Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on February 26, 2016 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: S. Papale, M. Carney, J. Waters, S. DiMeo
Others Present: C. Levitt, D. Guzewich, J. Izzo, L. Ruberto, Bill Maxim

D. Grow called the meeting to order at 8:00 AM.

The tabled the review of the January 15, 2016 minutes until the following meeting.

Financials were distributed to the Agency. M. Carney reported that the majority of Annual Rents have been paid. Agency accepted the financials as presented.

A request to consider an inducement resolution relating to the Oneida County Rural Telephone Company d/b/a Northland Communications facility, granting preliminary approval for financial assistance consistent with the Agency’s Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing was tabled.

A request to consider a final authorizing resolution relating to the Running Supply, Inc. facility, authorizing financial assistance that is a deviation from the Agency’s Uniform Tax Exemption Policy and authorizing the form and execution of related documents, subject to review and approval by counsel. The Agency conducted a public hearing on February 19, 2016. No comments were made at the public hearing. A motion to approve a final authorizing resolution relating to the Running Supply, Inc. facility for a ten year $85,000 PILOT payment, sales and mortgage tax exemptions, contingent on 45 FTE employees in Oneida County, authorizing financial assistance that is a deviation from the Agency’s Uniform Tax Exemption Policy and authorizing the form and execution of related documents, subject to review and approval by counsel was made by S. Zogby and seconded by F. Betrus. Motion passed unanimously 5-0.

A request to consider a resolution approving the amendment of the BHB Properties, LLC/Accelerate Sports, LLC facility, authorizing the Agency to (i) increase the amount of sales tax exemptions authorized through December 31, 2015 from $237,328 to $320,680 and (ii) extend the agency appointment for a period of one year, and to grant sales tax exemptions during this extended period in an amount not to exceed $15,000, bringing the aggregate value of the sales tax exemptions for the Project not to exceed $335,680. The Agency conducted a public hearing on February 10, 2016. A motion to approve the amendment of the BHB Properties, LLC/Accelerate Sports, LLC facility, authorizing the Agency to (i) increase the amount of sales tax exemptions authorized through December 31, 2015 from $237,328 to $320,680 and (ii) extend the agency appointment for a period of one year, and to grant sales tax exemptions during this extended period in an amount not to exceed $15,000, bringing the aggregate value of the sales tax exemptions for the Project not to exceed $335,680 was made by S. Zogby and seconded by F. Betrus. Motion passed unanimously 5-0.

A request to consider a request from New Hartford Lodging Group, LLC to extend the agency appointment to December 31, 2016, to increase the value of the sales tax exemption from $240,000 to
$400,000, and to authorize the Agency to conduct a public hearing relating to the additional financial assistance. S. Papale stated that this project is on Middle Settlement Road and has started construction. M. Fitzgerald said that there is an extended stay already under construction down the road from this project. M.F. Messenger stated that she is not comfortable with the project estimates and sales tax estimates provided by the project, they do not match up to the requested sales tax exemption amount. A motion to increase the value of the sales tax exemption from $240,000 to $400,000 was made by M. Fitzgerald and seconded by M.F. Messenger. Motion did not pass 1-4. A motion to extend the current sales tax exemption to December 31, 2016 was made by M.F. Messenger and seconded by F. Betrus. Motion passed 4-1.

A request to consider a resolution relating to the amendment of the Griffiss Local Development Corporation Facility Transfer XIV (Building 240), authorizing the release of certain lands from the Master Lease with GLDC, the amendment of the Building 240 transaction to add the released lands, and authorizing the form and execution of related documents, subject to review and approval by counsel. The Agency previously authorized the mortgage of both parcels to NBT Bank to secure a loan to GLDC; the parties are preparing to close on the mortgage loan, and this action will allow the parties to consolidate the parcels for the transaction. A motion to approve consider a resolution relating to the amendment of the Griffiss Local Development Corporation Facility Transfer XIV (Building 240), authorizing the release of certain lands from the Master Lease with GLDC, the amendment of the Building 240 transaction to add the released lands, and authorizing the form and execution of related documents, subject to review and approval by counsel was made by F. Betrus and seconded by S. Zogby. Motion passed unanimously 5-0.

A request to consider a resolution authorizing all future sublicenses by Oneida County at the Small Arms Firing Range, and approving the form and execution of a standard form of Sublicense Agreement, in each instance subject to review and approval by counsel. Oneida County currently has a sublease for the property and did not want to have to come back for every sub-sub lease. M. Fitzgerald stated Oneida County must indemnify the OCIDA. A motion to approve a resolution authorizing all future sublicenses by Oneida County at the Small Arms Firing Range, and approving the form and execution of a standard form of Sublicense Agreement, in each instance subject to review and approval by counsel contingent on counsel approval of indemnity language was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 5-0.

A request to consider a supplemental SEQR resolution relating to the Fort Schuyler Management Corp./AMS facility. The Agency originally approved the SEQR resolution in November 2015, but after further review it was based on findings from 2001, more recent findings from 2013 are more appropriate. A motion to approve a supplemental SEQR resolution relating to the Fort Schuyler Management Corp./AMS facility based on findings from 2013 was made by F. Betrus and seconded by M.F. Messenger. Motion passed unanimously 5-0.

A motion to enter into executive session at 8:50 AM to discuss pending litigation was made by M. Fitzgerald and seconded by M.F. Messenger. Motion passed unanimously 5-0.

A motion to exit executive session at 9:15 AM was made by D. Grow and seconded by S. Zogby. Motion passed unanimously 5-0.

There being no further business, the meeting was adjourned at 9:15 AM upon a motion by D. Grow and seconded by S. Zogby. Motion passed unanimously 5-0.
Respectfully recorded,
Jennifer Waters