



Minutes of the
Yonkers Industrial Development Agency
Regular Board Meeting
February 2, 2006

Present-Board Members

Mayor Philip A. Amicone, Chairman
Martin Ball Sr., Vice Chairman
William Regan, Secretary
Michael Baratta, Member
Peter Kischak, Member

Excused – Board Members

Joy Lawrence, Treasurer
Cecile Singer, Member

Non-Members Present

Edward A. Sheeran, YIDA Executive Director
Dennis Lynch, Esq., YIDA Attorney
Melvina Carter, YIDA Deputy Director
Sam Terenzi, YIDA C.P.A.
Shawn Griffin, Esq, Bond Counsel
Mark Brennan, Salgra Realty, Inc.
Al DelBello, Esq., Counsel for Ashburton Avenue & Croton Heights projects
Todd McClutchy, Ashburton Avenue & Croton Heights projects
C. Ray Baker, Municipal Housing Authority (MHACY)
Jonathan Ballan, Esq. Bond Counsel
Richard O'Neill Jr., Sacred Heart Associates, LP
Debra Cohen, Esq.
Martin McGoin, Yonkers Resident

Chairman Amicone called the Regular Meeting to order at 8:42 a.m. Roll call was taken. The following Board Members were noted to be present: Mayor Amicone, William Regan, Martin Ball, Michael Baratta and Peter Kischak. Two members, Joy Lawrence and Cecile Singer were excused. A quorum was established for the conduct of business.

Approval of Minutes for the December 8, 2005 Regular Board Meeting

Chairman Amicone requested the Board Members to review the Minutes of the December 8th Meeting and noted everyone had been given a copy of the minutes before the meeting to review. Chairman Amicone provided an opportunity for the Board to review the Meeting Minutes. After asking if anyone had any questions or comments, Chairman Amicone entertained a motion to accept the Minutes.

A motion to approve the minutes was made by Martin Ball and seconded by Michael Baratta. *Approved 5-0*

Approval of Monthly Treasurer's Reports for November and December 2005

Chairman Amicone called the Board's attention to the monthly Treasurer's reports for November 2005 and December 2005. Chairman Amicone noted Sam Terenzi, YIDA's C.P.A. was present to answer any questions. The Chairman provided the Board Members with sufficient time to review the reports. Board Member Peter Kischak had a question about the Scholarship Fee. Peter Kischak stated he thought the scholarships were \$125,000. Ed Sheeran stated the Hyatt scholarship is in total \$125,000 with \$100,000 for scholarships and \$25,000 set aside for another charity. Ed Sheeran further explained there is a Parkledge scholarship in the amount of \$20,000. Melvina Carter interjected that changes needed to be made to the reports stating that scholarships were received in August. Discussions with Sam Terenzi had already taken place to ensure that the adjustment to the report would be made to reflect the receipt of total Scholarship Fees received for the 2005 calendar year.

A motion to approve the November 2005 and December 2005 Treasurer's Reports was made by Martin Ball and seconded by Peter Kischak. *Approved 5-0*

Approval of Inducement Resolution for Salgra Realty, LLC.

Chairman Amicone announced the Inducement Resolution for Salgra Realty, LLC. and called upon Shawn Griffin to make the presentation to the Board. Mr. Griffin informed the Board of previous approvals for the Central Avenue Nissan (J.M.E. Associates) project. Mr. Griffin stated this resolution was in conjunction with Nissan (J.M.E) project that is seeking taxable bond financing. Mr. Griffin explained that the transaction is done through a letter of credit. Shawn Griffin emphasized it is not a tax-exempt bond issue. For that reason, Mr. Griffin further explained, since the ownership of Nissan overlaps with the ownership of the Chrysler property, known as Salgra Realty, in order for the bankers to be comfortable with the overall project at Nissan, the bank is requiring additional collateral. Chrysler/Salgra has agreed to refinance its debt and expose the equity in its property to support the new construction that is taking place at Nissan. Shawn Griffin clarified this was the bank's request to include the property to make it a project that the bank would support. Mr. Griffin stated what looks like a separate project is essentially a part of the financing package. Mr. Griffin stressed all of the new money goes into the

Nissan project and highlighted no sales nor property tax exemption was involved, however, there may be some mortgage tax exemption. Mr. Griffin asked the Board to approve the additional part of the project. Peter Kischak asked if Salgra Realty is a part of the Central Avenue Nissan company. Shawn Griffin responded there is significant overlap in the ownership and that is why the two are willing to support each other. Peter Kischak disclosed on the record that he conducts business with the company and abstained from the vote. Chairman Amicone asked if there were any other questions.

