 needed a community center, you needed a 15 library, even a sidewalk around the facility. I don't see the plans before 16 17 you, but those particular plans, those --18 that particular frame was our idea, was 19 the Village of Walden's idea, and it was 20 put on paper by the developer. 21 Everything that you read in this process 22 is our idea. We wanted senior residences 23 in the Village of Walden. 24 It came to me that I was really

surprised recently that the developer

MIDA PUBLIC HEARING, 8/18/2021 1 2 came before you, asking for what we call 3 a PILOT. You would have to -- I know the 4 decision is upon you, and we're looking 5 at the UTEP process and the IDA process, and I feel -- and I feel about the 7,000 6 7 other feelings in the village, that the 8 process of providing a PILOT is not 9 economically sound for the Village of 10 Walden.

11 We're going to continue with -- you know, we're looking at the senior 12 13 citizens, what they call a residential 14 place for senior citizens, an exquisite, 15 if you want to use those words because 16 that's what was on the plans. We lowered 17 the age from 60 to 55. That was our 18 process in order to entice this developer 19 to come and build on these 6.2 acres, 20 North Montgomery Street. These are the 21 things we worked on, and worked countless 22 hours, not only with the Planning Board, 23 but us in the village. We passed a 24 resolution, you know, changing our zoning 25 for that. And now, in 2021, developers

MIDA PUBLIC HEARING, 8/18/2021 1 2 are asking for a PILOT. I hate to tell you, but there's 21 3 4 PILOTS in the Town of Montgomery, unless 5 my numbers are incorrect. And Walden 6 doesn't have any. The reason why is 7 because we are a small village. We look 8 for these types of taxations to aid the 9 development of our village, our water 10 system, our sewer system, our 11 infrastructure. You know, 1863, we still 12 have pipes out there that are probably 13 just that old. We need help. And 14 affording this PILOT to the developer 15 would be catastrophic to our village. 16 Pick another project. We'll look at 17 that. But as you can see, we're standing 18 here in total solidarity on this. I looked at both our comprehensive 19 20 plans, the Town of Montgomery's and ours. 21 I do not see one paragraph, one 22 statement, allowing our village or the 23 town to allow a PILOT within our

24 jurisdiction.

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Granted, most of the people who are

MIDA PUBLIC HEARING, 8/18/2021 1 2 going to reside there are 55 and above. 3 There's no Social Security benefit 4 received yet until 62 or thereafter. The 5 average Social Security per person is averaging \$1,700 for a man; I don't know 6 7 why it's less for a woman, but \$1,400 for 8 a woman. Now, their proposed rent is 9 \$1,700. How are you going to live in a 10 brand new residential place when you have 11 to pay \$1,700 in rent? I have an issue with that. Senior citizens in our 12 village are one of our most valuable 13 14 resources, along with our children, and 15 everybody else in the village. So we pay particular attention to them. 16 17 So in closing, I know my time is 18 going long pretty bad, but we are here to explain that this project is not useable 19 for the Village of Walden. It does not 20 21 fit our comprehensive plan that we've 22 taken a lot of time to develop. Any 23 questions, I'll be happy to answer.

24 CHAIRPERSON JEFFREY CRIST:

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The only thing I would say, John,

MIDA PUBLIC HEARING, 8/18/2021 1 2 when you say the project doesn't fit, 3 you're talking specifically towards the 4 tax abatements, not the project itself? 5 MR. JOHN RAMOS: Right. As I stated before, we're 6 7 in for the project, but we're not in for the PILOT. And I speak for the entire 8 9 village, our entire Village Board, that 10 it's not a fit. CHAIRPERSON JEFFREY CRIST: 11 12 Board, any questions for the Mayor? 13 Thank you, John. MR. JOHN RAMOS: 14 15 Thank you. CHAIRPERSON JEFFREY CRIST: 16 17 Thank you, Board members. 18 MS. LYNN THOMPSON: 19 Mr. Crist, I did not raise my hand 20 to speak, but I would just like to make 21 one comment. When you began reading the 22 document that you read this evening, one 23 of the very first sentences that you read 24 referenced the benefit of the Company. I 25 understand there's always a benefit to a

MIDA PUBLIC HEARING, 8/18/2021 1 2 developer, to a project, but it should be 3 strongly considered the benefit of the 4 Village of Walden. And I agree with my 5 colleagues that I don't think granting a 6 ten-year PILOT for this project is for 7 the benefit of the Village of Walden. 8 Thank you. 9 CHAIRPERSON JEFFREY CRIST: 10 Thank you. Mary Ellen Matisse. 11 MS. MARY ELLEN MATISSE: 12 I'm really going to address the 13 issue of why I would want the project to 14 be in the Village of Walden because, 15 fine, it should be in the Village of Why not? We're a residential 16 Walden. 17 community. And as the other Board 18 members said, we really do value our 19 seniors. The seniors really give you the 20 barometer of what's going on in a 21 community. If a senior can afford to 22 stay in their community and in their 23 house, then you know you're doing 24 something right, and that's how I felt 25 when I was on the Village Board from 2005

MIDA PUBLIC HEARING, 8/18/2021 to 2009, and I still feel that way today.

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3 So in this letter that I'm giving 4 you -- and I don't have to go over the 5 whole thing, you're going to read it --6 it is about shifting the tax burden to 7 the rest of the residents, and in 8 particular to the seniors who already 9 live in the Village of Walden, who own 10 their own homes. But, in fact, as I was 11 working on this and I thought about it more, it even affects seniors who are 12 tenants more than homeowners because a 13 14 landlord doesn't get a tax exemption on a 15 rental property. So you pass that tax, the full tax burden, onto your tenant. 16 17 And if the tenant is a senior, then 18 they're going to be getting hit hard, 19 much harder than the homeowner. Because 20 the homeowner, you have income 21 adjustments, you get senior adjustments, 22 veterans adjustments and different things 23 that help you to stay in your own home. 24 And that's what it's all about. 25 The Town of Montgomery for the past

MIDA PUBLIC HEARING, 8/18/2021 1 2 15 years has funded the Town of 3 Montgomery Seniors Independence Project. 4 The Town of Montgomery has taken a 5 philosophical position on aging in place. 6 And this is a very important issue. 7 Every year, the project is funded. We help the seniors with rides, with doctors 8 visits. One of our volunteers is Brenda 9 Adams right here. I've been on that 10 committee since it started. You don't 11 12 want to be forcing seniors out. You want 13 them to stay in their own home if 14 possible. It's the best solution. But 15 it's only possible -- and believe me, I do it, it's a tight rope -- it's only 16 17 possible if you can afford the taxes, 18 which of course we know go up every year 19 because our municipal expenses go up --20 if you can afford the taxes to stay in 21 your home.

