

INDUSTRIAL DEVELOPMENT AGENCY
REGULAR BOARD MEETING MINUTES

July 28, 2026 at 7:00 P.M.

Guilderland Town Hall

Board Members Present:

Shelly Johnston, Chair
William Smart, Treasurer/Assistant Secretary
Vera Dordick, Secretary/Assistant Treasurer
Brian Carr, Member
Daniel A. Centi, Member
Peter McAnearney, Member

Staff Members & Town Board Liaison Present:

Donald Csaposs, CEO
Christopher Canada, Esq., Hodgson Russ, LLP
Shannon E. Wagner, Hodgson Russ, LLP
Amanda Beedle, Town Board Liaison
Jessica Montgomery, Administrative Assistant

Absent:

Christopher Bombardier, Member
Jessica Gulliksen, CFO

1. Call to Order:

Chairperson Johnston called the meeting of the Industrial Development Agency Board to order at 7:00 P.M.

2. Public Hearing at 7:00 P.M.

Ms. Johnston welcomed everyone and introduced herself as the chairperson for the Guilderland Industrial Development Agency and the hearing officer for the public hearing. Ms. Johnston provided an overview, a reminder of what the mission of the IDA is. The mission statement of the agency is to assist in the enhancement and diversity of the economy of the Town of Guilderland. By acting in support of projects in the town that create and/or retain jobs, and/or promote private, sector, investment, utilizing the statutory powers of the agency. As set forth under the provisions of the Laws of the State of New York.

Ms. Johnston introduced the project to make sure everyone's on the same page. We're holding this public hearing to allow citizens to make a statement for the record relating to the involvement of the agency with a project, the proposed project, for the benefit of Phoenix, New York 2, LLC. A. New York limited liability company, or to be a formed entity. We'll refer to it as the company.

Ms. Johnston noted that, as required by the State of New York, the agency is live streaming this public hearing. Arrangements were made for a stenographer to be present in order to accurately make a record of the public comments received at this public hearing. Information on the agency's legal authority to hold this public hearing, a description of the proposed project, the purpose of this public hearing and the agency's next steps. Then the public hearing will open up for comments.

Ms. Johnston continue stating the legal authorization and powers of the agency: The provisions of Chapter 1030 of Laws of 1969 New York, constituting Title I of Article 18A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, in Chapter 146 of the 1973 laws of the State of New York, as amended, codified in section 909-a, of said General Municipal Law, collectively the act, authorize the agency to promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping, furnishing of manufacturing, warehousing, research, commercial, and industrial facilities, among others.

The proposed project consists:

1. The acquisition of a leasehold interest in a parcel of land containing an aggregate of approximately 14.4 acres, and located at 1180 Berne Altamont Road, which is tax map number 36.00-1-2821, in the Town of Guilderland, Albany County, New York, the land. Together with an existing facility located thereon, containing approximately 73,000 square feet of, the existing facility. Two, the reconstruction and renovation of the existing facility for use as a hotel, wedding venue, restaurant and spa, to contain approximately 30 rooms and various events spaces. And three, the construction on the land of approximately 30 modular A-frame buildings for use as additional guest accommodations, collectively the addition, the existing facility and the addition are hereinafter, collectively, referred to as the facility. And four, the acquisition and installation therein of thereon related fixtures, machinery, equipment, and other tangible personal property, collectively, the equipment, the land, facility in it, equipment, hereinafter, collectively, referred to as the project facility. All of the foregoing to be owned and operated by the company, or an affiliate thereof, at the destination hotel and wedding venue, and other directly or indirectly related uses.
2. The granting of certain financial assistance within the meaning of Section 854(14) of the act, with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes, mortgage recording taxes. collectively the financial assistance.
3. The lease with an obligation to purchase, or the sale of the project facility to the company, or such other person as may be designated by the company, agreed upon by agency. So, the purpose of this public hearing, pursuant to Section 859a(2) of the General Municipal Law of the State of New York, the act, prior to the agency providing any financial assistance, as defined in the act of more than \$100,000 to any project, the agency, among other things, must hold a public hearing pursuant to Section 859-a of the act, with respect to said project. Since the proposed financial assistance to be provided by the agency with respect to the proposed project, may exceed \$100,000 then prior to providing any financial assistance as defined in the act of more than \$100,000 to the proposed project, the agency must hold the public hearing on the nature and location of the facility and the proposed financial assistance to be provided by the agency with respect to the proposed project.