A motion to approve the Inducement Resolution for Salgra Realty, LLC was offered by William Regan and seconded by Martin Ball, Sr. Peter Kischak Abstained.

Approved 4-0-1

Mark Brennan of Central Avenue Nissan and Salrga Realty asked if he could address the Board. Mayor Amicone gave Mr. Brennan permission to speak. Mr. Brennan thanked the Board for their support and he noted the project has gone through an extended period to obtain financing. Mr. Brennan further stated without the support of everyone, including the Planning Department, he did not know if the project could have been accomplished. Mayor Amicone replied it was good to hear the appreciation for the hard work of so many and explained the Yonkers IDA tries to do positive things at all times and it is good to hear that it works. Finally, Mr. Brennan commented the reason there is so much development in Yonkers is the people of Yonkers are behind it are trying to make things move forward for the benefit of everyone in the City. Mayor Amicone thanked Mr. Brennan.

Approval of Inducement Resolution for Ashburton Avenue, LLC.

Approval of Inducement Resolution for Croton Heights, LLC.

Mayor Amicone directed the Board to Item # 5 on the Agenda, which was an Inducement Resolution for the Ashburton Avenue, LLC project. Mayor Amicone called upon Al DelBello to come forward and make the presentation to the Board. Mr. DelBello acknowledged Mayor Amicone and the Board and asked for permission to handle Item # 5 and Item # 6 simultaneously because they are 2 different buildings but the same project. Mayor Amicone granted the request and explained that both projects were related to the Hope VI project along the Ashburton Avenue corridor. Mr. DelBello provided some background and advised that Ashburton Avenue was designated as an Urban Renewal Area under the Mayor's leadership slated for total revitalization. Mr. DelBello generally outlined the area from Palisade Avenue to Nepperhan Avenue and encompassing Ashburton Avenue extending to North Yonkers as the project area. Mr. DelBello described HOPE VI, a Federal HUD Grant, as an integral part of this Ashburton Avenue redevelopment. Further Mr. DelBello expounded that the HOPE VI grant was awarded for the purpose of demolition of old municipal housing projects and rebuilding them. Mr. DelBello stated in 2004 after a number of tries, the Municipal Housing Authority

and the City Administration were successful in getting a \$20 million grant to demolish the Mulford Gardens Housing project, the oldest housing project in the City of Yonkers. Mr. DelBello informed the Board the program has now been discontinued and the City was one of the last to receive the grant.

Mr. DelBello explained the demolition of the Mulford Gardens project will enable the City to reestablish the entire area with roads and new types of housing, row housing, townhouses and 2-3-4 story housing that will be reestablished in its place. According to Mr. DelBello, in order to get the development started some off-site housing has to be developed to initiate the process. Mr. DelBello communicated the ultimate goal is to revitalize the whole area and widen Ashburton Avenue and to reestablish the neighborhood shopping center that has existed historically in that area.

Further, Mr. DelBello made clear these two buildings, are the first actual construction that will take place. Mr. DelBello stated that the two housing projects will be used to start the movement of people in the area, giving them the ability to relocate. The first one to get under construction is the Ashburton Avenue project and will be ready to go when environmentalists are complete because the financing for it is falling in place right now Mr. DelBello advised the Board members.

