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P R O C E E D I N G S

PUBLIC HEARING

SARATOGA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

\*\*\*\*\*

A Public Hearing regarding  
Best Avenue Ventures, LLC  
in accordance with  
the provisions of  
Section 859-a(2)  
New York  
General Municipal Law

\*\*\*\*\*

November 22, 2021  
6:00 p.m.

Stillwater Town Hall  
881 Hudson Avenue  
Stillwater, New York

**PRESENT:****FOR THE SARATOGA COUNTY IDA:**

Sally Herrick - Chair  
 Barbara Corsalle - Member  
 John Fusco - Member  
 Judy Wood - Member  
 Maria Morris - Member  
 Sam Carabis - Treasurer  
 Patrick Hildreth - Secretary  
 Gina Kenyon - Administrative Assistant  
 Sal Iavarone, CFO

**ALSO PRESENT:**

Ed Keis, CFO, DeCrescente  
 CJ DeCrescente  
 James Carminucci, Special Counsel  
 Dennis A. Brobston, Saratoga Economic  
 Development Corporation, President

**PRESENT FROM PUBLIC:**

Karen Lorf

**E-X-H-I-B-I-T-S**

<u>Number</u>	<u>Description</u>	<u>For Ident.</u>
1	Affidavit of Service	3
2	Notice of Public Hearing	3

1                                Public Hearing - November 22, 2021

2                                (Exhibits Numbers 1 and 2 were marked for  
3 identification, this date.)

4                                **CHAIRWOMAN HERRICK:** I'm going to open  
5 the public hearing for the  
6 Mechanicville-Stillwater IDA. The Public Hearing  
7 is being held regarding the Best Avenue Ventures,  
8 LLC Project.

9                                At this particular time, can the minutes  
10 show that currently our Board members missing are  
11 Jan Silvester and Maria Morris, and at this  
12 point, all other Board members are here in  
13 attendance. Okay.

14                               All right. At this time, I want to ask  
15 Ed Keis and Dennis Brobston to give us an  
16 overview of the project, and then we'll open up  
17 for public comment.

18                               **MR. CARMINUCCI:** I just want to note for  
19 the record that the notice of public hearing was  
20 published in the *Daily Gazette* on November 8th  
21 and the letter was sent to the affected taxing  
22 jurisdictions on November 3rd.

23                               I've given copies of both the affidavit  
24 of publication and the correspondence to the  
25 stenographer, and request that they be made part

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of the record of the Public Hearing.

**CHAIRWOMAN HERRICK:** Okay. Dennis?

**MR. BROBSTON:** Good evening, and here we are talking about Best Avenue Project, which is Best Avenue Ventures, LLC and is an LLC under the DeCrescente Group.

This project is for a facility that is going to be built new, 66,000 square feet of warehouse space. They purchased the former Patenaude facility, which is about a little over two and a half acres, nine and a half million dollars worth of new construction, additional new site work, and other infrastructure and other equipment. The total of the project is estimated to be \$13,570,000.

They are asking for a PILOT and mortgage recording tax and sales tax exemption. Sales tax exemption is estimated to be around 413,700. I'm sorry, they are not asking for a mortgage tax exemption, because they're doing this from their cash account.

**MR. KEIS:** Trust. .

**MR. BROBSTON:** Thank you. The property tax abatements over a ten-year period add up to

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1  
2 \$987,535, looking at it from the perspective of  
3 today's assessment numbers. The estimated  
4 assessment for the project, for the finished  
5 project would be \$6.6 million.

6 At this time, Ed Keis is here to explain  
7 a little bit about what they've done, and I think  
8 the big thing here, Ed, is talking about it from  
9 the perspective of you're looking to, over three  
10 years, to create at least 19 jobs?

11 **MR. KEIS:** Correct.

12 **MR. BROBSTON:** The history that you've  
13 had with the IDA, though, has been that you set  
14 certain numbers, and you've been conservative in  
15 your approach, and the numbers have always been  
16 larger, but you can talk about that and give a  
17 little bit of history.

18 **MR. KEIS:** Okay. Good. So I'll just  
19 refer quick back to our letter of last October  
20 when we first applied for the IDA PILOT program  
21 that you approved in December of 2020 for 30,000  
22 square feet, and you may remember that we  
23 discussed, at that point in time, that we were  
24 still going through the engineering process and  
25 the workflow process to determine if 30,000 was

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1  
2 going to be enough square footage.

3 As the consultants dug into that deeper  
4 and looked for future expansion, we decided to go  
5 with a 66,000 square foot addition, which meant a  
6 lot more buildings, but some more excavation,  
7 some more demolition, and those things.

8 So, to update you to now, we took title  
9 to the property from, I guess it was kind of from  
10 Patenaude, kind from NYBDC back in January, and  
11 then we paid Saratoga County \$150,000 in back  
12 taxes from the prior owner, then we started  
13 removal of the 19 truckloads of paint and  
14 solvents that were in the building furthest to  
15 the back and disposed of them.

16 The guy had to go in and identify every  
17 container, was this flammable, was that  
18 flammable, and then send it to the proper  
19 disposal unit. Obviously a fairly expensive  
20 project.

21 We got that done fairly quickly, and then  
22 we worked with DEC along during that process, but  
23 also during the testing of the soil and removal  
24 of about 40 truckloads of soil that contained  
25 sand blast grit, waste sand blast grit, and moved

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1  
2 that out to landfills at a very expensive price.