22 So this is just a little scenario 23 that I got from the assessor's office, 24 and basically, based on the cost of the 25 project at 14.8 million, if the project

MIDA PUBLIC HEARING, 8/18/2021 1 2 existed today, by some miracle, the high assessment for that project would be 3 about 8.3 million. A low assessment 4 5 would be 4.8, factoring in all the things that the assessor can do, profitability 6 7 and unoccupied units and blah blah blah. 8 They have a whole scenario that they work 9 through. Based on today's village tax 10 rate that we paid this year, the high 11 assessment would yield \$155,540 in 12 village taxes. So I'm just addressing this as a village resident. 13 The low assessment would yield \$90,381. That's a 14 15 big difference from \$23,565.30 in PILOT 16 money a year. It's actually a \$66,816 17 difference. I think that you really have 18 to take that into account for the village 19 taxpayers, because then that gets 20 redistributed to everybody, and it gets 21 redistributed with the heaviest burden 22 especially onto seniors who are on fixed 23 income.

The chart at the back gives you, from the Village of Walden's

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MIDA PUBLIC HEARING, 8/18/2021 comprehensive plan, owner occupied units, \$1,442. The most recent information was from 2016 because the census records aren't out yet. And that's about 20 percent of those are senior owned and occupied.

So I know that, Conor, you had said 8 to me, well, they're only saying 9 10 8 percent of the village population is 11 seniors, but it's not how many seniors, 12 it's how many taxable units are owned by 13 seniors. And that's where the impact is. So then, clearly, 20 percent of those --14 and then I don't even know what the 15 16 rentals would be because there's seniors 17 in rentals. 18 So I'm asking you to vote no on 19 this PILOT, along with my Board members 20 who represent me.

21 CHAIRPERSON JEFFREY CRIST:

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22 Did you have more you wanted to 23 say? 24 MS. MARY ELLEN MATISSE: 25 No.

MIDA PUBLIC HEARING, 8/18/2021 1 2 CHAIRPERSON JEFFREY CRIST: 3 We have a question from Tom Jones 4 for you, Mary Ellen. 5 BOARD MEMBER THOMAS JONES: Ms. Matisse, thank you for this. 6 Т 7 appreciate it. One's more of a statement than a question, because I want to be 8 9 clear. We talked about PILOTs, 10 especially in a public forum. That it's clear that a PILOT isn't a reduction in 11 current tax revenue. We're talking about 12 13 creating new tax revenues, so it's lesser 14 amounts. So when we talk about creating 15 a deficit, we're not actually creating a deficit; it's just a reduction of the 16 17 maximum potential tax revenue. And 18 that's not just towards you. It's more 19 towards -- I hear a lot of confusion in 20 conversations with people about what 21 PILOTs really are. 22 The question I have, though, is, 23 when you look at an assessment like this, 24 which I think is extremely useful,

beneficial, do we have an estimate of the

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1	MIDA PUBLIC HEARING, 8/18/2021
2	cost of the project to the Village of
3	Walden?
4	MS. MARY ELLEN MATISSE:
5	That, you'd have to get from the
6	manager.
7	BOARD MEMBER THOMAS JONES:
8	Because that's the apples to apples
9	comparison. We look at the tax revenue
10	generated versus the actual cost, burden,
11	as you're talking about infrastructure
12	and so on. That would be a great factual
13	point to reference this.
14	MS. MARY ELLEN MATISSE:
15	That has to come from the village
16	manager and from the treasurer. In fact,
17	maybe, Brenda, would you want to say
18	anything in relation to that? Brenda has
19	had some past experience with that.
20	Yeah, I mean, I use the word
21	deficit, but I understand that it's going
22	forward. And it's not a loss, it's just
23	that we're not going to get those
24	additional moneys.
25	BOARD MEMBER THOMAS JONES:
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1	MIDA PUBLIC HEARING, 8/18/2021
2	Not maximizing a potential.
3	MS. MARY ELLEN MATISSE:
4	Yeah, exactly. And here, my
5	understanding would be, if the village
6	tax rate the village isn't in the
7	business of making money. No
8	municipality is. It's against the law.
9	You can only tax the public to the point
10	of what you need to fulfill your budget.
11	You have a little reserve, but you're not
12	supposed to be hoarding this extra money.
13	It's not like a private person saving
14	your money for the future.
15	So that project should be supplying
16	the money to the village that is needed
17	to service it, just like my house should
18	be and other people's houses. So when
19	they're not doing that because the PILOT
20	is so much less than what the anticipated
21	revenues should be from taxation, then it
22	has to be spread to everybody else. And
23	then you're spreading it to the weakest
24	link, which is the 20 percent of
25	homeowners who are seniors and they're on
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MIDA PUBLIC HEARING, 8/18/2021 1 2 fixed incomes. And yes, I could not afford to rent 3 4 one of these apartments. It would be 5 beyond what I get monthly. BOARD MEMBER THOMAS JONES: 6 7 Yeah, I mean, that's been my other personal question around this, too, is 8 9 you were referencing, and Mayor Ramos, 10 the fact that we're for this project, 11 but, you know, the rents are too high, 12 so... MS. MARY ELLEN MATISSE: 13 Well, but they're not too high for 14 15 other people. They're too high for me, so I wouldn't live there. I want to stay 16 17 in my own home. That's the most 18 important thing to me. I'm saying, in 19 other words, the people who are already 20 in our community are the 20 percent who 21 own their own homes, and even some of the 22 renters who are seniors. But then if you 23 put the burden on me, if I can't afford 24 to stay there, the first postcard that I 25 get that says, I will buy your house for

MIDA PUBLIC HEARING, 8/18/2021 1 2 cash no matter what condition -- and the 3 prices are high right now. 4 CHAIRPERSON JEFFREY CRIST: 5 Thank you, Mary Ellen. You okay, Tom? 6 7 BOARD MEMBER THOMAS JONES: 8 Thank you. Yes. 9 CHAIRPERSON JEFFREY CRIST: 10 Who else? Ma'am, your name? 11 MS. BRENDA ADAMS: 12 Brenda Adams. I won't restate a 13 lot of the things that have already been 14 said. I do agree with the village 15 I was on the Village Board of manager. Trustees at the time, and we did jump 16 17 through hoops to get this project going 18 because of the tax money. I think that 19 most of us, or at least I can say for 20 myself, I wasn't sure how many people in 21 the village would be able to afford the 22 price of \$1,700 plus utilities, but I did 23 see that there may be people coming in 24 from out of town, people who have bought 25 homes around here that want to bring

MIDA PUBLIC HEARING, 8/18/2021 their parents here to live closer, to move them from an apartment in New York City. Moving to an apartment here is like living in the country.