The following description of the Ashburton Avenue development was provided by Mr. DelBello: It will be located on what is currently City-owned property opposite Yonkers General Hospital (now St. John's) just west of the municipal parking garage. An 81-unit building, 6 stories high will extend from Ashburton Avenue back to the Croton Aqueduct. The development will be set back off Ashburton Avenue to allow for the eventual widening of Ashburton Avenue. The development will be 100% senior housing. Mr. DelBello referred to a fact sheet that was distributed highlighting the make up of the 1 and 2 bedroom units. The income levels that will be supporting occupancy of the units provides for some of the more moderate incomes based off the average income county wide.

Mr. DelBello further described what is expected to take place regarding the land. Mr. DelBello re-stated this site is currently owned by the city and will be conveyed to the Municipal Housing Authority. According to Mr. DelBello, MHA will then convey the property to the Ashburton Avenue LLC. Mr. DelBello disclosed the ownership of the development corporation will be made up of a partnership of the developers (the Richmond Group and the Landex Corporation) plus the MHA. Todd McClutchy, a project developer with the Richmond Group, was introduced by Mr. DelBello. Mr. McClutchy was present to answer questions that the Board members may have, Mr. DelBello advised.

Croton Heights, LLC: Mr. DelBello continued with regard to the second project, Croton Heights, LLC to be located on the corner of Vineyard Avenue and Ashburton

Avenue. Mr. DelBello informed the Board the site is a city-owned municipal parking lot. Other facts of this development provided by Mr. DelBello included a description of the project being 60 units and 6 stories high. Mr. DelBello confirmed that the Project is slated for family housing as opposed to senior housing. The statistical sheet circulated demonstrated plans for 3 bedrooms as well as 1 and 2 bedroom units. The Croton development will follow the Ashburton development because that financing is being applied for right now.

Mr. DelBello summarized this Resolution before the Board will start the process of the redevelopment of Ashburton Avenue and the movement of families within the area so the demolition of Mulford Gardens can eventually begin. According to Mr. DelBello, Mulford Gardens contains about 500 families and the total plan for the Hope VI and Ashburton Avenue is to build approximately the same number of units to relocate those families, introduce new families, mixed income and mixed uses into the neighborhood. Mr. DelBello made known that all of the 500 families will be placed where they want to go because it is a Federal requirement. Each family selects where they want to live and the developers accommodate their requests.

Mr. DelBello stated the applicants before the Board were asking for the IDA's support and to negotiate a P.I.L.O.T. agreement with the IDA, which will be undertaken shortly after this initial matter is acted upon by the Board. Mr. DelBello reiterated the need for financial support to provide the affordability of these units for the families that are intended to be housed there.

Shawn Griffin asked permission from Mayor Amicone to supplement the information before the Board. Mr. Griffin requested the Board to consider both resolutions at the same time because they effectively related to the same thing. Mr. Griffin explained it is established procedure to come in at the first meeting and have the Board act on the inducement resolution before the public hearing and before the negotiations of the P.I.L.O.T. Mr. Griffin confirmed that is what is occurring before the Board today. Mr. Griffin described the projects as both being bond transactions, and indicated the approach taken in this matter is consistent with IDA policy in the past to support economic development efforts with new housing because the applicants have an opportunity to obtain grant monies through Federal Housing Administration and FHA requires issuance of a bond in that instance. Mr. Griffin advised the Board that the IDA had undertaken this approach in other projects. Mr. Griffin reiterated these projects will consist of a Straight Lease transaction, Sales tax exemption on their build-out, a mortgage tax exemption at the closing and some type of P.I.L.O.T to be negotiated after a public hearing. At which point, Mr. Griffin stated the applicants would come back to the Board for authorization of a Final Resolution.

Mayor Amicone asked if anyone had any questions. As it relates to the Croton site, Board Member William Regan asked if the footprint was strictly the parking lot

now. Al DelBello answered in the affirmative, adding it is all contained in the parking lot. Peter Kischak inquired about parking. Mr. Kischak stated he was familiar with both projects and noted at 112 Ashburton Avenue there is a steep slope down the back towards the aqueduct. Mr. DelBello mentioned there will be a retaining wall in the back, to raise that area and that there will parking that extends from the rear property line all the way under the building. Mr. Kischak noted the ground level on the schematic drawings and asked whether the parking would be underneath. Mr. DelBello made clear the project is designed for all surface parking being under the building.

