

**AGREEMENT RESOLUTION #103 OF 2016**

**AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE CITY OF AUBURN, MELONE VILLAGE HOUSING DEVELOPMENT FUND COMPANY, INC. AND MELONE VILLAGE LIMITED PARTNERSHIP**

By Councilor Carabajal

July 21, 2016

**WHEREAS**, the City of Auburn (the “City”) desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for persons with low incomes; and

**WHEREAS**, Melone Village Housing Development Fund Company, Inc., an Article XI New York private housing finance law corporation and a New York not-for-profit corporation (the “HDFC”), and Melone Village Limited Partnership, a New York limited partnership (the “Partnership”), have identified property located at 20 Thornton Avenue, City of Auburn, County of Cayuga, State of New York (the “Property”), for the purpose of the construction on the Property of a housing project for persons of low income, said project to consist of: (i) the acquisition of the Property; (ii) the construction of one hundred eighty-eight (188) units of housing for persons of low income thereon (the “Improvements”); and (iii) the acquisition and installation therein and thereon of certain machinery, equipment, furniture, fixtures and other tangible personal property (the “Equipment”, and collectively with the Property and the Improvements, the “Project”); and

**WHEREAS**, the HDFC has been formed for the purpose of providing residential rental accommodations for persons of low-income; and

**WHEREAS**, the HDFC will acquire fee title to the Property, as nominee for the Partnership, and will convey its equitable and beneficial interests in the Property to the Partnership in furtherance of the development of the Project; and

**WHEREAS**, the HDFC’s and the Partnership’s plan for the use of the Property constitutes a “housing project” as that term is defined in the Private Housing Finance Law of the State of New York (“PHFL”); and

**WHEREAS**, the HDFC is a “housing development fund company” as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the City Council to exempt the Project from real property taxes; and

**WHEREAS**, the HDFC is a general partner of the Partnership; and

**WHEREAS**, the Partnership and the HDFC will be willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the City as set forth in the PILOT Agreement presented to this Board for approval;

**NOW THEREFORE, BE IT RESOLVED** that the City Council hereby exempts the Project from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed PILOT Agreement among the City of Auburn, the Partnership and the HDFC, in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement; and

**BE IT FURTHER RESOLVED**, that upon the formation of the Partnership and the HDFC, the Mayor of the City of Auburn is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the City of Auburn; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

*I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #103 of 2016 of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 21<sup>st</sup> day of July, 2016 and that the City Council approved such by the vote listed above.*



*Charles Mason, City Clerk    Date: July 22, 2016*