



**GUILDERLAND IDA BOARD
MEETING AGENDA
P A C K E T
MARCH 28, 2023
07:00 PM**

A G E N D A
GUILDERLAND IDA BOARD
MEETING AGENDA
MARCH 28, 2023
07:00 PM

Regular Meeting -- Audit Committee

1. Call to order
2. Approval of the March 22, 2022 minutes
3. Presentation of the 2022 audit report by Mengel, Metzger, Barr & Co. LLP (Formally known as Marvin and Company)

Attachment: [2022 TOGIDA final AUC 260.pdf](#)

Attachment: [2022 TOG IDA final fs.pdf](#)

4. Consider recommending acceptance of the 2022 audit report to the IDA Board
5. Old Business
6. New Business
7. Adjourn

Regular Meeting -- IDA Board (Immediately Following the Audit Committee Meeting)

1. Call to order
2. Public Comment
3. Approval of the January 24, 2023, November 22, 2022 and October 25, 2022
4. New Business
 - a) Consider recommendation from the Audit Committee to accept the 2022 Audit Report from Mengel, Metzger, Barr & Co. LLP. (Formally known as Marvin and Company)

Attachment: [2022 TOGIDA final AUC 260.pdf](#)

Attachment: [2022 TOG IDA final fs.pdf](#)

- b) Consider request from Crossgates Releaseco, LLC.

- Application Presentation

- Consideration of Public Hearing Resolution

- Consideration of Funding Agreement Resolution

- Consideration of Appraiser Solicitation Resolution

Attachment: [UPDATED - Costco Application.pdf](#)

Attachment: [RESOLUTION AUTHORIZING PRELIMINARY ACTION - PUBLIC HEARING AUTHORIZATION.pdf](#)

Attachment: [RESOLUTION APPROVING FUNDING AGREEMENT.pdf](#)

Attachment: [RESOLUTION AUTHORIZING SOLICITATION OF APPRAISAL SERVICES.pdf](#)

5. Report by the Chair

6. CEO Report

7. Counsel's Report

Attachment: [COVER MEMO RE 2022 LEGISLATION.pdf](#)

8. Old Business

9. Adjourn



Board of Directors
Town of Guilderland Industrial Development Agency

We have audited the financial statements of the Town of Guilderland Industrial Development Agency (the Agency) as of and for the year ended December 31, 2022. Professional standards require that we advise you of the following matters relating to our audit.

Our responsibilities in Relation to the Financial Statement Audit

As communicated in our engagement letter dated January 12, 2023, our responsibility as described by professional standards, is to form and express an opinion(s) about whether the financial statements have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America and *Government Auditing Standards*. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the Agency solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgement, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding significant control deficiencies noted during our audit in our Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards* dated March 17, 2023.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and our network firms have complied with all relevant ethical requirements regarding independence.

Canandaigua + Elmira + Latham + Queensbury + Rochester
An Independent Member of the BDO Alliance USA

WE VALUE YOUR FUTURE

-2-

Safeguards in place to eliminate or reduce threats to independence to an acceptable level include a skilled, knowledgeable and experienced CFO and CEO who review draft financial statements prior to issuance and accepts responsibility for them.

Significant Risks Identified

We have identified the following significant risks:

Management override, as there is the potential for unusual or fraudulent journal entries to be posted by management, and for employees to feel pressure from management to act in a dishonest manner.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the Agency is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during 2022. No matters have to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgements. Those judgements are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgements.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgement and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the Agency's financial statements relate to the industrial revenue bond note.

Significant Unusual Transactions

For purposes of this communication, professional standards require us to communicate to you significant unusual transactions identified during our audit. No such transactions were identified as a result of our audit procedures and brought to the attention of management.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and corrected Misstatements

For purposes of this communication, professional standards also require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and

WE VALUE YOUR FUTURE

-3-

communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. Management has corrected all identified misstatements.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. None of the misstatements identified by us as a result of our audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the Agency's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested and received certain representations from management, which are included in the management representation letter dated March 17, 2023.

Management Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the Agency, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatements. None of the matters discussed resulted in a condition to our retention as the Agency's auditors.

Other Matters

We applied certain limited procedures to management's discussion and analysis, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquires of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basis financial statements. We did not audit the RSI and did not express an opinion or provide any assurance on the RSI.

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

WE VALUE YOUR FUTURE

-4-

This information is intended solely for the information and use of the Board of Directors and management of the Town of Guilderland Industrial Development Agency and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Mengel, Metzger, Barr & Co. LLP

WE VALUE YOUR FUTURE

**TOWN OF GUILDERLAND
INDUSTRIAL DEVELOPMENT AGENCY
FINANCIAL REPORT
DECEMBER 31, 2022**

TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY

TABLE OF CONTENTS

	PAGE
INDEPENDENT AUDITOR’S REPORT	1-3
MANAGEMENT’S DISCUSSION AND ANALYSIS	4-7
FINANCIAL STATEMENTS	
STATEMENTS OF NET POSITION	8
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION	9
STATEMENTS OF CASH FLOWS	10
NOTES TO FINANCIAL STATEMENTS	11-13
SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION - BUDGET (NON-GAAP BASIS) AND ACTUAL	14
SCHEDULE OF BOND INDEBTEDNESS	15
INDEPENDENT AUDITOR’S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	16-18



INDEPENDENT AUDITOR'S REPORT

To The Board of Directors
Town of Guilderland Industrial Development Agency
Guilderland, New York

Opinion

We have audited the accompanying financial statements of the Town of Guilderland Industrial Development Agency (the Agency), (a public benefit corporation), which comprise the statements of net position; revenues, expenses, and changes in net position; and cash flows as of and for the years ended December 31, 2022 and 2021, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Town of Guilderland Industrial Development Agency, as of December 31, 2022 and the results of its operations and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Agency and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Prior Period Financial Statements

The financial statements as of December 31, 2021, were audited by Marvin & Company, P.C., who merged with Mengel, Metzger, Barr & Co. LLP as of January 1, 2023, and whose report dated March 22, 2022, expressed an unmodified opinion on those statements.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Canandaigua + Elmira + Latham + Queensbury + Rochester
An Independent Member of the BDO Alliance USA

1.

WE VALUE YOUR FUTURE

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4-7 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

2.

WE VALUE YOUR FUTURE

Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Town of Guilderland Industrial Development Agency's basic financial statements. The accompanying supplemental schedules of revenues, expenses, and changes in net position - budget (non-GAAP basis) and actual and bond indebtedness on pages 14 and 15, respectively, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of revenues, expenses, and changes in net position - budget (non-GAAP basis) and actual and schedule of bond indebtedness are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 17, 2023, on our consideration of the Town of Guilderland Industrial Development Agency's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town of Guilderland Industrial Development Agency's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Guilderland Industrial Development Agency's internal control over financial reporting and compliance.

Mengel, Metzger, Barw & Co. LLP

Latham, NY
March 17, 2023

Management's Discussion and Analysis (MD&A)

The Chairman, Board of Directors, and management of the Town of Guilderland Industrial Development Agency (the Agency) offer readers of the Agency's financial statements this narrative overview and analysis of their financial activities for the year ended December 31, 2022. We encourage readers to read the information presented here in conjunction with additional information that we have furnished in the Agency's financial statements, which follow this narrative.

Financial Highlights

- The Agency's net position increased by \$79,253 (or 8.37%) to \$1,026,529 as compared to the previous year when net position increased by \$315,598 (or 50.00%) to \$947,276.
- Total operating expenses of the Agency were \$115,684 during the year ended December 31, 2022 in addition to other expenses of \$12,004 relating to PILOT monies passed through the Agency. This is compared to the previous year when total operating expenses of the Agency were \$56,064 and \$9,656 of PILOT monies passed through the Agency.

Overview of the Financial Statements

The Agency's basic financial statements consist of three components: (1) the MD&A, (2) fund financial statements, and (3) notes to the financial statements. Because the Agency is a public benefit corporation engaged in business-type activities only, the financial statements are presented in accordance with GASB Statement 62. In addition to the financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the Agency. In addition to the management's discussion and analysis, management has prepared the Statements of Net Position, the Statements of Revenues, Expenses, and Changes in Net Position, and the Statements of Cash Flows, following the MD&A.

Overview of the Agency

The Agency's primary mission is to encourage economic growth and expansion through financial incentives, thus advancing job opportunities, health, general prosperity, and economic welfare of the people of the Town of Guilderland and the State of New York. The Agency's operations are funded entirely through fees for services and investment income.

Projects in 2022

There were no new Agency projects in 2022.

Fund Financial Statements

The financial statements are presented on the fund basis. The fund financial statements provide a more detailed look at the Agency's activities by focusing on the individual activities of the Fund.

4.

The Fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives.

Notes to the Financial Statements

The next section of the financial statements is the notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the financial statements. After the notes, the supplemental schedules provide details about the Agency’s revenues, expenses, and changes in net position budget (non-GAAP basis) and actual and bond indebtedness.

Other Information

In addition to the basic financial statements and accompanying notes, this report includes certain required supplementary information required by the New York State Office of the State Comptroller and Governmental Accounting Standards Board.

The Agency’s Net Position

Figure 1

	<u>2022</u>	<u>2021</u>
Current Position	<u>\$1,026,529</u>	<u>\$947,276</u>
Total Assets	<u>\$1,026,529</u>	<u>\$947,276</u>
Net Position, unrestricted	<u>\$1,026,529</u>	<u>\$947,276</u>

Net position may serve over time as one useful indicator of a government’s financial condition, the assets of the Agency exceeded liabilities by \$1,026,529 as of December 31, 2022. The Agency’s net position increased by \$79,253 for the year ended December 31, 2022. The assets of the Agency exceeded liabilities by \$947,276 as of December 31, 2021. The Agency’s net position increased by \$315,598 for the year ended December 31, 2021. The largest portion of the net position (85%) reflects the Agency’s cash and cash equivalents as of December 31, 2022. The largest portion of the net position (37%) reflects the Agency’s accounts receivable accounts as of December 31, 2021.

Change in Net Position

	<u>2022</u>	<u>2021</u>
Total Income	\$194,937*	\$371,662*
Total Expenses	<u>115,684*</u>	<u>56,064*</u>
Change in Net Position	<u>\$ 79,253</u>	<u>\$315,598</u>

* Excludes the \$12,004 and \$9,656 of PILOT monies previously discussed that passed through the Agency during the years ended in December 31, 2022 and 2021, respectively.

Proprietary Fund Budgetary Highlights

During the year, appropriations remained the same from the original budget. The 2022 budgetary appropriations increased by a net \$4,085 from the previous year due to \$1,000 of Professional Contracts, (\$15) of salaries and Other Employee Benefits, and \$3,100 of Other Operating Expenditures. The amounts will remain the same for the 2023 fiscal year. In 2022, the actual revenues were greater than the budgetary estimates by \$183,937. The actual expenditures were more than the budgetary estimates by \$749.

FACTORS BEARING ON THE GUILDERLAND IDA’S FUTURE

During the coming year, the Guilderland IDA may receive as many as two applications for assistance on a variety of local projects.

Applicants may be eligible for two levels of assistance on qualifying projects:

- 1) Sales and mortgage recording tax abatement only. This is what the Guilderland IDA has historically provided.
- 2) Certain projects may also be eligible for PILOT agreement in accordance with IDA policy, which allows for a 10-year ramp-up to full property tax assessment. Request for PILOT agreements are evaluated by the IDA Board on a case by case basis. Factors considered in the evaluation include a) the number and salary level of jobs created by the project; b) provision of goods and services not otherwise available in Guilderland; c) project development of underutilized or blighted site; and d) community amenities provided in connection with the project.

REQUEST FOR INFORMATION

This Annual Financial Report is designed to provide detailed information on the Agency’s operations and to the Agency’s Board, management, investors, creditors, customers and all others with an interest in the Agency’s financial affairs and to demonstrate the Agency’s accountability for the assets it controls and the funds it receives and expends. Questions

concerning any of the information provided in this report or any request for additional information should be addressed to the Chief Financial Officer by e-mail: wcadams02@gmail.com or in writing to,

William C. Adams,
Chief Finance Officer
3041 Evelyn Drive
Schenectady, N.Y. 12303

7.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF NET POSITION
DECEMBER 31, 2022 AND 2021**

	<u>2022</u>	<u>2021</u>
ASSETS		
Cash	\$ 870,177	\$ 287,405
Investments - certificates of deposits	151,715	304,036
Accounts Receivable	-	353,927
Prepaid expenses	4,637	1,908
	<u>1,026,529</u>	<u>947,276</u>
Total Assets	<u>\$ 1,026,529</u>	<u>\$ 947,276</u>
LIABILITIES AND NET POSITION		
Accrued payroll taxes	\$ -	\$ -
	<u>1,026,529</u>	<u>947,276</u>
Net position, unrestricted	<u>1,026,529</u>	<u>947,276</u>
Total Liabilities and Net Position	<u>\$ 1,026,529</u>	<u>\$ 947,276</u>

See accompanying notes to financial statements.

8.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
FOR THE YEARS ENDED DECEMBER 31, 2022 AND 2021**

	<u>2022</u>	<u>2021</u>
Operating Revenues		
Fees	\$ 193,776	\$ 370,867
Operating Expenses		
Administration	80,584	24,307
Personal services	29,835	29,500
Other	5,265	2,257
Total Operating Expenses	115,684	56,064
Operating Income	78,092	314,803
Other Revenues		
Interest income	1,161	795
Pilot moneys	12,004	9,656
Total Other Revenues	13,165	10,451
Other Expenses		
Pilot moneys	(12,004)	(9,656)
Change in Net Position	79,253	315,598
Net Position - Beginning of Year	947,276	631,678
Net Position - End of Year	\$ 1,026,529	\$ 947,276

See accompanying notes to financial statements.

9.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED DECEMBER 31, 2022 AND 2021**

	<u>2022</u>	<u>2021</u>
Cash Flows From Operating Activities		
Receipts from fees	\$ 547,703	\$ 16,940
Payments for administrative expenses	(88,578)	(28,203)
Payments for personal services	(29,835)	(29,500)
Net Cash (Used) Provided by Operating Activities	<u>429,290</u>	<u>(40,763)</u>
Cash Flows From Investing Activities		
Redemption of Certificate of Deposit	152,794	-
Interest received	688	90
Net Cash Provided by Investing Activities	<u>153,482</u>	<u>90</u>
Net (Decrease) Increase in Cash	582,772	(40,673)
Cash - Beginning of Year	<u>287,405</u>	<u>328,078</u>
Cash - End of Year	<u>\$ 870,177</u>	<u>\$ 287,405</u>
Reconciliation of Operating Income (Loss) to Net Cash Provided by Operating Activities		
Operating Income (Loss)	\$ 78,092	\$ 314,803
Adjustments to reconcile operating income (loss) to net cash provided by operating activities		
Increase in accounts receivable	353,927	(353,927)
(Increase) decrease in prepaid expenses	(2,729)	(5)
Decrease (increase) in accrued payroll taxes	-	(1,634)
Net Cash (Used) Provided by Operating Activities	<u>\$ 429,290</u>	<u>\$ (40,763)</u>
Supplemental Disclosure of Cash Flows Information		
Noncash Transactions		
Interest accrued on certificates of deposits	<u>\$ 293</u>	<u>\$ 705</u>

See accompanying notes to financial statements.

10.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2022 AND 2021**

1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

The Town of Guilderland Industrial Development Agency (the Agency) was created on April 3, 1973, by the provisions of Chapter 146 of the 1973 Laws of the State of New York, Section 909-a of the General Municipal Law of New York State, for the purpose of encouraging economic growth in the Town of Guilderland. Although its members are appointed by the Board of the Town of Guilderland, the Agency is a separate public benefit corporation and operates independently of the Town of Guilderland.

A summary of the significant accounting policies applied in the preparation of the accompanying financial statements follows.

Summary of Significant Accounting Policies

(a) Basis of Accounting and Use of Estimates

The Agency utilizes the accrual basis of accounting wherein revenue is recognized when earned and expenses are recognized when incurred. The accompanying financial statements of the Agency have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) for governments as prescribed by the Government Accounting Standards Board (GASB), which is the primary standard setting body for establishing governmental accounting and financial principles.

In preparing financial statements in conformity with generally accepted accounting principles, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

(b) Cash

The Agency's investment policies are governed by New York State statutes. The Agency's funds must be deposited in FDIC insured commercial banks or trust companies located within the State. The Agency is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and obligations of New York State or its localities.

Collateral is required for demand deposits and certificates of deposit for all deposits not covered by federal deposit insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2022 AND 2021**

1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Summary of Significant Accounting Policies

(b) Cash

At December 31, 2022 and 2021, the carrying amount of the Agency’s deposits, including cash and certificates of deposit, was \$1,035,130 and \$591,446, respectively. The insured and collateral status of the year end bank balances are as follows:

Status of Bank Balance:	<u>2022</u>	<u>2021</u>
Covered by federal deposit insurance	\$ <u>622,905</u>	\$ <u>522,587</u>
Collateralized	\$ <u>412,114</u>	\$ <u>68,859</u>
Uncollateralized	\$ <u>111</u>	\$ <u>-</u>

(c) Income Taxes

The Agency is exempt from federal, state, and local income taxes.

(d) Industrial Revenue Bond and Note Transactions

Certain industrial development revenue bonds and notes issued by the Agency are secured by property which is leased to companies and is retired by these payments. The bonds and notes are not obligations of the Agency or New York State. The Agency does not record the assets or liabilities resulting from the completed bonds and notes issued in its accounts since its primary function is to arrange the financing between the borrowing companies and the bond note holders, and funds arising therefrom are controlled by trustees or banks acting as fiscal agents. For providing this service, the Agency receives bond administration fees from the borrowing companies. Such administrative fee income is recognized immediately upon issuance of bonds and notes.

At December 31, 2022, the original issue value of bonds issued aggregated \$41,570,000 and the outstanding balance was \$34,270,000.

(e) Accounts Receivable

Accounts receivable represent amounts earned by the Agency for project fees that have not been received by the Agency as of year-end.

(f) Bad Debts

Bad debts, if any, are recognized using the direct write-off method since management does not believe this method would result in a material difference from the allowance method.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2022 AND 2021**

1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Summary of Significant Accounting Policies

(g) Implementation of New Accounting Standards

The Agency has adopted all current Statements of the Governmental Accounting Standards Board (GASB) that are applicable. For the year ended December 31, 2022, the Authority implemented the following standards which had no significant impact on the Agency:

GASB Statement 87, Leases, effective for the year ending December 31, 2022.

GASB Statement No. 96, Subscription-Based Information Technology Arrangements, effective for the year ended December 31, 2023. This standard was implemented early as permitted.

(h) Future Changes in Accounting Standards

GASB Statement No. 94, Public-Private and Public-Public Partnerships and Availability Payment Arrangements, effective for the year ended December 31, 2023.

GASB Statement No. 99, Omnibus 2022, effective for the year ended December 31, 2024.

GASB Statement No. 100, Accounting Changes and Error Corrections, effective for the year ended December 31, 2024.

The Agency will evaluate the impact each of these pronouncements may have on its financial statements and will implement them as applicable and when material.

2. INVESTMENTS - CERTIFICATES OF DEPOSIT

As of December 31, 2022, and 2021, investments consisted of certificates of deposit with a cost basis of \$150,000 and a fair value of \$151,715 and \$304,036, respectively. The Agency's certificate of deposit is a 6-month certificate with a maturity date of June 21, 2023. During 2022, the Agency redeemed its 12-month certificate of deposit.

3. SUBSEQUENT EVENTS

Management has evaluated all events subsequent to the statement of net position date through March 17, 2023, which is the date these financial statements were available to be issued, and have determined that there are no subsequent events that require recording or disclosure.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION -
BUDGET (NON-GAAP BASIS) AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2022**

	<u>Budget</u>	<u>Actual</u>	<u>(Over)Under Budget Variance</u>
Revenues			
Fees	\$ 9,500	\$ 193,776	\$ (184,276)
Interest income	1,500	1,161	339
	<u>11,000</u>	<u>194,937</u>	<u>(183,937)</u>
Expenses			
Salaries and wages	29,835	29,835	-
Professional contracts	16,550	16,550	-
Other expenses	15,600	14,539	1,061
Other employee benefits	2,350	3,260	(910)
Supplies and materials	600	-	600
Grants and donations	50,000	51,500	(1,500)
	<u>114,935</u>	<u>115,684</u>	<u>(749)</u>
Change in Net Position	(103,935)	79,253	<u>\$ 183,188</u>
Net Position - Beginning	<u>947,276</u>	<u>947,276</u>	
Net Position - Ending	<u>\$ 843,341</u>	<u>\$ 1,026,529</u>	

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF BOND INDEBTEDNESS
FOR THE YEAR ENDED DECEMBER 31, 2022**

<u>Name of Project</u>	<u>Principal Amount of Issue</u>	<u>Issue Date</u>	<u>Outstanding Beginning of Fiscal Year</u>	<u>Issues During Fiscal Year</u>	<u>Paid During Fiscal Year</u>	<u>Outstanding End of Fiscal Year</u>
Wildwood Programs, Inc.	\$ 9,780,000	6/22/2007	\$ 2,705,000	\$ -	\$ 225,000	\$ 2,480,000
Albany Place - 2017A	30,000,000	11/21/2017	30,000,000	-	-	30,000,000
Albany Place - 2017B	<u>1,790,000</u>	11/21/2017	<u>1,790,000</u>	<u>-</u>	<u>-</u>	<u>1,790,000</u>
Total	<u>\$ 41,570,000</u>		<u>\$ 34,495,000</u>	<u>\$ -</u>	<u>\$ 225,000</u>	<u>\$ 34,270,000</u>



BUSINESS
ADVISORS
AND CPAS

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

To The Board of Directors
Town of Guilderland Industrial Development Agency

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Town of Guilderland Industrial Development Agency (the Agency) as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the Town of Guilderland Industrial Development Agency's basic financial statements, and have issued our report thereon March 17, 2023.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town of Guilderland Industrial Development Agency's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We identified certain deficiencies in internal control described below that we consider to be significant deficiencies.

2022-001 Journal Entry Review

Criteria: Journal entries are a necessary function of recording certain types of activity and performing closing entries for any organization. Due to their nature, journal entries can be a higher risk transaction therefore review of journal entries by an individual who does not have access to make journal entries is an important aspect of the financial reporting process.

Canandaigua + Elmira + Latham + Queensbury + Rochester

An Independent Member of the BDO Alliance USA

16.

WE VALUE YOUR FUTURE

Condition: Journal entries made by the Administrative Assistant and Chief Financial Officer are not being reviewed before being posted. The Chief Executive Officer does review the financial statements monthly.

Cause: The review of journal entries has not historically been a procedure performed due to the segregation of functions established within the Agency and the financial statement review noted above.

Effect: Unauthorized or unsupported transactions or journal entries could be processed without the proper review and approval.

Recommendation: We recommend the Chief Executive Officer review a journal entry report monthly, including agreeing entries of significance or unusualness to support. This review should be documented by the Chief Executive Officer's signoff and date of review either on a hardcopy or through some electronically developed process.

Context: As part of the audit process, we evaluate controls and procedures and identified this area as an opportunity for the Agency to improve internal controls.

Views of responsible officials and planned corrective actions: The Agency will modify its procedures to align with the recommendations provided in the report.

2022-002 Documentation of Bank Reconciliation Review

Criteria: Completing bank reconciliations and reviewing bank statements are necessary and important monthly functions of the reporting process. Due to the significance of these controls, bank reconciliations and bank statements should be reviewed by an individual who does not prepare them and is not part of the cash receipt or disbursement process.