Mr. Kishack, commented he once lived at 112 back in 1960 and the neighborhood has been deteriorating over time, but he was please to see new efforts to make attractive housing opportunities at this site. Mayor Amicone had a question regarding the goal of what Ashburton Ave will become. Mayor Amicone stated the two building looked so much alike and asked if the developers could do something about the exterior to make the buildings distinctive. He pointed out they look like they are sister buildings and added what the City does not want to see created is a corridor of the same buildings. Mayor Amicone explained the projects are on two entirely separate sites and expressed it would be appropriate to see different looks on the different buildings.

Mr. McClutchey agreed it was a point well taken and assured the Board the developers would consider looking at changing the façade to prevent the creation of a monotone style community. Mayor Amicone asked if there were any other questions. Board Member Martin Ball asked what age would seniors fall under to be eligible for this project. Mr. DelBello informed the Board seniors would have to be 62 to get in. Mr. Ball wanted to know where the developers would attract the seniors from. Mr. DelBello stated people who live in Mulford Gardens now if they are 62 would qualify to get in here first. Mr. McClutchy clarified it would be a combination of both, current MHA residents (from a list that MHA maintains) and new residents (there will be a waiting list held by the management).

Mayor Amicone commented it was his understanding as the City went through the Hope VI project there is a requirement to guarantee housing for everyone that is in Mulford Gardens now. Mayor Amicone explained this could be accomplished either by finding a place to relocate the residents within the neighborhood if they choose to stay within the neighborhood or by taking other appropriate steps. Mr. Amicone mentioned there are a number of Section 8 certificates to assist with the process. He further informed everyone that the certificates would be made available to many of the tenants who can then choose to live anywhere that they want to or to utilize them to stay in the same neighborhood to find a place that they like. Mr. DelBello agreed that was a very important point that the Mayor brought out. Mr. DelBello stated that the developers have a consultant from Washington D.C. who assists in this process of housing selection exclusively. He described how they work with the

families and have been working with the families for over two years along with the MHA. Mr. DelBello was confident that the consultants understood the needs of the families and individuals in the families. Mr. DelBello confirmed the information provided by the Mayor that each family has an opportunity to choose where they want to live or decide if they want to come back to this specific housing area in the community. Mr. DelBello emphasized that the developer must provide housing prospects for the Mulford Gardens residents in the community or if they want to use the Section 8 certificates to go anywhere, that the developer must provide that alternative. Mr. DelBello disclosed there is a special Section 8 allocation for this Hope VI project and it is very carefully scrutinized by the federal government and he declared the developers want it that way to make sure the current Mulford Gardens residents have every opportunity for adequate housing selection. Board Member Martin Ball wanted to know if a family in Mulford Gardens takes an apartment in Croton Place, that when Mulford Gardens is built does that family have a right to leave Croton Place and go back. Mr. McClutchy responded in the negative and explained the Croton project would be a part of the Hope VI project, therefore the commitment to that family to relocate from Mulford Gardens is finished when the family move into that new apartment. Mayor Amicone interjected that the new housing becomes a part of the permanent replacement housing. Mayor Amicone noted that the residents could chose to temporarily move to another location and then back into Mulford Gardens or move into one of the new buildings which would then become their permanent relocation. Mr. DelBello reiterated, as Mr. McClutchy had indicated, that all of the residents from Mulford Gardens will not fill the new buildings because the idea is to attract into the community new residents to create mixed housing as well as encouraging people to come back into the community to reestablish the Ashburton community of years ago. Mayor Amicone made clear the intent was not to drive people out, but a commitment to rebuild neighborhoods that have over a period of time fallen with challenging economic times. The Mayor stated that the effort is now to put money back into this community to rebuild so the people who are there can stay and other people who want to move in can do so. Mayor Amicone then asked the Board Members if there were any further questions. There be no further questions, Mayor Amicone restated the process to take Agenda Items # 5 and # 6 together with Inducement Resolutions for the Ashburton Avenue and the Croton Height projects.

