Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on September 16, 2016 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY


EDGE Staff Present: S. Papale, M. Carney, J. Waters, A. Gerardo, P. Zawko, S. DiMeo


D. Grow called the meeting to order at 8:07 AM.

M. Fitzgerald asked that wording of the August 19, 2016 minutes be corrected for the final authorizing resolution relating to the Kris Tech Wire facility. A motion to approve August 19, 2016 minutes with corrections was made by F. Betrus and seconded by S. Zogby. Motion passed unanimously 6–0.

Staff reported that Fish Creek has paid their IDA rent for 2015, but still owes 2016. Ontario Realty and The Hartford also owe 2016 IDA rent. Agency requested that staff follow up with Fish Creek and Ontario Realty and issue PILOT cancellation notices if rent is not received.

Financials were received as presented.

The 2017 budgets are being reviewed by the finance committee, but they anticipate no major changes from the previous year. Staff will circulate the budgets once they are complete for Agency review.

A request to consider a resolution relating to the refinancing of the Delta Luxury Apartments, LLC facility; extending mortgage recording tax exemption to the transaction and authorizing the form and execution of related documents, subject to approval by counsel. Agency has instructed each housing project to come back before the Agency for any benefit extensions after one year so progress can be monitored. A motion to approve a resolution relating to the refinancing of the Delta Luxury Apartments, LLC facility; extending mortgage recording tax exemption to the transaction and authorizing the form and execution of related documents, subject to approval by counsel was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 6-0.

Old Business

Staff received notice from Rome Hospital that they are redeeming their current bonds with the OCIDA.

Agency was made aware that Fish Creek has not paid their 2015-16 school taxes. Staff was instructed to check the status of their County taxes and send letter notifying Fish Creek of their PILOT default.
A motion to enter into Executive Session at 8:20 AM to discuss potential litigation and the EDGE/IDA contract was made by F. Betrus and seconded by S. Zogby. Motion passed unanimously 6-0.

A motion to exit Executive Session at 9:21 AM was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 5-0. N. Brown left the meeting at 9:15 AM.

Upon receipt and review of an application made by Mohawk Valley EDGE in connection with a project being undertaken by it as part of the Marcy Nanocenter at SUNY Poly Project to construct and/or install a 1.4 +/- mile long, dual circuit, 115 kV electric transmission line (the “Transmission Line”) between National Grid’s Edic Substation at its northerly terminus and a customer substation to be constructed by Fort Schuyler Management Corporation on the Marcy Nanocenter Site, at its southerly terminus, all of which is necessary to deliver power to the Marcy Nanocenter Site, a motion was made by Mr. Fitzgerald, seconded by F. Betrus, to adopt an initial authorizing resolution granting the Agency’s legal counsel authority to proceed with the acquisition of a 7.71 +/- acre electric transmission line easement from Jeanette D. Cooney (or her successor-in-title) and a 4.79 +/- acre electric transmission line easement from Michael Dale Strife, individually, and/or as Surviving Trustee of the Eleanora L. Van Hatten Revocable Trust, dated September 12, 2012, (or his successors-in-title) both of which properties are in the path of the Transmission Line, by using the Agency’s power of eminent domain, and to schedule a public hearing with respect thereto, all subject to review by the Agency’s legal counsel, and also subject to receiving assurances from Mohawk Valley EDGE acceptable to the Agency that Mohawk Valley EDGE has sufficient monies to complete the project and that all of the Agency’s expenses in connection therewith including, without limitation, its legal expenses and disbursements, will be paid for by Mohawk Valley EDGE. During discussion of the motion, it was noted that the Agency considers the acquisition of the aforesaid easements to be in furtherance of a public purpose as essential to the advancement to the Marcy Nanocenter at SUNY Poly Project. It was also noted that Mohawk Valley EDGE has made several good faith attempts to acquire the aforesaid easements from the landowners in question by means of a voluntary purchase and sale, which attempts have so far proved unsuccessful. The motion was carried unanimously 5-0.

Upon no further business a motion to exit the IDA meeting at 9:24 AM was made by M. Fitzgerald and seconded by E. Quadraro. Motion passed unanimously 5-0.

Respectfully recorded,
Jennifer Waters