3 We have been before the Stillwater  
4 Planning Board and got approval last month for --  
5 there were five resolutions passed on the  
6 approval of the project, some various lot line  
7 adjustments, some SEQOR determinations, and a few  
8 other things that we went through, so we now have  
9 the building permit and are ready to get going.

10 As part of that, although it's not  
11 anything to do with this IDA, we did purchase the  
12 property across the street from Empire  
13 Warehousing, and as everybody knows, that was  
14 quite a crater there and quite a void to fill.

15 So we've now begun moving the soil  
16 excavated from the Patenaude property and from  
17 DeCrescente property over to across the street.  
18 So that project will allow us to move 400  
19 truckloads across the street, instead of 400  
20 truckloads to the Albany landfill or Gansevoort  
21 or another landfill at a tremendous cost and wear  
22 and tear on the roads, environment and whatever.

23 So we're about halfway through moving  
24 that soil now, and we're back here for the public  
25 hearing portion of this.

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1  
2 So I think I explained last time, it's  
3 not a tremendous increase in jobs because we're  
4 making room for product now and for the future.  
5 So while, if we estimate 19, we know it will be  
6 significantly more than that by the time we're  
7 finished in filling out the warehouse.

8 Right now, our PILOT program is in place,  
9 and somebody was wondering how much we paid in  
10 real estate or property taxes. So, the  
11 combination of the property taxes under the  
12 various entities, some is in Mechanicville, some  
13 is in Stillwater, but it is a little over  
14 \$375,000 a year when you include the IDA PILOT  
15 check.

16 We don't know what the assessor will  
17 assess the new property at, but our estimate  
18 would be that will -- and there's an estimate  
19 that Dennis mentioned, but it looks to us like by  
20 the time we get through the PILOT and are paying  
21 those taxes, add about \$175,000 in taxes between  
22 the Mechanicville School District and Town of  
23 Stillwater and the County each year thereafter.

24 I miss anything, Dennis?

25 **MR. BROBSTON:** The only thing I was going



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1  
2 to mention, the estimated project costs -- and  
3 there's a format in our application that asks us  
4 to take the total project cost divided by the  
5 estimated exemptions, and the estimated  
6 exemptions are about ten percent of the total  
7 project costs, \$1.3 million -- \$1.39 million, so  
8 it's actually 10.33 percent, which is, as we  
9 continue to talk about projects, one of the lower  
10 ones we've seen.

11 We usually run in the 15 to 18 percent  
12 usually on projects that are buying property,  
13 building, and with mortgage recording and sales  
14 tax. So this is a little bit less than that.  
15 It's not unusual for that, but it is something  
16 that we haven't seen for a while.

17 The other thing I'd like to mention, Ed,  
18 and for you to comment on, is that the type of  
19 jobs we're talking about here, what we've seen --  
20 and congratulations on DeCrescente being another  
21 great place to work, I actually just saw that  
22 recently --

23 **MR. KEIS:** Thank you.

24 **MR. BROBSTON:** -- but because of that,  
25 you train your folks, they stay. We're not

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1  
2 talking about a lot of transient. I mean, there  
3 is a little bit of that, but one of the things  
4 about the operation is that it has been very  
5 positive in keeping people, they can grow and  
6 move on to higher positions if they wish.

7 Any comment on that?

8 **MR. KEIS:** I think somebody mentioned at  
9 the last meeting that our average estimated  
10 annual salary for the new jobs, they were  
11 wondering if it was a typo because it had changed  
12 so much from last year, but, in fact, CJ has had  
13 to provide those increases to retain people and  
14 to keep good people, and we know everything  
15 around us is going up too, so our wages are up  
16 substantially.

17 **MR. BROBSTON:** Sally, any questions that  
18 the Board may have or comments? Yes?

19 **CHAIRWOMAN HERRICK:** Patrick?

20 **MR. HILDRETH:** I'd like to make a  
21 comment. Having been where I've been for the  
22 last 50 years and having seen what I've seen go  
23 on around me and being involved in city  
24 government, I've never dealt with people who  
25 community care more than the DeCrescentes.

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2                                    Just looking at what they did on the  
3                                    crater over there, that was the worst sight you  
4                                    could see in the life, plus -- you know, it's  
5                                    passable. They can make a park out of that right  
6                                    now. It will be better than what had been there  
7                                    for the last few years.

8                                    Just keep up the good work, Mr.  
9                                    DeCrescente and Company. It has been a pleasure  
10                                    to have been your neighbor.

11                                    **MR. DeCRESCENTE:** Thank you.

12                                    **MR. KEIS:** You may notice we have a  
13                                    little more work to do tomorrow that we didn't  
14                                    have to do Friday. A truck backed out of there  
15                                    today, an over the road guy delivering, and took  
16                                    out a whole section of fencing that they'll put  
17                                    back up tomorrow.

18                                    **MR. HILDRETH:** I seen that.

19                                    **MR. CARABIS:** I'd like to make one  
20                                    comment about DeCrescente too. Back when they  
21                                    were going to put up a new facility, there was a  
22                                    question of whether they were going to go to  
23                                    Halfmoon or Mechanicville, and they chose  
24                                    Mechanicville. Thank God.