Condition: Bank reconciliations prepared by the Administrative Assistant are being reviewed by the Chief Financial Officer, but the review is not being documented. Also, the Chief Executive Officer opens the mailed bank statements and reviews them every month but does not document this review. The Chief Executive Officer does review the financial statements monthly.

Cause: The review of bank reconciliations and bank statements have historically been procedures performed but not documented.

Effect: Transactions could be recorded incorrectly and not detected timely. While these reviews appear to be done based on discussions with management; lack of documentation of these reviews makes it difficult to support that reviews are being done timely.

Recommendation: We recommend the Chief Financial Officer's review of the bank reconciliations be documented with the Chief Financial Officer's signoff and date of review either on a hardcopy of the bank reconciliation or through some electronically developed process. We also recommend the Chief Executive Officer's review of the bank statements be documented with the Chief Executive Officer's signoff and date of review either on a hardcopy of the bank statement or through some electronically developed process.

Context: As part of the audit process, we evaluate controls and procedures and identified this area as an opportunity for the Agency to improve upon the documentation internal controls.

Views of responsible officials and planned corrective actions: The Agency will modify its procedures to align with the recommendations provided in the report.

17.

WE VALUE YOUR FUTURE

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Agency's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the Agency's response to the findings identified in our audit and described above. The Agency's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Agency's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Mengel, Metzger, Baw & Co. LLP

Latham, NY
March 17, 2023



Board of Directors
Town of Guilderland Industrial Development Agency

We have audited the financial statements of the Town of Guilderland Industrial Development Agency (the Agency) as of and for the year ended December 31, 2022. Professional standards require that we advise you of the following matters relating to our audit.

Our responsibilities in Relation to the Financial Statement Audit

As communicated in our engagement letter dated January 12, 2023, our responsibility as described by professional standards, is to form and express an opinion(s) about whether the financial statements have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America and *Government Auditing Standards*. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the Agency solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgement, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding significant control deficiencies noted during our audit in our Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards* dated March 17, 2023.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and our network firms have complied with all relevant ethical requirements regarding independence.

Canandaigua + Elmira + Latham + Queensbury + Rochester
An Independent Member of the BDO Alliance USA

WE VALUE YOUR FUTURE

-2-

Safeguards in place to eliminate or reduce threats to independence to an acceptable level include a skilled, knowledgeable and experienced CFO and CEO who review draft financial statements prior to issuance and accepts responsibility for them.

Significant Risks Identified

We have identified the following significant risks:

Management override, as there is the potential for unusual or fraudulent journal entries to be posted by management, and for employees to feel pressure from management to act in a dishonest manner.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the Agency is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during 2022. No matters have to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgements. Those judgements are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgements.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgement and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the Agency's financial statements relate to the industrial revenue bond note.

Significant Unusual Transactions

For purposes of this communication, professional standards require us to communicate to you significant unusual transactions identified during our audit. No such transactions were identified as a result of our audit procedures and brought to the attention of management.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and corrected Misstatements

For purposes of this communication, professional standards also require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and

WE VALUE YOUR FUTURE

-3-

communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. Management has corrected all identified misstatements.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. None of the misstatements identified by us as a result of our audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the Agency's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested and received certain representations from management, which are included in the management representation letter dated March 17, 2023.

Management Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the Agency, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatements. None of the matters discussed resulted in a condition to our retention as the Agency's auditors.

Other Matters

We applied certain limited procedures to management's discussion and analysis, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquires of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basis financial statements. We did not audit the RSI and did not express an opinion or provide any assurance on the RSI.

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

WE VALUE YOUR FUTURE

-4-

This information is intended solely for the information and use of the Board of Directors and management of the Town of Guilderland Industrial Development Agency and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Mengel, Metzger, Barr & Co. LLP

WE VALUE YOUR FUTURE

**TOWN OF GUILDERLAND
INDUSTRIAL DEVELOPMENT AGENCY
FINANCIAL REPORT
DECEMBER 31, 2022**

TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY

TABLE OF CONTENTS

	PAGE
INDEPENDENT AUDITOR’S REPORT	1-3
MANAGEMENT’S DISCUSSION AND ANALYSIS	4-7
FINANCIAL STATEMENTS	
STATEMENTS OF NET POSITION	8
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION	9
STATEMENTS OF CASH FLOWS	10
NOTES TO FINANCIAL STATEMENTS	11-13
SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION - BUDGET (NON-GAAP BASIS) AND ACTUAL	14
SCHEDULE OF BOND INDEBTEDNESS	15
INDEPENDENT AUDITOR’S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	16-18



INDEPENDENT AUDITOR'S REPORT

To The Board of Directors
Town of Guilderland Industrial Development Agency
Guilderland, New York

Opinion

We have audited the accompanying financial statements of the Town of Guilderland Industrial Development Agency (the Agency), (a public benefit corporation), which comprise the statements of net position; revenues, expenses, and changes in net position; and cash flows as of and for the years ended December 31, 2022 and 2021, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Town of Guilderland Industrial Development Agency, as of December 31, 2022 and the results of its operations and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Agency and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Prior Period Financial Statements

The financial statements as of December 31, 2021, were audited by Marvin & Company, P.C., who merged with Mengel, Metzger, Barr & Co. LLP as of January 1, 2023, and whose report dated March 22, 2022, expressed an unmodified opinion on those statements.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Canandaigua + Elmira + Latham + Queensbury + Rochester
An Independent Member of the BDO Alliance USA

1.

WE VALUE YOUR FUTURE

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4-7 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

2.

WE VALUE YOUR FUTURE

Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Town of Guilderland Industrial Development Agency's basic financial statements. The accompanying supplemental schedules of revenues, expenses, and changes in net position - budget (non-GAAP basis) and actual and bond indebtedness on pages 14 and 15, respectively, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of revenues, expenses, and changes in net position - budget (non-GAAP basis) and actual and schedule of bond indebtedness are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 17, 2023, on our consideration of the Town of Guilderland Industrial Development Agency's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town of Guilderland Industrial Development Agency's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Guilderland Industrial Development Agency's internal control over financial reporting and compliance.

Mengel, Metzger, Barw & Co. LLP

Latham, NY
March 17, 2023

Management's Discussion and Analysis (MD&A)

The Chairman, Board of Directors, and management of the Town of Guilderland Industrial Development Agency (the Agency) offer readers of the Agency's financial statements this narrative overview and analysis of their financial activities for the year ended December 31, 2022. We encourage readers to read the information presented here in conjunction with additional information that we have furnished in the Agency's financial statements, which follow this narrative.

Financial Highlights

- The Agency's net position increased by \$79,253 (or 8.37%) to \$1,026,529 as compared to the previous year when net position increased by \$315,598 (or 50.00%) to \$947,276.
- Total operating expenses of the Agency were \$115,684 during the year ended December 31, 2022 in addition to other expenses of \$12,004 relating to PILOT monies passed through the Agency. This is compared to the previous year when total operating expenses of the Agency were \$56,064 and \$9,656 of PILOT monies passed through the Agency.

Overview of the Financial Statements

The Agency's basic financial statements consist of three components: (1) the MD&A, (2) fund financial statements, and (3) notes to the financial statements. Because the Agency is a public benefit corporation engaged in business-type activities only, the financial statements are presented in accordance with GASB Statement 62. In addition to the financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the Agency. In addition to the management's discussion and analysis, management has prepared the Statements of Net Position, the Statements of Revenues, Expenses, and Changes in Net Position, and the Statements of Cash Flows, following the MD&A.

Overview of the Agency

The Agency's primary mission is to encourage economic growth and expansion through financial incentives, thus advancing job opportunities, health, general prosperity, and economic welfare of the people of the Town of Guilderland and the State of New York. The Agency's operations are funded entirely through fees for services and investment income.

Projects in 2022

There were no new Agency projects in 2022.

Fund Financial Statements

The financial statements are presented on the fund basis. The fund financial statements provide a more detailed look at the Agency's activities by focusing on the individual activities of the Fund.

4.

The Fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives.

Notes to the Financial Statements

The next section of the financial statements is the notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the financial statements. After the notes, the supplemental schedules provide details about the Agency’s revenues, expenses, and changes in net position budget (non-GAAP basis) and actual and bond indebtedness.

Other Information

In addition to the basic financial statements and accompanying notes, this report includes certain required supplementary information required by the New York State Office of the State Comptroller and Governmental Accounting Standards Board.

The Agency’s Net Position

Figure 1

	<u>2022</u>	<u>2021</u>
Current Position	<u>\$1,026,529</u>	<u>\$947,276</u>
Total Assets	<u>\$1,026,529</u>	<u>\$947,276</u>
Net Position, unrestricted	<u>\$1,026,529</u>	<u>\$947,276</u>

Net position may serve over time as one useful indicator of a government’s financial condition, the assets of the Agency exceeded liabilities by \$1,026,529 as of December 31, 2022. The Agency’s net position increased by \$79,253 for the year ended December 31, 2022. The assets of the Agency exceeded liabilities by \$947,276 as of December 31, 2021. The Agency’s net position increased by \$315,598 for the year ended December 31, 2021. The largest portion of the net position (85%) reflects the Agency’s cash and cash equivalents as of December 31, 2022. The largest portion of the net position (37%) reflects the Agency’s accounts receivable accounts as of December 31, 2021.

Change in Net Position

	<u>2022</u>	<u>2021</u>
Total Income	\$194,937*	\$371,662*
Total Expenses	<u>115,684*</u>	<u>56,064*</u>
Change in Net Position	<u>\$ 79,253</u>	<u>\$315,598</u>

* Excludes the \$12,004 and \$9,656 of PILOT monies previously discussed that passed through the Agency during the years ended in December 31, 2022 and 2021, respectively.

Proprietary Fund Budgetary Highlights

During the year, appropriations remained the same from the original budget. The 2022 budgetary appropriations increased by a net \$4,085 from the previous year due to \$1,000 of Professional Contracts, (\$15) of salaries and Other Employee Benefits, and \$3,100 of Other Operating Expenditures. The amounts will remain the same for the 2023 fiscal year. In 2022, the actual revenues were greater than the budgetary estimates by \$183,937. The actual expenditures were more than the budgetary estimates by \$749.

FACTORS BEARING ON THE GUILDERLAND IDA’S FUTURE

During the coming year, the Guilderland IDA may receive as many as two applications for assistance on a variety of local projects.

Applicants may be eligible for two levels of assistance on qualifying projects:

- 1) Sales and mortgage recording tax abatement only. This is what the Guilderland IDA has historically provided.
- 2) Certain projects may also be eligible for PILOT agreement in accordance with IDA policy, which allows for a 10-year ramp-up to full property tax assessment. Request for PILOT agreements are evaluated by the IDA Board on a case by case basis. Factors considered in the evaluation include a) the number and salary level of jobs created by the project; b) provision of goods and services not otherwise available in Guilderland; c) project development of underutilized or blighted site; and d) community amenities provided in connection with the project.

REQUEST FOR INFORMATION

This Annual Financial Report is designed to provide detailed information on the Agency’s operations and to the Agency’s Board, management, investors, creditors, customers and all others with an interest in the Agency’s financial affairs and to demonstrate the Agency’s accountability for the assets it controls and the funds it receives and expends. Questions

concerning any of the information provided in this report or any request for additional information should be addressed to the Chief Financial Officer by e-mail: wcadams02@gmail.com or in writing to,

William C. Adams,
Chief Finance Officer
3041 Evelyn Drive
Schenectady, N.Y. 12303

7.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF NET POSITION
DECEMBER 31, 2022 AND 2021**

	<u>2022</u>	<u>2021</u>
ASSETS		
Cash	\$ 870,177	\$ 287,405
Investments - certificates of deposits	151,715	304,036
Accounts Receivable	-	353,927
Prepaid expenses	4,637	1,908
	<u> </u>	<u> </u>
Total Assets	<u>\$ 1,026,529</u>	<u>\$ 947,276</u>
LIABILITIES AND NET POSITION		
Accrued payroll taxes	<u>\$ -</u>	<u>\$ -</u>
Net position, unrestricted	<u>1,026,529</u>	<u>947,276</u>
	<u> </u>	<u> </u>
Total Liabilities and Net Position	<u>\$ 1,026,529</u>	<u>\$ 947,276</u>

See accompanying notes to financial statements.

8.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
FOR THE YEARS ENDED DECEMBER 31, 2022 AND 2021**

	<u>2022</u>	<u>2021</u>
Operating Revenues		
Fees	\$ 193,776	\$ 370,867
Operating Expenses		
Administration	80,584	24,307
Personal services	29,835	29,500
Other	5,265	2,257
Total Operating Expenses	115,684	56,064
Operating Income	78,092	314,803
Other Revenues		
Interest income	1,161	795
Pilot moneys	12,004	9,656
Total Other Revenues	13,165	10,451
Other Expenses		
Pilot moneys	(12,004)	(9,656)
Change in Net Position	79,253	315,598
Net Position - Beginning of Year	947,276	631,678
Net Position - End of Year	\$ 1,026,529	\$ 947,276

See accompanying notes to financial statements.

9.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED DECEMBER 31, 2022 AND 2021**

	<u>2022</u>	<u>2021</u>
Cash Flows From Operating Activities		
Receipts from fees	\$ 547,703	\$ 16,940
Payments for administrative expenses	(88,578)	(28,203)
Payments for personal services	(29,835)	(29,500)
Net Cash (Used) Provided by Operating Activities	<u>429,290</u>	<u>(40,763)</u>
Cash Flows From Investing Activities		
Redemption of Certificate of Deposit	152,794	-
Interest received	688	90
Net Cash Provided by Investing Activities	<u>153,482</u>	<u>90</u>
Net (Decrease) Increase in Cash	582,772	(40,673)
Cash - Beginning of Year	<u>287,405</u>	<u>328,078</u>
Cash - End of Year	<u>\$ 870,177</u>	<u>\$ 287,405</u>
Reconciliation of Operating Income (Loss) to Net Cash Provided by Operating Activities		
Operating Income (Loss)	\$ 78,092	\$ 314,803
Adjustments to reconcile operating income (loss) to net cash provided by operating activities		
Increase in accounts receivable	353,927	(353,927)
(Increase) decrease in prepaid expenses	(2,729)	(5)
Decrease (increase) in accrued payroll taxes	-	(1,634)
Net Cash (Used) Provided by Operating Activities	<u>\$ 429,290</u>	<u>\$ (40,763)</u>
Supplemental Disclosure of Cash Flows Information		
Noncash Transactions		
Interest accrued on certificates of deposits	<u>\$ 293</u>	<u>\$ 705</u>

See accompanying notes to financial statements.

10.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2022 AND 2021**

1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

The Town of Guilderland Industrial Development Agency (the Agency) was created on April 3, 1973, by the provisions of Chapter 146 of the 1973 Laws of the State of New York, Section 909-a of the General Municipal Law of New York State, for the purpose of encouraging economic growth in the Town of Guilderland. Although its members are appointed by the Board of the Town of Guilderland, the Agency is a separate public benefit corporation and operates independently of the Town of Guilderland.

A summary of the significant accounting policies applied in the preparation of the accompanying financial statements follows.

Summary of Significant Accounting Policies

(a) Basis of Accounting and Use of Estimates

The Agency utilizes the accrual basis of accounting wherein revenue is recognized when earned and expenses are recognized when incurred. The accompanying financial statements of the Agency have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) for governments as prescribed by the Government Accounting Standards Board (GASB), which is the primary standard setting body for establishing governmental accounting and financial principles.

In preparing financial statements in conformity with generally accepted accounting principles, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

(b) Cash

The Agency's investment policies are governed by New York State statutes. The Agency's funds must be deposited in FDIC insured commercial banks or trust companies located within the State. The Agency is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and obligations of New York State or its localities.

Collateral is required for demand deposits and certificates of deposit for all deposits not covered by federal deposit insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2022 AND 2021**

1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Summary of Significant Accounting Policies

(b) Cash

At December 31, 2022 and 2021, the carrying amount of the Agency's deposits, including cash and certificates of deposit, was \$1,035,130 and \$591,446, respectively. The insured and collateral status of the year end bank balances are as follows:

Status of Bank Balance:	<u>2022</u>	<u>2021</u>
Covered by federal deposit insurance	\$ <u>622,905</u>	\$ <u>522,587</u>
Collateralized	\$ <u>412,114</u>	\$ <u>68,859</u>
Uncollateralized	\$ <u>111</u>	\$ <u>-</u>

(c) Income Taxes

The Agency is exempt from federal, state, and local income taxes.

(d) Industrial Revenue Bond and Note Transactions

Certain industrial development revenue bonds and notes issued by the Agency are secured by property which is leased to companies and is retired by these payments. The bonds and notes are not obligations of the Agency or New York State. The Agency does not record the assets or liabilities resulting from the completed bonds and notes issued in its accounts since its primary function is to arrange the financing between the borrowing companies and the bond note holders, and funds arising therefrom are controlled by trustees or banks acting as fiscal agents. For providing this service, the Agency receives bond administration fees from the borrowing companies. Such administrative fee income is recognized immediately upon issuance of bonds and notes.

At December 31, 2022, the original issue value of bonds issued aggregated \$41,570,000 and the outstanding balance was \$34,270,000.

(e) Accounts Receivable

Accounts receivable represent amounts earned by the Agency for project fees that have not been received by the Agency as of year-end.

(f) Bad Debts

Bad debts, if any, are recognized using the direct write-off method since management does not believe this method would result in a material difference from the allowance method.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2022 AND 2021**

1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Summary of Significant Accounting Policies

(g) Implementation of New Accounting Standards

The Agency has adopted all current Statements of the Governmental Accounting Standards Board (GASB) that are applicable. For the year ended December 31, 2022, the Authority implemented the following standards which had no significant impact on the Agency:

GASB Statement 87, Leases, effective for the year ending December 31, 2022.

GASB Statement No. 96, Subscription-Based Information Technology Arrangements, effective for the year ended December 31, 2023. This standard was implemented early as permitted.

(h) Future Changes in Accounting Standards

GASB Statement No. 94, Public-Private and Public-Public Partnerships and Availability Payment Arrangements, effective for the year ended December 31, 2023.

GASB Statement No. 99, Omnibus 2022, effective for the year ended December 31, 2024.

GASB Statement No. 100, Accounting Changes and Error Corrections, effective for the year ended December 31, 2024.

The Agency will evaluate the impact each of these pronouncements may have on its financial statements and will implement them as applicable and when material.

2. INVESTMENTS - CERTIFICATES OF DEPOSIT

As of December 31, 2022, and 2021, investments consisted of certificates of deposit with a cost basis of \$150,000 and a fair value of \$151,715 and \$304,036, respectively. The Agency's certificate of deposit is a 6-month certificate with a maturity date of June 21, 2023. During 2022, the Agency redeemed its 12-month certificate of deposit.

3. SUBSEQUENT EVENTS

Management has evaluated all events subsequent to the statement of net position date through March 17, 2023, which is the date these financial statements were available to be issued, and have determined that there are no subsequent events that require recording or disclosure.

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION -
BUDGET (NON-GAAP BASIS) AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2022**

	<u>Budget</u>	<u>Actual</u>	<u>(Over)Under Budget Variance</u>
Revenues			
Fees	\$ 9,500	\$ 193,776	\$ (184,276)
Interest income	1,500	1,161	339
	<u>11,000</u>	<u>194,937</u>	<u>(183,937)</u>
Expenses			
Salaries and wages	29,835	29,835	-
Professional contracts	16,550	16,550	-
Other expenses	15,600	14,539	1,061
Other employee benefits	2,350	3,260	(910)
Supplies and materials	600	-	600
Grants and donations	50,000	51,500	(1,500)
	<u>114,935</u>	<u>115,684</u>	<u>(749)</u>
Change in Net Position	(103,935)	79,253	<u>\$ 183,188</u>
Net Position - Beginning	<u>947,276</u>	<u>947,276</u>	
Net Position - Ending	<u>\$ 843,341</u>	<u>\$ 1,026,529</u>	

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF BOND INDEBTEDNESS
FOR THE YEAR ENDED DECEMBER 31, 2022**

<u>Name of Project</u>	<u>Principal Amount of Issue</u>	<u>Issue Date</u>	<u>Outstanding Beginning of Fiscal Year</u>	<u>Issues During Fiscal Year</u>	<u>Paid During Fiscal Year</u>	<u>Outstanding End of Fiscal Year</u>
Wildwood Programs, Inc.	\$ 9,780,000	6/22/2007	\$ 2,705,000	\$ -	\$ 225,000	\$ 2,480,000
Albany Place - 2017A	30,000,000	11/21/2017	30,000,000	-	-	30,000,000
Albany Place - 2017B	<u>1,790,000</u>	11/21/2017	<u>1,790,000</u>	<u>-</u>	<u>-</u>	<u>1,790,000</u>
Total	<u>\$ 41,570,000</u>		<u>\$ 34,495,000</u>	<u>\$ -</u>	<u>\$ 225,000</u>	<u>\$ 34,270,000</u>



BUSINESS
ADVISORS
AND CPAS

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

To The Board of Directors
Town of Guilderland Industrial Development Agency

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Town of Guilderland Industrial Development Agency (the Agency) as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the Town of Guilderland Industrial Development Agency's basic financial statements, and have issued our report thereon March 17, 2023.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town of Guilderland Industrial Development Agency's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We identified certain deficiencies in internal control described below that we consider to be significant deficiencies.

2022-001 Journal Entry Review

Criteria: Journal entries are a necessary function of recording certain types of activity and performing closing entries for any organization. Due to their nature, journal entries can be a higher risk transaction therefore review of journal entries by an individual who does not have access to make journal entries is an important aspect of the financial reporting process.

Canandaigua + Elmira + Latham + Queensbury + Rochester

An Independent Member of the BDO Alliance USA

16.

WE VALUE YOUR FUTURE

Condition: Journal entries made by the Administrative Assistant and Chief Financial Officer are not being reviewed before being posted. The Chief Executive Officer does review the financial statements monthly.

Cause: The review of journal entries has not historically been a procedure performed due to the segregation of functions established within the Agency and the financial statement review noted above.

Effect: Unauthorized or unsupported transactions or journal entries could be processed without the proper review and approval.

Recommendation: We recommend the Chief Executive Officer review a journal entry report monthly, including agreeing entries of significance or unusualness to support. This review should be documented by the Chief Executive Officer's signoff and date of review either on a hardcopy or through some electronically developed process.

Context: As part of the audit process, we evaluate controls and procedures and identified this area as an opportunity for the Agency to improve internal controls.

Views of responsible officials and planned corrective actions: The Agency will modify its procedures to align with the recommendations provided in the report.

2022-002 Documentation of Bank Reconciliation Review

Criteria: Completing bank reconciliations and reviewing bank statements are necessary and important monthly functions of the reporting process. Due to the significance of these controls, bank reconciliations and bank statements should be reviewed by an individual who does not prepare them and is not part of the cash receipt or disbursement process.

Condition: Bank reconciliations prepared by the Administrative Assistant are being reviewed by the Chief Financial Officer, but the review is not being documented. Also, the Chief Executive Officer opens the mailed bank statements and reviews them every month but does not document this review. The Chief Executive Officer does review the financial statements monthly.

Cause: The review of bank reconciliations and bank statements have historically been procedures performed but not documented.

Effect: Transactions could be recorded incorrectly and not detected timely. While these reviews appear to be done based on discussions with management; lack of documentation of these reviews makes it difficult to support that reviews are being done timely.

Recommendation: We recommend the Chief Financial Officer's review of the bank reconciliations be documented with the Chief Financial Officer's signoff and date of review either on a hardcopy of the bank reconciliation or through some electronically developed process. We also recommend the Chief Executive Officer's review of the bank statements be documented with the Chief Executive Officer's signoff and date of review either on a hardcopy of the bank statement or through some electronically developed process.

Context: As part of the audit process, we evaluate controls and procedures and identified this area as an opportunity for the Agency to improve upon the documentation internal controls.

