

**SYRACUSE URBAN RENEWAL AGENCY
REGULAR MEETING**

October 22, 2013

3:00 P.M.

Mayor's Conference Room

AGENDA

CORRESPONDENCE

- Letter Dated September 6, 2013 from Liberty Resources, Inc. regarding an update of the 139 Delaware Street Project

-Letter dated October 3, 2013 regarding opinion of the Commissioner of Taxation and Finance in relation to a Mortgage Tax Exemption

GENERAL

Resolution No. 3258

Resolution Designating Jubilee Homes of Syracuse, Inc. as a Qualified and Eligible Sponsor for the Jubilee Supermarket Project

Resolution No. 3259

Resolution to Amend SURA Resolution No. 3254

Resolution No. 3260

Resolution Authorizing the Procurement of Services from Wicker Appraisal Associates, Inc.

Resolution No. 3261

Resolution Approving of the Resubdivision of 216-26 South Salina Street and 200-14 South Salina Street

Resolution No. 3262

Resolution Approving of the Resubdivision of 1705 South Ave, 1721-23 South Ave, 1727-29 South Ave, and 316 Marguerite Ave

Resolution 3263

Resolution Authorizing the Chair to Execute and Deliver a Stormwater agreement and Stormwater Inspection Access Easement to the City of Syracuse

Items for Discussion

Transfer of properties to the Greater Syracuse Property Development Corporation -Paul Driscoll

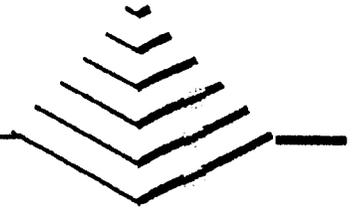
Other Business

Adjournment

LIBERTY RESOURCES

RECEIVED

2013 SEP -4 AM 11:14



September 6, 2013

Syracuse Urban Renewal Agency
Attention: Secretary
201 East Washington Street, 6th Floor
Syracuse, NY 13202

To Whom It May Concern:

Today marks the one-year anniversary of the closing date of the 139 Delaware Street, Syracuse, property sale to MESA of NY, Inc. The purpose of this letter is to provide an update on the progress of the improvements which were agreed upon in the closing documents.

Article 12 A of the land disposition agreement states: "Buyer further agrees to make certain improvements to the Property within one (1) year of the date of closing, including: work to existing or replacement of hardwood floors, renovations and upgrades to the Kitchen and Bathrooms and adding a handicap accessible ramp to the property. At the end of the one (1) year construction period Buyer will show proof of at least seven-thousand six-hundred dollars in improvement costs."

As of this date, \$22,750 has been spent on renovations to the property. As agreed above, the hardwood floors have been refurbished and replaced at a cost of \$6,400, the office and back hallway were carpeted for \$1,250, and the kitchen received renovations and upgrades totaling \$3,200. A new roof was installed for \$11,900. The organization's maintenance department painted and installed new vanities in the bathrooms. Finally, addition of a handicap-accessible ramp to the property is scheduled for the fourth quarter of 2013.

Enclosed please find quotes and purchase orders which document the above renovations. If you have any questions, please do not hesitate to contact me at (315) 425-1004, ext. 1556.

Sincerely,

Marta Durkin
Vice President, Behavioral Healthcare
Liberty Resources, Inc.

MD/cjfg

Enc.

cc: City of Syracuse Department of Law
Sue Hellmig, Assistant to the CEO, Liberty Resources
Central File

Purchase Order

8/14/2013

93051

Attention:

Vendor Address:
 SJ THOMAS CO INC
 300 BURNET AVENUE
 SYRACUSE, NY 13203

Billing Address: 1045 James Street
 Syracuse, NY 13203

Shipping Address: P.O. Box 690
 Syracuse, NY 13201

Shipping Method:
FOB:

Item Code	Description	Purchase Unit	Quantity	Unit Price	Total
	Upgrades to kitchen, counter, fan, lig...		1.00	\$3,200.00	\$3,200.00

Kitchen \$ 3200.00

Purchase Order Total: \$3,200.00

Vendor ID: SJT001
 Vendor Name: SJ THOMAS CO INC

93051
 8/14/2013

Item Code	Item Description	Special Instructions	Purchase Unit	Quantity	Unit Price	Total	Requisition Number
	Upgrades to kit...			1.00	\$3,200.00	\$3,200.00	

