

December 5, 2023

Supervisor Horr called the Special meeting to order at 5:01pm. Roll call was taken, and found Councilperson Luce, Colella, Infantino, and Bacon present. Also present was Supervisor Horr, and Highway Superintendent James MacWhorter.

Pledge to the Flag followed, led by Councilperson Colella.

Guests Include: Jonathan Penna, Esq (DePaul Properties), Kim Coleman, Greg Nelson.

The Special Meeting Notice published in the Spectator Newspaper was read by the Town Clerk.

Jonathan Penna, Esq from DePaul Properties was present to discuss the terms and come to an agreement on a tax pilot program for projects at the Kings Daughters home and the property at Tops Plaza in Dansville.

Councilperson Bacon asked for the term of the pilot. Jonathan Penna, Esq stated the term of the pilot is normally 30 years, which would align with the terms of the financing for the project. There is also a regulatory agreement which would restrict the usage of the property for that same time period. The regulatory agreement is put in place when DePaul properties secures funding for the projects. The regulatory agreement will also set the income levels required to be a resident of the facility. The regulatory agreement would also prevent DePaul properties from selling or transferring ownership of the properties.

Councilperson Bacon asked what would happen with payments during the construction phase, how they would be divided, and when the pilot payments would begin? During construction, payments would be limited per the proposal as there would be no income coming in. The terms of the pilot agreement would not start until a certificate of occupancy has been granted to DePaul properties.

There was discussion between the board members and Jonathan Penna from DePaul Properties to agree on the terms of the tax pilot agreement. There was also discussion between the board members on a Community Benefit Agreement.

**RESOLUTION:
NO.12-2-2023 PILOT TAX AGREEMENT AND COMMUNITY BENEFIT
AGREEMENT BETWEEN THE TOWN OF NORTH
DANSVILLE AND DEPAUL PROPERTIES**

Motion by: Councilperson Bacon

Second by: Councilperson Colella

Whereas, the Town of North Dansville and DePaul Properties through a to-be-formed Housing Development Fund Company (DePaul), desire to enter into conceptual agreements with respect to payments in lieu of taxes pursuant to Section 577 of the Private Housing Finance Law and community benefits payments for the 60 unit apartment project within the Franklin Plaza, and at 26 Health Street, Village of Dansville, New York (the "Project");

Whereas, in exchange for the Town's grant of the exemption under Section 577 of the Private Housing Finance Law, DePaul will pay a PILOT payment of \$15,000.00 annually for thirty-five years, to begin when building permit has been obtained for the Project; and

Whereas, the PILOT amount of \$15,000.00 will be divided between the four taxing entities, Town, County, School, and Village by tax rates, which amount will be paid by DePaul by January 30th of each year; and

Whereas, DePaul will make a Community Benefit Agreement payment of \$10,000.00 annually during construction phase (until a Certificate of Occupancy has been issued) and then at the point when a Certificate of Occupancy has been obtained, the CBA will increase to \$15,000.00 annually for thirty-five years to be paid by DePaul by January 30th of each year. This CBA payment will be earmarked by resolution at a future meeting; and

Whereas, the PILOT payment and CBA payment will increase by 2.5% compounded annually, now therefore be it

Resolved, The Town of North Dansville approves the above conceptual agreements with DePaul and the Supervisor is hereby authorized and directed for and in the name and on behalf of the Town to execute such agreements containing the above terms and subject to administrative and technical changes approved by the Supervisor.

Roll Call Vote: AYES: Councilperson Infantino, Colella, Supervisor Horr, Councilperson Bacon,
Luce
NOES: NONE
MOTION CARRIED 5 to 0

A motion by Councilperson Colella and a second by Bacon to hold the Town of North Dansville
Year end meeting on December 21st at 5:00pm. All in favor. MOTION CARRIED.

A motion by Councilperson Colella and a second by Bacon to hold the Town of North Dansville
Organizational meeting on January 2nd at 5:00pm. All in favor. MOTION CARRIED.

A motion by Councilperson Infantino and a second by Luce to adjourn. All in favor. MOTION
CARRIED.

Meeting adjourned at 6:54pm.

Respectfully submitted,

Lori Tyler
Town Clerk/ Tax Collector