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So I can see the value of the 6 7 project and I'm totally for the project. 8 And like everyone else that spoke, I've been against the PILOT. Now, one of the 9 10 things I'd like to mention is that, when 11 the project starts, you would think that 12 there would be no cost to the village, 13 but there will. Because our Department of Public Works and Water and Sewer 14 15 Superintendent, he's going to have to be 16 watching this. He's going to have to 17 be -- they may be doing the building of 18 putting in the pipes, doing all that kind 19 of work, but he's going to have to be on 20 top of it to make sure that the pipes are 21 done properly, that they connect to our 22 connections for water and sewer, and 23 that's going to take him away from the 24 DPW and his other duties. So that's a 25 cost.

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2 The village has been begging the 3 state to work on our Route 52 and Route 4 208. Anybody who drives through Walden 5 knows that, before they just patched it, 6 you could see the trolley tracks on Route 7 52 going under the red light. They have 8 committed to doing that shortly, I guess 9 within the next year or so. John could 10 say probably more accurately than me. 11 But when these trucks start coming in, 12 they're going to tear up something we've 13 been waiting for for years. That's going 14 to be a cost, too, to the village, 15 because then we're either going to have 16 to beg them and spend time to repair it, 17 or we will have to repair it ourselves, 18 which they don't like us to do because 19 it's a state road.

Apartments are going to require someone with a car, because there's only one small deli on the west side of Walden which would sell perishable goods such as eggs, milk, bread, that type of thing. The grocery store is at the bottom of the

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2 hill. Some of the younger people, 55, might be able to walk up that hill with a 3 4 bag of groceries, but not everybody can. 5 So they're either going to need a vehicle, they're going to need to pay for 6 7 the taxi service, they're going to need the senior bus, which is the Town of 8 9 Montgomery expense, or they're going to 10 need TOMSIP, which I drive for TOMSIP and I see the need that seniors have for 11 12 getting around this area, being rural, to 13 get to stores and to doctors 14 appointments.

15 One of the other things I'd like to 16 mention is that, once the project gets 17 started, you say the PILOT won't cost us 18 money because it's going to be more money 19 coming in. One of the things that is 20 largest in the Village of Walden budget 21 is the police department. Seniors use 22 the police, not just because there's 23 violence or crime or anything like that, 24 but I know from experience, when you call 25 9-1-1 because there's a medical

MIDA PUBLIC HEARING, 8/18/2021 emergency -- and more seniors have medical emergencies than anybody -- when you call 9-1-1, the first one there is the Walden police. And they stay. They are the last ones there to leave. That ties up officers.

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I don't know. These are all 8 9 speculation of what could happen, but it 10 is a cost to the village that would 11 continue through all of our -- you know, 12 continue. Our taxes would go up, and 13 then we would be paying for that. I, 14 like Mary Ellen, I'm a senior that lives 15 in my own house and can afford to be 16 there, thankfully, and would not want to 17 live in an apartment. But there are 18 people who will need to, but I don't want 19 to pay for them to be in their apartment. 20 I don't mind paying my fair share, but I 21 don't want to pay for them.

I don't blame these people for asking you for all this extra stuff because they're in the business of making a profit. That's what they do. I don't

MIDA PUBLIC HEARING, 8/18/2021 1 2 blame them. You try to do the best you 3 can and make the most money you can. But 4 it's up to you if you feel that helping 5 them make a profit hurts the people in the Village of Walden -- and also in the 6 7 Town of Montgomery, because the town 8 taxes are going to have to cover certain 9 things. I know we contribute to TOMSIP. 10 The village library is always in need of 11 money. I don't know if this reduces their portion of the tax as well. 12 Thank 13 you. CHAIRPERSON JEFFREY CRIST: 14 15 Thank you, Brenda. Who else would like to speak tonight? Don Berger. 16 17 MR. DON BERGER: 18 Don Berger, Village of Montgomery, 19 and I represent Residents Protecting 20 Montgomery. This is a hard one. I don't know 21 22 really truly where I stand on this one. 23 We Residents Protecting Montgomery, we 24 know we have a huge need for senior 25 housing around here in all three villages

MIDA PUBLIC HEARING, 8/18/2021 and the town, so we are very much in favor of this project.

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4 Mr. Jones, you did bring up at 5 previous meetings the rent. And what I 6 didn't hear was any real follow-up to 7 your question, so I did some research. 8 So I went to two, in particular, senior 9 housing developments, one in Maybrook, 10 one the Village of Montgomery. And the 11 one in Maybrook is \$1,300, give or take; and the one in the Village of Montgomery 12 has a sliding scale, starting at 1,000 13 14 and going up to \$1,300. So the problem 15 is \$1,700. That's an awful lot of money. I don't know if any of the Board members 16 17 here or if Conor or anybody did any 18 research at all to follow up senior 19 housing to find out what the average rate 20 is in this township. I think that would 21 be a good thing to do moving forward 22 before you ever make a decision.

23 So, you know, you have this \$1,700. 24 I know the applicant said, well, there's 25 the amenities. Well, benches, a swing

MIDA PUBLIC HEARING, 8/18/2021 1 2 set, that's not too much of an amenity to 3 They all have that sort of thing. me. 4 They all have grass. They all have areas 5 where you can sit and read. They all have little centers within the building 6 7 where they can congregate. So I don't 8 remember much of what the applicant has 9 said that is surpassing that to get you 10 up to \$1,700. I think that's a major 11 consideration here. 12 But more importantly, when I'm saying I don't know where I'm at with 13 14 this here, it's the PILOT, you know. 15 I've been before this IDA Board many, 16 many times against PILOTs. This one in 17 particular, I think I'm against the 18 PILOT, but I think that there's compromise, and I'm wondering where the 19 20 compromise can be made. And I did talk 21 to Conor a couple times about this, and I 22 believe I did mention it to the applicant 23 in just talk, nothing concrete. But 24 why -- or can this Board make a decision, 25 if you choose to have a PILOT, to have

MIDA PUBLIC HEARING, 8/18/2021 them pay the Village of Walden taxes? And they can have a PILOT based on the mortgage and sales and Town of Montgomery.