Board Member Michael Baratta motioned to approve both Inducement Resolutions with the requested revisions to the building facades and Peter Kischak seconded the motion for the proposed development of Ashburton Avenue, LLC and Croton Heights, LLC. *Approved 5-0*

Mayor Amicone advised Mr. DelBello to come back with the revised renderings incorporating the requested change to the exterior of the buildings. Mr. DelBello said he would do so and thanked the Mayor and the Board for their approval.

Approval of Inducement Resolution for Croton Heights, LLC.

This Inducement Resolution was considered in conjunction with the Ashburton Avenue, LLC Inducement Resolution above. Please refer to the preceding notes as well as the Action taken by the Board. *Approved 5-0*

Approval of Inducement Resolution for Sacred Heart Associates, LP.

Mayor Amicone announced to the Board this last Inducement Resolution for consideration and asked Jon Ballan, Esq. to make the presentation. Mr. Ballan approached the Board and introduced Richard O'Neill, Jr. for the applicant.

Mr. Ballan stated the Sacred Heart project was a similar project to the Monastery Manor project successfully completed last year with the IDA's financial assistance. Mr. Ballan explained the project is the refurbishment of a low income senior housing facility right next to Monastery Manor. He described that the Inducement Resolution would allow the Project to move forward and then recoup whatever the applicant would spend through the proceeds of tax-exempt bonds, which should be issued in the immediate future. Although it did not involve the Resolution before the Board, Mr. Ballan provided notification of some potential complications with obtaining the required HUD approvals. He stated the applicant would come back for the necessary Bond resolution and other mandatory IDA approvals in the future. Mr. Ballan stated the appearance today was to inform the Board of the Project and to help the Project get started. Mr. Richard O'Neill Jr. addressed the Board and described the location of the proposed project. He mentioned that 1 Father Finan was right next to Monastery Manor and offered details of the Project. Mr. O'Neill expressed the applicant's proposal to install an emergency generator and renovate all the apartments in the building. Mayor Amicone asked how many apartments were in the building. Mr. O'Neill stated there were 145 apartments. Mayor Amicone reminded the Board it is situated almost directly across the street from the Project the YIDA approved last year. In answer to Mayor Amicone's question, Mr. O'Neill stated the building was 32 - 33 years old and noted it was time to renovate. Mr. Ballan emphasized that the Project was needed to improve the health and welfare of the citizens living there. William Regan stated his mother lives in Finian and wanted to publicly disclose that fact. Dennis Lynch, IDA Counsel stated he found no conflict of interest based upon that disclosure to preclude Mr. Regan from voting on the matter. Mayor Amicone asked if there were any other questions or comments from the Board.

Michael Baratta. made a motion to approve the Inducement Resolution and William Regan seconded. *Approved 5-0*

Legal Updates

Chairman Amicone asked Dennis Lynch, YIDA Counsel, if there were any legal issues. Mr. Lynch noted that the Langan Engineering Contract was previously authorized by the Board, but some additional changes were made to the terms

although the price remained the same. Mr. Lynch summarized those terms to the Board. Mr. Lynch asked the Board to reaffirm its authorization and allow the Executive Director to sign the Langan contract for remediation work at the Jail Site on Alexander Street. Mayor Amicone asked if there were any questions and after hearing no questions requested a motion for reauthorization.

Martin Ball made a motion to reauthorize the contract and William Regan seconded. *Approved 5-0*

Other Business

Mayor Amicone made the announcement of Edward Sheeran's leaving the YIDA as Executive Director after 9 years of committed service to the YIDA and the City of Yonkers at large. Chairman Amicone stated it was his pleasure working with Mr. Sheeran and acknowledged that all Board Members are going to miss him as being the Executive Director. Mayor Amicone stated he could not point to one other person who has done more to help the development in the City of Yonkers than Mr. Sheeran. Mr. Sheeran's tenacity to accomplish Projects and his work ethic were applauded by Chairman Amicone, who added, that he has not seen replicated in almost anyone else Chairman Amicone has worked with. Mr. Sheeran was commended for the remarkable job he had done representing the City of Yonkers Industrial Development Agency by Mayor Amicone in his remarks to the Board and public in attendance.