Views of responsible officials and planned corrective actions: The Agency will modify its procedures to align with the recommendations provided in the report.

17.

WE VALUE YOUR FUTURE

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Agency's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the Agency's response to the findings identified in our audit and described above. The Agency's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Agency's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Mengel, Metzger, Baw & Co. LLP

Latham, NY
March 17, 2023



Phillips Lytle LLP

Town of Guilderland Industrial
Development Agency
Attn: Donald Csaposs, CEO
Guilderland Town Hall
P.O. Box 339
Guilderland, NY 12084

March 8, 2023

Re: Crossgates Releaseco, LLC - Town of Guilderland Industrial Development
Agency Application

Dear Chair Johnston, Mr. Csaposs, and Members of the Town of Guilderland Industrial
Development Agency:

We represent Pyramid Management Group, LLC and its subsidiary Crossgates
Releaseco, LLC ("Applicant") with respect to the proposed construction of a new Costco
project ("Project") located at the northeast corner of Western Avenue and Crossgates
Mall Road in Guilderland ("Site"). In connection with the Project, we hereby submit an
Application for Financial Assistance ("Application"), two copies of which are enclosed
herein. Please find below a summary of the Application.

Project Summary

The Project includes the development of an approximately 160,000 square foot Costco
wholesale facility on the Site. The Site consists of 16 acres of land in Guilderland's
("Town") Transit Oriented District, directly adjacent to the existing Crossgates Mall.
The Site is currently improved with 13 vacant single family residential structures, which
will be demolished. Once completed, the Project will create over 100 permanent full
time equivalent local jobs (and over 150 construction jobs) and will sell goods, services,
and products to Costco members in the Town, Albany County, and surrounding areas.

ATTORNEYS AT LAW

CRAIG A. LESLIE PARTNER DIRECT 716 847 7012 CLESLIE@PHILLIPSLYTTLE.COM

ONE CANALSIDE 125 MAIN STREET BUFFALO, NEW YORK 14203-2887 PHONE (716) 847-8400 FAX (716) 852-6100 | PHILLIPSLYTTLE.COM
NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | CHICAGO, IL | WASHINGTON, DC | CANADA: WATERLOO REGION



Donald Csaposs, CEO
 Guilderland Town Hall
 Page 2

March 8, 2023

Project Zoning and SEQRA History

In November 2019, the Applicant filed a zoning application with the Town Zoning Board of Appeals (“ZBA”) for a Special Use Permit to construct the Project. At the time, the Applicant also had a pending application for the development of an apartment project on the west side of Rapp Road pending before the Town Planning Board (the “Planning Board”) and owned a third potential future development site immediately east of the Site. In July 2019, the Town Planning Board declared itself lead agency pursuant to the State Environmental Quality Review Act (“SEQRA”) for the apartment project, and determined that the scope of its environmental review would include the cumulative impacts from the apartment project, the Project, and the third, potential future development site.

In its role as SEQRA Lead Agency, the Planning Board required the preparation of a Draft Environmental and Final Environmental Impact Statement analyzing the environmental impacts of all three sites, including the Costco Project site. The Planning Board’s SEQRA review included two lengthy public hearings, over 600 written comments from the public and interested parties and agencies, multiple expert reports, and a record extending to 3,000+ pages.

On August 28, 2020, the Planning Board issued its comprehensive SEQRA Findings Statement, concluding that the three site development analyzed in the Final Environmental Impact Statement (“FEIS”), including the Costco Project, “minimizes potential environmental impacts to the maximum extent practicable and will provide the necessary balance between the protection of the environment and the need to accommodate social and economic considerations”. As you know, the GIDA was treated as an “Involved Agency” during the course of the Planning Board’s SEQRA review.

Town Roads and Condemnation Request

The Project includes development of portions of four Town roads (Lawton Terrace, Tiernan Court, Rielton Court, and Gabriel Terrace) that are currently surrounded by



Donald Csaposs, CEO
 Guilderland Town Hall
 Page 3

March 8, 2023

property owned by the Applicant (“Roads”). The Roads previously serviced residential properties on the Site, but are no longer necessary in light of planned development of the same. The Town’s Superintendent of Highways issued and filed an Order discontinuing the Roads, under Section 207 of the Highway Law, on August 25, 2022 and February 14, 2023 respectfully. A slip ramp and adjoining land, rendered unnecessary by the proposed traffic flow of the Project, is expected to be discontinued by the Town shortly.

Portions of the Site are currently encumbered by deed restrictions that purport to prevent their development for commercial use. With only two exceptions, the Applicant owns or controls the parcels comprising those portions of the Site. Applicant believes that the deed restrictions are both legally null and void and unenforceable because, among other reasons, the restrictions are fundamentally inconsistent with the Town’s zoning classification of the Site and do not inure to the benefit of any identifiable party.

In connection with the Application, however, the Applicant requests that the IDA grant the financial assistance request (a modest Mortgage Recording Tax and N.Y.S. Sales and Compensating Use Tax exemption, but not any exemption from real property tax) and exercise its authority pursuant to General Municipal Law § 858(4) to acquire and extinguish any interest: (1) that the Town has in the property underlying the discontinued Roads; (2) that the Town has in the property underlying the slip ramp; and (3) the deed restrictions on the affected portion of the Site, together with any purported interest or right that may exist allowing any adjoining or adjacent property owners to enforce those deed restrictions.

Conclusion

The Applicant has worked closely with the Town on the development of the Project for several years. As detailed above and in the Application, the Project will beneficially develop currently-vacant land in the Town and create substantial economic benefits in the Town. We understand that the Planning Board will be considering the Application



Donald Csaposs, CEO
Guilderland Town Hall
Page 4

March 8, 2023

at its next meeting on March 22, 2023. Accordingly, we respectfully request that the IDA consider the Application at its next available public meeting, on March 28, 2023.

Very truly yours,

Phillips Lytle LLP

By 
Craig A. Leslie

CAL

CC: A. Joseph Scott III

TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Town of Guilderland Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: Town of Guilderland Industrial Development Agency
Guilderland Town Hall
Western Avenue, Route 20
P.O. Box 339
Guilderland, New York 12084
Attention: Chairman

This application by applicant respectfully states:

APPLICANT: Crossgates Releaseco, LLC (and affiliates/assignees)

APPLICANT'S STREET ADDRESS: 4 Clinton Square

CITY: Syracuse STATE: NY ZIP CODE: 13202

PHONE NO.: 315-422-7000 FAX NO.: N/A E-MAIL: davidaitken@pyramidmg.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: David M. Aitken, James L. Soos and other representatives of Pyramid Management Group, LLC

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Phillips Lytle LLP

NAME OF ATTORNEY: Craig Leslie, and other representatives of Phillips Lytle LLP

ATTORNEY'S STREET ADDRESS: One Canalside - 125 Main Street

CITY: Buffalo STATE: NY ZIP CODE: 14203-2887

PHONE NO.: (716) 847-7012 FAX NO.: N/A E-MAIL: cleslie@phillipslytle.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contain sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of Two Hundred Fifty Dollars (\$250) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
10. The Agency has established a project fee for each project in which the Agency participates. **UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.**

FOR AGENCY USE ONLY

1. Project Number	
2. Date application Received by Agency	, 20
3. Date application referred to attorney for review	, 20
4. Date copy of application mailed to members	, 20
5. Date notice of Agency meeting on application posted	, 20
6. Date notice of Agency meeting on application mailed	, 20
7. Date of Agency meeting on application	, 20
8. Date Agency conditionally approved application	, 20
9. Date scheduled for public hearing	, 20
10. Date Environmental Assessment Form ("EAF") received	, 20
11. Date Agency completed environmental review	, 20
12. Date of final approval of application	, 20

Provide estimates for the following:

Number of Full Time Employees at the Project Site before IDA Status: 0

Estimate of Jobs to be Created: construction employment then
100+ Full Time Equivalent after opening

Estimate of Jobs to be Retained: n/a

Average Estimated Annual Salary of Jobs to be Created: \$60,397.23/after opening

Annualized Salary Range of Jobs to be Created: \$38,480 - \$160,000/after opening

Estimated Average Annual Salary of Jobs to be Retained: n/a

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: Crossgates Releaseco, LLC
 Present Address: 4 Clinton Square, Syracuse, NY
 Zip Code: 13202
 Employer's ID No.: Will Be Provided Under Separate Cover _____
2. If the Company differs from the Applicant, give details of relationship: n/a
3. Indicate type of business organization of Company:
 - a. Corporation. If so, incorporated in what country? _____; What State? _____; Date Incorporated _____; Type of Corporation? _____; Authorized to do business in New York? Yes ___; No ___.
 - b. Partnership. If so, indicate type of partnership _____; Number of general partners _____; Number of limited partners _____.
 - c. Limited liability company. If so, formed in what State? New York
 Date formed: 1/31/17; Authorized to do business in New York State? Yes X; No ___
 - d. Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)?
 If so, indicate name of related organization(s) and relationship: Crossgates Land Company LLC is the sole member of the applicant. Guilderland DevCo, LLC is an affiliated entity that owns some of the properties.

B. Management of Company:

1. List all owners, officers, members, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
James A. Tuozzolo	President	
Michael A. Mammolito	Vice President/Treasurer	
Timothy P. Ahern	Vice President/Secretary	

Bruce A. Kenan	Vice President	
----------------	----------------	--

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes ___; No X.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes ___; No X
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes ___; No X.
5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal owners of Company:

1. Is Company publicly held? Yes ___; No X. If yes, please list exchanges where stock traded: _____
2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
Madeira Associates	4 Clinton Square, NY 13202	92.953%
Bruce A. Kenan 2017 Family Trust	4 Clinton Square, NY 13202	5%

- D. Company's principal bank(s) of account: M&T Bank
- _____
- _____
- _____

II. DATA REGARDING PROPOSED PROJECT.

A. Description of the Project: (Please provide a brief narrative description of the Project.)
 Description of Project: Develop a +/- 160,000 square foot Costco Wholesale (“Costco”) facility. Costco is a membership-based retailer that as of August 2022 had 836 locations worldwide. This will be the first Costco facility in the Capital Region. Currently, the nearest Costco facility from Guilderland is in West Springfield, MA, approximately 70 miles to the east, while the closest location in New York is in Nanuet, NY, approximately 108 miles to the south. Applicant will help develop the facility and lease the same to Costco (or a related entity).

Applicant is asking the IDA to acquire, through condemnation, lands underlying certain former, discontinued Town roads and adjacent land (slip ramp) that are part of the Project, as well as certain historic deed restrictions for residential use, which is now a prohibited use under the Transit Oriented Development (TOD) District Zoning (as well as certain rights to enforce those restrictions, if any such rights exist). See also detail included on page 14; question G-1.

B. Location of the Project:

1. Street Address: Crossgates Mall Road & Western Avenue (See Attached Visual and Listing)
2. City of N/A
3. Town of Guilderland
4. Village of N/A
5. County of Albany

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: +/- 16 acres. Is a map, survey or sketch of the Project site attached? Yes ; No .
2. Are there existing buildings on the Project site? Yes ; No .
 - a. If yes, indicate the number of buildings on the site: 14. Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such existing building: Principally vacant, former single family homes, to be demolished.
 - b. Are the existing buildings in operation? Yes ; No . If yes, describe present use of present buildings: The proposed use is consistent with the underlying Transit Oriented Development (TOD) District Zoning. Single family and two family dwellings are prohibited/restricted uses.

c. Are the existing buildings abandoned? Yes X; No ____ . About to be abandoned? Yes ____; No ____ . If yes, describe: Vacant

d. Attach photograph of present buildings. Please see attached

3. Utilities serving the Project site:

Water-Municipal: Town of Guilderland Department of Water/Wastewater

Other (describe) _____

Sewer-Municipal: Town of Guilderland Department of Water/Wastewater

Other (describe) _____

Electric-Utility: National Grid

Other (describe) _____

Heat-Utility: National Grid

Other (describe) _____

4. Present legal owner of the Project site: Owned or controlled by affiliated entities of Crossgates Releaseco, LLC

a. If the Company owns the Project site, indicate date of purchase: Various dates from 1983 through 2016; purchase price: \$ Miscellaneous .

b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes ____; No ____ . If yes, indicate date option signed with the owner: _____, 20 ____; and the date the option expires: _____, 20 ____ .

c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes X; No ____ . If yes, describe; To the extent that parcels within the Project site are owned and or controlled by affiliates of Crossgates Releaseco, LLC, the present legal owners will convey those parcels to Applicant in connection with IDA closing and financing. Applicant is asking the IDA to acquire, through condemnation, certain Town roads and adjacent land (slip ramp) that are part of the Project. See also detail included to page 14; question G - I.

5. a. Zoning District in which the Project site is located: Transit Oriented District.

b. Are there any variances or special permits affecting the Project site? Yes ____; No X . If yes, list below and attach copies of all such variances or special permits:

Note: Applicant has a pending application before the Zoning Board of Appeals for Special Use Permit

D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes X; No _____. If yes, indicate number and size of new buildings:
Principally, one commercial structure at +/- 160,000 sq ft as well as a fueling facility.

2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes ____; No X. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation: _____

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded:

The new structure will be used to sell goods, services and products to Costco members who are residents of Guilderland, Albany County, surrounding counties, other parts of New York, and adjacent states.

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes X; No _____. If yes, describe the Equipment: _____

Standard retail grocery equipment plus gas station equipment: refrigeration equipment, HVAC, food preparation, service equipment as well as tire installation equipment

2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes ____; No X. If yes, please provide detail: _____

- 3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: To help develop the interior of the facility to Costco brand standards.

F. Project Use:

- 1. What are the principal products to be produced at the Project? N/A

- 2. What are the principal activities to be conducted at the Project? Attract guests to purchase goods, services and products.

- 3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes X; No _____. If yes, please provide detail: Based on a report by Camoin Associates, a firm with expertise in economic impact analysis, more than 50% of guests will come from outside Albany County; including visitors from outside the Capital Region as the closest Costco location is ninety miles to the east

Please also see a second attached report prepared by Camoin Associates on the project benefits.

- 4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? 100%

- 5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

- a. Will the Project be operated by a not-for-profit corporation? Yes ____; No X. If yes, please explain: _____

b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes X; No ____ . If yes, please explain: Please see the attached Camoin Reports.

c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes ____; No ____ . If yes, please explain: N/A

d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town, or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes X; No ____ . If yes, please provide detail: Guests travel significant distances to experience a Costco. It will be an asset for local residents and will attract new guests to Guilderland. There is a marked lack of wholesale market goods/services readily available to residents of Guilderland. Please see attached Camoin Reports.

e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes ____; No X . If yes, please explain: N/A

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes X ; No ____ . If yes, please explain: Significant net new employment.

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes ____; No X . If yes, please explain: _____

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes ___; No X. If yes, please provide detail: _____

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project: N/A

a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes ___; No ___ . If yes, please provide detail: N/A

b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes ___; No ___ . If yes, please provide detail: N/A

10. Will the Project be owned by a not-for-profit corporation? Yes ___; No X . If yes, please provide detail: _____

11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project: N/A

a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes ___; No ___ . If yes, please explain: _____

b. Is the Project a dormitory for an educational institution? Yes ___; No ___ . If yes, please explain: _____

c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes ___; No ___ . If yes, please explain: _____

- _____
- _____
12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes ___; No ___. If yes, please provide detail: N/A
- _____
- _____

13. Will the Project be sold or leased to a municipality? Yes ___; No X. If yes, please provide detail: _____
- _____
- _____

G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes X; No ___. If yes, please discuss in detail the approximate stage of such acquisition: Applicant and/or its affiliates have completed the acquisition of the privately held parcels within the Project site, or they otherwise hold an option to do so. The project includes: (a) the acquisition, through the IDA's use of eminent domain, of historical residential deed restrictions (and any related rights to enforce the same, if any such rights exist), as well as the IDA's subsequent termination of the same; and (b) the acquisition, through the IDA's use of eminent domain, of certain disused/no longer needed Town roads property that are part of the Project.
- _____
- _____

2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes ___; No X. If yes, please discuss in detail the approximate stage of such acquisition: _____
- _____
- _____

3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes ___; No X. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.: _____
- _____
- _____

4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures: \$2,500,000
Design, Government Approvals & Entitlement, Legal, maintenance and operation of properties, insurance, taxes.

5. Please indicate the date the applicant estimates the Project will be completed:
12-24 months following approvals

I. Method of Construction after Agency Approval:

1. If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the project? Yes X ; No ____.
2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes X ; No ____.

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes X ; No ____ . If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name: Costco Wholesale Corporation (or affiliate)
 Present Address: 999 Lake Drive
 City: Issaquah State: Washington Zip: 98027
 Employer's ID No.: Will provide under separate cover
 Sublessee is: XX Corporation: ____ Partnership: ____ Sole Proprietorship
 Relationship to Company: Tenant
 Percentage of Project to be leased or subleased: 100%
 Use of Project intended by Sublessee: Costco Wholesale Facility
 Date of lease or sublease to Sublessee: 10/18/2021
 Term of lease or sublease to Sublessee: 25 Years with Options
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

Yes X ; No ____ . If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name: N/A
 Present Address: _____
 City: _____ State: _____ Zip: _____
 Employer's ID No.: _____
 Sublessee is:
 _____ Corporation: _____ Partnership: _____ Sole Proprietorship
 Relationship to Company: _____
 Percentage of Project to be leased or subleased: _____
 Use of Project intended by Sublessee: _____
 Date of lease or sublease to Sublessee: _____
 Term of lease or sublease to Sublessee: _____
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ____; No ____ . If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name: N/A
 Present Address: _____
 City: _____ State: _____ Zip: _____
 Employer's ID No.: _____
 Sublessee is: _____ Corporation: _____ Partnership: _____ Sole Proprietorship
 Relationship to Company: _____
 Percentage of Project to be leased or subleased: _____
 Use of Project intended by Sublessee: _____
 Date of lease or sublease to Sublessee: _____
 Term of lease or sublease to Sublessee: _____
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ____; No ____ . If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? 100%

IV. EMPLOYMENT IMPACT.

A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the

applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT Employees of Applicant					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	0				
Present Part Time	0				
Present Seasonal	0				
First Year Full Time	36	22	20	2	80 (est)
First Year Part Time			23	50	73 (est)
First Year Seasonal		4	10	5	19 (est)
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

TYPE OF EMPLOYMENT Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	N/A				
Present Part Time	N/A				

Present Seasonal	N/A				
First Year Full Time	N/A				
First Year Part Time	N/A				
First Year Seasonal	N/A				
Second Year Full Time	N/A				
Second Year Part Time	N/A				
Second Year Seasonal	N/A				

TYPE OF EMPLOYMENT					
Employees of Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	N/A				
Present Part Time	N/A				
Present Seasonal	N/A				
First Year Full Time	N/A				
First Year Part Time	N/A				
First Year Seasonal	N/A				
Second Year Full Time	N/A				
Second Year Part Time	N/A				

Second Year Seasonal	N/A				
----------------------	-----	--	--	--	--

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Capital Region Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

See Attached

RELATED EMPLOYMENT INFORMATION				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	See Attached	See Attached	See Attached	See Attached
Estimated Number of Employees Residing in the Capital Region Economic Development Region ¹	Estimate of 90% of employees			

- C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

The opening of Costco is projected to be 12-24 months following approval.

- D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

See Attached

¹ The Capital Region Economic Development Region consists of the following counties: Albany, Columbia, Greene, Saratoga, Schenectady, Rensselaer, Warren, and Washington.

V. PROJECT COST.

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ <u>350,000.00</u>
Buildings	\$ <u>22,000,000.00</u>
Machinery and equipment costs	\$ <u>8,000,000.00</u>
Utilities, roads and appurtenant costs	\$ <u>8,315,100.00</u>
Architects and engineering fees	\$ <u>1,025,000.00</u>
Costs of financing	\$ <u>n/a</u>
Construction loan fees and interest (if applicable)	\$ <u>n/a</u>
Other (specify)	
<u>Legal and Accounting</u>	\$ <u>\$210,000.00</u>
_____	\$ _____
_____	\$ _____
TOTAL PROJECT COSTS	\$ <u>39,900,100.00</u>

- B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ <u>7,500,000</u>
Public Sector	
Federal Programs	\$ <u>N/A</u>
State Programs	\$ <u>N/A</u>
Local Programs	\$ <u>N/A</u>
Applicant Equity	\$ <u>32,400,100</u>
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL AMOUNT OF PROJECT FINANCING SOURCES	\$ <u>39,900,100</u>

C. Have any of the above expenditures already been made by the applicant?
 Yes ___; No X. If yes, indicate particulars.

The above does not include the amounts spent by developer in Section II.G.4.

D. Amount of loan requested: \$ N/A;

Maturity requested: N/A years.

E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes ___; No X. Institution Name: _____

Provide name and telephone number of the person we may contact.

Name: _____ Phone: _____

- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 0.122% (sales and mortgage recording tax exemption)
- G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$7,500,000

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY.

A. Financing

- 1. Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes ___; No X. If yes, indicate:
 - a. Amount of loan requested: ___ Dollars;
 - b. Maturity requested: ___ Years.
- 2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes ___; No ___.
- 3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
 - a. retail food and beverage services: Yes ___; No ___
 - b. automobile sales or service: Yes ___; No ___
 - c. recreation or entertainment: Yes ___; No ___
 - d. golf course: Yes ___; No ___
 - e. country club: Yes ___; No ___
 - f. massage parlor: Yes ___; No ___
 - g. tennis club: Yes ___; No ___
 - h. skating facility (including roller skating, skateboard and ice skating): Yes ___; No ___
 - i. racquet sports facility (including handball and racquetball court): Yes ___; No ___
 - j. hot tub facility: Yes ___; No ___
 - k. suntan facility: Yes ___; No ___
 - l. racetrack: Yes ___; No ___
- 4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

- 1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency? Yes ___; No X. If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes ___; No X.

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes X; No _____. If yes, what is the approximate amount of financing to be secured by mortgages? \$7,500,000.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes X; No _____. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$5,000,000.00.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.

a. N.Y.S. Sales and Compensating Use Taxes:	<u>\$400,000 (est)</u>
b. Mortgage Recording Taxes:	<u>\$ 75,000 (est)</u>
c. Real Property Tax Exemptions:	<u>\$ 0</u>
d. Other (please specify):	
_____	\$ 0
_____	\$ 0

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax-exemption Policy? Yes ____; No X. If yes, please explain how the request of the applicant differs from the Agency's Uniform Tax-Exemption Policy: _____

C. Project Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

See Attached Camoin Report

VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. Annual Sales Tax Filings: In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

D. Annual Employment Reports. The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable.

E. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack

of success of such project in delivering certain described public benefits (the “Public Benefits”) and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

F. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

G. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

As demonstrated in the Camoin Report and other submitted documents, this project faces significant financial and logistical challenges and would not be undertaken without financial assistance from the Agency.

H. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

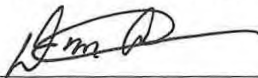
I. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

J. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

K. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency’s website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

L. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included on the Agency's website which can be accessed at http://www.townofguilderland.org/pages/guilderlandNY_ida/index.

I affirm under penalty of perjury that all statements made on this application are true, accurate, and complete to the best of my knowledge.



Applicant

By: David M. Aitken

Title: Director of Government Affairs


NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 28 THROUGH 31 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 32.

VERIFICATION

(If applicant is limited liability company)

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

Michael A. Mammolito, deposes and says that he is one of the members of the firm of
(Name of Individual)
Crossgates Releaseco, LLC (and affiliates/assignees), the limited liability company named
(limited liability company)
in the attached application; that he has read the foregoing application and knows the contents
thereof; and that the same is true and complete and accurate to the best of his knowledge. The
grounds of deponent's belief relative to all matters in the said application which are not stated upon
his own personal knowledge are investigations which deponent has caused to be made concerning
the subject matter of this application as well as information acquired by deponent in the course of
his duties as a member of and from the books and papers of said limited liability company.