And as far as I'm concerned, who 6 7 cares about Valley Central High School. I've spoken up for years for Valley 8 9 Central and they still don't come here, 10 so to hell with Valley Central. I mean, 11 they don't speak for themselves so I'm 12 not going to speak for them anymore. I'm tired of Valley Central. 13

But why can't we do that? 14 Is that 15 something that can be done, make Walden happy and make the applicants happy? 16 I'm 17 sure if you guys sit down in a room -- if 18 that's legal, I don't know -- that that 19 could be something that could be thought 20 about. I think everybody would be happy 21 and we'd have some senior housing in the 22 Village of Walden. Thanks. 23 CHAIRPERSON JEFFREY CRIST: 24 Thank you, Don. Becky.

25 MS. BECKY PEARSON:

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MIDA PUBLIC HEARING, 8/18/2021

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2 Becky Pearson, Walden. Just some 3 thoughts. I watched the last IDA 4 meeting. I'm against the PILOT. I think 5 that if you want to finance the project, go ahead, but to have the PILOT, I think 6 7 you can do one or the other. You can do 8 either both or one. If you finance the 9 project, great, finance it, but do you 10 have a PILOT where they're going to be 11 not paying taxes for so many years? Ι 12 get what you're saying, but I still think 13 everyone had good points here, that it's 14 going to affect us whether you think it 15 is or not. It's going to affect us 16 I'm a senior now. seniors. I can't help 17 it. I'm getting older.

So I think that some of the issues that plague us are our infrastructure, and as Brenda said, we will be working on that infrastructure through our DPW and spending more money.

As I came here today, I just saw two police cars in the Village of Walden across from me at Millspaugh Furniture,

MIDA PUBLIC HEARING, 8/18/2021 1 2 where I work, and there was an ambulance 3 out there at the senior place across. So 4 two cop cars and an ambulance. And 5 again, that is a service through the Town 6 and the Village. So the town has the 7 ambulance, that's going to be affected as So those tax dollars -- and we 8 well. 9 can't even keep the ambulance in our 10 sights right now. It's a struggle. So 11 we're trying to keep the ambulance within the Town of Montgomery. We don't know if 12 that's going to happen, what the town is 13 14 going to do. But that funding, those tax 15 dollars will help with that revenue for all of us. 16

17 When I was Mayor, this same 18 developer that came before -- well, that 19 came before the Board originally and had 20 sold it since -- so the developer came 21 before. I don't even know if he bought 22 the property to begin with, and then to 23 I don't know that for the gist sell it. 24 it. I know that he came before the Board 25 to get the approvals. And now this other

MIDA PUBLIC HEARING, 8/18/2021 1 2 developer owns it. So the previous 3 developer, the one that got the approvals 4 through the Board, had another project 5 across the street when I was mayor. Ιt 6 was a smaller senior development. He got 7 state funding, so he had to build it a 8 certain way. And the Planning Board did 9 everything they needed to do to make it 10 senior, "X" amount of parking, whatever 11 seniors have. But they didn't have the outdoor amenities. It was just really 12 13 more senior apartments. He came to the 14 Board after he built the project -- well, 15 actually, he had to sell the project because it fell under. He couldn't 16 17 finish the project, so he sold it. But 18 then he came back to ask for a relief for 19 the amount of the -- what it was being 20 rented for, which was \$1,400, I believe, 21 at that time. And that was probably 10 22 or 15 years ago.

And at that time, people couldn't afford to live there. He couldn't rent them out for \$1,400. So I agree that the MIDA PUBLIC HEARING, 8/18/2021 seniors in our village and our town don't have the funding to pay for \$1,700. Maybe they're coming from elsewhere, that's great, but again, I would not want to live there and I wouldn't want to pay \$1,700 for that little apartment. And the amenities aren't anything that great.

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9 So I think the developer snowed 10 over the Board in the beginning because 11 he was giving them -- this is what's 12 going to happen. We're going to do this, 13 we're going to pay taxes, and then he 14 goes and sells it. So I find that 15 reprehensible. I can't stand it when it 16 happens because I think he's really 17 trying to pull the wool over their eyes, and he did as far as I'm concerned. 18

19So hopefully this Board will take20that into consideration. If you want to21fund the project, go ahead. The PILOT22for the tax purposes would not benefit23the Village of Walden.

24 So just knowing that the services 25 that we supply to all of our residents is

MIDA PUBLIC HEARING, 8/18/2021 important, and those tax dollars that come in, everything is penny to penny. You're talking about infrastructure and sewer plans and DEC consent orders and things that have to happen that sometimes we can't fix because we don't have the funds for that.

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9 So anything that they want to build 10 would be beneficial to the village. 11 Seniors are beneficial to the village. Is it going to be walkable? I don't 12 But I think we can work it out and 13 know. not do the PILOT. And if you want to 14 15 fund the project and loan them the money, hopefully, you'll get that money back. 16 17 Thank you very much. CHAIRPERSON JEFFREY CRIST: 18 19 Thank you, Becky. Mary Ellen. MS. MARY ELLEN MATISSE: 20 21 Just an addition of what Becky 22 With the project across the said. 23 street, then they came back and they 24 asked for it to not be a senior project

anymore. So now, how, if you fund this

MIDA PUBLIC HEARING, 8/18/2021 1 2 project with a PILOT, is it based on it being a senior project, 55 and older? 3 4 Then what if, in a year or two, they come 5 to the Village of Walden Board, because they might not come to you, and say, oh, 6 7 we don't want -- because he went to the Village of Walden Board and said, we 8 9 don't want this to be a senior project 10 anymore. And the village gave in. So 11 then what happens? You pick a PILOT 12 based on senior units; are they senior 13 units anymore? CHAIRPERSON JEFFREY CRIST: 14 15 Thank you. Would anyone else like to speak tonight? 16 17 MR. DON BERGER: Don Berger. I know that the IDA 18 19 kind of went to the state comptroller's 20 office. Could you let the audience know what the decision of the state 21 22 comptroller's office was? 23 EXEC. DIRECTOR CONOR ECKERT: 24 Yes. So we reached out to the ABO, 25 who suggested we reach out to the

