Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on June 17, 2016 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: S. Papale, M. Carney, J. Waters, A. Gerardo, H. LaSalle, C. Mercurio
Others Present: J. Izzo, L. Ruberto, Dan Guzewich, C. Levitt, M. Levitt, Heather Kirkland, Brian Healey, Jim McCarthy

D. Grow called the meeting to order at 8:08 AM.

Suggested edits were made to the May minutes. Minutes were tabled until the following meeting.

Financials were presented to the Agency. No projects closed in the previous month. Annual rent is outstanding for Ontario Realty and Fish Creek Cabin Resort. Legal Counsel was advised to send notice.

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. The Agency received an updated application from Northland. Representatives from Northland addressed the Agency. Jim McCarthy gave an update on the project including new plans to use all the real estate at the Holland Patent location and leave the Utica location. The company recently underwent a $9.2 million fiber network expansion in the area, bringing over 500 miles of fiber to businesses and residents of the community. S. Zogby questioned about other investments made in the community and how any potential tax abatement savings would be utilized for further investment. The company is requesting sales, mortgage and a standard industrial PILOT. Total project cost would equal about $4 million and create 3 jobs, move 40 from the Utica office and retain 68 total. D. Grow stated that moving jobs from one part of the community to another is not what the Agency focuses on. M. Fitzgerald stated that there is no question that Northland is an asset to the community but that he views the project as commercial and does not fit within the General Municipal Law as industrial. Legal Counsel was asked to review the General Municipal Law for clarification on project classification. New law also requires written notice to the Chief Elected Official of the municipality a company is vacating and a written statement that moving locations will preserve the competitive position of the company. McCarthy also stated that this project could also be completed in conjunction with their Syracuse office, but either way they have to vacate the space in Utica due to complications with the building owner and the City. M. Fitzgerald also stated that the Agency is supposed to be focused on industrial development not commercial businesses. D. Grow agreed but stated that the Agency also must focus on local businesses that exist in highly competitive national industries. A motion to approve an inducement resolution, pending the Agency receiving a finding that the projects fits within General Municipal Law definition of Standard Industrial, notice to the Mayor of Utica, Utica School District and Oneida County and a finding from the company on how the project will preserve their competitive position relating to the Oneida County Rural Telephone Company d/b/a Northland Communications facility, granting
preliminary approval for financial assistance consisting of sales tax exemptions, mortgage recording tax exemptions, and real property tax exemptions on the incremental assessment of the facility resulting from the Project for a period of ten years, which financial assistance is consistent with the Agency’s Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing was made by F. Betrus and seconded by M.F. Messenger. Motion passed 5-2. S. Zogby noted that his businesses does have a relationship with Northland Communications.

A request to consider a resolution adopting uniform criteria for the evaluation and selection of projects; review amendments to the General Municipal Law as they relate to industrial development agencies and review revisions to Agency documents to comply with the same. M. Fitzgerald changed Section 1C of the resolution to read “written notice of abandonment.”

A motion to adopt the resolution relating to uniform evaluation criteria, confirming the “Material Factors” to be considered for recapture events with edits was made by M.F. Messenger and seconded by E. Quadraro. Motion passed unanimously 7-0.

A motion to define the term “Labor Market Area” in the Application for Financial Assistance as Oneida, Herkimer, Madison and Lewis Counties was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 7-0.

A request to consider a Resolution authorizing the Executive Director to negotiate temporary licenses regarding the use of Agency-owned property on a temporary basis, and authorizing the board Chairman or Vice Chairman to execute such license agreements. A motion to approve a Resolution authorizing the Executive Director to negotiate temporary licenses regarding the use of Agency-owned property on a temporary basis, and authorizing the board Chairman or Vice Chairman to execute such license agreements was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 7-0.

Old Business

Kris-Tech Wire company has requested amending their current PILOT to include a 22,000 square-foot addition to their new building. Value of the exemption is unknown until the Rome Assessors office places a value on the building. The exemption would be a pro-rated value of the current PILOT based on the square footage of the expansion. A motion to approve an amendment to the Kris-Tech Wire PILOT, including sales tax exemption for the new expansion to their current PILOT was made by S. Zogby and seconded by E. Quadraro. Motion passed 6-0-1 with M. Fitzgerald abstaining.

S. Papale also stated that there are several companies who are out of compliance in terms of their job numbers and staff will be reaching out for clarification.

A motion to enter into Executive Session at 9:55 AM to discuss pending contracts was made by F. Betrus and seconded by M.F. Messenger. Motion passed unanimously 7-0.

A motion to exit into Executive Session at 10:22 AM was made by M. Fitzgerald and seconded by M.F. Messenger. Motion passed unanimously 7-0.
There being no further business, the meeting was adjourned at 10:23 AM upon a motion by D. Grow and seconded by E. Quadraro. Motion passed unanimously 7-0.

Respectfully recorded,
Jennifer Waters