Sworn to before me this
9 day of March, 2023



Notary Public

CRYSTAL J. MEDER
Notary Public, State of New York
No. 01ME6217068
Qualified in Onondaga County
Commission Expires February 8, 2026

HOLD HARMLESS AGREEMENT

Applicant hereby releases Town of Guilderland Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Crossgates Releaseco, LLC
(Applicant)

BY: 

Sworn to before me this 9
day of March, 2023.


Notary Public

CRYSTAL J. MEDER
Notary Public, State of New York
No. 01ME6217068
Qualified in Onondaga County
Commission Expires February 8, 2026

TO: Project Applicants
 FROM: Town of Guilderland Industrial Development Agency
 RE: Cost/Benefit Analysis

In order for the Town of Guilderland Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary ("Company"): Crossgates Releaseco, LLC
2. Brief Identification of the Project: Development of Costco
3. Estimated Amount of Project Benefits Sought:
 - A. Amount of Bonds Sought: \$ 0
 - B. Value of Sales Tax Exemption Sought \$ 400,000
 - C. Value of Real Property Tax Exemption Sought \$ 0
 - D. Value of Mortgage Recording Tax Exemption Sought \$ 75,000
4. Likelihood of accomplishing the Project in a timely fashion: Yes following closing on IDA transaction

PROJECTED PROJECT INVESTMENT

- A. Land-Related Costs
 1. Land acquisition \$ 350,000.00
 2. Site preparation \$ 2,250,000.00
 3. Landscaping \$ 415,100.00
 4. Utilities and infrastructure development \$ 3,650,000.00
 5. Access roads and parking development \$ 2,000,000.00
 6. Other land-related costs (describe) \$
- B. Building-Related Costs
 1. Acquisition of existing structures \$
 2. Renovation of existing structures \$
 3. New construction costs \$ 22,000,000
 4. Electrical systems \$
 5. Heating, ventilation and air conditioning \$
 6. Plumbing \$
 7. Other building-related costs (describe) \$

C. Machinery and Equipment Costs		
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ 8,000,000 _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D. Furniture and Fixture Costs		
1.	Office furniture	\$ N/A _____
2.	Office equipment	\$ N/A _____
3.	Computers	\$ N/A _____
4.	Other furniture-related costs (describe)	\$ N/A _____
E. Working Capital Costs		
1.	Operation costs	\$ N/A _____
2.	Production costs	\$ N/A _____
3.	Raw materials	\$ N/A _____
4.	Debt service	\$ N/A _____
5.	Relocation costs	\$ N/A _____
6.	Skills training	\$ N/A _____
7.	Other working capital-related costs (describe)	\$ N/A _____
F. Professional Service Costs		
1.	Architecture and engineering	\$ 1,025,000.00 _____
2.	Accounting/legal	\$ 210,000.00 _____
3.	Other service-related costs (describe)	\$ _____
G. Other Costs		
1.	_____	\$ _____
2.	_____	\$ _____
H. Summary of Expenditures		
1.	Total Land-Related Costs	\$ 8,665,100.00 _____
2.	Total Building-Related Costs	\$ 22,000,000.00 _____
3.	Total Machinery and Equipment Costs	\$ 8,000,000.00 _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ 1,235,000.00 _____
7.	Total Other Costs	\$ 39,900,100.00 _____

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	See Camoin Report	See Camoin Report	See Camoin Report
Year 1		\$ _____	\$ _____
Year 2		\$ _____	\$ _____
Year 3		\$ _____	\$ _____
Year 4		\$ _____	\$ _____
Year 5		\$ _____	\$ _____

PROJECTED PERMANENT EMPLOYMENT IMPACT

I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application.

Estimates of the total new permanent jobs to be created by the Project are described in the tables in Section IV of the Application.

II. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

III. Provide the projected percentage of employment that would be filled by Town of Guilderland residents: _____ 50% est _____

A. Provide a brief description of how the project expects to meet this percentage:

- a. Coordinate with Crossgates Mall for on-site hiring events
- b. Press Releases and Advertising
- c. Coordination with New York State Department of Labor
- d. Coordination with Capital Region Workforce Development Board
- e. Outreach Through Town of Guilderland/Town of Guilderland Chamber of Commerce

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	\$ _____ \$10,000.00 _____ (est) _____
Additional Sales Tax Paid on Additional Purchases	

Estimated Additional Sales (1 st full year following project completion)	\$ _____ 800 _____ (est) _____
	\$ _____ 110,000,000 _____ (est) _____
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	\$ _____ \$7,480,000 _____ (est) _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): N/A

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	N/A	N/A	N/A
Year 1	N/A	N/A	N/A
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide a detailed description for the impact of other economic benefits and all anticipated community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response):

See attached Camoin Report outlining project benefits.

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate, and complete to the best of my knowledge.

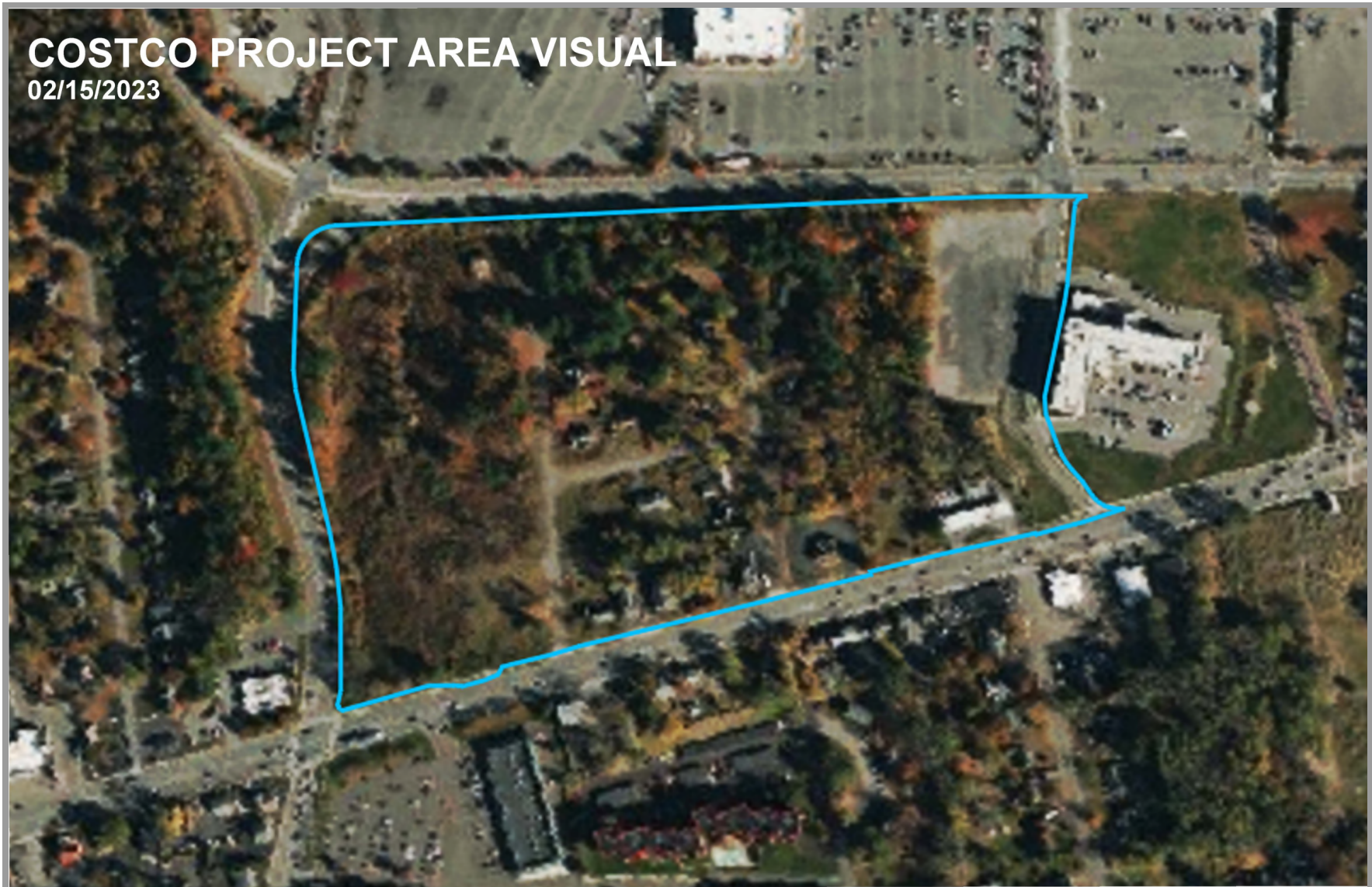
Date Signed: March 9, 2023.

Name of Person Completing Project Questionnaire on behalf of the Company.

Name: David M. Aitken
Title: Director of Government Affairs
Phone Number: 315-634-7842
Address: 4 Clinton Square, Syracuse NY 13202

Signature: _____





Costco Project Site Photos

1 Gabriel
Terrace



2 Gabriel
Terrace



3 Gabriel
Terrace



4 Gabriel Terrace



5 Gabriel Terrace



7 Gabriel
Terrace



8 Gabriel
Terrace



9 Gabriel
Terrace



2 Rielton Court



4
Rielton
Court



5 Rielton
Court



6 Rielton
Court





8 Rielton
Court

5 Lawton
Terrace



7 Lawton
Terrace



9 Lawton
Terrace



14
Lawton
Terrace



16 Lawton
Terrace



1 Tiernan
Court



				Total annual entry level average	Total annual "top" level average
	Management	Core Operations			
		General Manager	Oversees operation of a membership warehouse with direct responsibility for complete operation and profitability. Implements Costco mission statement, policies, and procedures.	\$120,000.00	\$160,000.00
		Assistant General Manager	Acts on the behalf of the General Manager in their absence. Addresses personnel issues and oversees tasks performed by departmental managers, supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics.	\$252,000.00	\$327,000.00
		Senior/Staff Manager	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics	\$316,000.00	\$376,000.00
		Area Manager	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics	\$504,000.00	\$581,000.00
	Administration	Admin Manager	*** See Senior/Staff Manager position Above		
		Inventory Auditor	Identifies, investigates, and corrects inventory discrepancies. Inventories all departments regularly.	\$38,480.00	\$69,176.00
		Sales Audit Clerk	Balances daily sales to funds received using computerized report. Researches and explains variances, initiates corrections. Tracks voided sales, overages and shortages.	\$38,480.00	\$69,176.00
		Payroll Clerk	Assists employees and managers with payroll, personnel and benefit information and reports. Keys, reviews, corrects, and updates entries to automated payroll system. Maintains personnel files and OSHA reports.	\$38,480.00	\$69,176.00
		Vault Clerk	Tallies receipts from all forms of payment. Prepares bank deposit, ensures security of funds. Processes and collects on returned checks.	\$38,480.00	\$69,176.00
	Bakery	Manager/Ancillary Not including in Core Count above	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics. Controls inventory and full P&L responsibility for the operation of the department. Must maintain current Food Safety Certification.	\$81,000.00	\$91,000.00
		Baker	Prepares and bakes high-volume of bakery product according to Costco formulas. Must maintain current Food Safety Certification.	\$38,480.00	\$69,176.00
		Cake Decorator	Cuts, fills and ices cakes. Decorates and writes messages on cakes using pastry bags and tips. Packages cakes for special order and back stock. Must maintain current Food Safety Certification.	\$38,480.00	\$69,176.00
		Bakery Wrapper/Clean Up	Package for sale finished product prepared in the bakery. Ensure compliance to weights and measures. Replenish sales areas and rotate goods. Perform all maintenance tasks in the bakery, and follow the established SSOP and HACCP protocols. Must maintain current Food Safety Certification.	\$145,600.00	\$262,560.00
	Food Service	Manager/Not included in Core Operations above	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics. Controls inventory and full P&L responsibility for the operation of the department. Must maintain current Food Safety Certification.	\$74,000.00	\$84,000.00
		Food Service Supervisor	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics. Must maintain current Food Safety Certification.	\$39,520.00	\$68,760.00
		Food Service Assistant	Prepares and sells food and drinks to customers. Pulls and stocks supplies and ingredients, cleans kitchen area and eating area. Must maintain current Food Safety Certification.	\$182,000.00	\$328,200.00
	Front End	Front End Manager	*** See Senior/Staff Manager position Above		
		Assistant Front End Manager	*** See Area Manager position Above		
		Front End Cashier	Processes member orders, collects payment while providing a high level of member service. Directs cashier assistant.	\$577,200.00	\$1,037,640.00

	Front End Assistant	Loads member orders to a cart or flatbed. Performs clean-up, cart retrieval, merchandise restocking and runs for items as directed.	\$17.50/hr- \$26.75/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$577,200.00	\$984,600.00
	Supervisor	Oversees employees, coordinates activities and upholds standards of the department. Performs computer duties for the register system controller.	\$20.00/hr- \$29.95/hr, Hourly rate based on \$1.50 over the hours step earned or \$1.50 over the highest paid person they supervise, whichever is higher. Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$332,800.00	\$578,368.00
Gas Station					
	Gas Station Supervisor	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics. Oversees employees, coordinates activities and upholds standards of the department. Performs computer duties for the register system controller. Maintains HAZMAT and other necessary records of compliance to operate a gas station. Maintains the necessary certifications for the position. Monitors gas pumps, traffic flow, storage tanks, assists members, and quickly responds to potential emergencies. Cleans, manages spills, and performs routine maintenance and inspections.	\$20.00/hr- \$29.95/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$41,600.00	\$62,296.00
	Gas Station Attendant	Monitors gas pumps, traffic flow, storage tanks, assists members, and quickly responds to potential emergencies. Cleans, manages spills, and performs routine maintenance and inspections.	\$17.50/hr- \$26.75/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$145,600.00	\$262,560.00
Hearing Aid					
	Senior Licensed Specialist	Supervises all personnel within the department. Ensures operational compliance and licensing. Full P&L responsibility for the department. Oversees employees and directs operations of Hearing Center. Performs exams, takes ear impressions, fits, cleans, adjusts, and orders hearing aid product and supplies.	\$85,863 base salary with annual increases, plus an annual paid bonus of \$3500 prorated on hours worked in position.	\$85,863.00	\$89,363.00
	Licensed Specialist	Oversees employees and directs operations of Hearing Center. Performs exams, takes ear impressions, fits, cleans, adjusts, and orders hearing aid product and supplies.	\$26.50/hr- \$36.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$110,240.00	\$171,632.00
	Non Licensed Attendant	Answers telephone and schedules appointments for the Hearing Center. Rings sales, provides clerical support, cleans area, and provides prompt and courteous customer service.	\$18.50/hr- \$28.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$38,480.00	\$69,176.00
Meat Dept					
	Meat Department Manager	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics. Controls inventory and full P&L responsibility for the operation of the department. Must maintain current Food Safety Certification.	Salary Range of \$81,000-\$88,000 with continued annual increases. Annual bonus of \$3000 prorated on hours worked in position.	\$81,000.00	\$91,000.00
	Meat Cutter	Cuts and trims and prepares raw meat and seafood for sale using saws, knives, grinder, slicer and tenderizer. Maintains salable floor stock throughout the day. Must maintain current food safety certification.	\$19.00/hr- \$30.65/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$79,040.00	\$147,504.00
	Meat Wrapper	Package for sale product prepared in the meat department. Ensure compliance to weights and measures. Replenish sales areas and rotate goods. Perform all maintenance tasks in the meat department, and follow the established SSOP and HACCP protocols. Must maintain current Food Safety Certification.	\$17.50/hr- \$26.75/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$36,400.00	\$65,640.00
Member Service					
	Member Service Security	Actively greets members, provides high level member service, verifies membership card, keeps entry counts, and checks receipts upon members exiting. Performs and documents warehouse safety and security checks.	\$17.50/hr- \$26.75/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$291,200.00	\$525,120.00
Membership					
	Membership / Refunds Clerk	Processes member sign ups, renewals and added cards. Educates members and potential members about membership, warehouse and credit programs. Issues replacement and temporary cards, keys credit applications and provides a high level of member service. Works the returns and refunds desk with a high level of service to assist members in returning or refunding defective or unwanted product.	\$18.50/hr- \$28.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$384,800.00	\$691,760.00
Merchandising					
	Merchandise Manager Area Managers	*** See Senior/Staff Manager position Above *** See Area Manager position Above			
	Merchandise Supervisors	Oversees employees, coordinates activities and upholds standards of the department. Plans Directs and executes floor moves. Maintains standards on the floor throughout the day. Ensures compliance with contractual agreements in merchandising.	\$20.00/hr- \$29.95/hr, Hourly rate based on \$1.50 over the hours step earned or \$1.50 over the highest paid person they supervise (only over the base rate of a forklift drive which makes a \$1.50/hr premium), whichever is higher. Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$83,200.00	\$144,592.00
	Stocker	Stocks and straightens merchandise for sale in the warehouse. Cleans and cleans aisles, assists members.	\$17.50/hr- \$26.75/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$364,000.00	\$656,400.00

	Forklift Driver	Operates a stand-up electric forklift to move pallets of merchandise and equipment throughout the warehouse. Hand stacks product from partial pallets onto full pallets of product.	\$20.00/hr- \$29.95/hr (this is the base plus premium), Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$208,000.00	\$361,480.00
	Sales Assistant	Sells merchandise and assists members in the major appliance, electronics. Answers member questions, demonstrates merchandise. Stocks and maintains good condition of department product.	\$17.50/hr- \$26.75/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$145,600.00	\$262,560.00
	Optical				
	Optical Manager/ Not included in core operations above	Supervises all personnel within the department. Ensures operational compliance and licensing. Full P&L responsibility for the department. Assists members in choosing and ordering eyeglasses. Uses computer to process orders, fits eyeglasses, dispenses eyeglasses and contacts and oversees apprentices. Provides prompt and courteous member service. Follows department procedures for stocking and cleaning.	Starting Salary(NY) \$95,274 with annual raises plus annual bonus of \$3500 prorated on hours worked in position.	\$95,274.00	\$98,774.00
	Optician Licensed	Assists members in choosing and ordering eyeglasses. Uses computer to process orders, fits eyeglasses, dispenses eyeglasses and contacts and oversees apprentices. Provides prompt and courteous member service. Follows department procedures for stocking and cleaning.	\$27.50/hr- \$37.45/hr*, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000 *based on the current NY premium pay of \$9/hr	\$228,800.00	\$351,584.00
	Pharmacy				
	State Licensed Pharmacy Manager/Not included in core operations above	Supervises all personnel within the department. Ensures operational compliance and licensing. Full P&L responsibility for the department. Licensed by the state as a Pharmacist to fill, dispense, and write (where allowed by law) prescriptions for customers. Counsels Customers within the legal bounds of authorization. Orders and stocks drugs, supplies, and over-the-counter merchandise. Updates patient records and inventory, processes invoices, and makes accounting entries using computerized system.	Current Base salary of \$183,971 plus bonus eligible up \$15,000	\$183,971.00	\$198,971.00
	State Licensed Pharmacist	Licensed by the state as a Pharmacist to fill, dispense, and write (where allowed by law) prescriptions for customers. Counsels Customers within the legal bounds of authorization. Orders and stocks drugs, supplies, and over-the-counter merchandise. Updates patient records and inventory, processes invoices, and makes accounting entries using computerized system.	\$75.21/hr	\$156,436.80	\$156,436.80
	Pharmacy Certified Technician	Assists Pharmacist to fill, dispense prescriptions for customers. Assists customers at counter, relieves prescriptions, rings up customers. Orders and stocks drugs, supplies, and over-the-counter merchandise. Updates patient records and inventory, processes invoices, and makes accounting entries using computerized system.	\$20.50/hr- \$30.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$42,640.00	\$293,344.00
	Receiving RTV				
	Receiving Manager	*** See Senior/Staff Manager position Above			
	Receiving Clerk	Counts and signs for delivered merchandise, verifying to freight bill and purchase order. Inspects condition of goods for quality. Keys received goods to computer. Answers phone, works with vendors and buyers on phone.	\$18.50/hr- \$28.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$38,480.00	\$69,176.00
	RTV Clerk	Checks damaged, deleted, and defective goods to Return-to-Vendor inventory in the computer. Obtains vendor return authorization for items and ships out or places on pallets to send back to Depot on trucks.	\$18.50/hr- \$28.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$38,480.00	\$69,176.00
	Service Deli				
	Service Deli Manager	Addresses personnel issues and oversees tasks performed by supervisors and employees. Responsible to understand, teach, and maintain our culture, core values and ethics. Controls inventory and full P&L responsibility for the operation of the department. Must maintain current Food Safety Certification.	Salary Range of \$81,000-\$88,000 with continued annual increases. Annual bonus payment of \$3000 based on hours worked in position.	\$81,000.00	\$91,000.00
	Service Deli Clerk	Prepares, packages, and labels meals, entrees, salads, party trays, rotisserie chicken, and ribs. Follows Costco standards for food preparation and sanitation. Must maintain current Food Safety Certification.	\$18.50/hr- \$28.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$384,800.00	\$691,760.00
	Tire Shop				
	Tire Shop Manager/Not included in Core Operations above	Full P&L responsibilities and personal responsibilities. Oversees employees, coordinates activities and upholds standards of the department. Performs Safety checks on vehicles, and verifies installations. Balances, installs, and rotates tires. Stocks tires and batteries, and repairs tires. Answers questions, makes recommendations, and assists members with purchasing/returning tires and batteries. Performs computer duties for the register system controller.	Salary Range \$72,000-\$80,000 with continued annual increases. Annual Bonus of \$3000 prorated based on hours worked in position.	\$72,000.00	\$83,000.00
	Tire Shop Supervisor	Oversees employees, coordinates activities and upholds standards of the department. Performs Safety checks on vehicles, and verifies installations. Balances, installs, and rotates tires. Stocks tires and batteries, and repairs tires. Answers questions, makes recommendations, and assists members with purchasing/returning tires and batteries. Performs computer duties for the register system controller.	\$20.00/hr- \$29.95/hr, Hourly rate based on \$1.50 over the hours step earned or \$1.50 over the highest paid person they supervise, whichever is higher. Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$166,400.00	\$144,592.00
	Tire Installer	Balances, installs, and rotates tires. Stocks tires and batteries, and repairs tires. Answers questions, makes recommendations, and assists members with purchasing/returning tires and batteries.	\$18.50/hr- \$28.45/hr, Employees at the top of scale after attaining 12,400 hours of employment and based on years of continuous employment receive two extra checks per year of \$2500-\$5000, total annual amount of \$5000-\$10,000	\$115,440.00	\$207,528.00
				\$46,607.48	\$74,186.99

					Estimated salary and fringe benefits low average	Estimated salary and fringe benefits high average
				Professional or Managerial	\$70,104.58	\$88,343.14
				Skilled	\$46,657.26	\$80,857.81
				Semi-Skilled	\$38,480.00	\$69,176.00
				Un-Skilled	\$37,040.00	\$65,708.00



Mailing Address:
 PO Box 3547
 Saratoga Springs, NY 12866
 Phone: 518.899.2608
 Fax: 512.777.5045

Regional Offices:
 Boston, MA
 Richmond, VA
 Portland, ME
 Brattleboro, VT

MEMORANDUM

To: Crossgates ReleaseCo, LLC
 From: Rachel Selsky and Jessica Tagliafierro, Camoin Associates
 Date: 8/11/2022
 Re: **Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)**

Summary of Benefits

Crossgates ReleaseCo, LLC (the Developer) is proposing a project at the intersection of Crossgates Mall Road and Western Avenue that will provide +/- 160,000 square feet of retail including a Costco and fueling stations on a currently vacant and underutilized +/- 16-acre site and will result in infrastructure upgrades and connectivity improvements for the Town of Guilderland (the Project). Camoin Associates was engaged by the Developer to provide a third-party evaluation of the project benefits.