25                                    **CHAIRWOMAN HERRICK:** Any other comments

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1  
2 right now?

3 (No response.)

4 **CHAIRWOMAN HERRICK:** We're going to  
5 entertain comments from the public.

6 Let the record show that Maria Morris is  
7 here. Thank you.

8 So does anybody want to make any comments  
9 from the public?

10 If you'd just state your name and  
11 everything for the record, please.

12 **MS. LORE:** My name is Karen Lorf. I live  
13 in the Town of Stillwater at 232 Gronczniak Road.

14 This is a difficult situation. We all  
15 know the DeCrescentes have been in town for a  
16 very long time, has very long roots within the  
17 community. People are -- I mean, this is --  
18 there's other people that I talk to that were  
19 hesitant to come to the meeting to speak out  
20 against it because they don't want to cross them,  
21 and I understand that.

22 As business owners within the community,  
23 it can be difficult, but I think honesty is  
24 important, and the reason that I started looking  
25 at this project was because I didn't like being

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1  
2 lied to, and I was seeing a lot of lies.

3 I went to -- I'm going to take off my  
4 mask because I'm vaccinated.

5 **CHAIRWOMAN HERRICK:** Sure.

6 **MS. LORE:** I went to the Planning Board  
7 meetings because I was a little disappointed to  
8 see a very historic building being demolished,  
9 and when I asked if there wasn't any type of --  
10 it could have done -- I mean, if they had to take  
11 it down for their site, that's understandable.

12 There could have been documentation that  
13 was done of it. There could have been something  
14 that was done, and normally within the SEQR  
15 process, that would have been outlined, but the  
16 building was demolished before SEQR actually took  
17 effect, so I was really disappointed in that, and  
18 those old paper mills do hold an important place  
19 in the community.

20 So there's a few things that I'm going to  
21 go over, and then I'm going to -- if I have time,  
22 I'd like to elaborate a little more on the  
23 misinformation that was -- I per -- I found, and  
24 then all the FOILs that I filed in order to get  
25 accurate information.

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2                                    So, it's my opinion that this project  
3                                    should not be approved at this time for the  
4                                    following reasons:

5                                    The SEQR process has not been completed  
6                                    due to the fact that an integral part of the  
7                                    project is located in the City of Mechanicville.  
8                                    This piece was added after the long assessment  
9                                    form was already done for Stillwater, and you'll  
10                                   see in the attached documentation that I gave you  
11                                   that they did not consider this Mechanicville  
12                                   parcel as part of their SEQR process.

13                                   The parcels -- it's important, in fact,  
14                                   it's integral to the project, because in order to  
15                                   do all the excavation that they need to do, this  
16                                   actually is going to then be deposited, as we all  
17                                   noted, in the big crater. Not that I have a  
18                                   problem with it, it's just that processes need to  
19                                   be followed.

20                                   The other thing is that, part of the  
21                                   Saratoga County Planning Board which looks at  
22                                   projects which are located in two municipalities,  
23                                   when they reviewed it, these additional parcels  
24                                   were not part of that. So it still hasn't  
25                                   technically received all the county approvals

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1  
2 that it needs.

3 The cost of the site remediation.  
4 They've been inflated the entire time, and the  
5 reason I know this is because I FOILED the DEC.  
6 I received a copy of the 400-page documentation  
7 that was given to the Stillwater Planning Board  
8 and I received reams of documentation and  
9 e-mails.

10 If anybody wants to see more than what  
11 I've provided to you, believe me, I have numerous  
12 copies of everything, and part of the reason that  
13 the remediation was inflated is because they  
14 always conflated the demolition with the  
15 remediation, and those are two completely  
16 separate things.

17 The building demolition was done by  
18 choice and, actually, that's part of -- the  
19 asbestos was part of the roofing, which actually  
20 wasn't an issue until the demolition happened.  
21 So, the remediation that needed to happen was  
22 actually the paints and the solvents that were  
23 left in the 500-square foot warehouse and then  
24 the -- all the blast media that was left both in  
25 the blast building, some of it was in 55-gallon

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1  
2 drums and some of it was left on site and spread  
3 about.

4 We've heard a lot of stories about that  
5 blast media, and that's part of what gets into  
6 the lies, but I can circle back to that because I  
7 want to go over a few of these things.

8 So, by conflating the demolition cost  
9 into the overall remediation cost and it --  
10 exaggerating their remediation cost because --  
11 due to their site work. Any site work that they  
12 did in order to develop the site how they wanted  
13 should not be part of the remediation. That's a  
14 redevelopment cost.

15 So that created kind of a false base  
16 point for what the PILOT is set at, and it  
17 actually created -- I'm not sure why the Town  
18 Board overrode the Board of Assessment for the  
19 Town of Stillwater, because they saw that and  
20 that's why they chose not to give the assessment.  
21 The Town Board went ahead and did that.

22 The fact is, is that you're going to be  
23 building 66,000 gross square feet of warehouse  
24 space. That's understandable, but no one ever  
25 talks about the fact that you're eliminating



1                                    **Public Hearing - November 22, 2021**

2                    42,300 square feet of it. So there's the two  
3                    buildings off the DeCrescente parcel that are  
4                    being removed and then there was three buildings  
5                    off the Patenaude parcels, which I also want to  
6                    point out were two separate parcels.