Purchase Order Total: \$3,200.00

Purchase Order

5/1/2013

92448

Attention:

Billing Address: 1045 James Street
Syracuse, NY 13203

Vendor Address:
SJ THOMAS CO INC
300 BURNET AVENUE
SYRACUSE, NY 13203

Shipping Address: P.O. Box 690
Syracuse, NY 13201

Shipping Method:
FOB:

Item Code	Description	Purchase Unit	Quantity	Unit Price	Total
	Roof replacement/ Kitchen upgrades...		1.00	\$18,300.00	\$18,300.00
<p><i>Roof \$ 11,900.00</i></p> <p><i>Floor \$ 6,400.00</i></p> <hr/> <p><i>\$ 18,300.00</i></p>					
Purchase Order Total:					\$18,300.00

Vendor ID: SJT001
Vendor Name: SJ THOMAS CO INC

92448
5/1/2013

Item Code	Item Description	Special Instructions	Purchase Unit	Quantity	Unit Price	Total	Requisition Number
	Roof replaceme...			1.00	\$18,300.00	\$18,300.00	

Purchase Order Total: \$18,300.00

S J Thomas Co., Inc.

Commercial Contractors

April 11, 2011

Liberty Resources, Inc
Attn: Beth Brill
47 James Street
Syracuse, NY 13203

RFI Desalmer House

S J Thomas Company respectfully wishes to offer the following quotation for the above referenced project

Provide all labor and material necessary to perform the following repairs. Work includes, but is not limited to the following:

Replacement of Flooring \$3,200.00

Reference: Living/stairs, Dining/kitchen

Upgrades to Kitchen \$3,200.00

Upgrade: Kitchen window, floor vent, hood exhaust fan, replace light

2 Bathrooms (2nd floor) \$4,700.00

Upgrade: vanity, toilet, paint, bathroom light and fan unit

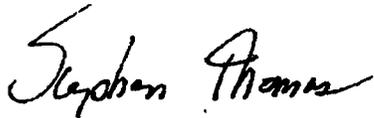
Pressure Treated Handicap Ramp-front of house \$3,500.00

Roof \$11,400.00

replacement & attic access (includes replacement of 64sq. ft. of rotted plywood)

Please contact me if you have any questions at 315-374-1322. Thank you.

Sincerely yours,



Stephen Thomas

380 Burnett Avenue Syracuse, NY 13203
Phone: (315) 472-5288 • Fax: (315) 472-1368
1-888-777-0863

**New York State Department of Taxation and Finance
Office of Counsel
Advisory Opinion Unit**

**STATE OF NEW YORK
COMMISSIONER OF TAXATION AND FINANCE**

ADVISORY OPINION

PETITION NO. M130603B

The Department of Taxation and Finance received a Petition for Advisory Opinion from the Syracuse Urban Renewal Agency (Petitioner). Petitioner asks whether it is an agency, instrumentality, or subdivision of New York State, and thus exempt from paying mortgage recording taxes when it records a mortgage. We conclude that Petitioner is exempt.

Facts

Petitioner is a municipal urban renewal agency created pursuant to General Municipal Law (GML) Articles 15, 15-A, and 15-B. As such, it is a corporate governmental agency, constituting a public benefit corporation.¹ Petitioner owns a parcel of real estate that it contracted to sell to a not-for-profit corporation (Buyer). After the conveyance, Buyer will own the property and direct the construction of low-income housing on the land. In order to advance Buyer's acquisition of the parcel, Petitioner will make a purchase money loan to Buyer and hold a purchase money mortgage on the property. Petitioner will record this mortgage. Buyer expects to receive final financing for the project from another lender and pay off the purchase money mortgage in October 2013.

Analysis

Article 11 of the New York State Tax Law imposes taxes on the recording of mortgages on real property, based on the principal debt or obligation secured by the mortgage being recorded.² Tax Law § 252 provides that "No mortgage of real property situated within this state shall be exempt, and no person or corporation owning any debt or obligation secured by mortgage of real property situated within this state shall be exempt, from the taxes imposed by this article by reason of anything contained in any other statute. . . ." Although the mortgage recording tax statute enumerates certain exemptions, none of the enumerated exemptions are applicable here.³ Other exemptions arise under the common law, and still others apply by reason of statutory provisions outside of the mortgage recording tax statutes. Specifically, in cases where a conflict exists between Tax Law § 252 and a specific enactment relating to the same general subject matter, the later specific enactment takes precedence against a general statute, and the prior general statute must yield to the later or specific statute. *See Williamsburgh Power Plant Corp. v. City of New York*, 255 A.D. 214 (2nd Dept. 1938), *aff'd* 280 N.Y. 551

¹ GML § 55(2).