MIDA PUBLIC HEARING, 8/18/2021 1 2 attorney general, the comptroller's 3 office. All this correspondence is 4 posted on the website, by the way. The 5 attorney general referred us to the comptroller, and now we await comment 6 7 from the comptroller. And for reference, 8 the comptroller currently has a 1985 9 opinion that puts this decision in the 10 hands of the decision-making locality. 11 So just for reference, if anyone wants to 12 look that up. But we currently await correspondence from the comptroller. 13 CHAIRPERSON JEFFREY CRIST: 14 15 We're not hearing anybody on the call-in line. I would just ask once more 16 17 for any other comments tonight. Hearing 18 no other or seeing no other requests for 19 comment, Michelle, did you have some 20 responses? 21 MS. MICHELLE KENNEDY: 22 Thank you. Again, if Yes. 23 anything I say opens this to further 24 comment, certainly from the applicant's 25 perspective, we have no objection to

MIDA PUBLIC HEARING, 8/18/2021 speakers speaking further.

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But I did -- I think there's some points of clarification that are worth mentioning. First, all of us, I think, that are here this evening -- and I appreciate the representation from the village. It's very evident that their leaders care about the future of the village and care about having adequate revenue to support the services for the residents, and we certainly appreciate that concern.

In terms of this particular 14 15 project, as outlined in our application, 16 in order to have the project be viable 17 and sustainable, and the Board well knows 18 this, but the applicant is facing annual 19 debt service of approximately \$900,000 20 per year. As we've stated in previous 21 meetings, that in particular is one of 22 the concerns that causes us to present 23 the application. With that in mind, I 24 will say that the clients and the 25 developer for this project, they are very MIDA PUBLIC HEARING, 8/18/2021 flexible in terms of their analysis, and certainly we try to stay, when we present our application, within the confines of your uniform tax exemption policy. But that's not to say that there's an unwillingness on their part for compromise, as has been suggested by some of the speakers this evening.

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10 And our first and I think most 11 substantial attempt at compromise was our 12 affordability offer with respect to not raising rent for residents of the Village 13 14 of Walden and the Town of Montgomery 15 beyond 30 percent of the median income 16 for the Village of Walden. I'll tell 17 you -- and we accounted also for an 18 allotment of approximately \$150 monthly 19 in utilities. So if I could dive down a 20 little bit and tell you how we're looking 21 at that calculation, I think it may be 22 helpful in terms of looking at the 23 affordability. The US Department of 24 Housing and Urban Development defines 25 affordable housing as rental housing that

MIDA PUBLIC HEARING, 8/18/2021 1 2 does not exceed, for the rent, more than 30 percent of the income, with utilities 3 4 included. And so we looked at various 5 age brackets, because of course a younger 6 population may have more income. And we 7 looked at, by census data, the brackets that included 45-to 65-year-olds, and 8 then 65-plus, both in the Town of 9 10 Montgomery and in the Village of Walden. 11 When you look at those age brackets, 12 there's a wide range. For the eldest 13 population in the Village of Walden, 14 their income, as would be expected, is 15 the lowest. It's approximately \$64,000 16 annually. When you look at 45- to 17 65-year-olds in the Town of Montgomery, 18 their income is the highest at 19 approximately \$104,000 median income 20 annually. When you look in the Village 21 of Walden, 45- to 65-year-olds, their 22 median income is \$84,000. And then the 23 elder population Town of Montgomery, 24 65-plus, they are in the \$70,000 range. 25 So again, using that range from the

MIDA PUBLIC HEARING, 8/18/2021 demographics that this project would include, of \$64,000 annually to \$84,000 annually -- I'm sorry, \$104,000 annually, the \$84,000, which is the median income for the Village of Walden, fell squarely in the middle. And so, given that that is, in fact, the median income for the Village of Walden, and it fell squarely within that range as the average income, it seemed appropriate to use that for this uniform calculation. Again, it was a first attempt by the applicant to offer affordability to residents.

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15 And I understand that the price point of \$1,700 per month may seem high, 16 17 but you have to keep in mind that there 18 are only 68 apartment units, not including the one caretaker's unit, that 19 would be available for rent. And as our 20 21 expert said, Dr. Cynthia Falk, in her 22 report, when you add supply to the 23 market, you help the overall price point 24 for rental units across the market. So 25 by adding the 68 units, although it may

MIDA PUBLIC HEARING, 8/18/2021 not be affordable to everyone, and only affordable to some, by increasing your supply, you're helping to bring down the overall cost. And again, Dr. Falk speaks to that in her report. As I stated, Richard Lampert, who's here with me this evening, can speak to that further, either at the public hearing or the regular meeting.

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11 I understand that one of the 12 predominant concerns of the village is with respect to water and sewer 13 14 infrastructure. And I think, in 15 reviewing the Village Board minutes and 16 listening to the comments this evening, I 17 think that it's worth clarifying and 18 worth stating that, in terms of special 19 assessments, the full assessed value of 20 the building would be -- there's no 21 abatement with respect to a special 22 assessment for water or sewer 23 improvement. Likewise, if there's 24 connection fees that are part of the 25 village's schedule, those have to be

1	MIDA PUBLIC HEARING, 8/18/2021
2	paid. Water and sewer rents have to be
3	paid in full for the 69 units.
4	With respect to special districts,
5	fire district, library district, again,
6	there's no abatement that's allowable.
7	Those fire district, they would be based
8	upon the full assessed value.
9	In terms of looking at the assessed
10	value, we used and I think one of the
11	speakers, her analysis was correct,
12	4.8 million may be the base, and that's
13	what we used based upon the square
14	footage, the price per square foot of the
15	apartment complex across the street.
16	Using that price per square foot, we did
17	come up with a full assessed value of
18	4.8 million, again, on which the special
19	assessments would be based. And where
20	our number decreases is because of the
21	equalization rate, the 56 percent
22	equalization rate. And so that's why you
23	see, instead of 40-some thousand owed to
24	the village, the 28,000 as the existing
25	taxes. It's because of the equalization

MIDA PUBLIC HEARING, 8/18/2021

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rate. It's not because we're trying to lowball the village.