7                                       Then my little bit of -- you know, just  
8                    my own disappointment of the fact that  
9                    DeCrescente Distributing has had continuous IDA  
10                    breaks back to the eighties. It's kind of hard  
11                    to actually chase all of that out, but I just  
12                    wonder when they're ever going to be able to  
13                    stand on their own two feet. Why do they keep  
14                    having to be subsidized by the community?

15                                       The community has a lot of elderly people  
16                    on very limited incomes that have a very hard  
17                    time paying their taxes. This is a very  
18                    successful business that is partly due to the  
19                    fact that this community has invested in them, as  
20                    much as they have invested in us, but how much  
21                    longer can we afford to be giving them tax breaks  
22                    at a cost for a lot of the elderly and people on  
23                    limited incomes within the School District and  
24                    also the Town of Stillwater?

25                                       And then, which I found really ironic and

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1  
2 buried within the e-mails and in all the  
3 documentation I received from the DEC, there's  
4 actually an e-mail between Ed Keis and Supervisor  
5 Ed Kinowski where Ed Keis stated that they would  
6 not be seeking the PILOT agreement. I just found  
7 that kind of humorous, but I put that in as part  
8 of the documentation.

9 But as far as the lies go, I was actually  
10 here at one of the presentations when Ed went on  
11 about the lead. Oh, I don't know what Andy was  
12 doing, what he thought he was doing putting blast  
13 media there in the egg -- in the lead?

14 Well, if you actually read through the  
15 reports, which I have, of the testing that was  
16 done by the DEC, lead isn't really an issue. The  
17 only lead that's in there is below the  
18 residential use requirement, and these were all  
19 -- this is all sampling that came back from '21,  
20 from early '21, so that's March, that was May,  
21 that was August of '17.

22 So, at this last meeting, Ed should have  
23 been aware of that information. That was all  
24 information that would have been available to  
25 him, but he still implied that a lot of lead was

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1  
2 spread around in the blast media.

3           So of those 12, the only real issue that  
4 came up on that that I saw -- and maybe I should  
5 tell you, I've done a lot of site remediation  
6 work, redevelopment work. I'm not an  
7 environmental engineer. I'm a licensed landscape  
8 architect, but I've done projects that have  
9 involved brown fields. So I'm familiar enough  
10 with the reports to be able to read them and to  
11 determine what redevelopment should occur.

12           So one of the ones that really like stood  
13 out to me was the arsenic, which was slightly  
14 elevated. The commercial use is 16.0, but that  
15 was actually down really low. That was at 11 to  
16 12 feet below grade, which probably means that  
17 was left over from the paper mill.

18           As we all know, arsenic is often a  
19 byproduct from the paper mill processes, and --  
20 in fact, there was -- especially when there was  
21 sulphur involved, and they did have a sulfur  
22 house there and processed some of their own  
23 chemicals, so that's probably where that came  
24 from.

25           There was a little bit of barium, but

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1  
2 like I said, nothing that -- the regulatory level  
3 is at 100 milligrams per liter, and everything  
4 was really below 2. So, it's a much different  
5 scenario than what we've been told, and I find  
6 that -- I don't like being lied to.

7 I mean, there -- there was no reason to  
8 lie. They could have just been honest, unless,  
9 of course, they're just trying to inflate that  
10 mediation cost in order to get the tax break in  
11 order to get some other things, but that's  
12 speculation on my part.

13 So, in the cover letter that they sent --  
14 if you don't mind, I'd just like to go through a  
15 few things, some of the discrepancies that are in  
16 there.

17 So, in the letter that was sent October 2  
18 to the Board itself, some of the  
19 mischaracterizations, the first one, "the 500  
20 square foot building full of containers of  
21 hazardous material that pose a fire risk, see the  
22 attached pictures." When I looked at that, I saw  
23 something that was palletized, that was in the  
24 process of being taken away.

25 And when I dug back into the

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1  
2 documentation, I saw that was the case, that the  
3 site -- and you can actually see this on the  
4 aerial photographs from when they were working  
5 there to when they removed, the site was  
6 extremely -- a lot of the site was very much  
7 cleaned up.

8 So all of that left over paint, most of  
9 which was latex paint, which was epoxy paints,  
10 which was enamel paints, which is shown in the  
11 DEC documentation, I believe, and in some of the  
12 documentation I provided to you, it's not that  
13 different from the stuff that you would find in  
14 your basement.

15 So, a lot of that was left, and it was  
16 palletized and it was placed in containers.  
17 Should it have been left there for four years?  
18 Absolutely not. However, the DEC knew all this  
19 was going back on in 2017 and were not concerned  
20 enough to do anything about it. So I think that  
21 statement is a little bit inflammatory.

22 The dilapidated building. Well, a  
23 dilapidated building should be taken down, but  
24 was that building dilapidated? I can't find any  
25 place where there's a structural analysis that

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1  
2 was done on that building. I can't find any  
3 place within the Town of Stillwater records that  
4 they said the structure was condemned and needed  
5 to be removed.

6 Everything that I -- I can't find any  
7 documentation on that whatsoever. So to me that  
8 says the buildings didn't really need to be  
9 demolished, and if you -- I think the anecdotal  
10 information I actually heard from the supervisor  
11 was, there was a tree growing on the foundation.

