

**STATE OF NEW YORK** **COUNTY OF SARATOGA**  
**INDUSTRIAL DEVELOPMENT AGENCY**

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

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**LOCATION AND TIME OF HEARING**

Saratoga County Chamber of Commerce  
28 Clinton Street  
Saratoga Springs, New York  
September 10, 2018 at 8:00 a.m.

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

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

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

DENNIS BROBSTON, President, SEDC  
TORI J.E. RILEY, Vice-President

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

AIROSMITH DEVELOPMENT  
MARGARET SMITH, President

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

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2                    **CHAIRMAN SUTTON:** Good morning. It's  
3 a few minutes past 8:00 a.m., on Monday,  
4 September 10, 2018. I'll call to order the  
5 public hearing of the Industrial Development  
6 Agency of Saratoga County that is being held in  
7 the offices of the Saratoga County Chamber of  
8 Commerce at 28 Clinton Street in Saratoga  
9 Springs. We have received an application  
10 submitted any Airosmith, Incorporated (the  
11 Applicant) now located at 32 Clinton Street in  
12 Saratoga Springs on behalf of Smith Cassier  
13 Real Estate Holdings Company, LLC, a limited  
14 liability corporation (the Company).

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

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

11                   The Agency is considering whether to  
12                   undertake the Project and finance the Project  
13                   by executing a mortgage or mortgages (the  
14                   Mortgage) to secure a borrowing or borrowings  
15                   by the Applicant (the Loan) in an aggregate  
16                   principal amount sufficient to finance all or a  
17                   portion of the cost to acquire, construct and  
18                   install the Project Facility and the cost of  
19                   the Loan currently estimated to be  
20                   approximately \$2,400,000.

21                   If the undertaking of the Project and  
22                   execution and delivery of the Mortgage is  
23                   approved by this Agency, then (A) the Project  
24                   may be granted such exemptions with respect to  
25                   real property taxes, mortgage recording tax,

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

18                   I will now ask Special Counsel to the  
19                   Agency, James Carminucci, if proper legal  
20                   notices were provided for the Public Hearing in  
21                   accordance with regulations.

22                   **MR. CARMINUCCI:** Yes. The public  
23                   notice of the public hearing was placed in *The*  
24                   *Saratogian* on August 28, 2018 and I believe  
25                   Mike sent notices to applicable taxing

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2                    jurisdictions.

3                    **CHAIRMAN SUTTON:** Thank you. Agency  
4                    members present today are Arthur Johnson,  
5                    Andrea DiDomenico, Michael Mooney, and, myself,  
6                    Rodney Sutton, Chairman.

7                    Staff present today, Scott Duffy, CEO;  
8                    Jeffrey Many, CFO; Mike Valentine,  
9                    Administrator, and Special Counsel, James A.  
10                    Carminucci, also serving as Bond Counsel.

11                    On the application, this request for the  
12                    Project was last presented to this Agency on  
13                    August 13, 2018. That application and  
14                    supporting material have been available for  
15                    review by any interested parties since that  
16                    date at the IDA Offices at 50 West High Street  
17                    in Ballston Spa. Since the presentation of  
18                    that application, are there any additional  
19                    comments or thoughts from staff or Applicant  
20                    that need to be provided at this public hearing  
21                    relative to the application that was previously  
22                    submitted?

23                    **MR. TOOHEY:** Mr. Chair, my name is  
24                    Mike Toohey. As you know, I serve as counsel  
25                    to the Industrial Development Agency but with

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1  
2 their consent, I have recused myself from  
3 representing the Agency in this matter and will  
4 be representing the Applicant.

5 We have submitted documentation to you.  
6 In front of the Chair, there are full sets of  
7 plans as they are presently drawn for this  
8 Project. It is 10,000 square feet. It is an  
9 unusual project, and we sent a memo having to  
10 do with that on August 22.

11 The Applicant has a unique opportunity  
12 that the company could take virtually anyplace  
13 in the State of New York and other states.  
14 They employ people throughout the country and  
15 are on the cusp of the revolution that 5g  
16 technology will allow for this type of  
17 business. The business could be anywhere. The  
18 Applicant wished it to be, and she wants it to  
19 be in Saratoga Springs, New York. We're lucky  
20 to have that. 10,000 square feet, you have the  
21 dollar amount. The Applicant met with the  
22 Mayor and Brad Birge who is Economic  
23 Development with the City of Saratoga Springs  
24 and the administrator of the Planning  
25 Department, last week and the Project was very

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2                    well received by the Mayor and Mr. Birge.  
3                    Margaret Smith is here along with folks from  
4                    SEDC who will be glad to answer any questions  
5                    you may have with regard to the process or the  
6                    building that it plans to be constructed.

7                    **CHAIRMAN SUTTON:** Thank you,  
8                    Counselor. It is noted.

9                    I am, therefore, now going to open up the  
10                    public hearing for any input from the public or  
11                    response and comments relative to the  
12                    application.

13                    Is there any other input for this public  
14                    hearing at this point in time?

15                    **MR. BROBSTON:** Mr. Chairman, one  
16                    thing we would just like to mention.  
17                    Originally, there was a question about where  
18                    the jobs will be created. The memo we sent on  
19                    August 21 which everyone received, they talked  
20                    about the 51 current and full-time employees.  
21                    The 43 are New York State residents and 32 of  
22                    those 43 are from the local work force,  
23                    Saratoga County. We also mentioned in that  
24                    that all nine of the growth in the three years,  
25                    would be planned for Saratoga County. I'm

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1  
2 sorry. After the first would be planned for  
3 Saratoga County. So right now, there's 51. It  
4 would go to 54, 57 and 60. The plan is they  
5 will have them in Saratoga. I just wanted to  
6 confirm that.

7 **MR. VALENTINE:** Mr. Chairman, there  
8 was a note that went around from Dennis's  
9 office that should be noted that there's a  
10 change from the application that we're going  
11 from 9,000 square feet to 10,000 square feet.

12 **MR. BROBSTON:** That's right.

13 **CHAIRMAN SUTTON:** Any other input?

14 (No response.)

15 **CHAIRMAN SUTTON:** Seeing none, we  
16 will now close the public hearing.

17  
18 (Proceedings concluded.)  
19  
20  
21  
22  
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24  
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C-E-R-T-I-F-I-C-A-T-I-O-N

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



**DONNA L. MARTIN, CSR**

**Dated:** 10/1/18

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