² Tax Law § 252.

³ Tax Law §§ 252, 252-a, 253.

**RESOLUTION DESIGNATING JUBILEE HOMES OF SYRACUSE, INC.
AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE JUBILEE
SUPERMARKET PROJECT**

WHEREAS, Jubilee Homes of Syracuse, Inc. (hereinafter "Jubilee") has submitted a purchase and development application to the Syracuse Urban Renewal Agency (hereinafter "SURA") for the purchase and redevelopment of the properties listed on Appendix A (hereinafter the "Properties"); and

WHEREAS, SURA authorized acquisition of the Properties from the City of Syracuse on May 28, 2013 by SURA Resolution No. 3245; and

WHEREAS, It is anticipated that SURA will acquire some or all of the Properties; and

WHEREAS, pursuant to the purchase and development application Jubilee will make certain improvements to the Properties including them in the Jubilee Supermarket Project which will result in the construction of a full service supermarket; and

WHEREAS, Jubilee has requested that SURA designate Jubilee as a qualified and eligible sponsor pursuant to General Municipal Law §§ 507(2)(c) and 507(2)(d); and

WHEREAS, Jubilee has shown sufficient proof of financing for the redevelopment of the properties; and

WHEREAS, SURA has had no other applications concerning the redevelopment or purchase of the Property.

NOW THEREFORE, BE IT RESOLVED, that SURA makes the following findings;

- A) That Jubilee has submitted a sufficient plan for the Project and that the plan is consistent with the purposes and goals of the Urban Renewal plan; and
- B) Jubilee has shown sufficient funding to finance the Project and complete the project within the timeframe as outlined in the application; and
- C) Jubilee has shown that it has experience in the redevelopment of properties; and
- D) The Project will benefit the neighborhood in which the project is located by providing the residents of the neighborhood with a local full service supermarket; and
- E) There have been no other plans for the development of the Property.

BE IT FURTHER RESOLVED, that SURA hereby designates Jubilee as a qualified and eligible sponsor for the project; and

City Owned Properties

689 South Ave	Tax ID: 1285005100
693-95 South Ave	Tax ID: 1285005200
100 Chester Street	Tax ID: 1216101401
106 Chester Street	Tax ID: 1216101700
130 Chester Street	Tax ID: 1216102400
132 Chester Street	Tax ID: 1216102500
134 Chester Street	Tax ID: 1216102600

Seizable Properties

703 South Ave	Tax ID: 1285006700
235 Bellevue Ave	Tax ID: 1207101700
239 Bellevue Ave	Tax ID: 1207101800
661-63 South Ave	Tax ID: 1285004600
667 South Ave	Tax ID: 1285004701
683-85 South Ave	Tax ID: 1285005000
102 Chester Street	Tax ID: 1216101500
104 Chester Street	Tax ID: 1216101600
126 Chester Street	Tax ID: 1216102200
128 Chester Street	Tax ID: 1216102300
136 Chester Street	Tax ID: 1216102700

**RESOLUTION APPROVING OF THE RESUBDIVISION OF 216-26
SOUTH SALINA STREET AND 200-14 SOUTH SALINA STREET**

WHEREAS, the Syracuse Urban Renewal Agency (hereinafter "SURA") is the owner in fee of two parcels of commercial real property known as 216-26 South Salina Street (104.-27-02.0) and 200-14 South Salina Street, both in the city of Syracuse, and State of New York (hereinafter collectively the "Properties"); and

WHEREAS, the Contracting Officer for SURA has requested permission to seek a resubdivision of the Properties so as to separate that section of 200-214 South Salina Street currently being used as a Public Park and commonly known as Perseverance Park from the adjoining public parking lot also on that parcel and to and to combine the park parcel with the other public space parcel at 216-26 South Salina Street (104.-27-02.0); and

WHEREAS, a map of the proposed resubdivision of the Properties is attached to the resolution and incorporated herein as Appendix "A".