12 Well, there's no way that tree penetrated  
13 the foundation, because I think if any of you  
14 drove by and saw that demolition going on, the  
15 thickness of that foundation would not have  
16 allowed a small sapling to actually penetrate it.  
17 So I think there's a lot of -- like I said,  
18 there's a lot of exaggeration that went on.

19 Also, it was interesting to me, there's a  
20 lot of communication within the DEC records that  
21 goes back and forth between DeCrescente and  
22 themselves all the way back to 2017, and in a lot  
23 of cases DeCrescente was saying, oh, could you  
24 hold on a minute, could you hold on, could you  
25 please not do anything, could you please not do

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1  
2 anything about the site. We are trying to  
3 purchase it.

4 So part of what delayed it, the cleanup,  
5 which the DEC was willing to go ahead and do, was  
6 actually DeCrescente asking them not. I found it  
7 interesting.

8 There was -- oh, yeah, this was really  
9 interesting too, because if you read back through  
10 the documentation for that reassessment, it was  
11 actually -- you can see where DeCrescente  
12 actually asked Andy to do that, to provide that  
13 reassessment, and actually it looks like they  
14 paid for the attorneys as well, and that's all  
15 available in that document -- or, I think that  
16 came from the county documentation in the  
17 assessor's office.

18 **MS. MORRIS:** Can you just please clarify  
19 what documents you're referring to, because I'm  
20 trying to follow along with you in the piles of  
21 paper, and I don't know where you are?

22 **MS. LORF:** Oh, okay. So, some of it I  
23 actually provided as attachments, and you can see  
24 that they actually go back and forth. The crux  
25 of it is, I pulled up the summary of what would

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1  
2 happen is, if you get into the long form  
3 environmental, there's two letters there. One  
4 which they kind of go through the history of the  
5 site. I believe it's attachments five maybe,  
6 five or four. It might be four.

7 I'm sorry, I don't have that list right  
8 in front of me. So, they actually -- that sort  
9 of two sections out of a 400-page document that  
10 you can actually refer to. The Town Planning  
11 Board has a copy of it and/or they can provide  
12 it, or I can e-mail it to you, where they  
13 actually put together all the documentation for  
14 the Planning Board to show how it was remediated,  
15 what was done.

16 So a lot of times the costs are included  
17 in that, and then what the testing was, and I  
18 didn't want to put the 400-page document in your  
19 stuff, so I just kind of pulled two of them out  
20 of that, which sort of summarizes what was going  
21 on.

22 Yeah, and I kept -- that \$700,000 to  
23 remediate, I mean, that's just made up. That's  
24 absolutely -- that's not there. There's -- I've  
25 seen the bills that have come in and that came in



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1  
2 through the DEC, and it's just not accurate, so  
3 -- and I guess -- I mean, I do this stuff, I  
4 mean, professionally.

5 I'm a landscape architect. I do site  
6 redevelopment work, and because of my background,  
7 I've done a lot of environmental permitting, I've  
8 done a lot of phase one site assessments. I've  
9 done redevelopment projects on brown fields.

10 So, when I was hearing this, and it  
11 wasn't making sense, and then I read through the  
12 transcripts and I heard Ed's presentations and I  
13 read what was presented to the County, like I  
14 said, I didn't like being lied to.

15 And I -- I think it's important that we  
16 have honesty, and I think when someone presents a  
17 project to a group, it should be honest, and I  
18 guess that's summarizes all I have. Like I said,  
19 I have reams of paper from the DEC. Like I said,  
20 there's a lot of times Ed sent an e-mail chain  
21 actually to the DEC, and because I FOILED the  
22 DEC, then they had to send everything to me.

23 So, like I said, I really do have a ton  
24 of documentation. I just didn't want to overload  
25 you with a giant pile of it, but I do have more

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1  
2 available if anyone is interested. So, like I  
3 said, that kind of summarizes where I'm coming  
4 from. So thank you very much.

5 **CHAIRWOMAN HERRICK:** Thank you, Karen.  
6 Any questions from the Board?

7 **MR. CARABIS:** I've got a question for Ed.  
8 How many people do you employ down there, Ed?

9 **MR. KEIS:** A little over 400.

10 **MR. CARABIS:** And you're going to --

11 **MR. DeCRESCENTE:** Four hundred and  
12 thirty.

13 **MR. CARABIS:** You're going to replace  
14 that building with another building, another  
15 structure?

16 **MR. DeCRESCENTE:** I'm sorry, which one?

17 **MR. CARABIS:** The one that you're tearing  
18 down at that site.

19 **CHAIRWOMAN HERRICK:** Yes, that's what  
20 they're doing right there.

21 **MR. CARABIS:** There is a building there  
22 now that's going to be destroyed or taken down,  
23 and they're going to be putting up another  
24 additional building?

25 **CHAIRWOMAN HERRICK:** Yes, that's this

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1  
2 application tonight.

3 **MR. CARABIS:** Okay. Thank you.

4 **CHAIRWOMAN HERRICK:** Correct, isn't that  
5 correct?

6 **MR. DeCRESCENTE:** Yes.

7 **CHAIRWOMAN HERRICK:** Pat?

8 **MR. HILDRETH:** I think, not to take  
9 sides, but I know these guys, and I know the type  
10 of work that they do and what they've done since  
11 they've been down there. It's a lot easier to  
12 take the building down than to try to remodel a  
13 building.