After consideration of the applications submitted to the agency by the company, the members of the agency adopted a resolution at our last meeting on June 30, 2026, referred to as the public hearing resolution, authorizing the agency to conduct this public hearing with respect to the proposed project, pursuant to Section 859a (2) of the act. The chief executive officer of the agency caused a copy of the certified public hearing resolution to be mailed on July 9th, 2026 to the chief executive officers of Albany County, the Town of Guilderland, the Guilderland School District, all of which are collectively referred to as the affective tax jurisdictions. The chief executive officer of the Agency caused notice of this public hearing to be,

A-mailed on July 9th to the chief executive officers of the affected tax jurisdictions, and

B-published on July 18th, 2026, in the Times Union. A newspaper of general circulation, available to the residents of the Town of Guilderland, Albany County, New York. In addition, the Chief executive officer of the agency caused notice of this public hearing to be posted on July 14, 2026, on the agency's website, and on a public policy board located at the Guilderland Town Hall, located at 5209 Western Turnpike, in the Town of Guilderland, Albany County, New York. Copies of the notice were available at the front of the room. The purpose of this public hearing is to solicit input with respect to the proposed project.

The purpose of this public hearing is to solicit input with respect to the proposed project. We are not here to answer questions, although during the hearing, we will consider questions if we have the information to answer the questions, and there is sufficient time to consider such questions.

Ms. Johnston recommended waiving the full reading of this notice of public hearing and instead requested that the full text of the notice of this public hearing be inserted into the record of this public hearing. There were no objections.

Public comments were made by the following:

William Johnson

Tara Malloy-Grocki

Robin Grey

Harvey Vlahos

Joe Writeback

Jeff Perlee

David Burke

Kristen Casey

Richard Alberton

Karen White

Ted Newman

Joel Slack

The public hearing was closed at 8:18pm. Public comment period will remain open until 5:00pm on Tuesday, August 18, 2026. All comments received by the close of business on Tuesday, August 18, 2026 will be included in the official record of the Agency with respect to the proposed project.

Eight (8) written comments were received by the Agency prior to this public hearing and were posted on the Agency's webpage under pending projects.

The full transcription of the hearing will be given to each board member and will be posted on the IDA's webpage for the public to review.

3. Approval of the June 30, 2026 meeting minutes:

On a motion made by Ms. Johnston and seconded by Ms. Dordick, the June 30, 2026 meeting minutes were approved with corrections. Mr. McAnearney abstained from voting, as he was absent from the June 30, 2026 meeting.

4. Public Comment:

None

5. Report by the Chair:

Nothing to report

6. CEO's Report:

Nothing to report

7. Counsel's Report:

Brief overview of what the options and next steps.

8. New Business:

A discussion took place regarding obtaining a third-party study for the project.

On a motion made by Mr. Smart and seconded by Mr. Centi, the CEO is authorized to contract for a third-party study to be completed up to \$7,500.00 for the said project was approved by a vote of:

Shelly Johnston	Aye
Christopher Bombardier	Absent

William Smart	Aye
Vera Dordick	Aye
Brian Carr	Aye
Daniel A. Centi	Aye
Peter McAnearney	Aye

9. Old Business:

None

10. Other Business:

None

11. Adjourn:

On a motion made by Ms. Dordick and seconded by Mr. Smart, the meeting of the Guilderland Industrial Development Agency was adjourned at 8:37 P.M.

Respectfully submitted,
Jessica Montgomery, Administrative Assistant

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”) will be held by Town of Guilderland Industrial Development Agency (the “Agency”) on the 28th day of July, 2026 at 7:00 o’clock p.m., local time, in the Town Board Room of the Guilderland Town Hall located at 5209 Western Turnpike in the Town of Guilderland, Albany County, New York in connection with the following matters:

Phoenix New York 2, LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or an entity to be formed (the “Company”), submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of a leasehold interest in a parcel of land containing an aggregate of approximately 14.4 acres and located at 1180 Berne Altamont Road (Tax Map No.: 36.00-1-28.1) in the Town of Guilderland, Albany County, New York (the “Land”) together with an existing facility located thereon containing approximately 73,000 square feet of space (the “Existing Facility”), (2) the reconstruction and renovation of the Existing Facility for use as a hotel, wedding venue, restaurant and spa to contain approximately thirty (30) rooms and various event spaces, (3) the construction on the Land of approximately thirty (30) modular A-frame buildings for use as additional guest accommodations (collectively, the “Addition”) (the Existing Facility and the Addition are hereinafter, collectively, referred to as the “Facility”) and (4) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility, and the Equipment hereinafter, collectively, referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company, or an affiliate thereof, as a destination hotel and wedding venue, and other directly or indirectly related uses; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Albany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency’s uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase)

or sold by the Agency to the Company or its designee pursuant to a project agreement (the “Agreement”) requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Donald Csaposs, Chief Executive Officer, Town of Guilderland Industrial Development Agency, P.O. Box 339, Guilderland, New York 12084; Telephone: (518) 356-1980, ext. 1097.

Dated: July 9, 2026.

TOWN OF GUILDERLAND
INDUSTRIAL DEVELOPMENT AGENCY

BY: /s/ Shelly Johnston
Shelly Johnston, Chairperson