NOW THEREFORE, BE IT RESOLVED, that SURA hereby approves of the proposed subdivision as shown on the map attached as Appendix "A".

BE IT FURTHER RESOLVED THAT, the Contracting Officer is hereby authorized to apply for the resubdivision and to execute any and all related documents on behalf of SURA necessary to accomplish the resubdivision, and to pay any and all fees associated with the resubdivision authorized and approved pursuant to this resolution.

BE IT FURTHER RESOLVED, that the officers, agents and employees of SURA are hereby directed to proceed to do such further things, or perform such further acts and execute such other documents, as are necessary to implement this Resolution

DATED: October 22, 2013

SYRACUSE URBAN RENEWAL AGENCY

By: _____
Stephanie A. Miner, Chair

RESOLUTION NO. 3262

SYRACUSE URBAN RENEWAL AGENCY

RESOLUTION APPROVING OF THE RESUBDIVISION OF 1705 SOUTH AVE, 1721-23 SOUTH AVE, 1727-29 SOUTH AVE, AND 316 MARGUERITE AVE.

WHEREAS, the Syracuse Urban Renewal Agency (hereinafter "SURA") is the owner in fee of four adjacent parcels of commercial real Property known as 1705 South Ave (078.-12-45.0), 1721-23 South Ave (078.-12-44.0), 1727-29 South Ave (078.-12-43.0), and 316 Marguerite Ave (078.-12-42.0) all in the city of Syracuse, and State of New York (hereinafter collectively the "Properties"); and

WHEREAS, the Contracting Officer for SURA has requested permission to seek a resubdivision of the Properties to combine all of them so as to make them more marketable as a single commercial property; and

WHEREAS, a map of the proposed resubdivision of the Properties is attached to the resolution and incorporated herein as Appendix "A".

NOW THEREFORE, BE IT RESOLVED, that SURA hereby approves of the proposed subdivision as shown on the map attached as Appendix "A".

BE IT FURTHER RESOLVED THAT, the Contracting Officer is hereby authorized to apply for the resubdivision and to execute any and all related documents on behalf of the agency necessary to accomplish the resubdivision, and to pay any and all fees associated with the resubdivision from SURA's accounts.

BE IT FURTHER RESOLVED, that the officers, agents and employees of SURA are hereby directed to proceed to do such further things, or perform such further acts and execute such other documents, as are necessary to implement this Resolution

DATED: October 22, 2013

SYRACUSE URBAN RENEWAL AGENCY

By: _____

Stephanie A. Miner, Chair

RESOLUTION AUTHORIZING THE CHAIR TO EXECUTE AND DELIVER A STORMWATER AGREEMENT AND STORMWATER INSPECTION ACCESS EASEMENT TO THE CITY OF SYRACUSE

WHEREAS, the Syracuse Urban Renewal Agency (hereinafter "SURA") by SURA Resolution No. 3254 as amended authorized the disposition by lease of a portion of two vacant commercial parcels commonly known as 1501 and 1503 South Salina Street, Syracuse, NY, Tax Map Numbers (085.-11-23.0) and (085.-11-22.0) (hereinafter collectively the "Leased premises") to Syracuse IV Star Redevelopment, LLC (hereinafter the "Lessee"); and

WHEREAS, the Lessee is required to improve the Leased Premises pursuant to the terms of the proposed lease (hereinafter the "Project") and obtain all required approvals and permits for the Project; and

WHEREAS, before the permits for the project are issued the City of Syracuse (hereinafter the "City") pursuant to the Syracuse Building Code requires that the fee owner of the project enter into a stormwater management agreement and grant to the City an easement to enter into the Leased Premises for the purpose of inspecting the stormwater infrastructure.

NOW THEREFORE, BE IT RESOLVED, that upon the review and approval by Counsel for SURA the Chair is authorized to execute on behalf of SURA and deliver to the City a stormwater agreement and access easement as they relate to the Project at the Leased Premises and as may be required by the City.

BE IT FURTHER RESOLVED, that the officers, agents and employees of SURA are hereby directed to proceed to do such further things, or perform such further acts and execute such other documents, as are necessary to implement this Resolution

DATED: October 22, 2013

SYRACUSE URBAN RENEWAL AGENCY

By: _____

Stephanie A. Miner, Chair