14 **MR. KEIS:** It's not realistic.

15 **MR. HILDRETH:** Right, that's that I'm  
16 saying. It's more costly, and then you have to  
17 pass the costs on to somebody.

18 **MR. DeCRESCENTE:** Can I say something? I  
19 don't want to get into an unprofessional match  
20 here, but I will just say this: I do not like  
21 anything that we're doing referred to as lies.

22 Anybody that knows us and the history of  
23 what we do, we play things above board. We pay  
24 our bills. We employ people. We grow business,  
25 and, yes, we grew business because of things like

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1  
2 this that helped us, enabled us to build  
3 business, and it just -- I just think it's  
4 terrible, and I don't want my name ever  
5 associated with something that's a lie.

6 So, it is what it is, and I think you  
7 folks know what that property was and there was  
8 nobody going to walk in there and just -- it only  
9 made sense for probably us or you'd still be  
10 looking at a mess, and anything we've done, our  
11 record stands for itself. What we do, things  
12 always look better and we end up employing more  
13 people, and that's about all I have to say with  
14 that.

15 **CHAIRWOMAN HERRICK:** Thank you.

16 **MR. KEIS:** So, I've got a list of a  
17 number of misquotes that were presented here. I  
18 don't want to drag everybody through it.

19 When somebody says that Ed asked the DEC  
20 to not force a cleanup, they forgot to include  
21 the part, so that they didn't call in the EPA and  
22 triple the cost of the remediation that the EPA  
23 would impose and then nobody would ever go near  
24 that property. Forgot to put that part in.

25 The 700,000, it's going to be a couple

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1  
2 hundred thousand dollars more than that. We  
3 still continue to -- remediation costs are never  
4 going to be less than what you estimate. They're  
5 always going to be more, because you find stuff.

6 I don't know who the environmental  
7 compliance officer was at the time. I'm not sure  
8 who it was that allowed all that stuff to happen,  
9 but we cleaned up --

10 **CHAIRWOMAN HERRICK:** The environmental  
11 officer where?

12 **MR. KEIS:** At Patenaude.

13 **CHAIRWOMAN HERRICK:** Okay. Continue.  
14 I'm sorry, I just didn't know what you meant.

15 **MR. KEIS:** So, I could go back through  
16 the list of partial quotes or misquotes or  
17 whatever, but I don't want to drag you through  
18 that, but I would find it hard to believe that  
19 somebody could determine what is happening there  
20 with costs by FOILING DEC records. We pay the  
21 bills. We have the records. We know the cost.  
22 We got the estimates. So, if anything, we're  
23 low.

24 The SEQR was approved by the Town, the  
25 Town Attorney, the Town Board. I'm not a SEQR

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1  
2 expert, but -- and it was prepared by C.T. Male,  
3 the engineering firm. I rely on those people.

4 The reference to where they quote me on  
5 an e-mail to Ed Kinowski, somebody forgot to say  
6 that that was a couple years ago and way back and  
7 that we were anticipating that Saratoga County  
8 was going to help with the property, the back  
9 property tax owed by the Patenaude company and  
10 the interest and penalties.

11 We thought they were going to get waived,  
12 and when Saratoga County dug in and said, no,  
13 they wouldn't do that, that's when we started  
14 investigating more of the IDA assistance as the  
15 remediation cost escalated and, of course, the  
16 demolition costs are, you know, skyrocketing.

17 You will not find anything in there that  
18 -- I think I was quoted as saying or somebody  
19 saying that lead in -- that I said lead at a  
20 meeting. I have not mentioned lead. Whatever  
21 material is in sand blasting grit, I don't even  
22 know what it is. So, there's more.

23 **MS. LORF:** Actually, I believe the Board  
24 was there when Ed actually made that comment.

25 **MR. KEIS:** Thanks for listening.

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1  
2           **CHAIRWOMAN HERRICK:** Any other thoughts  
3 or comments before we close the public hearing?

4                           (No response.)

5           **CHAIRWOMAN HERRICK:** Does anybody else  
6 have anything they want to add before we close  
7 the Public Hearing?

8           **MR. HILDRETH:** Just one thing. Before  
9 they got involved, the Town and the City and the  
10 County got nothing from that piece of property.  
11 So whatever money they invested, we're going to  
12 get it back in taxes, which can alleviate  
13 streets, lights, and infrastructure, which we're  
14 all pressing now.

15                           Going across the street where they got  
16 that new parking lot, I looked at that for 20  
17 years. If anybody should be investigated for  
18 lying, it's the gentleman that took -- that had  
19 that piece of property, and I used to tell my  
20 favorite mayor, Anthony Silvester, that red stake  
21 was where his house was going to go. Nothing  
22 happened.

23                           A lot has happened over there, and a lot  
24 will happen if we stay with these people.

25           **MS. LORF:** Can I just bring up, just

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1  
2 because they don't get an IDA PILOT does not mean  
3 the project is not going to happen. It just  
4 means they'll have to pay their own tax burden.

5 **CHAIRWOMAN HERRICK:** Any other comments  
6 from anybody?

7 **MR. CARMINUCCI:** Before you close: Gina,  
8 we did not receive any written comments, did we?

9 **MS. KENYON:** No, we didn't.

10 **CHAIRWOMAN HERRICK:** Gina did check for  
11 written comments. Sorry, I should have said  
12 that.