Chairman Amicone highlighted the fact that Mr. Sheeran has been a resident of the City of Yonkers for many years and has raised his children here. The Mayor also noted how Ed Sheeran turned the IDA around and recalled how in 1996 before Mr. Sheeran was the Executive Director that the IDA was in hundreds of thousand of dollars in debt and doing no work for the City of Yonkers. Mayor Amicone reminded the Board that is why Ed Sheeran was made Executive Director and Mayor Amicone credited Ed Sheeran with turning the IDA around to successfully undertake approximately \$1 billion worth of new development spurred on by this Agency. Mayor Amicone outlined a number of projects Ed Sheeran successfully help guide through the IDA and described how Ed Sheeran convinced businesses to come to the City of Yonkers when it took convincing to have businesses interested in Yonkers.. Ed Sheeran was highly praised by the Mayor for assisting those businesses that wanted to expand and Mayor Amicone noted the progress that was made was in a large part because businesses were dealing with Ed Sheeran and the professionalism and commitment he demonstrated to help businesses thrive in the City of Yonkers. Mayor Amicone noted that as you drive around the City you will see the work that will be here for years and years that Ed Sheeran helped bring to the City of Yonkers. On behalf of the Board, Mayor Amicone thanked Ed Sheeran and mentioned that the IDA would have one more meeting before Ed Sheeran leaves as Executive Director at the end of February.

Mayor Amicone proceeded to inform the Board that Mr. Sheeran is still needed to assist the YIDA in a consulting capacity both to conclude projects currently being worked on as well as to help the new Executive Director in the transition process. Mayor Amicone indicated that he would like to introduce a Resolution for the Board to consider that would authorize the Mayor, as Chairman, to select a committee of no more than 2 members of the Board members to negotiate and execute a consulting agreement with Ed Sheeran to be effective in March 2006. This Resolution would provide that compensation and benefits for Mr. Sheeran as a consultant not exceed his current compensation and benefits as Executive Director and for a term not to exceed one year. Mayor Amicone stated the IDA had not found a replacement yet and expressed it is very important to keep the IDA operating effectively and efficiently. Mayor Amicone mentioned whoever is hired as the Executive Director may not know the City well enough and certainly will not be as familiar with all of the projects the Board is working on right now. The Chairman informed the Board he would like to ask Ed Sheeran to stay and work with whomever the Board selected to be the Director of the IDA during that transition period that would not be for a period over one year. Dennis Lynch was asked to draft appropriate documents to that effect.

William Regan added it was critical for the City that the transition period proceeds properly. Mr. Regan articulated the IDA should ensure the current projects are not stalled or stopped. Mr. Regan strongly felt it was in the best interests of the City for an appropriate transition process to take place and for Mr. Sheeran to be a consultant with that transition process. Mr. Regan stated that he was glad Ed Sheeran was willing to assist in that regard.

Michael Baratta concurred with Mr. Regan's remarks and noted that finding an appropriate replacement in a relatively short time frame may not be easy. Mr. Baratta noted that it is critical Ed Sheeran helps with the transition because there are so many potential obstacles to a smooth functioning YIDA, that if the Board does not have a qualified professional to keep on top of all things problems could take place. Mr. Baratta remarked that having someone in the transition like Ed Sheeran who knows the ins and outs and has been working on the existing projects is important and can also assist and inform the new person selected as Executive Director to move forward with the YIDA.

Martin Ball inquired if this proposed Resolution offered by the Mayor was just for the YIDA's approval regarding the Executive Director position being filled. Mayor Amicone stated that the City of Yonkers or government in general often does not have the ability to keep someone in a position while at the same time hiring someone new to work along side of them. Mayor Amicone noted that it is unfortunate when this happens and frequently causes a disruption in the provision of services that can be critical in projects being working on. Mayor Amicone stressed from a business point of view it is important for the YIDA to allow for a

transition period so that there is no disruption in the YIDA's progress with economic development. The Chairman further explained that the YIDA cannot have a disruption in the processing of applications because it could be critical to current and contemplated business who work with the YIDA to have an informed and experience person as a consultant until the new Executive Director is able to take over completely after being fully informed of the issues.