As I said, our affordability offer was a first attempt to try to meet the concerns of the Board, and we think that it meets the definition of affordable housing that's given by the United States Department of Housing and Development. We understand that it's not attainable for every resident. But again, it's an issue of supply and demand. We're increasing the supply, and there's only 68 units available.

15 In terms of the PILOT, payments 16 that would be made plus the existing land 17 payments, plus those taxes that are 18 exempt from abatement, over the ten-year 19 PILOT, again, just using the base 20 assessment that we used, the total amount 21 of PILOT payments, according to our 22 estimated calculations, would be \$929,355. So again, just to eliminate 23 24 any misconception that the project would 25 not be paying any taxes to the taxing

MIDA PUBLIC HEARING, 8/18/2021 jurisdiction, which seemed to be communicated in some of the Board's minutes, that's absolutely not true. Even with the base assessment, we'd be paying close to a million dollars over the ten years. That's a considerable increase from the current amount that's being paid.

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10 For the village alone, if you were, 11 again, to remain with the existing PILOT 12 structure, you increase their revenue by 13 eight times what it presently is. And 14 again, I'm not opposed to and I don't 15 think my clients would be opposed to some type of carve-out for the village, if 16 17 that's where the onus falls and the Board 18 thinks that that's appropriate. We put 19 forward before you what is standard under 20 your uniform tax exemption policy, but 21 we're certainly open to suggestion and 22 further discussion. I do think that it's 23 worthwhile, perhaps at the regular 24 meeting, to have those discussions. Ι 25 know that, you know, with the current

MIDA PUBLIC HEARING, 8/18/2021 1 2 scrutiny that IDAs are under, there is some reluctance to, understandably, to be 3 4 having off-the-record conversations. So 5 despite the formality and the onus that that places on all of us, I think that it 6 7 is useful. Many of the village 8 representatives are here and we're 9 certainly open to further suggestion as 10 to what would be a better model for them 11 and more workable for the village. So we're certainly not ruling out that 12 13 possibility. We're trying to respond to 14 your concerns as they are presented to 15 Thank you very much. us. CHAIRPERSON JEFFREY CRIST: 16 17 Thank you, Michelle. Do the Board 18 members have any comments for the public 19 hearing? BOARD MEMBER MATTHEW STODDARD: 20 21 So this is for the attorney. 22 Listening to the comments from the 23 public, from the village manager and the 24 village mayor, it seems a couple years 25 ago you guys met and discussed this

MIDA PUBLIC HEARING, 8/18/2021

project. They feel that what's happening today is not what was discussed a couple years ago. Can you...

5 MS. MICHELLE KENNEDY:

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Sure. So what is common, what I've 6 7 seen as IDA counsel to many applicants and companies, is the structure that 8 9 you're now seeing. It's not particular 10 to this transaction. And there's nothing 11 that's being attempted here that is not 12 standard otherwise in sort of a multi-million dollar development, which 13 14 is the initial applicant to the village. 15 It's not unusual, and I'm not speaking 16 specifically to this applicant, but it's 17 not unusual for them to not have the 18 capital to carry the project to 19 completion. So they may enter into 20 contract. They may obtain the 21 permitting. And they're not engaging in 22 anything that is, as I said, unusual. 23 But they obtain the permitting, and then 24 they often assign their rights to a 25 developer who does have more capital to,

MIDA PUBLIC HEARING, 8/18/2021 again, fund debt service of \$900,000 per year that they may not have the capital to fund.

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5 And so, in terms of their representations -- and I think this 6 7 brings up an important point that the 8 mayor and the manager raised with respect 9 to the village -- which is there is a 10 full intention and understanding by my 11 clients, the current developers, that 12 they will adhere to all of the conditions 13 that the village has put forth within the 14 approving resolutions by their Planning 15 Board and Zoning Board of Appeals and 16 through their environmental review 17 process. And in terms of the -- I cannot 18 speak to, because I do not represent and 19 have not represented those that appeared 20 before the Village Board. As I said, 21 they transferred their interest, as is 22 common, to a developer with more capital 23 to fund the project. That being said, 24 again, if there are representations, my 25 clients, I think that they've been -- in

MIDA PUBLIC HEARING, 8/18/2021 my opinion, in dealing with many developers, they were incredibly generous in making the affordability offer that they did. I think Mr. Lampert can speak more directly.

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7 As the village has acknowledged, there is a lack of supply and it's a 8 9 critical lack of supply. When you have 10 that situation, then rents can be driven 11 Again, Mr. Lampert can speak much up. 12 more eloquently to this than I can. 13 Rents are going to be driven up by that 14 situation because you have a scarcity. 15 So if there's only a handful of 16 apartments on the market, the price point 17 becomes whatever the developer is willing 18 to wait for and ask. So if you have that 19 type of situation, and you do not have 20 this affordability offer in place, the 21 Board's prior concerns are legitimate. 22 If there's no financial assistance and 23 there's not a free market lease by this 24 IDA, then that leaves this to the market to determine what those rents will be. 25

MIDA PUBLIC HEARING, 8/18/2021 As Dr. Falk has said, when you have a lack of supply, the rents are going skyward.

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5 So I can't speak to their representations, but I can tell you that, 6 7 if the Board feels that there was a 8 reliance upon the former applicant to the 9 village, their representations, and 10 therefore, it's not appropriate to be 11 granting, you know, at least the portion 12 of the PILOT that would be with respect 13 to the village revenue, then we're open 14 to the Board carving that portion out. 15 My client's not -- that portion for my 16 client over the ten years represents a 17 savings of \$253,593. They're paying 18 \$900,000 in debt service a year. That 19 particular portion that the village may 20 need to rely upon, if you want that 21 portion, we're willing to make 22 compromise. We're not going to let that 23 stand in the way of the project going 24 forward. But you do have to assure us 25 that, you know, if we're presenting this

MIDA PUBLIC HEARING, 8/18/2021 affordability offer, they need to move their debt service.

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So all of us, as I said in the beginning, want this to be viable and sustainable, because it does no good to the village nor to my clients to have a defunct building that's not operational because they can't meet debt service. We're asking for some help.