13 **MS. KENYON:** I checked before I left.

14 **CHAIRWOMAN HERRICK:** Anything else we  
15 need to hear?

16 **MS. LORF:** Just a final note, I will  
17 forward the pdf to Gina, that full 400-page  
18 document that will substantiate more of the  
19 things I said, just so you guys have that for the  
20 record as well.

21 **CHAIRWOMAN HERRICK:** Okay. Thank you.  
22 Anything else?

23 **MR. CARMINUCCI:** No, I think if that's  
24 it, you can close.

25 **CHAIRWOMAN HERRICK:** Okay. That's the



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1  
2 end of the comments. No questions from the Board  
3 regarding the public comments that were made at  
4 this time?

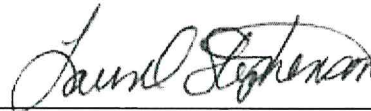
5 (No response.)

6 **CHAIRWOMAN HERRICK:** Then I will call  
7 this Public Hearing to a close at 6:37 p.m.

8 (Whereupon, at 6:37 p.m. the proceedings  
9 in the above-entitled matter were concluded.)  
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C E R T I F I C A T I O N

I, LAUREL STEPHENSON, a Court Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing record taken by me at the time and place as noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.



\_\_\_\_\_  
Laurel Stephenson

Date: December 11, 2021

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	<p><b>LAUREL STEPHENSON</b>  <b>Martin Deposition Solutions, Inc.</b></p>	
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November 3, 2021

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

TO THE ADDRESSEES LISTED ON  
SCHEDULE "A" ATTACHED HERETO:

Re: City of Mechanicville and Town of Stillwater Industrial Development Agency  
Notice of Proposed Financial Assistance  
BEST AVENUE VENTURES LLC Project

In accordance with the provisions of Section 859-a of the New York State General Municipal Law, enclosed please find a Notice of Public Hearing with respect to an application (the "Application") submitted to the City of Mechanicville and Town of Stillwater Industrial Development Agency (the "Agency") for "financial assistance" (as such term is defined in Article 18-A of the General Municipal Law) with respect to the BEST AVENUE VENTURES LLC (the "Applicant") demolition, reconstruction and construction of improvements including the construction of a 66,000 square foot warehouse facility to be and leased to DeCrescent Distributing Inc. and used in its beverage distribution operations on property located at 3 and 5 Best Avenue and 211 North Main Street in the Town of Stillwater, Saratoga County (the "Project").

The Application is available for public inspection at the offices of the Agency and is also available on the Agency's website ([mechanicville-stillwater-ida.org](http://mechanicville-stillwater-ida.org)).

The Agency invites written comments concerning the Project which should be submitted prior to the date of the scheduled public hearing and to the following address:

City of Mechanicville and Town of Stillwater  
Industrial Development Agency  
Mechanicville City Hall  
36 North Main Street  
Mechanicville, New York 12118  
Attention: Chairperson

Very truly yours,

  
James A. Carminucci

JAC:tcp

Enclosure

cc: Sally Herrick (via email)

{LG 00514440 1 }

60 Railroad Place, Suite 502  
Saratoga Springs, NY 12866  
518.581.8800

[www.LemeryGreisler.com](http://www.LemeryGreisler.com)



DISTRIBUTION LIST

City of Mechanicville and Town of Stillwater  
Industrial Development Agency  
Notice of Proposed Financial Assistance  
Best Avenue Ventures LLC Project

To the City

Dennis M. Baker, Mayor  
City of Mechanicville  
Mayor's Office  
36 North Main Street  
Mechanicville, New York 12118  
Phone: 518-664-8331  
Fax: 518-664-2245  
Email: [dennis.baker@mechanicvilleny.gov](mailto:dennis.baker@mechanicvilleny.gov)

To the County:

Theodore T. Kusnierz, Jr., Chairman  
Saratoga County Board of Supervisors  
Saratoga County Municipal Center  
40 McMaster Street  
Ballston Spa, New York 12020  
Phone: 518-885-2240

To the Town:

Ed Kinowski, Supervisor  
Town of Stillwater  
Stillwater Town Hall  
881 Hudson Avenue  
Stillwater, New York 12170  
Phone: 518-664-6148  
Fax: 518-664-9537  
Email: [ekinowski@stillwaterny.org](mailto:ekinowski@stillwaterny.org)

To the School District:

Bruce Potter, Superintendent  
Mechanicville City School District  
25 Kniskern Avenue  
Mechanicville, New York 12118  
Phone: 518-665-5727  
Email: [bpotter@mechanicville.org](mailto:bpotter@mechanicville.org)

NOTICE OF PUBLIC HEARING  
ON PROPOSED PROVIDING OF FINANCIAL ASSISTANCE

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York will be held by the City of Mechanicville and Town of Stillwater Industrial Development Agency (the "Agency") on November 22, 2021 at 6:00 o'clock, p.m., local time, at the Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York, in connection with the following matters:

Best Avenue Ventures LLC, a New York limited liability company having an address of 211 N. Main Street, Mechanicville, New York 12118 (the "Applicant"), has requested that the Agency undertake a project (the "Project") consisting of (a) the acquisition of an interest in approximately 2.52 acre parcels of land located at 3 and 5 Best Avenue in the Town of Stillwater, New York constituting Tax Parcels No. 262.-1-4.2 and 262.-1-4.122 and an approximately .33 acre parcel located at 211 North Main Street, in the Town of Stillwater and constituting a portion of Tax Parcel Nos. 260-1-4.14 and 260-1-4.121 (the "Land"), (b) the demolition, reconstruction and construction on the Land of improvements including the construction of an approximately 66,000 square foot warehouse facility to be leased to DeCrescente Distributing Inc. (the "Tenant") and used in its beverage distribution operations (the "Facility") and (c) the acquisition and installation therein of certain machinery and equipment (the "Equipment" and together with the Land and the Facility, the "Project Facility").

