Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on April 25, 2017 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

Members Present: M. Fitzgerald, D. Grow, M.F. Messenger, S. Zogby, F. Betrus (via video conference),
EDGE Staff Present: S. Papale; M. Carney, A. Gerardo, J. Waters; M. Kaucher; C. Mercurio; T. Fitzgerald
Others Present: Linda Romano; City of Rome Mayor J. Izzo; City of Sherrill City Manager Brandon Lovett

Chairman D. Grow called the meeting to order at 8:02 AM.

At 8:03 am, D. Grow asked for a motion to enter Executive Session to discuss pending contracts with the Agency. A motion to enter Executive Session to discuss pending contracts with the agency was made by S. Zogby, seconded by M. F. Messenger, and passed unanimously 5-0. Others present were excused from the meeting.

A motion to exit Executive Session at 8:45 AM was made by F. Betrus, seconded by M.F. Messenger, and passed unanimously 5-0. Others present re-entered the meeting.

Agency tabled the March 17, 2017 Meeting Minutes, pending correction to the proposed Oriskany Manufacturing Technologies (OMT) pilot proposal.

A request to consider an inducement resolution relating to the ONX3, LLC facility, granting preliminary approval for financial assistance that is consistent with the Agency’s Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing was introduced. A motion to (A) adopt an inducement resolution relating to the ONX3, LLC facility, granting preliminary approval for financial assistance consisting of a 10-year industrial PILOT (applied only to those portions of the facility retained by the Company or occupied by tenants with a triple-net lease where the PILOT benefit is passed along to tenant), exemptions from sales tax and exemptions from mortgage recording tax, consistent with the Agency’s Uniform Tax Exemption Policy, conditioned upon (1) the Company retaining 399 FTEs, creating 31 FTEs over three years and maintaining all for the duration of the 10-year PILOT; (2) successful completion by the Agency of its SEQR review; and (3) the Agency notifying all affected taxing jurisdictions and adopting a finding relating to the abandonment of a facility (if required) and (B) authorizing a public hearing be conducted after resolution to the Agency’s satisfaction of the following matters: (1) Company completing all negotiations with tenants to be displaced; (2) Project Marble confirming whether a facility will be abandoned as a result of the project; and (3) Company providing information relating to Vector Ventures, LLC and the Agency’s approval of the same, was made by M. F. Messenger, seconded by S, Zogby, and passed 4-0, with M. Fitzgerald abstaining.

A request to consider a resolution to classify the ONX3, LLC facility as a SEQR Type 1 action and initiate a lead agency coordination process was introduced. Motion to consider a resolution to classify the ONX3, LLC facility as a SEQR Type 1 action and initiate a lead agency coordination process was made by S. Zogby, seconded by D. Grow and passed 4-0, with M. Fitzgerald abstaining.

A request to consider an inducement resolution relating to the Baggs Square Partners, LLC facility, granting preliminary approval for financial assistance that is consistent with the Agency’s Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing was introduced. The company is exploring real property tax exemption opportunities with the City of Utica, and may not engage the OCIDA for a PILOT. Motion to adopt a resolution granting preliminary financial assistance to Baggs Square Partners, LLC and authorizing the Agency to conduct a public hearing, was made by M. Fitzgerald,
seconded by M. F. Messenger and unanimously passed 5-0. The Company is eligible for Tier 1 financial assistance in accordance with the Agency’s Housing Policy, consisting of real property tax abatement for 10 years, exemptions from sales tax and exemptions from mortgage recording tax. The value of the real property tax abatement will be confirmed prior to conducting a public hearing.

A request to consider a SEQR resolution related to the Baggs Square Partners, LLC facility, declaring the projected an Unlisted Action and adopting a negative declaration was introduced. Motion declaring the Baggs Square Partners, LLC facility a Unlisted Action and adopting a negative declaration under SEQR was made by M. Fitzgerald, seconded by F. Betrus and unanimously passed 5-0.

A request to consider a resolution relating to the permanent financing of the New Hartford Lodging Group, LLC facility, approving an increase in the value of mortgage recording tax exemption and authorizing the form and execution of related documents, subject to approval by Agency counsel was introduced. Motion to approve a resolution authorizing an increase in the value of mortgage recording tax exemption for New Hartford Lodging Group, LLC and authorizing the form and execution of related documents, subject to approval by Agency counsel was made by M. Fitzgerald, seconded by M. F. Messenger and unanimously passed 5-0.

Revisions to the recapture policy were reviewed and discussed. Item numbers 2 & 3 were determined to be redundant and deleted. Question arose as to when the FTE number was determined: it is as of December 31st each year. Motion to adopt the recapture agreement document, with items 2 & 3 deleted, was made by M. Fitzgerald, seconded by F. Betrus, and unanimously passed 5-0. Counsel will determine if it is necessary to circulate new document to taxing jurisdictions.

Timothy Fitzgerald, MVEDGE staff, speaking on behalf of the Commercialization Academy, presented an appeal to the board for grant funding for the next competition round, to be held this fall. NYSTEC, Community Foundation, Rome Industrial Development Corporation have committed. It was suggested that Utica IDC be approached. It was suggested that the OCLDC might be an appropriate source for this particular opportunity. Motion to commit to whatever amount the Oneida County Local Development Corporation won’t agree to contribute, up to a maximum of $25,000, was made by M. Fitzgerald, seconded by F. Betrus, and unanimously passed 5-0.

Agency Interim Financials were reviewed by M. Carney. Square One was the only new project that closed last month. 2015 and 2016 rents are current, and only a few for 2017 are outstanding. The Agency accepted the financials as presented.

Motion to enter Executive Session at 9:45 AM to discuss pending contracts with the Agency was made by F. Betrus, seconded by M. Fitzgerald and unanimously passed 5-0.

Motion to exit Executive Session at 10:00 AM was made by D. Grow, seconded by F. Betrus and unanimously passed 5-0.

There being no further business, the meeting was adjourned at 10:00 AM upon motion by M. Fitzgerald, seconded by M.F. Messenger and unanimously passed 5-0.

Respectfully recorded,
Mark Kaucher