11 I think most importantly to my 12 clients is probably the sales and use tax 13 exemption, because they're facing that 14 cost upfront. Your mortgage recording 15 tax exemption, it almost equates to the 16 Agency's fee. So it almost cancels out 17 what we owe to the Agency for the 18 oversight that you perform and the 19 services that you provide throughout the 20 term of any lease. So really, what's of 21 highest priority to them is their sales 22 use tax exemption. The mortgage 23 recording tax exemption for us would 24 offset the Agency's fee. Beyond that, it 25 would be helpful to have some relief from MIDA PUBLIC HEARING, 8/18/2021 the PILOT.

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3 Again, their payments over the 4 course of the PILOT will be \$929,355 at 5 the base assessed value. If the assessed value goes up -- in your cost benefit 6 7 analysis, for instance, you have the assessed value at \$12 million. 8 If that's 9 the assessed value, they will be paying 10 \$3 million over the term of the PILOT. So to the extent that the Board can 11 12 afford them some relief to make those affordable to residents, we're willing to 13 work with those numbers. 14

15 Again, in this political climate, I 16 don't know what the best forum to do that 17 is. I don't know whether it's at an open 18 meeting like this, whether it's a meeting 19 with the village and IDA representatives, 20 but we're open to suggestion. My clients 21 are facing a time crunch, and they would 22 like to take advantage of the rest of 23 what's left of the season before the snow 24 falls. So that is also very important to 25 us.

1	MIDA PUBLIC HEARING, 8/18/2021
2	CHAIRPERSON JEFFREY CRIST:
3	Thank you, Michelle. Tom.
4	BOARD MEMBER THOMAS JONES:
5	I just want to talk really quickly
6	on this for the public benefit here. I
7	think, at least from my perspective, it's
8	a misnomer to call this affordable
9	housing for seniors. And if we're
10	talking about, you know, supply and
11	demand, maybe in the wrong demographic.
12	I think the public benefit here probably
13	has to do with the economic impact that a
14	project like this could have on the
15	village, and I think that's what needs to
16	be considered by everybody, and whether
17	or not it makes sense. Like, how much
18	additional revenue is being driven into
19	the village. How many more dollars are
20	being spent. Just based on what I know
21	in my history, in my profession, I would
22	assume the far majority of new residents
23	will be new residents coming from outside
24	of the village, not necessarily supplying
25	affordable housing to existing elderly

MIDA PUBLIC HEARING, 8/18/2021 1 2 that need it within the village. So I think just that reframing of what the 3 4 public benefit is is really important, so 5 there's no disconnect between... MS. MICHELLE KENNEDY: 6 7 Maybe to that point, Mr. Lampert, 8 would you like the opportunity to make 9 any remarks? 10 MR. RICHARD J. LAMPERT: 11 First, I'd like to Yes, I would. 12 compliment the town. Two things. When we looked, we looked at Rockland, we 13 14 looked at Orange, you're one of the few 15 towns that have a full array of senior housing. You have 202, 515. You have 16 17 two levels of tax credit. You have 18 Evergreen, which is 50 percent, you have 19 Jones property at 60 percent, and you 20 have Greystone, which is market. No 21 other towns have that. You need a lot 22 more. 23 And the other thing I was impressed 24 with the village, when they make one 25 building, that is the way for years

MIDA PUBLIC HEARING, 8/18/2021 they're pushing seniors: One building, not multiple buildings. So I do compliment you there.

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5 Getting back to the rents and everything else, the tax credit deals and 6 7 515s get tons of government subsidies, millions, tens of millions of tax 8 credits. So when you look at 1,300 and 9 10 1,400 and 1,100, and the 515s, you could 11 pay \$100 in rent. So put that aside. 12 We're talking strictly market. We're directed at homeowners. Senior rentals, 13 14 affordable, people that are 55, start 15 at -- when you move to the market, it's 16 really people moving out. They're forced 17 to move out of their houses. 18 Adjustments.

19This project has three superior20things which I'm going to bring up. It's21all two bedroom, which the people, the22owners want. It has two bathrooms. Now,23we did a lot of work on bathrooms,24strange as it may seem. We talked the25developer into putting in a large walk-in

MIDA PUBLIC HEARING, 8/18/2021 1 2 shower. We also found out by doing our 3 studies and everything else that they 4 wanted a bench. We were thinking, what 5 was it, handicap? No. It's because 6 women want to shave their legs. We 7 thought that was interesting. But the second thing is, 50 of the units are 8 9 going to have both a walk-in shower and a walk-in tub. That's so critical where 10 11 you can keep the family unit together. 12 When we're talking 70, 80 years old with money, keep them out of assisted living. 13 14 You could be saving families \$50,000 a 15 You want to spend 6,000? You keep year. 16 that family together, that unit, that 17 family unit together. You know, two 18 people, unit together, you save a 19 fortune. These people will save a 20 fortune. You'll be able to function and 21 everything else.

One big thing about market rate and a little higher income is that they tend to eat out, so there's a big factor of the people eating at restaurants. MIDA PUBLIC HEARING, 8/18/2021 Generally, over 75, income's over 70,000 and everything else. That's documented. We looked at that.

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5 Rents, okay. Greystone, for the 6 two bedroom with one bath, its design is 7 a little bit above tax credit. I qot involved in Greystone, not phase one but 8 9 phase two, and I convinced them they had 10 to put in walk-in showers. That was a 11 problem. And I convinced them to put in two bedrooms because that was the market. 12 13 And you can confirm that with him. But 14 going on, there, they're paying between 15 1,700 and 1,800 plus utilities, various units, phase one, phase two. 16 We're 17 looking at a superior unit. Our rents 18 are around 2,000, beginning, a little bit less, like 1,900 or 2,000, and which is 19 20 below market when you adjust everything 21 for two bedrooms.

Lake Shore, which is 104 units in Newburgh, just opened up. I went there. Beautiful, beautiful, except for one thing: they have steel tubs to walk in.