The Agency is considering whether to undertake the Project, the total cost of which is currently estimated to equal Thirteen Million Five Hundred Seventy Thousand Dollars (\$13,570,000.00). If the undertaking of the Project is approved, (A) the Project may be granted such exemptions with respect to state and local sales tax and real property taxes as are applicable to commercial service facilities as set forth in the Agency's Job Incentive Program adopted on March 30, 1999 as amended subject to deviation as determined by the Agency, (B) the Project Facility will be acquired, constructed and equipped by the Agency and will be leased (with an obligation to purchase) by the Agency to the Applicant pursuant to a project agreement (the "Agreement"), and (C) the Applicant and the Tenant will be the initial users of the Facility.

The Agency will at said time and place hear all persons and accept written comments relating to the location and nature of the proposed Project.

Copies of the Applicant's application relating to the Project as well as the Agency's Job Incentive Program are available for public inspection during business hours at the offices of the Agency located at the Mechanicville City Hall, 36 North Main Street, Mechanicville, New York as well as on the Agency's website ([mechanicville-stillwater-ida.org](http://mechanicville-stillwater-ida.org))

Dated: November 2, 2021

CITY OF MECHANICVILLE AND TOWN OF  
STILLWATER INDUSTRIAL  
DEVELOPMENT AGENCY

Sally Herrick, Chairperson



State of New York,  
County of Saratoga,  
ss.;

**Patti Schissler of the Town of Rotterdam, being  
duly sworn, says that he/she is Principal Clerk  
in the office of the Daily Gazette Co., published  
in the City of Schenectady and that the notice/  
advertisement, of which the annexed is a  
printed copy, has been regularly published in  
the Daily Gazette and/or Sunday Gazette as  
follows:**

**1 insertion:            November 8, 2021**

Patti Schissler (signature)

Patti Schissler (printed name)

Sworn to me on this 8th day of November 2021

Heather E. Walker  
NOTARY PUBLIC

Heather E Walker  
NOTARY PUBLIC, STATE OF NEW YORK  
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**NOTICE OF PUBLIC HEARING ON PROPOSED PROVIDING OF FINANCIAL ASSISTANCE**  
NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York will be held by the City of Mechanicville and Town of Stillwater Industrial Development Agency (the "Agency") on November 22, 2021 at 6:00 o'clock, p.m., local time, at the Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York, in connection with the following matters:

Best Avenue Ventures LLC, a New York limited liability company having an address of 211 N. Main Street, Mechanicville, New York 12118 (the "Applicant"), has requested that the Agency undertake a project (the "Project") consisting of (a) the acquisition of an interest in approximately 2.52 acre parcels of land located at 3 and 5 Best Avenue in the Town of Stillwater, New York constituting Tax Parcels No. 262.-1-4.2 and 262.-1-4.122 and an approximately .33 acre parcel located at 211 North Main Street, in the Town of Stillwater and constituting a portion of Tax Parcel Nos. 260-1-

4.14 and 260-1-4.121 (the "Land"), (b) the demolition, reconstruction and construction on the Land of improvements including the construction of an approximately 66,000 square foot warehouse facility to be leased to DeCrescente Distributing Inc. (the "Tenant") and used in its beverage distribution operations (the "Facility") and (c) the acquisition and installation therein of certain machinery and equipment (the "Equipment" and together with the Land and the Facility, the "Project Facility").

The Agency is considering whether to undertake the Project, the total cost of which is currently estimated to equal Thirteen Million Five Hundred Seventy Thousand Dollars (\$13,570,000.00). If the undertaking of the Project is approved, (A) the Project may be granted such exemptions with respect to state and local sales tax and real property taxes as are applicable to commercial service facilities as set forth in the Agency's Job Incentive Program adopted on March 30, 1999 as amended subject to deviation as determined by the Agency, (B) the Project Facility will be acquired, constructed and equipped by the Agency and will be leased (with an obligation to purchase) by the Agency to the Applicant pursuant to a project agreement (the "Agreement"), and (C) the Applicant and the Tenant will be the initial users of the Facility.

The Agency will at said time and place hear all persons and accept written comments relating to the location and nature of the proposed Project.

Copies of the Applicant's application relating to the Project as well as the Agency's Job Incentive Program are available for public inspection during business hours at the offices of the Agency located at the Mechanicville City Hall, 36 North Main Street, Mechanicville, New York as well as on the Agency's website ([mechanicville-stillwater-ida.org](http://mechanicville-stillwater-ida.org))

Dated: November 2, 2021

CITY OF MECHANICVILLE  
AND TOWN OF STILLWATER  
INDUSTRIAL DEVELOPMENT AGENCY

Sally Herrick,  
Chairperson

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