Expected Annual Fiscal Benefit of Project

	Benefits Within Guilderland	Indirect Benefits (School/County/State)	Total
Estimated Net New Real Property Taxes	\$19,630	\$122,077	\$141,707
Estimated Total Direct Project Payroll (assumes 50% residing in Town)	\$4,741,429	\$4,741,429	\$9,482,858
Estimated Total Indirect Project Payroll (assumes 50% residing in Town)	\$600,059	\$600,059	\$1,200,118
Estimated NYS Income Tax at 4%		\$427,319	\$427,319
Estimated Sales Tax Revenue from on-site sales and employee earnings	\$166,114	\$3,078,306	\$3,244,420
Total	\$5,527,232	\$8,969,190	\$14,496,422

Source: Developer, Camoin Associates

Note: Property tax revenue based on the SEQR Findings Statement for the Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects.

Our evaluation finds that upon opening, the estimated total annual financial benefit, including net new property taxes, permanent payroll, income taxes, and net new sales taxes will be nearly \$14.5 million. The calculation of impacts is discussed in further detail in later sections of this memo.

Visitation and Spending Benefits

The Project will fill a market demand for one-stop retail within the Town of Guilderland and contribute to the overall vibrancy of the Crossgates Mall area. Given the ongoing transformation of the retail industry, diversifying product offerings around Crossgates Mall is critical to its success. Although e-commerce has redefined the public's expectations of how and where they can purchase everyday goods, the demand for retail as an amenity that contributes to the development and competitiveness of other markets is strong. The integration of Costco into the Crossgates Mall area will be a new offering for the Town that helps support the viability of the mall and other businesses in the surrounding community.

www.camoinassociates.com

Memorandum

8/11/2022

Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)

Page 2 of 7

Costco is known to carry quality, brand-name merchandise at lower prices than are typically found at conventional wholesale or retail sources. Costco warehouses present one of the largest product category selections to be found under a single roof. Categories include groceries, candy, appliances, electronics, automotive supplies, tires, toys, hardware, sporting goods, jewelry, watches, cameras, books, housewares, apparel, health and beauty aids, furniture, office supplies, and office equipment. Although Costco is known for carrying top quality national and regional brands, members can also shop Costco's private label, Kirkland Signature. The brand's major competitors include BJ's, Sam's Club, and Restaurant Depot.

There is not currently a Costco in the Town of Guilderland, Albany County, or in the economic development region. Brand-loyal customers who would typically shop at Costco in other municipalities that are geographically distant from the site due to a lack of Costco in the Town of Guilderland and Albany County are likely to shop at the Project. Revenues from these customers would be net new to the Town as these goods and services are not currently reasonably accessible to the residents of the Town of Guilderland.

The nearest Costco location is over an hour and a half east of the site in West Springfield, MA. In the other directions, the nearest Costco locations are further away. To the north, there is a Costco located in Colchester, VT, which is 153 miles from the site. 108 miles to the South there is a Costco in Nanuet, NY and 147 miles to the west there is a Costco in Camillus, NY. Given the lack of Costco locations in and around Guilderland, it is likely that the proposed Costco will capture the market of Costco brand-loyal customers that exist between the site and halfway between these other locations.

The Project could potentially also attract customers who would typically shop at similar mass merchandisers outside of the market area or who would choose to shop at Costco over other smaller chains if there was one available. Revenue from these shoppers would be considered net new to the Town. Costco's low prices and good values have helped it to amass a customer base that will, at times, travel up to an hour to shop at its locations rather than at retailers closer to home. There are four similar retailers within a 30-minute drive of the site, however none of these retailers are within the Town of Guilderland. Shoppers with a preference towards Costco might shift their purchasing from the other mass merchandise stores or other retailers to the new Costco. The existing comparable retailers include:

- ◆ Sam's Club (Latham, Albany County)
- ◆ BJ's Wholesale Club (Albany, Albany County)
- ◆ Restaurant Depot (Albany, Albany County)
- ◆ BJ's Wholesale Club (Schenectady, Schenectady County)

Based on the foregoing, we believe that the Project is likely to attract a significant number of visitors from outside the economic development region.

Transportation and Infrastructure Benefits

In addition to visitor attraction, the Project will contribute to increased connectivity in and around Crossgates Mall. The Project includes plans for pedestrian and bicycle connectivity from Costco to the mall and other proposed residential and retail developments on neighboring sites, all of which will be funded by

www.camoinassociates.com

Memorandum

8/11/2022

Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)

Page 3 of 7

the Developer, Costco, and other private developers. A Complete Streets approach will be used to enable usage and support mobility for all users, through development of amenities such as sidewalks, crosswalks, pedestrian control signals, bicycle lanes, and dedicated bus lanes, among others. Both Rapp Road and Crossgates Mall Road will receive "Road Diets." This aligns with goals from the Town of Guilderland's Comprehensive Plan and Transit Oriented Development District (2018) which includes goals of increasing connections to shopping opportunities by providing sidewalks and/or trails, and improving the pedestrian environment.

Furthermore, a new roundabout at Crossgates Mall Road and Fuller Road Alternate (I-87/I-90 ramps) will be constructed and operational prior to the opening of Costco to customers. The roundabout has been part of the Capital District Transit Authority's (CDTA) plan for several years, and will be funded by CDTA through grant funds with the Developer covering the remaining gaps in funding. The roundabout will be designed to accommodate vehicles of all sizes and to increase traffic capacity while slowing and directing traffic. Construction of the roundabout in partnership with the Costco project and the Developer makes this long desired traffic improvement financially feasible. Improving traffic access to Crossgates Mall also satisfies recommendations made in the town's Comprehensive Plan.

The increased connectivity supported by the Project, through pedestrian walkways and the construction of the roundabout, will help support the entire Crossgates Mall area as a place that Guilderland residents can easily access and want to spend their time.

Role of Camoin Associates and Scope of Engagement

Camoin Associates has been engaged as an objective third party to evaluate quantitative and qualitative benefits to the Town of Guilderland that are expected as a result of the redevelopment of a vacant 16-acre site the intersection of Crossgates Mall Road and Western Avenue as a +/- 160,000 square foot Costco with fueling stations (the Project). Services include the provision of an objective, third-party analysis that will assist the Town of Guilderland Industrial Development Agency (the IDA) with its of the Project's future application for financial assistance from the IDA.

In preparing this memo and previous reports, Camoin Associates has relied upon information provided by the Developer, including project description, costs, and workforce. Information was gathered during the preparation of an economic and fiscal impact of the Project in 2019 and has been supplemented by additional materials including the Project's 2020 SEQR Findings Statement, and additional information received in 2022.

Project Description

The Project includes the construction of a +/- 160,000 square foot Costco and fueling stations, with connectivity improvements to Crossgates Mall and other neighboring sites. The location of the Project at the intersection of Crossgates Mall Road and Western Avenue in Guilderland will provide residents of the Town access to goods and services that are not currently available in the Town along with supporting the future vitality of Crossgates Mall and the surrounding area. The Project is complementary to the mall and proposed residential and retail developments on neighboring parcels, all of which will help the area adapt

www.camoinassociates.com

Memorandum
 8/11/2022
 Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)
 Page 4 of 7

to a changing retail landscape and new consumer preferences for how and where goods and services are consumed. The Economic and Fiscal Impact analysis completed by Camoin Associates in October 2019 identified strong demand for a store such as Costco in Guilderland and the surrounding region. This report determined that the Project, as designed, would offer residents access to goods that are not currently available in Guilderland and would attract consumers from outside of the town. Camoin Associates reviewed the assumptions used in the 2019 report and determined that they are still reasonable.

Economic Impact Analysis

Using the assumptions generated in the 2019 report along with updated jobs and sales information provided by the Developer, Camoin Associates updated the previously calculated economic impact analysis.

As discussed in the 2019 report, assigning a specific figure to the proportion of "net new" activity is imprecise in this case, but using the market information summarized in the above *Visitation and Spending Benefits* section and our professional judgment, we estimate that 50% of sales at Costco will be net new to Albany County and 75% of sales will be net new to the Town.

According to the Developer, \$188,208,906 in annual, stabilized sales are projected at the new Costco. Based on the net new assumptions, this means that there will be over \$94.1 million in net new sales in Albany County and nearly \$141.2 million in net new sales in the Town of Guilderland. Based on comparable facilities in the Northeast there will be approximately 202 employees on site upon stabilization. Using the same net new assumptions, this means that 101 employees will be considered net new to Albany County and 152 will be considered to be net new to the Town of Guilderland.

Net New Sales

	Albany County	Town of Guilderland
Annual Sales	\$188,208,906	\$188,208,906
% Net New	50%	75%
Net New Sales	\$94,104,453	\$141,156,679

Net New Jobs

	Albany County	Town of Guilderland
New Jobs	202	202
% Net New	50%	75%
Net New Jobs	101	152

Source: Developer, Costco, Camoin Associates

www.camoinassociates.com

Memorandum

8/11/2022

Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)

Page 5 of 7

The table below shows the impact that the new jobs and sales would have on the Town of Guilderland in terms of the direct, indirect, and total impact on employment and wages. The total impact is expected to be 168 jobs, nearly \$10.7 million in earnings, and over \$169.6 million in sales, annually.

Annual Economic Impact of Costco on the Town of Guilderland

	Direct	Indirect	Total
Jobs	152	16	168
Earnings	\$9,482,858	\$1,200,117	\$10,682,976
Sales	\$141,156,679	\$28,451,839	\$169,608,518

Source: Lightcast (formerly Emsi), Camoin Associates

Fiscal Benefit Analysis

In addition to the economic impacts, a positive impact on municipal revenues in the form of new property and sales tax revenue will occur as a result of the Project. According to the Developer, the site is currently vacant and underutilized, generating \$16,645 in property taxes for the Town. The Town will benefit from an additional estimated \$19,630 in property taxes, annually, following completion of the Project.

New sales tax revenue will be generated in two ways: from on-site sales and from employee earnings. As discussed previously, over \$188.0 million in annual, stabilized sales are projected at the new Costco. As detailed in the *Economic Impact Analysis* section, 50% of these sales will be considered to be net new to Albany County and wouldn't be expected to happen without the project. Therefore, the \$94.1 million in net new sales will result in new sales tax revenue to Albany County and the Town of Guilderland. Tax revenue collected by New York State based on this new Albany County spending was also calculated. Sales tax revenue generated for the state is included for illustrative purposes only.

It is assumed that the vast majority of goods sold on-site will be taxable, while a small amount of goods will not be taxable. According to the developer, 85% is a conservative assumption of the portion of sales that will be taxable. Using these assumptions, the county will collect nearly \$3.2 million in net new sales tax revenue. The Town of Guilderland is estimated to receive \$163,817 of the sales tax revenue collected by Albany County.¹

¹ According to the NYS Comptroller's Office Division of Local Government and School Accountability, Albany County keeps 60% of sales tax revenue and distributes 40% of sales tax revenue to the cities and towns on the basis of population. Based on population, approximately 12% of the 40% that is distributed to the cities and towns will be distributed to the Town of Guilderland.

Memorandum

8/11/2022

Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)

Page 6 of 7

Annual Sales Tax Revenue - On-Site Sales

Total Net New Sales	\$94,104,453
Amount Taxable (85%)	\$79,988,785
Total Sales Tax Rate	8.00%
Total NYS Sales Tax Associated with Costco (4.00%)	\$3,199,551
Total New County Sales Tax Generated (4.00%)	\$3,199,551
Amount Distributed to Town	\$163,817

Source: Camoin Associates, NYS Comptroller

Note: Sales tax revenue collected by the state and associated with this project is calculated for illustrative purposes only.

The new earnings generated by the on-site jobs that will occur as a result of the new Costco would lead to additional annual sales tax revenue for the taxing jurisdictions. To avoid double counting sales tax that is already accounted for in the on-site sales, spending that would occur on-site are deducted from total earnings. Based on the mix of retail goods offered by Costco, and an analysis of spending baskets of typical U.S. households, 40% of household spending would occur on-site. Therefore, 60% of total new earnings will not be spent on-site and therefore represent additional new tax revenue. Of these earnings, it is assumed that 70% will be spent in the County, 90% in New York State, and that 25% of these purchases will be taxable. Under these assumptions, the County would collect \$44,868, with \$2,297 of that being distributed to the Town. Again, sales tax revenue generated for the state is included for illustrative purposes only.

Annual Sales Tax Revenue - On-Site Jobs

Total New Earnings	\$10,682,976
Earnings Not Spent On-Site (60%)	\$6,409,785
Amount Taxable (25%)	\$1,602,446
Amount Spent in County (70%)	\$1,121,712
Total New County Sales Tax Generated (4.00%)	\$44,868
Amount Distributed to Town	\$2,297
Amount Spent in State (90%)	\$1,442,202
Total NYS Sales Tax Associated with Costco (4.00%)	\$57,688

Source: Camoin Associates, NYS Comptroller

Note: Sales tax revenue collected by the state and associated with this project is calculated for illustrative purposes only.

In total, the Town of Guilderland will benefit from an estimated \$166,114 in new annual sales tax revenue. Albany County and will collect an estimated nearly \$3.1 million in new sales tax revenue, annually, as a result of the project.

Total Annual Sales Tax Revenue

	Town of	
	Guilderland	Albany County
On-Site Sales	\$163,817	\$3,035,734
On-Site Employee Earnings	\$2,297	\$42,571
New Tax Revenue	\$166,114	\$3,078,306

Source: Camoin Associates, NYS Comptroller

www.camoinassociates.com

Memorandum

8/11/2022

Project Benefits Development of Costco at Crossgates Site (Western Avenue/Rapp Road Crossgates Mall Road and Gabrielle Terrace)

Page 7 of 7

Transportation and Infrastructure Impact

Beyond the economic and fiscal benefits of the Project, the development of pedestrian walkways and multi-use paths around the site, as well as a new roundabout for vehicular traffic, will improve connectivity to the mall and neighboring sites that are also in the process of being developed. Today, the Project site is vacant and the Crossgates Mall area is not easily accessible, except by vehicle. The improved connectivity will be transformative, helping to create a vibrant, mixed-use center that serves a variety of needs for Town residents and creates a destination for new visitors from within and beyond the economic development region.

www.camoinassociates.com

Economic and Fiscal Impact

Crossgates Rapp Road
Development

OCTOBER 2019

PREPARED BY:



120 West Avenue, Suite 303
Saratoga Springs, NY 12866
518.899.2608
www.camoinassociates.com

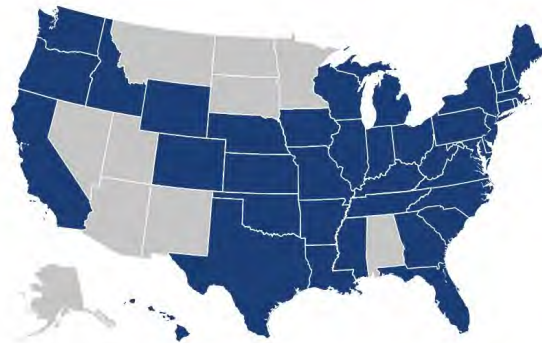
CAMOIN 310

ABOUT CAMOIN ASSOCIATES

Camoin Associates has provided economic development consulting services to municipalities, economic development agencies, and private enterprises since 1999. Through the services offered, Camoin Associates has had the opportunity to serve EDOs and local and state governments from Maine to California; corporations and organizations that include Lowes Home Improvement, FedEx, Amazon, Volvo (Nova Bus) and the New York Islanders; as well as private developers proposing projects in excess of \$6 billion. Our reputation for detailed, place-specific, and accurate analysis has led to projects in 40 states and garnered attention from national media outlets including Marketplace (NPR), Forbes magazine, The New York Times and The Wall Street Journal. Additionally, our marketing strategies have helped our clients gain both national and local media coverage for their projects in order to build public support and leverage additional funding. We are based in Saratoga Springs, NY, with regional offices in Portland, ME; Boston, MA; Richmond, VA and Brattleboro, VT. To learn more about our experience and projects in all of our service lines, please visit our website at www.camoinassociates.com. You can also find us on Twitter @camoinassociate and on Facebook.

THE PROJECT TEAM

- Dan Gundersen
Senior Vice President, Project Principal
- Rachel Selsky
Vice President, Project Manager
- Jessica Ulbricht
Analyst, Project Staff



CAMOIN 310

CONTENTS

Executive Summary 1

Site 1 Impact Analysis..... 8

Site 2 Impact Analysis..... 17

Site 3 Impact Analysis..... 24

Attachment A: What is Economic Impact Analysis?..... 31



This page intentionally left blank.

CAMOIN 310

EXECUTIVE SUMMARY

Rapp Road Development, LLC (the "Client," or the "Developer") is proposing three major mixed-use developments (the "Projects") on three sites that they own in the Town of Guilderland (the "Town") in the vicinity of Crossgates Mall. As part of the State Environmental Quality Review (SEQR) process, this study evaluates the scope of potential fiscal impacts to the Town as a result of the three separate proposed projects. The Developer also seeks to demonstrate the positive benefit of the Projects on the Town in terms of new economic activity and job creation. The first of the three sites (Site 1) includes 222 new mid- to high- end one and two-bedroom apartment units complete with a fitness center, community space, pool, and covered parking. Site 2 is comprised of approximately 160,000 square feet of retail including a Costco and fueling stations, and Site 3 will include a mix of retail space, office space, and 48 1- and 2- bedroom apartments. Collectively, we will refer to the three development sites as "the Sites".¹

This Study analyzes the impact that the Project at each of the three sites would have on the Town of Guilderland and Albany County (the "County") economies, net of any economic activity that would occur even if the Projects were not completed. In other words, we seek to capture the amount of economic activity that will be "net new" to the Town and the County as a result of the Projects, after accounting for the proportion of economic activity that draws on demand already being satisfied within the region.

The following is a summary of our findings from this study, with details below. Given the ongoing transformation of the retail industry, Camoin 310 found that diversifying product offerings around Crossgates Mall is critical to its success. Although e-commerce has redefined the public's expectations of how and where they can purchase everyday goods, the demand for retail as an amenity that contributes to the development and competitiveness of other markets is strong. Retail succeeds when it is thoughtfully integrated into communities and positioned as a "lifestyle center" that combines malls and shopping centers with residential, office, and other uses. Creating this type of environment is the new normal for malls, and necessary for them to remain viable.

There will be positive fiscal impacts that result from these developments for the County and the Town in the form of new property and sales tax revenue. Given the high level of investment into the development of these three sites, we anticipate that the taxable assessed value upon completion will be significantly higher than it currently is. In addition to property tax, the Projects will generate new sales tax. As part of this study, Camoin 310 modeled the estimated sales tax impacts of the development of each of the sites. These, too, represent a positive impact for Albany County and the Town of Guilderland. The total annual sales tax impacts of each site are summarized in Table 1.²

¹ Camoin 310 analyzed the current housing stock of the Town of Guilderland and Albany County using data from the 2013-2017 American Community Survey. Based on the extremely unique nature of this development and a lack of any similar developments in the areas, most of these units will be net new. Camoin 310 determined that 95% of the residential units will be net new, to account for a percentage of in-migration of existing Town and County residents. More details can be found on pages 11 and 12 of this analysis.

² According to the NYS Comptroller's Office Division of Local Government and School Accountability, Albany County keeps 60% of sales tax revenue and distributes 40% of sales tax revenue to the cities and towns on the basis of population. The "Amount Kept by County" and the "Amount Distributed to Town" are calculated to reflect this. Based on population, approximately 12% of the 40% that is distributed to the cities and towns will be distributed to the Town of Guilderland. This methodology is used throughout the entire report in all sales tax calculations.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 1

Total Annual Sales Tax Impact		
	Albany County	Town of Guilderland
Site 1	\$ 55,255	\$ 4,420
Household Spending	\$ 53,217	\$ 4,257
On-Site Employee Earnings	\$ 2,037	\$ 163
Site 2	\$ 1,845,892	\$ 157,516
On-Site Sales	\$ 1,836,000	\$ 156,672
On-Site Employee Earnings	\$ 9,892	\$ 844
Site 3	\$ 119,905	\$ 9,592
Household Spending	\$ 11,602	\$ 928
On-Site Sales	\$ 93,150	\$ 7,452
On-Site Employee Earnings	\$ 15,153	\$ 1,212

Source: Camoin 310

In addition to the fiscal impacts of the Project, there will be positive economic impacts that result as well. Table 2 summarizes the total annual economic impact, including both the direct and indirect impacts, on Albany County and the Town of Guilderland, of each of the three sites. Indirect effects are the result of new employees and households receiving and spending their wages in the economy. A more detailed summary of the impacts at each of the three sites follows.

Table 2

Total* Economic Impact Summary						
	Albany County			Town of Guilderland		
	Jobs	Earnings	Sales	Jobs	Earnings	Sales
Site 1	76	\$ 3,010,294	\$ 9,149,648	46	\$ 1,678,412	\$ 5,077,611
Site 2	142	\$ 3,925,207	\$ 114,429,795	187	\$ 5,140,925	\$ 133,312,798
Site 3	119	\$ 6,363,509	\$ 14,664,943	144	\$ 10,313,308	\$ 19,111,696

Source: EMSI, Camoin 310

*Includes direct and indirect impacts



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

SITE 1

The economic and fiscal impacts of Site 1 are outlined below. Site 1 is expected to begin construction in spring 2020 and will be completed within 24 months. This phase includes the development of 222 mid- to high- end apartment buildings, with related amenities.

Annual Fiscal Impact

Upon project completion and occupation, Site 1 will have the following ongoing annual economic impacts:

- ◆ Significant contribution of new property tax revenue to Albany County and the Town of Guilderland.
- ◆ New sales tax revenue resulting from household spending and on-site employee earnings of \$55,255 to Albany County.
- ◆ New sales tax revenue resulting from household spending and on-site employee earnings of \$4,420 to the Town of Guilderland.

Table 3

Total Annual Sales Tax Revenue - Site 1		
	Albany County	Town of Guilderland
Household Spending	\$ 53,217	\$ 4,257
On-Site Employee Earnings	\$ 2,037	\$ 163
New Tax Revenue	\$ 55,255	\$ 4,420

Source: Camoin 310, NYS Comptroller

Annual Economic Impact

Upon Project completion and occupation, Site 1 will have the following ongoing annual economic impacts:

- ◆ 76 new jobs along with an associated over \$3.0 million in new wages and over \$9.1 million in new sales in Albany County.
- ◆ Of these, 46 new jobs, nearly \$1.7 million in new wages and nearly \$5.1 million in new sales will be in the Town of Guilderland.

Table 4

Total Economic Impact - Site 1			
Albany County			
	Direct	Indirect	Total
Jobs	58	18	76
Earnings	\$ 2,027,101	\$ 983,194	\$ 3,010,294
Sales	\$ 6,331,368	\$ 2,818,280	\$ 9,149,648
Town of Guilderland			
	Direct	Indirect	Total
Jobs	46	1	46
Earnings	\$ 1,606,007	\$ 72,405	\$ 1,678,412
Sales	\$ 4,034,758	\$ 242,853	\$ 5,077,611

Source: EMSI, Camoin 310



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Construction Impact³

The construction phase of Site 1 will result in the following one-time benefits:

- ◆ 489 new jobs along with an associated nearly \$19.5 million in new wages and over \$50.9 million in new sales in Albany County.
- ◆ 159 new jobs along with an associated over \$10.6 million in new wages and nearly \$25.5 million in new sales in the Town of Guilderland.