Mayor Amicone remarked that he spoke to Ed Sheeran earlier and noted that Ed Sheeran has agreed to work in this consulting capacity. Mayor Amicone emphasized that the IDA is looking for a new Executive Director and that there have been candidates interviewed and that he was confident the YIDA would find someone appropriate for this position. Chairman Amicone asked if there were any other questions. After providing the Board Members with an opportunity to ask any further questions and hearing no questions, he then requested a motion on the Resolution.

Peter Kischak made a motion to authorize Chairman Amicone to select 2 Board Members to negotiate and execute a Consulting agreement with Edward Sheeran for an interim period not to exceed one year and with no greater benefits than Mr. Sheeran currently has as the YIDA's Executive Director and to include a transition period. Martin Ball seconded. *Approved 5-0*

Mayor Amicone then asked if there was any other business before the Board today.

Ed Sheeran announced there was one other piece of business regarding some changes that impact all IDA's in New York from recent legislation that went into effect January 2006. Shawn Griffin noted that this legislation had been discussed for several months and passed the Legislature late last year coming into effect January 2006. Mr. Griffin informed the Board for several reasons the Governor's office held off on having it signed. He explained it was a technical way to allow the agencies to have time to meet these new requirements. Mr. Griffin described the new legislation, the Public Authorities Accountability Act, as presenting additional requirement on actions this agency and all IDA's have already done. Mr. Griffin summarized the Act to the Board as providing certain controls very similar to what the corporate world did, about a year and a half ago, and sets up new institutional requirements for Board members. The Act, as outlined by Mr. Griffin, has a clear set of different responsibilities for Directors and will require certain accountant standards to be met. Shawn Griffin advised that a new counsel had joined Harris Beach that will be specifically working on implementation of the Act and other Economic Development legislation effecting the YIDA. Mr. Griffin suggested that the YIDA staff may want to meet with this new attorney to be comfortable with the Act's new process and procedural requirements. Mr. Griffin estimated the agency that will monitor enforcement of the Act will not be set up until about April or May

2006 and expressed there is time for the YIDA and staff to understand the new requirements including an ongoing educational component. Shawn Griffin indicated that his firm would be developing a handbook on the new legislation to make following the requirements easier for the Board and any new Board Members to understand.

Dennis Lynch noted that some parts of new Act are clear regarding what the Board must do or not do, but other provisions in the new Act will require an interpretation by the courts concerning how the law will apply. Mr. Lynch and Mr. Griffin both noted that the Board would be given the best guidance that can be provided.

As a final matter, Mayor Amicone referenced the media advisory in the Board's packages and stated there will be an important announcement this morning at 10:30. Mayor Amicone informed the Board that problems with the City budget are real and stated what is truly important is the steps that are being done to grow our way out of budgetary problems. Mayor Amicone indicated that the only effective way to continue to catch up with the City's expenses is to expand our tax base. The Mayor noted that the Ridge Hill Project and other projects on the waterfront are a way to expand the tax base in the City. The Mayor also announced later today there will be a project disclosed that will be a significant step, probably the biggest in the history of City and County, to grow to solvency, without the need to look for the proverbial handouts every year from the State level to balance the budget. Mayor Amicone invited everyone to come back if they could to hear more about the Project and observed that the YIDA would be involved with the Project in some way. Mayor Amicone ended by thanking everyone for their participation as volunteers and reminded the Board of another opportunity to thank Ed Sheeran at a later time.

Adjournment

Chairman Amicone asked if there were any further business matters before the Board and hearing no further business, a motion to adjourn the meeting was made by William Regan and seconded by Peter Kischak. *Approved 5-0*

Meeting adjourned at 9:21 a.m.