1	MIDA PUBLIC HEARING, 8/18/2021
2	No walk-in showers. That's why they're
3	30 percent occupied. That market, they
4	missed the market. You're right on the
5	market. You're fully handicapped,
6	directed at the I would say quite a
7	
	few of your residents, at 75, 80, will
8	look at this project, especially the B
9	units which have the walk-in shower and
10	the walk-in tub, because you can keep
11	that family together. You do not have to
12	spend a lot of money on assisted living,
13	which is anywhere from 6,000 to 12,000 in
14	the Hudson Valley.
15	CHAIRPERSON JEFFREY CRIST:
16	Mr. Lampert, are you about to wrap
17	up here? I think we got the general idea
18	of your comments. They're very valuable.
19	MR. RICHARD J. LAMPERT:
20	And just on supply and demand, one
21	thing I'm going to look for in the town,
22	between 75 and 95, there's going to be a
23	huge, huge increase in population. And
24	this project is directed at that. That's
25	going to happen in the next five years.
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MIDA PUBLIC HEARING, 8/18/2021 1 2 It's going to happen in the entire county. So your building is aimed at 3 4 this exploding population. 5 CHAIRPERSON JEFFREY CRIST: 6 Good point. Thank you, Mr. 7 Lampert. MR. JOHN REVELLA: 8 Can I make a statement? 9 10 CHAIRPERSON JEFFREY CRIST: 11 Yes. Why don't you come up, 12 please. MR. JOHN REVELLA: 13 I just want to clarify a couple 14 15 things I heard from the rebuttal from the applicant's attorney. I just want to 16 17 make sure we're clear that this is not an 18 affordable housing project, as noted in the public hearing notice. It's a market 19 20 rate housing project. It was never the 21 intention of the village nor the 22 applicant, since the inception, to make 23 this an affordable housing project. Ι 24 don't know why it's in the conversation. 25 The applicant's attorney made reference

MIDA PUBLIC HEARING, 8/18/2021 to the median incomes and the town, how they're higher than the village. That's why we want market rate, so we can increase that median income in our village. I think we can all appreciate that.

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The debt service that was 8 9 mentioned, that's not our hardship. 10 That's not the village's burden. That's 11 something the applicant should have 12 realized when they looked at the project 13 and that they wanted to develop there. 14 Hopefully, they can negotiate with the 15 bank for a better rate and pay less debt 16 service. They could have charged a rent 17 of 1,700 a month for each unit, that's over \$1.3 million on the matter of a 18 \$1,000 debt service. So you're still 19 20 making money and getting the benefit and the writeoffs from that debt service. 21

Just to clarify, there are no special assessment districts in the village. There's a fire district that overlays in the village, and a library

MIDA PUBLIC HEARING, 8/18/2021 1 2 that overlays the village, but there are 3 no special assessment districts. Thanks. 4 BOARD MEMBER JOHN DICKSON: 5 Could I just ask one question? CHAIRPERSON JEFFREY CRIST: 6 7 Yeah. I want to be careful. We 8 don't want to begin an extensive debate 9 here. 10 BOARD MEMBER JOHN DICKSON: 11 The only question I have is, the 12 rents you propose, how long would they 13 stay at that rate? MS. MICHELLE KENNEDY: 14 15 So the affordability offer is the submission that we made in July that's 16 17 posted to the Agency's website. And it 18 explains in there that it would be during 19 the term that the property is under lease with the IDA, which I think practically 20 21 makes sense. So if you were to give the 22 PILOT, it would be during the ten-year 23 PILOT. 24 CHAIRPERSON JEFFREY CRIST: 25 I'd like to ask counsel to weigh

1	MIDA PUBLIC HEARING, 8/18/2021
2	in. I think the Board has taken a lot of
3	valuable information in from the public
4	tonight, and I thank you all for being
5	here and providing that comment. I can
6	assure you we're going to take your
7	comments very seriously. I suggested in
8	my opening comments that we leave a
9	ten-day written comment period after we
10	close the comment session tonight. Rick,
11	would you weigh in, please?
12	MR. RICHARD GOLDEN:
13	Sure. As the chairman stated,
14	there will be a the public hearing
15	will be closed today. There will be a
16	
	ten-day public comment period where, ten
17	ten-day public comment period where, ten days from today, during that time frame,
17 18	
	days from today, during that time frame,
18	days from today, during that time frame, people can submit written comments to the
18 19	days from today, during that time frame, people can submit written comments to the IDA. The Board, after closing the public
18 19 20	days from today, during that time frame, people can submit written comments to the IDA. The Board, after closing the public hearing, will not take any further action
18 19 20 21	days from today, during that time frame, people can submit written comments to the IDA. The Board, after closing the public hearing, will not take any further action on this application this evening. They
18 19 20 21 22	days from today, during that time frame, people can submit written comments to the IDA. The Board, after closing the public hearing, will not take any further action on this application this evening. They will take into consideration all of the
18 19 20 21 22 23	days from today, during that time frame, people can submit written comments to the IDA. The Board, after closing the public hearing, will not take any further action on this application this evening. They will take into consideration all of the comments made, and they will deliberate

MIDA PUBLIC HEARING, 8/18/2021 1 2 which they will also take up their required SEQR review of this project. 3 CHAIRPERSON JEFFREY CRIST: 4 5 Thank you, Rick. With that, I would suggest the Board consider closing 6 7 the public hearing, allowing a ten-day written period from today's date. 8 Ι would ask for that motion to be 9 10 considered by the Board members. BOARD MEMBER JOHN DICKSON: 11 12 I make that motion. CHAIRPERSON JEFFREY CRIST: 13 14 Thank you, John. Is there a 15 second? BOARD MEMBER MATTHEW STODDARD: 16 17 Second the motion. 18 BOARD MEMBER THOMAS JONES: 19 Would that be ten business days or 20 calendar days? MR. RICHARD GOLDEN: 21 22 Calendar days. 23 CHAIRPERSON JEFFREY CRIST: 24 So for clarification, that would be 25 ten calendar days to accept further

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1	MIDA PUBLIC HEARING, 8/18/2021	
2	public comment. All in favor, say aye.	
3	(UNANIMOUS AYES)	
4	CHAIRPERSON JEFFREY CRIST:	
5	I'm an aye, so we have five in	
6	favor, nobody in opposition. The public	
7	hearing for tonight is closed. Thank you	
8	all for coming out, and stay tuned.	
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CERTIFICATE STATE OF NEW YORK))SS: COUNTY OF ORANGE) I, LAURA EVANS, a Court Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing is a true and correct transcript of the minutes recorded by me and reduced to typewriting under my supervision to the best of my knowledge and ability. Х Laura Evans

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