Table 5

Economic Impact - Construction Phase - Site 1			
Albany County			
	Direct	Indirect	Total
Jobs	410	79	489
Earnings	\$ 14,952,679	\$ 4,535,731	\$ 19,488,410
Sales	\$ 37,620,000	\$ 13,297,273	\$ 50,917,273
Town of Guilderland			
	Direct	Indirect	Total
Jobs	156	3	159
Earnings	\$ 10,480,247	\$ 134,035	\$ 10,614,283
Sales	\$ 25,080,000	\$ 379,787	\$ 25,459,787

Source: EMSI, Camoin 310

³ A retail leakage analysis of Albany County and the Town of Guilderland suggests that a vast majority of the goods and services that will be purchased for the construction period are available within the County and a large amount are available within the town, but there will still be some outside spending through purchases made in other municipalities. Based on third party proprietary retail spending data, 90% is a reasonable assumption for the amount of in-county construction spending and 60% for the amount of in-town spending. The construction spending assumptions are used throughout the analysis of all Project Sites. Source: Esri



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

SITE 2

Annual Fiscal Impact

Upon project completion and occupation, Site 2 will have the following ongoing annual fiscal impacts:

- ◆ Significant contribution of new property tax revenue to Albany County and the Town of Guilderland.
- ◆ New sales tax revenue resulting from on-site sales and employee earnings of \$1,845,892 to Albany County.
- ◆ New sales tax revenue resulting from on-site sales and employee earnings of \$157,516 to the Town of Guilderland.

Table 6

Total Annual Sales Tax Revenue - Site 2		
	Albany County	Town of Guilderland
On-Site Sales	\$ 1,836,000	\$ 156,672
On-Site Employee Earnings	\$ 9,892	\$ 844
New Tax Revenue	\$ 1,845,892	\$ 157,516

Source: Camoin 310, NYS Comptroller

Annual Economic Impact

Upon Project completion and occupation, Site 2 will have the following ongoing annual economic impacts:

- ◆ 142 new jobs along with an associated over \$3.9 million in new wages and over \$114.4 million in new sales in Albany County.
- ◆ 187 new jobs along with an associated over \$5.1 million in new wages and over \$133.3 million in new sales in the Town of Guilderland.

Table 7

Total Economic Impact - Site 2				
Albany County				
	Direct	Indirect	Total	
Jobs	123	19	142	
Earnings	\$ 2,086,457	\$ 1,036,750	\$ 3,925,207	
Sales	\$ 85,000,000	\$ 29,429,795	\$ 114,429,795	
Town of Guilderland				
	Direct	Indirect	Total	
Jobs	184	3	187	
Earnings	\$ 4,972,887	\$ 168,038	\$ 5,140,925	
Sales	\$ 127,500,000	\$ 6,612,798	\$ 133,312,798	

Source: EMSI, Camoin 310

Construction Impact

The construction of Site 2 will result in the following one-time benefits:

- ◆ 181 new jobs along with an associated nearly \$13.2 million in new wages and over \$34.6 million in new sales in Albany County.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

- ◆ 75 new jobs along with an associated over \$7.2 million in new wages and nearly \$17.3 million in new sales in the Town of Guilderland.

Table 8

Economic Impact - Construction Phase - Site 2			
Albany County			
	Direct	Indirect	Total
Jobs	127	54	181
Earnings	\$10,077,839	\$3,094,141	\$13,171,980
Sales	\$25,560,000	\$9,068,457	\$34,628,457
Town of Guilderland			
	Direct	Indirect	Total
Jobs	74	1	75
Earnings	\$ 7,120,551	\$ 91,855	\$ 7,212,406
Sales	\$17,040,000	\$ 259,546	\$17,299,546

Source: EMSI, Camoin 310

SITE 3

Annual Fiscal Impact

Upon Project completion and occupation, Site 3 will have the following ongoing annual fiscal impacts:

- ◆ Significant contribution of new property tax revenue to Albany County and the Town of Guilderland.
- ◆ New sales tax revenue resulting from household spending, on-site sales and on-site employee earnings of \$119,905 to Albany County.
- ◆ New sales tax revenue resulting from household spending, on-site sales and on-site employee earnings of \$9,592 to the Town of Guilderland.

Table 9

Total Annual Sales Tax Revenue - Site 3		
	Albany County	Town of Guilderland
Household Spending	\$ 11,602	\$ 928
On-Site Sales	\$ 93,150	\$ 7,452
On-Site Employee Earnings	\$ 15,153	\$ 1,212
New Tax Revenue	\$ 119,905	\$ 9,592

Source: Camoin 310, NYS Comptroller



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Annual Economic Impact

Upon Project completion and occupation, Site 3 will have the following ongoing annual economic impacts:

- ◆ 119 new jobs along with an associated nearly \$6.6 million in new wages and nearly \$14.7 million in new sales in Albany County.
- ◆ 144 new jobs, over \$10.3 million in new wages and over \$19.1 million in new sales in the Town of Guilderland.

Table 10

Total Economic Impact - Site 3 Albany County				
	Direct	Indirect	Total	
Jobs	92	27	119	
Earnings	\$ 5,014,579	\$ 1,540,931	\$ 6,563,509	
Sales	\$ 10,386,461	\$ 4,278,482	\$ 14,664,943	
Town of Guilderland				
	Direct	Indirect	Total	
Jobs	140	4	144	
Earnings	\$ 10,022,919	\$ 290,389	\$ 10,313,308	
Sales	\$ 18,253,022	\$ 858,674	\$ 19,111,696	

Source: EMSI, Camoin 310

Construction Impact

The construction of Site 3 will result in the following one-time benefits:

- ◆ 509 new jobs along with an associated nearly \$20.3 million in new wages and nearly \$53.0 million in new sales in Albany County.
- ◆ 165 new jobs along with an associated over \$11.0 million in new wages and nearly \$26.5 million in new sales in the Town of Guilderland.

Table 11

Economic Impact - Construction Phase - Site 3 Albany County			
	Direct	Indirect	Total
Jobs	426	83	509
Earnings	\$15,560,802	\$ 4,720,199	\$20,281,001
Sales	\$39,150,000	\$13,838,071	\$52,988,071
Town of Guilderland			
	Direct	Indirect	Total
Jobs	162	3	165
Earnings	\$10,906,477	\$ 139,467	\$11,045,964
Sales	\$26,100,000	\$ 395,232	\$26,495,232

Source: EMSI, Camoin 310



CAMOIN 310

SITE 1 IMPACT ANALYSIS

Site 1, which is to be developed into a mid- to high- end multifamily apartment complex is expected to commence in spring 2020 will involve the construction of 222 residential units. Site 1 is expected to be completed 24 months after the project commences.

Fiscal Impact

SALES TAX REVENUE

NEW HOUSEHOLD SPENDING

Albany County and the Town of Guilderland will receive sales tax revenue from the purchases made by the new households at Site 1. Based on in-County and in-Town spending by new households, Albany County would receive approximately \$53,217 and the Town of Guilderland would receive approximately \$4,257 in new sales tax revenue, annually, following the completion of Site 1.

Table 12

Annual Sales Tax Revenue Household Spending - Site 1	
Total New Spending	\$ 7,391,301
Amount Taxable (30%)	\$ 2,217,390
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 88,696
Amount Kept by County	\$ 53,217
Amount Distributed to Town	\$ 4,257

Source: Camoin 310, NYS Comptroller

Note that the household spending figure has already been adjusted to account for 70% of total spending occurring within the County and 50% of total spending occurring within the Town (see table titled "Tenant Spending Baskets" in the Economic Impact section). Also note that a higher value for "Amount Taxable" as compared to the following table (30% rather than 25%) was used since certain non-taxable items (related to housing expenses) have been removed from the total spending line, thus increasing the remaining portion taxable.

EMPLOYEE EARNINGS

The new earnings generated by on-site jobs that will occur as a result of building occupation at the Project would lead to additional annual sales tax revenue for the County and the Town. It is assumed that 70% of the earnings would be spent within Albany County and 50% would be spent within the Town of Guilderland⁴. It is also assumed that 25% of those purchases will be taxable.

⁴ Based on an analysis of available goods and services within the geographies (source: ESRI). These assumptions are used throughout the analysis for all sales tax calculations.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 13

Annual Sales Tax Revenue On-Site Jobs - Site 1	
Total New Earnings	\$ 485,066
Percent Spent in County	70%
Amount Spent in County	\$ 339,546
Amount Taxable (25%)	\$ 84,887
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 3,395
Amount Kept by County	\$ 2,037
Amount Distributed to Town	\$ 163

Source: Camoin 310, NYS Comptroller

Under these assumptions, the County and the Town would receive approximately \$2,037 and \$163, respectively, each year in new tax revenue as a result of on-site jobs at Site 1.

TOTAL ANNUAL SALES TAX REVENUE

In total, we estimate that the County would receive \$55,255 and the Town would receive \$4,420 in annual sales tax related to Site 1 of the Project.

Table 14

	Total Annual Sales Tax Revenue - Site 1	
	Albany County	Town of Guilderland
Household Spending	\$ 53,217	\$ 4,257
On-Site Employee Earnings	\$ 2,037	\$ 163
New Tax Revenue	\$ 55,255	\$ 4,420

Source: Camoin 310, NYS Comptroller



CAMOIN 310

Economic Impact

CONSTRUCTION PHASE IMPACTS

The Developer estimates that construction costs of Site 1 will be approximately \$41.8 million. All of this cost represents private sector investment generated by the Project. Based on a market analysis of available goods and services in Albany County and the Town of Guilderland, Camoin 310 assumes that 90% of the construction spending would be sourced from within the County and 60% will be sourced from within the Town. Using these assumptions, we can project that there will be over \$37.6 million in net new spending in the County and over \$25.0 million in net new spending in the Town associated with the construction phase of Site 1.

Table 15

Construction Phase Spending - Site 1		
Total Construction Cost	\$	41,800,000
Percent Sourced from County		90%
Net New County Spending	\$	37,620,000
Percent Sourced from Town		60%
Net New Town Spending	\$	25,080,000

Source: Applicant, Camoin 310

Based on \$37,620,000 of net new spending in the County and \$25,080,000 of net new spending in the Town, Camoin 310 determines that there would be a total of over \$50.9 million in one-time construction related spending supporting 489 jobs and nearly \$19.5 million in earnings in the County. Of this, nearly \$25.5 million in one-time construction related spending, 159 jobs, and over \$10.6 million in earnings will be new to the Town of Guilderland.

Table 16

Economic Impact - Construction Phase - Site 1				
Albany County				
	Direct	Indirect	Total	
Jobs	410	79	489	
Earnings	\$ 14,952,679	\$ 4,535,731	\$ 19,488,410	
Sales	\$ 37,620,000	\$ 13,297,273	\$ 50,917,273	
Town of Guilderland				
	Direct	Indirect	Total	
Jobs	156	3	159	
Earnings	\$ 10,480,247	\$ 134,035	\$ 10,614,283	
Sales	\$ 25,080,000	\$ 379,787	\$ 25,459,787	

Source: EMSI, Camoin 310



CAMOIN 310

HOUSEHOLD SPENDING IMPACTS

In order to determine the annual economic impact of Site 1 on the Town of Guilderland and Albany County, the first step is to calculate the number of households that can be considered “net new” to the area’s economy. In other words, the number of households that, but for the Project, would not exist in the town or county. With respect to this Project, net new households consist of (1) those currently residing outside of the town or the county who will choose to move to the area because of the Project, and who would otherwise continue to live elsewhere, (2) current residents who will move into the Project and would leave the area if the Project is not built, and (3) current residents of the town and county who will move into the Project and free up other housing in the town/county which will then be occupied by new residents. This includes people looking for ease of access to entertainment and public transit. The following data informs the analysis related to determining the percent of residents that will be net new to the Town and County.

Currently, the Town of Guilderland’s housing stock is aging. Less than 10% of the Town’s housing stock has been built since 2000, the same is true for Albany County.

Table 17

	Town of Guilderland		Albany County	
	#	%	#	%
2014 or later	81	1%	730	1%
2010-2013	195	1%	1,729	1%
2000-2009	920	6%	7,346	6%
1980-1999	4,926	34%	23,088	18%
1960-1979	4,190	29%	30,546	24%
1940-1959	2,766	19%	25,653	20%
1939 or earlier	1,218	9%	36,284	29%
Total	14,296	100%	125,376	100%

Source: American Community Survey 5-year Estimates, 2013-2017

Additionally, the number of high-end multifamily apartment buildings are limited in both geographies. More than half of the housing stock of both geographies is single family units. Millennials and empty nesters, the target demographics for this development, are attracted to multifamily complexes complete with quality amenities and easy access to retail, restaurants, and other businesses. Apartments in the area are limited and lack the amenities that are demanded by these groups.



CAMOIN 310

Table 18

Housing Units by Units in Structure				
	Town of Guilderland		Albany County	
	#	%	#	%
1, detached	8,753	61%	65,748	52%
1, attached	914	6%	5,060	4%
2 apartments	696	5%	18,540	15%
3 or 4 apartments	702	5%	11,585	9%
5 to 9 apartments	1,400	10%	7,644	6%
10 or more	1,729	12%	15,358	12%
Mobile homes or other	102	1%	1,441	1%
Total	14,296	100%	125,376	100%

Source: American Community Survey 5-year Estimates, 2013-2017

Given the unique mixed-use nature of this development including its access to multi-modal public transportation, walkability, and proximity to retail and entertainment options, the project will likely capture a vast amount of the Town and County's pent-up rental housing demand, attracting new residents to and/or retaining residents within the area. This analysis therefore conservatively assumes that 95% of the 222 new rental units to be constructed at Site 1, or 211 will be net new to both the Town and the County.⁵ This percentage accounts for any potential in-county migration or rehousing that may occur that would not result in a direct new household.

Spending by New Tenants

Site 1 consists of 222 mid-to-high end apartment units, with an even split between one-bedroom and two-bedroom units. As noted above, Camoin 310 considers that 211 units will be occupied by new households.

New residents would make purchases in the Town and the County, thereby adding new dollars to the economy. For this analysis, we researched spending patterns by household income to determine total spending by potential new tenants. Albany County median household income in 2019 is estimated at \$66,211 while the Town of Guilderland median household income is estimated at \$91,679.⁶ Additionally, rent of these units will average \$1,858 per month.⁷ Using the generally accepted principle that housing costs should not exceed 30% of income, potential tenants should have a minimum income of approximately \$74,000. Therefore, we will consider spending of potential tenants to be in the \$70,000 to \$99,999 range.

Using a spending basket for the region which details household spending in individual consumer categories by income level, we analyzed likely tenant spending. According to the Bureau of Labor Statistics 2017 Consumer Expenditure Survey, households with an income between \$70,000 and \$99,999 have annual expenditures (excluding housing and utility costs) of \$35,482. Given the range of goods that are available for purchase in Albany County, it is assumed that 70% of total expenditures would occur within Albany County and, therefore, have an impact on the Albany County economy. A lesser portion of the expenditures, 50%, would occur within the Town of Guilderland. The following table shows that total new County spending will be over \$5.2 million and total new Town spending

⁵ Based on an analysis of the existing housing stock and the extremely unique nature of the new development. Sources: American Community Survey, Developer.

⁶ ESRI

⁷ Developer



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

will be over \$3.7 million. This was calculated by multiplying the amount spent in the county (or town) by all new households.

Table 19

Tenant Spending Basket - Eita 1					
New Units (\$70,000 to \$99,999 Annual Household Income)					
Category	Annual per Unit Spending Basket	Amount Spent in County (70%)	Total Net New County Spending (211 net new units)	Amount Spent in Town (50%)	Total Net New Town Spending (211 net new units)
Food	\$ 8,365	\$ 5,870	\$ 1,238,405	\$ 4,193	\$ 864,676
Household furnishings and equipment	\$ 2,382	\$ 1,663	\$ 348,867	\$ 1,161	\$ 242,791
Apparel and services	\$ 1,981	\$ 1,387	\$ 290,894	\$ 991	\$ 208,936
Transportation	\$ 10,795	\$ 7,567	\$ 1,595,421	\$ 5,093	\$ 1,065,873
Health care	\$ 5,639	\$ 3,947	\$ 832,865	\$ 2,828	\$ 594,915
Entertainment	\$ 3,400	\$ 2,408	\$ 515,928	\$ 1,731	\$ 363,623
Personal care products and services	\$ 856	\$ 595	\$ 125,477	\$ 418	\$ 88,158
Education	\$ 1,145	\$ 791	\$ 166,865	\$ 558	\$ 117,623
Miscellaneous	\$ 303	\$ 212	\$ 44,897	\$ 152	\$ 32,367
Initial Discretionary Spending	\$ 30,462	\$ 21,321	\$ 4,440,861	\$ 17,711	\$ 3,702,351

Source: 2017 Consumer Expenditure Survey, Bureau of Economic Analysis

We use these spending basket amounts to calculate the direct, indirect, and total impact of the Project on the county and on the town. To do this, we attributed the various spending categories to the NAICS codes found in Table 20.

Table 20

Spending Basket Breakdown by NAICS Code		
NAICS Code	Industry	Spending Basket Category
445110	Supermarkets and Other Grocery (except Convenience) Stores	Food
722511	Full-Service Restaurants	Food
442299	All Other Home Furnishings Stores	Household furnishings and equipment
448110	Family Clothing Stores	Apparel and services
441110	New Car Dealers	Transportation
447110	Gasoline Stations with Convenience Stores	Transportation
811111	General Automotive Retailer	Transportation
824114	Direct Health and Medical Insurance Carriers	Health care
822110	General Medical and Surgical Hospitals (Private)	Health care
512131	Motion Picture Theaters	Entertainment
448999	All Other General Merchandise Stores	Entertainment, Personal care products and services, Miscellaneous
445999	All Other General Merchandise Stores	Personal care products and services
445999	All Other General Merchandise Stores	Miscellaneous
611010	Colleges, Universities, and Postsecondary Schools	Education

Source: camoin.com



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Using \$5,240,691 and \$3,743,351 as the new sales inputs, Camoin 310 employed EMSI to determine the indirect and total impact of the Site 1. The following tables outline the findings of this analysis.

Spending from tenant households will result in a total of 66 net new jobs, over \$2.5 million in earnings, and nearly \$7.4 million in sales in Albany County, annually.

Table 21

Albany County			
Annual Economic Impact - Household Spending - Site 1			
	Direct	Indirect	Total
Jobs	53	13	66
Earnings	\$ 1,774,288	\$ 750,940	\$ 2,525,228
Sales	\$ 5,240,691	\$ 2,150,610	\$ 7,391,301

Source: EMSI, Camoin 310

Within the Town of Guilderland, household spending will create 41 new jobs, over \$1.1 million in earnings, and over \$3.9 million in sales, annually.

Table 22

Town of Guilderland			
Annual Economic Impact - Household Spending - Site 1			
	Direct	Indirect	Total
Jobs	40	1	41
Earnings	\$ 1,353,025	\$ 53,142	\$ 1,406,168
Sales	\$ 3,743,354	\$ 179,798	\$ 3,923,152

Source: EMSI, Camoin 310

IMPACTS OF ON-SITE EMPLOYMENT

Additional annual impacts will result from the spending of new full-time employees. The impacts of this on-site employment is calculated below.

Based on the 222 total units to be constructed in this phase and the assumption that there are 41.7 units per employee in multifamily residences of this size⁸, we estimate that there will be 5 on-site jobs once Site 1 of the Project is complete. Since 95% of the housing units are considered to be net new to the Town and the County, all 5 of the on-site jobs would be net new.

Taking into account the additional indirect and induced economic impacts on Albany County from the 5 direct jobs, total employment created by Site 1 of the Project in the County is estimated at 10 jobs and over \$485,000 in annual earnings. Nearly \$1.8 million in total sales would be generated as a result of Site 1's on-site employment.

⁸ National Apartment Association.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 23

Albany County Annual Economic Impact - On-Site Jobs - Site 1			
	Direct	Indirect	Total
Jobs	5	5	10
Earnings	\$ 252,813	\$ 232,253	\$ 485,066
Sales	\$ 1,090,677	\$ 667,670	\$ 1,758,347

Source: EMSI, Camoin 310

In addition to the 5 new jobs, total impacts to the Town of Guilderland will equal over \$272,000 in earnings and over \$1.1 million in sales, annually.

Table 24

Town of Guilderland Annual Economic Impact - On-Site Jobs - Site 1			
	Direct	Indirect	Total
Jobs	5	-	5
Earnings	\$ 252,981	\$ 19,263	\$ 272,244
Sales	\$ 1,091,404	\$ 63,055	\$ 1,154,458

Source: EMSI, Camoin 310

TOTAL ECONOMIC IMPACT – SITE 1

The complete economic impact of both new household spending as well as operation and maintenance of Site 1 is displayed in the tables below.

The total annual economic impact of Site 1 on Albany County will include 76 new jobs with over \$3.0 million in new earnings and over \$9.1 million in new sales.

Table 25

Albany County Annual Economic Impact - Household Spending - Site 1			
	Direct	Indirect	Total
Jobs	53	13	66
Earnings	\$ 1,774,288	\$ 750,940	\$ 2,525,228
Sales	\$ 5,240,691	\$ 2,150,610	\$ 7,391,301

Annual Economic Impact - On-Site Jobs - Site 1			
	Direct	Indirect	Total
Jobs	5	5	10
Earnings	\$ 252,813	\$ 232,253	\$ 485,066
Sales	\$ 1,090,677	\$ 667,670	\$ 1,758,347

Economic Impact - Combined Annual Impact - Site 1 Phase 1			
	Direct	Indirect	Total
Jobs	58	18	76
Earnings	\$ 2,027,101	\$ 983,194	\$ 3,010,294
Sales	\$ 6,331,368	\$ 2,818,280	\$ 9,149,648

Source: EMSI, Camoin 310



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

The total annual economic impact on the Town of Guilderland will include approximately 46 new jobs, nearly \$1.7 million in earnings and over \$5.0 million in sales.

Table 26

Town of Guilderland			
Annual Economic Impact - Household Spending - Site 1			
	Direct	Indirect	Total
Jobs	41	1	42
Earnings	\$1,353,029	\$214,212	\$1,567,241
Sales	\$3,473,514	\$770,708	\$4,244,222

Annual Economic Impact - On-Site Jobs - Site 1			
	Direct	Indirect	Total
Jobs	8	0	8
Earnings	\$584,500	\$19,900	\$604,400
Sales	\$1,299,400	\$3,850	\$1,303,250

Economic Impact - Combined Annual Impact - Site 1			
	Direct	Indirect	Total
Jobs	49	1	50
Earnings	\$1,937,529	\$234,112	\$2,171,641
Sales	\$4,772,914	\$774,558	\$5,547,472



CAMOIN 310

SITE 2 IMPACT ANALYSIS

Site 2 is to be developed as a retail store with an accessory fueling facility, is expected to begin construction in 2020 with completion 24 months following. Costco will occupy the space and operate both the retail store and the fueling facility. The fiscal and economic impacts of Site 2, Costco, are outlined below.

Fiscal Impact

SALES TAX REVENUE

NEW ON-SITE SALES

\$170.0 million in annual, stabilized sales are projected at the new Costco.⁹ As detailed in the Economic Impact section on page 22, 50% of these sales will be considered to be net new to Albany County and wouldn't be expected to happen without this Project. Therefore, the \$85.0 million in net new sales will result in new sales tax revenue to Albany County and the Town of Guilderland. It is assumed that the vast majority of goods sold on-site will be taxable while a small amount of goods, namely prepared foods, will not be taxable. Therefore, this analysis considers 90% of on-site sales to be taxable. Under these assumptions, the County would receive over \$1.8 million and the Town would receive nearly \$157,000 in new tax revenue annually as a result of new sales at Site 2.

Table 27

Annual Sales Tax Revenue On-Site Sales - Site 2	
Total New Sales	\$ 85,000,000
Amount Taxable (90%)	\$ 76,500,000
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 3,060,000
Amount Kept by County	\$ 1,836,000
Amount Distributed to Town	\$ 156,672

Source: Camoin 310, NYS Comptroller

EMPLOYEE EARNINGS

The new earnings generated by on-site jobs that will occur as a result of the new Costco at Site 2 would lead to additional annual sales tax revenue for the County and the Town. To avoid double counting sales tax that is already accounted for in the on-site sales, spending that would occur on-site are deducted from total earnings. Based on the mix of retail goods offered by Costco, and an analysis of spending baskets of typical U.S. households, 40% of household spending would occur on-site. Therefore, 60% of total new earnings will not be spent on-site and therefore represent additional new tax revenue. Of these earnings, it is assumed that 70% of earnings will be spent in the County and 25% of these purchases will be taxable. Under these assumptions, the County would receive approximately \$9,892 and the Town would receive approximately \$844 each year in new tax revenue as a result of the on-site employment at Site 2.

⁹ The Developer estimates \$100.0 million in sales in the first year of operation. Following this, stabilized sales of \$150-\$180 million are projected. For the purposes of this analysis, we assumed \$170 million in stabilized sales.



CAMOIN 310

Table 28

Annual Sales Tax Revenue On-Site Jobs - Site 2	
Total New Earnings	\$ 3,905,207
Earnings Not Spent On-Site (60%)	\$ 2,355,124
Percent Spent in County	70%
Amount Spent in County	\$1,648,586.83
Amount Taxable (25%)	\$ 412,147
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 16,486
Amount Kept by County	\$ 9,892
Amount Distributed to Town	\$ 344

Source: Camoin 310, NYS Comptroller

TOTAL ANNUAL SALES TAX REVENUE

New total annual sales tax revenue that results from new sales and employee earnings at Site 2 is anticipated to be over \$1.8 million to the County and nearly \$158,000 to the Town.

Table 29

Total Annual Sales Tax Revenue - Site 2	Albany	Town of
	County	Guilderland
On-Site Sales	\$ 1,836,000	\$ 156,672
On-Site Employee Earnings	\$ 9,892	\$ 844
New Tax Revenue	\$ 1,845,892	\$ 157,516

Source: Camoin 310, NYS Comptroller



CAMOIN 310

Economic Impact

CONSTRUCTION PHASE IMPACTS

The Developer estimates that construction costs of Site 2 will be approximately \$28.4 million, representing private sector investment generated by the Project. As outlined with Site 1, Camoin 310 assumes that 90% of the construction spending will be sourced from within the County and 60% will be sourced from within the Town. We can therefore project that there will be nearly \$25.6 million in new spending in the County and over \$17.0 million in new spending in the Town associated with the construction phase of Site 2.

Table 30

Construction Phase Spending - Site 2		
Total Construction Cost	\$	28,400,000
Percent Sourced from County		90%
Net New County Spending	\$	25,560,000
Percent Sourced from Town		60%
Net New Town Spending	\$	17,040,000

Source: Developer, Camoin 310

Based on \$25,560,000 of net new spending in the County and \$17,040,000 of net new spending in the Town, Camoin 310 calculates that there would be a total of over \$34.6 million in one-time construction related spending supporting 181 jobs and nearly \$13.2 million in earnings in the County. Of this, nearly \$17.3 million in one-time construction related spending, 75 jobs, and over \$7.2 million in earnings will be new to the Town of Guilderland.

Table 31

Economic Impact - Construction Phase - Site 2				
Albany County				
	Direct	Indirect	Total	
Jobs	127	54	181	
Earnings	\$ 10,077,839	\$ 3,094,141	\$ 13,171,980	
Sales	\$ 25,560,000	\$ 9,068,457	\$ 34,628,457	
Town of Guilderland				
	Direct	Indirect	Total	
Jobs	74	1	75	
Earnings	\$ 7,120,551	\$ 91,855	\$ 7,212,406	
Sales	\$ 17,040,000	\$ 259,546	\$ 17,299,546	

Source: EMSI, Camoin 310

ANNUAL OPERATION IMPACTS

In order to conduct an economic impact analysis, an initial step is to determine what portion of the on-site jobs, sales, and earnings are net new to the region. In other words, what portion of the new jobs, sales, and earnings would not occur but for the Project. The direct impact of this Project is defined as the sales at the Site from customers who would have had to go outside of the Town or the County in order to buy the type of goods they desire. For example, a customer may prefer to buy food and household goods items close to their home in the Town of Guilderland, but if stores with the desired prices and selection are unavailable, the customer would have to go



CAMOIN 310

outside the Town. By increasing the merchandise options available, the Project will allow Albany County and the Town of Guilderland to “capture” some of the sales that are currently going to adjacent municipalities. These captured sales are considered net new sales to the county and town and are used as the direct input for the economic impact model.

Costco is known to carry quality, brand-name merchandise at lower prices than are typically found at conventional wholesale or retail sources. Costco warehouses present one of the largest product category selections to be found under a single roof. Categories include groceries, candy, appliances, electronics, automotive supplies, tires, toys, hardware, sporting goods, jewelry, watches, cameras, books, housewares, apparel, health and beauty aids, furniture, office supplies, and office equipment. Although Costco is known for carrying top quality national and regional brands, members can also shop Costco’s private label, Kirkland Signature. The brand’s major competitors include BJs, Sam’s Club, and Restaurant Depot.

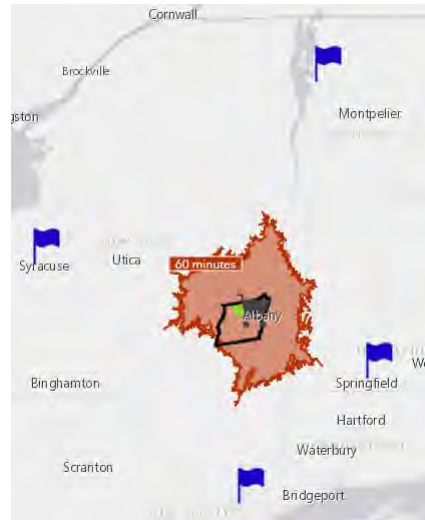
Camoin 310 conducted research on the Town of Guilderland and Albany County to determine the percentage of revenue generated by the new Costco that would be net new to the Town and to the County. Sales would be net new for two main reasons: (1) Customers who would typically shop outside of the municipalities would decide to shop at the Project because of loyalty to and preference for the Costco brand, and (2) the Project would be able to satisfy additional demand for mass merchandise retail by providing goods and services that are not currently offered in the Town or the County.

NET NEW SALES FROM BRAND-LOYAL CUSTOMERS

Brand-loyal customers who would typically shop at Costco in other municipalities that are geographically distant from Site 2 due to a lack of Costco in the Town of Guilderland or Albany County are likely to shop at the Project. Revenues from these customers would be net new to both municipalities.

Figure 1: Costco Locations

There is not currently a Costco in the Town of Guilderland or in Albany County. The nearest Costco location is over an hour and a half east of Site 2 in West Springfield, MA. In the other directions, the nearest Costco locations are further away. To the north, there is a Costco located in Colchester, VT, which is 153 miles from Site 2. 108 miles to the South there is a Costco in Nanuet, NY and 147 miles to the west there is a Costco in Camillus, NY. The flags in the map to the right denote the location of these existing stores. Given the lack of Costco locations in the middle of this radius, it is likely that the Costco to be developed at Site 2 will capture the market of Costco brand-loyal customers that exist between the site and halfway between these other locations, roughly a radius of a one-hour drive from Site 2. This radius will capture existing Costco customers who drive to get to the other existing locations as well as customers who do not current shop at Costco but would choose to shop there if there was a store location located closer to their home.



ECONOMIC AND FISCAL IMPACT ANALYSIS

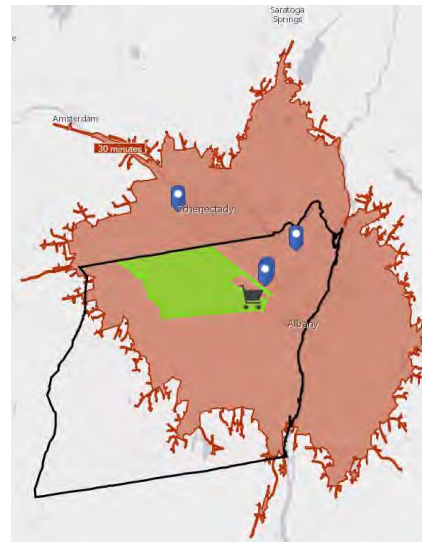
CAMOIN 310

The Project could potentially also attract loyal Costco customers who would typically shop at similar mass merchandisers outside of the market area or who would choose to shop at Costco over other smaller chains if there was one available. Revenue from these shoppers would be considered net new to the County and to the Town. Costco's low prices and good values have helped it to amass a customer base that will, at times, travel up to an hour to shop at its locations rather than at retailers closer to home. As of May 2019, 53.1 million households were Costco members, with a membership renewal rate of 90%¹⁰.

There are four similar retailers within a 30-minute drive of Site 2 (Figure 2)¹¹. None of these retailers are within the Town of Guilderland, although three are within Albany County. Shoppers with a preference towards Costco might shift their purchasing from the other mass merchandise stores or other retailers to the new Costco. The existing comparable retailers include:

- ◆ Sam's Club (Latham, Albany County)
- ◆ BJ's Wholesale Club (Albany, Albany County)
- ◆ Restaurant Depot (Albany, Albany County)
- ◆ BJ's Wholesale Club(Schenectady, Schenectady County)

Figure 2: Similar Retailers in Market Area



NET NEW SALES FROM INCREASED SUPPLY OF RETAIL GOODS

The second way in which the Project could contribute net new revenue to Albany County and the Town of Guilderland is by increasing the supply of retail goods overall. A retail gap analysis shows that demand currently exceeds supply in both the County and Town for many of the goods that will be available at Costco. Specifically, there is a retail gap in Albany County of over \$84.3 million of Food and Beverage Stores and nearly \$192.0 million in Gasoline Stations. Within the Town of Guilderland, there is a gap of nearly \$20.9 million in Food and Beverage Stores, over \$38.7 million in Gasoline Stations, and over \$41.4 million in General Merchandise Stores.

¹⁰ According to information provided by the Client.

¹¹ ESRI



CAMOIN 310

Table 32

Retail Gap				
Albany County				
Industry Group	NAICS	Demand	Supply	Gap
Food & Beverage Stores	445	\$ 815,414,013	\$ 731,110,395	\$ 84,303,618
Gasoline Stations	447	\$ 463,768,994	\$ 271,776,649	\$ 191,992,345
Town of Guilderland				
Industry Group	NAICS	Demand	Supply	Gap
Food & Beverage Stores	445	\$ 116,627,143	\$ 95,747,797	\$ 20,879,346
Gasoline Stations	447	\$ 66,152,158	\$ 27,418,651	\$ 38,734,507
General Merchandise Stores	452	\$ 80,250,328	\$ 38,835,904	\$ 41,414,424

Source: ESRI

The retail gaps indicate that there is unmet demand in the County and in the Town for retail goods in these industries. The Project will supply goods in these industries and help to meet this demand, thus contributing to net new sales.

IMPACT OF NET NEW SALES

Assigning a specific figure to the proportion of “net new” activity is imprecise in this case, but using the market figures provided and our professional judgment we estimate that 50% of sales at Site 2 will be net new to the County and 75% of sales will be net new to the Town. Net new sales will be driven by brand-loyal customers travelling from outside of the municipalities to shop at the new Costco and by additional purchases being made in the municipalities to satisfy unmet demand (i.e. purchases previously being made outside of the County and Town now being made at the new Costco due to increased supply of goods).

\$170 million in annual, stabilized sales are projected at the new Costco.¹² Based on the net new assumptions, this means that there will be \$85,000,000 in net new sales in Albany County and \$127,500,000 net new sales in the Town of Guilderland. Additionally, we assume that there will be approximately 245 employees on-site upon operation.¹³ Using the same net new assumptions, this means that 123 employees will be considered to be net new to Albany County and 184 will be considered to be net new to the Town of Guilderland.

¹² The Developer estimates \$100 million in sales in the first year of operation. Following this, stabilized sales of \$150-\$180 million are projected. For the purposes of this analysis we assumed \$170 million in stabilized sales.

¹³ Based on building square footage of 160,000 and the industry standard of 654 SF/employee. Source: Institute of Transportation Engineers.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 33

Net New Sales		
	Albany County	Town of Guilderland
Annual Sales	\$170,000,000	\$170,000,000
% Net New	50%	75%
Net New Sales	\$85,000,000	\$127,500,000

Net New Jobs		
	Albany County	Town of Guilderland
New Jobs	245	245
% Net New	50%	75%
Net New Sales	123	184

Source: Developer, Camoin 310, Institute of Transportation Engineers

The tables below outline the impact that the new jobs and sales would have on Albany County and the Town of Guilderland in terms of the direct, indirect, and total impact on employment and wages. Taking into account the additional indirect and induced economic impacts of the new direct jobs and earnings, the total impact of the Project at Site 2 is estimated at 142 jobs, over \$3.9 million in earnings, and over \$114.4 million in sales in Albany County, annually.

Table 34

Albany County Annual Economic Impact - On-Site Jobs - Site 2				
	Direct	Indirect	Total	
Jobs	123	19	142	
Earnings	\$ 2,888,457	\$ 1,036,750	\$ 3,925,207	
Sales	\$ 85,000,000	\$ 29,429,795	\$ 114,429,795	

Source: EMSI, Camoin 310

Total impacts on the Town of Guilderland are 187 jobs, over \$5.1 million in earnings, and over \$133.3 million in sales, annually.

Table 35

Town of Guilderland Annual Economic Impact - On-Site Jobs - Site 2				
	Direct	Indirect	Total	
Jobs	184	3	187	
Earnings	\$ 4,972,887	\$ 168,038	\$ 5,140,925	
Sales	\$ 127,500,000	\$ 5,812,798	\$ 133,312,798	

Source: EMSI, Camoin 310



CAMOIN 310

SITE 3 IMPACT ANALYSIS

Site 3 will be a mixed-use development, complete with 48 new mid- to high- end apartment units, retail, and office space. Development of this site is projected to begin in 2020 and take 24 months to complete. The fiscal and economic impacts of Site 3 are outlined below.

Fiscal Impact

SALES TAX REVENUE

NEW HOUSEHOLD SPENDING

As outlined in the previous section regarding Site 1, the County and Town will receive sales tax revenue from the purchases made by the new households. Based on the in-County and in-Town spending, Albany County would receive approximately \$11,602 and the Town of Guelderland would receive approximately \$928 in new annual tax revenue.

Table 36

Annual Sales Tax Revenue Household Spending - Site 3	
Total New Spending	\$ 1,611,373
Amount Taxable (30%)	\$ 483,412
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 19,336
Amount Kept by County	\$ 11,602
Amount Distributed to Town	\$ 928

Source: Camoin 310, NYS Comptroller

NEW ON-SITE SALES

The Developer anticipates that Site 3 will include approximately 115,000 square feet of retail space. Sales made by future tenants of this space will generate additional sales tax revenue to the County. Though the tenants of this space are currently unknown, based on an assumption of \$250 sales per square feet¹⁴ Camoin 310 estimates that there will be over \$28 million in sales in this retail space. Since 15% of the sales will be net new to the County (see Table 45), this means that sales tax on over \$4.3 million of on-site sales will represent net new revenue. The County will receive approximately \$155,250 and the Town will receive approximately \$7,452 in new tax revenue as a result of on-site sales.

¹⁴ Source: Developer



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 37

Annual Sales Tax Revenue On-Site Sales - Site 3	
Total New Sales	\$ 4,312,500
Amount Taxable (90%)	\$ 3,881,250
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 155,250
Amount Kept by County	\$ 93,150
Amount Distributed to Town	\$ 7,452

Source: Camoin 310, NYS Comptroller

EMPLOYEE EARNINGS

Additionally, as described in the previous sections the new earnings generated by on-site jobs that will occur as a result of Site 3 occupation would lead to additional annual sales tax revenue for both municipalities. Using the same assumptions as outlined in the previous sections, the new annual sales tax revenue is calculated. Albany County will receive approximately \$15,153 and the Town of Guilderland will receive approximately \$1,212 in new revenue, annually.

Table 38

Annual Sales Tax Revenue On-Site Jobs - Site 3	
Total New Earnings	\$ 6,012,986
Earnings Not Spent On-Site (60%)	\$ 3,607,791
Percent Spent in County	70%
Amount Spent in County	\$ 2,525,453.98
Amount Taxable (25%)	\$ 631,363
County Sales Tax Rate	4.00%
Total County Sales Tax Generated	\$ 25,255
Amount Kept by County	\$ 15,153
Amount Distributed to Town	\$ 1,212

Source: Camoin 310, NYS Comptroller

TOTAL ANNUAL SALES TAX REVENUE

In total, we estimate that the County would receive approximately \$84,508 and the Town would receive \$6,761 in new annual sales tax revenue related to Site 3 of the Project.

Table 39

	Total Annual Sales Tax Revenue - Site 3	
	Albany County	Town of Guilderland
Household Spending	\$ 11,602	\$ 928
On-Site Sales	\$ 93,150	\$ 7,452
On-Site Employee Earnings	\$ 15,153	\$ 1,212
New Tax Revenue	\$ 119,905	\$ 9,592

Source: Camoin 310, NYS Comptroller



CAMOIN 310

Economic Impact

CONSTRUCTION PHASE IMPACTS

The Developer estimates that construction costs of Site 3 will total approximately \$43.5 million, all of which represents private sector investment generated by the Project. As discussed previously, Camoin 310 assumes that 90% of the construction spending would be sourced from within the County and 60% will be sourced from within the Town. Using these assumptions, we project that there will be nearly \$39.2 million in net new spending in the County and approximately \$26.1 million in net new spending in the Town associated with the construction phase of Site 3.

Table 40

Construction Phase Spending - Site 3		
Total Construction Cost	\$	43,500,000
Percent Sourced from County		90%
Net New County Spending	\$	39,150,000
Percent Sourced from Town		60%
Net New Town Spending	\$	26,100,000

Source: Applicant, Camoin 310

Based on \$39,150,000 of net new spending in the County and \$26,100,000 of net new spending in the Town, Camoin 310 determined that there would be a total of nearly \$53 million in one-time construction related spending supporting 509 jobs and nearly \$20.3 million in earnings in Albany County. Of this, nearly \$26.5 million in one-time construction related spending, 165 jobs, and over \$11.0 million in earnings will occur in the Town of Guilderland.

Table 41

Economic Impact - Construction Phase - Site 3				
Albany County				
	Direct	Indirect	Total	
Jobs	426	83	509	
Earnings	\$ 15,560,802	\$ 4,720,199	\$ 20,281,001	
Sales	\$ 39,150,000	\$ 13,838,071	\$ 52,988,071	
Town of Guilderland				
	Direct	Indirect	Total	
Jobs	162	3	165	
Earnings	\$ 10,906,477	\$ 139,487	\$ 11,045,964	
Sales	\$ 26,100,000	\$ 395,232	\$ 26,495,232	

Source: ENSI, Camoin 310

HOUSEHOLD SPENDING IMPACTS

Impacts resulting from new household spending at Site 3 were calculated using the same methodology that was outlined in Site 1's household spending impact section. For the same reasons outlined in the previous section, this analysis assumes that 95% of the 48 new rental units to be constructed at Site 3 of the Project will be net new to both the Town and the County. Therefore, 46 units will be considered to be net new.

SPENDING BY NEW TENANTS



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Site 3 consists of 48 mid-to-high end one- and two-bedroom apartment units. As noted above, Camoin 310 considers that 46 of the units will be occupied by new households.

The apartments will be similar to those constructed at Site 1, and therefore, we consider spending of potential tenants to be in the same \$70,000 to \$99,999 range as those at Site 1. Using the spending basket from Table 20, as well as the same assumptions that 70% of total expenditures would occur within Albany County and 50% would occur within the Town of Guilderland, total new spending was calculated. The following table shows that total net new spending that results from the 46 new households at Site 3 will be over \$1.1 million in the County and approximately \$816,086 in the Town.

Table 42

Tenant Spending Basket					
New Units (\$70,000 to \$99,999 Annual Household Income)					
Category	Annual per Unit Spending Basket	Amount Spent in County (70%)	Total (Net) New County Spending (46 net new units)	Amount Spent in Town (50%)	Total Net New Town Spending (46 net new units)
Food	\$ 8,385	\$ 5,870	\$ 270,870	\$ 1,193	\$ 54,858
Household furnishings and equipment	\$ 2,363	\$ 1,653	\$ 76,056	\$ 1,181	\$ 54,378
Apparel and services	\$ 1,981	\$ 1,387	\$ 63,738	\$ 951	\$ 43,566
Transportation	\$ 10,795	\$ 7,557	\$ 347,515	\$ 5,398	\$ 248,286
Health care	\$ 5,635	\$ 3,947	\$ 181,570	\$ 2,820	\$ 129,507
Entertainment	\$ 3,469	\$ 2,426	\$ 111,605	\$ 1,733	\$ 79,718
Personal care products and services	\$ 539	\$ 385	\$ 17,615	\$ 470	\$ 21,618
Education	\$ 1,115	\$ 781	\$ 35,815	\$ 538	\$ 24,747
Miscellaneous	\$ 505	\$ 352	\$ 15,977	\$ 452	\$ 20,766
Annual Discretionary Spending	\$ 35,487	\$ 24,837	\$ 1,128,930	\$ 17,711	\$ 816,086

Source: 2017 Consumer Expenditure Survey, Bureau of Labor Statistics

We use these spending basket amounts to calculate the direct, indirect, and total impact of the Project on the County and on the Town. To do this, we attributed the various spending categories to the same NAICS codes that are outlined in Table 20. Using \$1,142,520 and \$816,086 as the new sales inputs, Camoin 310 employed EMSI to determine the indirect and total impacts of spending resulting from new households at Site 3.

Spending from tenant households will result in a total of 14 new jobs, nearly \$551,000 in earnings, and over \$1.6 million in sales in Albany County, annually.

Table 43

Albany County			
Annual Economic Impact - Household Spending - Site 3			
	Direct	Indirect	Total
Jobs	12	2	14
Earnings	\$ 386,811	\$ 163,712	\$ 550,524
Sales	\$ 1,142,520	\$ 468,853	\$ 1,611,373

Source: EMSI, Camoin 310



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Within the Town of Guilderland, household spending will create 8 new jobs, over \$287,000 in earnings and nearly \$889,000 in new sales, annually.

Table 44

Town of Guilderland Annual Economic Impact - Household Spending - Site 3			
	Direct	Indirect	Total
Jobs	8	-	8
Earnings	\$ 276,236	\$ 10,929	\$ 287,165
Sales	\$ 851,568	\$ 37,145	\$ 888,713

Source: EMSI, Camoin 310

IMPACTS OF ON-SITE EMPLOYMENT

In addition to the impacts related to new household spending, there will be additional impacts related to on-site jobs in the residential, retail, and office space. Based on the planned 48 residential, 115,000 square feet of retail space, and 50,000 square feet of office space Camoin 310 used assumptions of the number of units per employee and number of square feet per employee to calculate the estimated number of employees that will be on site upon project completion. The assumptions about the percentage of employees that will be net new were applied. Since 95% of the residential units are considered to be net new, 95% of the associated employment will be net new. Based upon current commercial offerings in Albany County and the Town of Guilderland, we conservatively assume that 15% of the new activity that occurs in the County and 25% of the new activity that occurs in the Town are net new. Therefore, 15% of the associated jobs are considered net new to the County and 25% of the associated jobs are considered net new for the Town. The following table outlines these assumptions and shows that the total number of net new jobs associated with Site 3 are 80 in Albany County and 132 in the Town of Guilderland.

Table 45

Net New Jobs				
	Residential	Retail	Office	Total
Size	48 units	115,000 SF	50,000 SF	
Assumptions	29 units/employee	383 SF/employee	228 SF/employee	
Employees	2	300	219	
% Net New				
Albany County	95%	15%	15%	
Town of Guilderland	95%	25%	25%	
Net New Employees				
Albany County	2	45	33	80
Town of Guilderland	2	75	55	132

Source: Camoin 310, National Apartment Association, San Diego Association of Governments

Taking into account the additional indirect and induced economic impacts on Albany County from the 80 new direct jobs, total employment created by Site 3 of the Project is estimated at 105 jobs and over \$6.0 million in annual earnings. Approximately \$13.0 million in total sales would be generated as a result.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 46

Albany County Annual Economic Impact - On-Site Jobs - Site 3				
	Direct	Indirect	Total	
Jobs	80	25	105	
Earnings	\$ 4,627,767	\$ 1,385,219	\$ 6,012,986	
Sales	\$ 9,243,941	\$ 3,809,629	\$ 13,053,570	

Source: EMSI, Camoin 310

In the Town of Guilderland, total economic impacts will result in the creation of 136 new jobs, over \$10.0 million in earnings, and over \$18.2 million in new sales.

Table 47

Town of Guilderland Annual Economic Impact - On-Site Jobs - Site 3				
	Direct	Indirect	Total	
Jobs	132	4	136	
Earnings	\$ 9,746,683	\$ 279,460	\$ 10,026,144	
Sales	\$ 17,401,454	\$ 821,529	\$ 18,222,983	

Source: EMSI, Camoin 310

TOTAL ECONOMIC IMPACT – SITE 3

The complete economic impact of both new household spending as well as on-site employment of Site 3 is displayed in the tables below. The total annual economic impact on Albany County will include 119 new jobs, nearly \$6.6 million in earnings and nearly \$14.7 million in sales.

Table 48

Albany County Annual Economic Impact - Household Spending - Site 3				
	Direct	Indirect	Total	
Jobs	12	2	14	
Earnings	\$ 386,811	\$ 163,712	\$ 550,524	
Sales	\$ 1,142,520	\$ 468,853	\$ 1,611,373	

Annual Economic Impact - On-Site Jobs - Site 3				
	Direct	Indirect	Total	
Jobs	80	25	105	
Earnings	\$ 4,627,767	\$ 1,385,219	\$ 6,012,986	
Sales	\$ 9,243,941	\$ 3,809,629	\$ 13,053,570	

Economic Impact - Combined Annual Impact - Site 3				
	Direct	Indirect	Total	
Jobs	92	27	119	
Earnings	\$ 5,014,579	\$ 1,548,931	\$ 6,563,509	
Sales	\$ 10,386,461	\$ 4,278,482	\$ 14,664,943	

Source: EMSI, Camoin 310

The total annual economic impact on the Town of Guilderland will include approximately 144 new jobs, over \$10.3 million in earnings, and over \$19.1 million in sales.



ECONOMIC AND FISCAL IMPACT ANALYSIS

CAMOIN 310

Table 49

Town of Guilford				
Annual Economic Impact - Household Spending - Site 1				
	Direct	Indirect	Total	
Jobs	0	0	0	0
Earnings	\$ 276,216	\$ 10,979	\$ 287,195	
Sales	\$ 651,507	\$ 77,943	\$ 729,450	
Annual Economic Impact - On-Site Jobs - Site 1				
	Direct	Indirect	Total	
Jobs	136	0	136	
Earnings	\$ 9,746,697	\$ 975,490	\$ 10,722,187	
Sales	\$ 77,403,464	\$ 11,629	\$ 77,415,093	
Economic Impact - Combined Annual Impact - Site 3				
	Direct	Indirect	Total	
Jobs	136	0	136	
Earnings	\$ 10,022,913	\$ 986,469	\$ 11,009,382	
Sales	\$ 77,403,464	\$ 11,629	\$ 77,415,093	



CAMOIN 310

ATTACHMENT A: WHAT IS ECONOMIC IMPACT ANALYSIS?

The purpose of conducting an economic impact study is to ascertain the total cumulative changes in employment, earnings and output in a given economy due to some initial "change in final demand". To understand the meaning of "change in final demand", consider the installation of a new widget manufacturer in Anytown, USA. The widget manufacturer sells \$1 million worth of its widgets per year exclusively to consumers in Canada. Therefore, the annual change in final demand in the United States is \$1 million because dollars are flowing in from outside the United States and are therefore "new" dollars in the economy.

This change in final demand translates into the first round of buying and selling that occurs in an economy. For example, the widget manufacturer must buy its inputs of production (electricity, steel, etc.), must lease or purchase property and pay its workers. This first round is commonly referred to as the "Direct Effects" of the change in final demand and is the basis of additional rounds of buying and selling described below.

To continue this example, the widget manufacturer's vendors (the supplier of electricity and the supplier of steel) will enjoy additional output (i.e. sales) that will sustain their businesses and cause them to make additional purchases in the economy. The steel producer will need more pig iron and the electric company will purchase additional power from generation entities. In this second round, some of those additional purchases will be made in the US economy and some will "leak out". What remains will cause a third round (with leakage) and a fourth (and so on) in ever-diminishing rounds of industry-to-industry purchases. Finally, the widget manufacturer has employees who will naturally spend their wages. Again, those wages spent will either be for local goods and services or will "leak" out of the economy. The purchases of local goods and services will then stimulate other local economic activity. Together, these effects are referred to as the "Indirect Effects" of the change in final demand.

Therefore, the total economic impact resulting from the new widget manufacturer is the initial \$1 million of new money (i.e. Direct Effects) flowing in the US economy, plus the Indirect Effects. The ratio of Total Effects to Direct Effects is called the "multiplier effect" and is often reported as a dollar-of-impact per dollar-of-change. Therefore, a multiplier of 2.4 means that for every dollar (\$1) of change in final demand, an additional \$1.40 of indirect economic activity occurs for a total of \$2.40.

Key information for the reader to retain is that this type of analysis requires rigorous and careful consideration of the geography selected (i.e. how the "local economy" is defined) and the implications of the geography on the computation of the change in final demand. If this analysis wanted to consider the impact of the widget manufacturer on the entire North American continent, it would have to conclude that the change in final demand is zero and therefore the economic impact is zero. This is because the \$1 million of widgets being purchased by Canadians is not causing total North American demand to increase by \$1 million. Presumably, those Canadian purchasers will have \$1 million less to spend on other items and the effects of additional widget production will be cancelled out by a commensurate reduction in the purchases of other goods and services.

Changes in final demand, and therefore Direct Effects, can occur in a number of circumstances. The above example is easiest to understand: the effect of a manufacturer producing locally but selling globally. If, however, 100% of domestic demand for a good is being met by foreign suppliers (say, DVD players being imported into the US from Korea and Japan), locating a manufacturer of DVD players in the US will cause a change in final demand because all of those dollars currently leaving the US economy will instead remain. A situation can be envisioned whereby a producer is serving both local and foreign demand, and an impact analysis would have to be careful in calculating how many "new" dollars the producer would be causing to occur domestically.





Leading action to
grow your economy

Camoin 310
120 West Avenue, Suite 303
Saratoga Springs, NY 12866
518.899.2608
www.camoinassociates.com
@camoinassociate



**RESOLUTION DIRECTING COMPLIANCE WITH LEGAL
REQUIREMENTS FOR CONSIDERATION OF AN
APPLICATION CONCERNING PROPERTY ACQUISITION
CROSSGATES RELEASECO, LLC PROJECT**

A regular meeting of Town of Guilderland Industrial Development Agency (the "Agency") was convened in public session in the Town Board Room of the Guilderland Town Hall located on 5209 Western Turnpike in the Town of Guilderland, Albany County, New York on March 28, 2023 at 7:00 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Shelly Johnston	Chair
Christopher Bombardier	Vice Chair
William H. Smart	Treasurer/Assistant Secretary
Vera Dordick	Secretary/Assistant Treasurer
Paul Pastore	Member
Daniel A. Centi	Member
Kevin Hicks	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Donald Csaposs	Chief Executive Officer
Jessica Montgomery	Administrative Assistant
Amanda Beedle	Town Board Member Liaison
A. Joseph Scott, III, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0323-

RESOLUTION (i) DIRECTING COMPLIANCE WITH LEGAL REQUIREMENTS RELATING TO CONSIDERATION OF AN APPLICATION CONCERNING PROPERTY ACQUISITION FOR THE PROPOSED CROSSGATES RELEASECO, LLC PROJECT, AND (ii) AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING THE PROPOSED CROSSGATES RELEASECO, LLC PROJECT.

WHEREAS, Town of Guilderland Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 146 of the 1973 Laws of New York, as amended, constituting Section 909-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing,

012114.00037 Business 23581671v2

reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Crossgates Releaseco, LLC (the "Company"), a limited liability company duly organized and existing under the laws of the State of New York (the "State"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) acquiring purported historic deed restrictions that may apply to properties along Crossgates Mall Road and Western Avenue, in the Town of Guilderland, Albany County, New York, which are located within the footprint of the Project (the "Purported Deed Restrictions"); (2) acquiring any rights or interests to enforce the Purported Deed Restrictions that certain properties within and adjoining the footprint of the Project may have (the "Purported Rights to Enforce"); and (3) acquiring title to lands underlying five (5) former Town Roads that the Town has previously discontinued, which are associated with the Project (the "Town Roads," and, collectively the "Restrictions, Rights, or Property"); (B)(1) construction of a commercial and retail facility to contain in the aggregate approximately +/- 160,000 square feet of space (the "Facility"), and (2) the acquisition and installation therein and thereon of certain machinery and equipment (the "Equipment") (the Land, the Existing Facility, 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 as a Costco Wholesale retail facility and related uses; (C) 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 and mortgage recording taxes (collectively, the "Financial Assistance"); and (D) 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; and

WHEREAS, the Company has informed the Agency that (a) with respect to the Purported Deed Restrictions and Purported Rights to Enforce, the Town has changed the zoning district within which the underlying properties are located to a "Transit Oriented District," and that, therefore, the Purported Deed Restrictions and Purported Rights to Enforce are likely no longer valid or of legal effect; and (b) with respect to the Town Roads, the Superintendent of Highways of the Town (the "Superintendent") discontinued the Roads pursuant to Section 207 of the Highway Law of the State of New York (the "Highway Law"); and

WHEREAS, in connection with the undertaking of the Project, the Company has requested the Agency to consider exercising its powers of condemnation in accordance with the provisions of the New York State Eminent Domain Procedure Law (the "EDPL") to assist the Company in acquiring the Restrictions, Rights, or Property, and extinguishing the Purported Deed Restrictions; and

WHEREAS, the Agency is considering the Application to assist the Company in (A) acquiring the Restrictions, Rights, or Property, and (C) completing the Project, provided that the Company provide indemnification to the Agency, in form and substance satisfactory to the Agency; and

WHEREAS, in connection with the request by the Company to the Agency to undertake any condemnation, the Company will execute and deliver to the Agency a funding agreement (the "Funding Agreement") which will provide for the payment of certain expenses of the Agency and the indemnification of the Agency related to the Agency's consideration of the Application; and

WHEREAS, pursuant to Section 859-a of 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 (the “Section 859-a Hearing”); and

WHEREAS, further pursuant to Section 201 of the EDPL, prior to the Agency exercising its powers of condemnation, the Agency, among other things, must also hold a public hearing pursuant to Section 201 of the EDPL with respect to said project (the “EDPL Hearing” and, collectively, the “Public Hearings”); and

WHEREAS, the Agency desires to provide for compliance with (i) the provisions of Section 859a of the Act and (ii) the provisions of Section 201 of the EDPL with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act and under the EDPL;

(B) The Project constitutes a “project,” as such term is defined in the Act;

(C) The Project site is located entirely within the boundaries of the Town of Guilderland, Albany County, New York; and

(D) It is desirable and in the public interest for the Agency to consider the Company’s Application to assist it in undertaking the Project, including to assist the Company in acquiring the Restrictions, Rights, or Property pursuant to the Agency’s powers of condemnation in accordance with the provisions of the EDPL.

Section 2. The Agency hereby authorizes the Chair, Vice Chair or Chief Executive Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for the Public hearings of the Agency to hear all persons interested in the Project; (B) to cause the Public Hearings to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearings to be given to the public by publishing a notice or notices of such Public Hearings in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of (i) Section 859-a of the Act and (ii) Section 201 of the EDPL; (C) to cause notice of the Public Hearings to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of (i) Section 859-a of the Act and (ii) Section 201 of the EDPL; (D) to conduct such Public Hearings; (E) to cause the preparation of (i) a report of the Section 859-a Hearing fairly summarizing the views presented at such hearing (the “Report”); and (ii) Determination and Findings based upon the EDPL Hearing (the “Determination and Findings”); (F) to cause a copy of the Report and the Determination and Findings to be made available to the members of the Agency and the public, as required by the EDPL; (G) cause a Brief Synopsis of the Determination and Findings to be published as required by the EDPL; and **(H) to cause this resolution to be sent via certified mail, return receipt requested to the chief executive officer of the County and of each city, town, village and school district in which the Project Facility is to be located to comply with the requirements of Section 859-a of the Act.**

Section 3. The Chair, Vice Chair or Chief Executive Officer of the Agency is hereby authorized to take all necessary actions to assist the Agency in complying with the procedural requirements of the EDPL as may be necessary for the Agency to make a determination on the Application and to evaluate acquiring the Restrictions, Rights, or Property, including but not limited to, (A) the holding of a public hearing as discussed

in Section 2 above, (B) compliance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York (the "SEQR Act"), (C) the preparation of determination and findings based on the public hearing, (D) the preparation of an acquisition map, (E) the preparation and filing of a notice of pendency of action, order to show cause and verified petition, and (F) an order and filing of such order; provided, however, that the filing of any such documents is expressly subject to the following: (x) delivery of an executed Funding Agreement providing for indemnification of the Agency, in form satisfactory to the Agency staff, and Agency Counsel and (y) delivery by the Company to the Agency of any additional escrow deposits provided for by the Funding Agreement, as amended.

Section 4. Subject to the satisfaction of the conditions described in Section 3 hereof, the Chair, Vice Chair or Chief Executive Officer of the Agency is hereby authorized to take the actions described in Sections 2 and 3 hereof, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chair, Vice Chair or Chief Executive Officer shall approve, the execution thereof by the Chair, Vice Chair or Chief Executive Officer to constitute conclusive evidence of such approval.

Section 5. The Chair, Vice Chair or Chief Executive Officer of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 6. All action taken by the Chair, Vice Chair or Chief Executive Officer of the Agency in connection with the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 7. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of this Resolution, and to execute and deliver all such additional 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 Resolution.

Section 8. This Resolution shall take effect immediately.

[remainder of page left blank intentionally]

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

Shelly Johnston	VOTING	
Christopher Bombardier	VOTING	
William H. Smart	VOTING	_____
Vera Dordick	VOTING	_____
Kevin Hicks	VOTING	_____
Paul Pastore	VOTING	_____
Daniel A. Centi	VOTING	_____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of Town of Guilderland Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 28, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this _____ day of March, 2023.

(Assistant) Secretary

(SEAL

**RESOLUTION AUTHORIZING FUNDING AGREEMENT
CROSSGATES RELEASECO, LLC PROJECT**

A regular meeting of Town of Guilderland Industrial Development Agency (the “Agency”) was convened in public session in the Town Board Room of the Guilderland Town Hall located on 5209 Western Turnpike in the Town of Guilderland, Albany County, New York on March 28, 2023 at 7:00 o’clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Shelly Johnston	Chair
Christopher Bombardier	Vice Chair
William H. Smart	Treasurer/Assistant Secretary
Vera Dordick	Secretary/Assistant Treasurer
Paul Pastore	Member
Daniel A. Centi	Member
Kevin Hicks	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Donald Csaposs	Chief Executive Officer
Jessica Montgomery	Administrative Assistant
Amanda Beedle	Town Board Member Liaison
A. Joseph Scott, III, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0323-__

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A
FUNDING AGREEMENT IN CONNECTION WITH THE CROSSGATES
RELEASECO, LLC PROJECT.**

WHEREAS, Town of Guilderland Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 146 of the 1973 Laws of New York, as amended, constituting Section 909-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

012114.00037 Business 23582727v2

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency has received an Application from Crossgates Releaseco, LLC the "Company") in connection with the potential undertaking of a project known as the Crossgates Releaseco, LLC Project; and

WHEREAS, in connection with the undertaking of the Crossgates Releaseco, LLC Project, the Agency has requested Company enter into a funding agreement (the "Funding Agreement") to provide for the payment of various costs relating to the Crossgates Releaseco, LLC Project, including the costs of the acquisition of the subject parcels;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Subject to review of the terms of the Funding Agreement by Agency Counsel to the Agency, the Agency hereby determines to enter into the Funding Agreement and hereby authorizes the execution by the Agency of the Funding Agreement.

Section 2. All action taken by the Agency with respect to the finalization of the Funding Agreement is hereby ratified and confirmed.

Section 3. Subject to approval by counsel and special counsel to the Agency of the terms of the Funding Agreement, the Chair, Vice Chair or Chief Executive Officer of the Agency is hereby authorized to execute and deliver the Funding Agreement, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chair, Vice Chair or Chief Executive Officer shall approve, the execution thereof by the Chair, Vice Chair or Chief Executive Officer to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Funding Agreement, and to execute and deliver all such additional 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 Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Funding Agreement binding upon the Agency.

Section 5. This Resolution shall take effect immediately.

[remainder of page left blank intentionally]

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

Shelly Johnston	VOTING	_____
Christopher Bombardier	VOTING	_____
William H. Smart	VOTING	_____
Vera Dordick	VOTING	_____
Kevin Hicks	VOTING	_____
Paul Pastore	VOTING	_____
Daniel A. Centi	VOTING	_____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of Town of Guilderland Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 28, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ____ day of March, 2023.

(Assistant) Secretary

(SEAL)

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION AUTHORIZING SOLICITING OF APPRAISAL SERVICES
CROSSGATES RELEASECO, LLC PROJECT**

A regular meeting of Town of Guilderland Industrial Development Agency (the “Agency”) was convened in public session in the Town Board Room of the Guilderland Town Hall located on 5209 Western Turnpike in the Town of Guilderland, Albany County, New York on March 28, 2023 at 7:00 o’clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Shelly Johnston	Chair
Christopher Bombardier	Vice Chair
William H. Smart	Treasurer/Assistant Secretary
Vera Dordick	Secretary/Assistant Treasurer
Paul Pastore	Member
Daniel A. Centi	Member
Kevin Hicks	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Donald Csaposs	Chief Executive Officer
Jessica Montgomery	Administrative Assistant
Amanda Beedle	Town Board Member Liaison
A. Joseph Scott, III, Esq.	Agency Counsel

The following resolution was offered by _____ , seconded by _____ , to wit:

Resolution No. 0323-

**RESOLUTION AUTHORIZING THE SOLICITATION OF APPRAISAL SERVICES
BY THE TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY IN
CONNECTION WITH THE CROSSGATES RELEASECO, LLC PROJECT.**

WHEREAS, Town of Guilderland Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 146 of the 1973 Laws of New York, as amended, constituting Section 909-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New

York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Agency has received an Application from Crossgates Releaseco, LLC (the "Company") in connection with the potential undertaking of a project known as the Crossgates Releaseco, LLC Project (the "Project"); and

WHEREAS, in connection with the undertaking of the Project, the Company has requested the Agency to consider exercising its powers of condemnation in accordance with the provisions of the New York State Eminent Domain Procedure Law (the "EDPL") to assist the Company in acquiring: (1) purported historic deed restrictions that may apply to properties along Crossgates Mall Road and Western Avenue, in the Town of Guilderland, Albany County, New York, which are located within the footprint of the Project (the "Purported Deed Restrictions"); (2) any rights or interests to enforce the Purported Deed Restrictions that certain properties within and adjoining the footprint of the Project may have (the "Purported Rights to Enforce"); and (3) title to lands underlying five (5) former Town Roads that the Town has previously discontinued, which are associated with the Project (the "Town Roads," and, collectively the "Restrictions, Rights, or Property").

WHEREAS, pursuant to the EDPL, in order to initiate the acquisition of the Restrictions, Rights, or Property, the Agency needs the assistance of appraisal services to be provided by a land appraiser; and

WHEREAS, the Agency desires to authorize Agency Counsel to arrange for the solicitation of proposals for real estate appraisal services, and to bring the results of such solicitation back to the Chief Executive Officer of the Agency for his consideration and review;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby directs Agency Counsel to arrange for the solicitation of proposals for real estate appraisal services and to bring the results of such solicitation back to the Agency for its consideration and review.

Section 2. The Agency hereby authorizes the Chair, Vice Chair, Chief Executive Officer and Agency Counsel to take all steps necessary to implement this Resolution, including retaining such an Appraiser at the Company's expense.

Section 3. Any action taken by the Agency in connection with the retaining of such appraisal services prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

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

Shelly Johnston	VOTING	_____
Christopher Bombardier	VOTING	_____
William H. Smart	VOTING	_____
Vera Dordick	VOTING	_____
Kevin Hicks	VOTING	_____
Paul Pastore	VOTING	_____
Daniel A. Centi	VOTING	_____

The resolution was thereupon declared duly adopted.

012114.00037 Business 23611515v2

- 2 -

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of Town of Guilderland Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 28, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this _____ day of March, 2023.

(Assistant) Secretary

(SEAL)

MEMORANDUM FROM



A. Joseph Scott, III, Esq.
Direct Dial: 518.433.2409
Facsimile: 518.465.1567

Christopher C. Canada, Esq.
Direct Dial: 518.736.2921
Facsimile: 518.465.1567

Nadene E. Zeigler, Esq.
Direct Dial: 518.433.2420
Facsimile: 518.465.1567

To: Town of Guilderland Industrial Development Agency
Members and Staff

Date: March 28, 2023

Subject: Information Session – March, 2023
2022 Legislation

As you are aware, various pieces of legislation were introduced to the New York State Legislature during the 2021-2022 Legislative Session related to industrial development agencies, including the Town of Guilderland Industrial Development Agency (the “Agency”). We have been invited to your regular meeting scheduled for March 28, 2023 to, among other things, discuss the following three pieces of legislation (hereinafter collectively referred to as the “2022 Legislation”) which Governor Kathy Hochul signed into law in 2022:

1. Senate Bill No. S 4471-A related to notifications required to be provided prior to the termination of a payment in lieu of tax agreement (the “PILOT Notification Bill”);
2. Senate Bill No. S 3256 related to requiring notice and confirmation of such notice by affected tax jurisdictions and school districts prior to approval of projects by Agencies (the “Preliminary Notice Bill”); and
3. Senate Bill No. S-0953-A related to requiring entities that make payments in lieu of taxes to provide Agencies, local governments and school districts with notice of their intention to file for a change in assessment (the “Assessment Notification Bill”).

012114.00037 Business 23613132v1

The purpose of this information segment is to discuss the 2022 Legislation and the action (if any) that the Agency is required to take to comply with the 2022 Legislation going forward. We have prepared the following materials to facilitate our discussion:

	Page
1. Hodgson Russ Client Alert related to the 2022 Legislation.....	1
2. Section 858 of the General Municipal Law (as amended).....	8
3. Section 859-a of the General Municipal Law (as amended).....	11
4. Section 874 of the General Municipal Law (as amended).....	15
5. Section 561-a of the Real Property Tax Law (as added in 2022).....	18
6. Proposed Legislation related to PILOT Payments to School Districts.....	54