Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on November 16, 2018 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

Members Present: Ferris Betrus, Michael Fitzgerald, David Grow, Mary Faith Messenger, Eugene Quadraro, Steve Zogby
EDGE Staff Present: S. Papale, M. Carney, J. Waters, M. Kaucher,
Others Present: Linda Romano, Bond, Schoeneck & King; Rome Mayor Jackie Izzo; Mark Levitt and Jenna Peppenelli, Levitt & Gordon; Bill Maxim and Jim Mason, NE Regional Council of Carpenters, Dave Hill, Rome Sentinel; Matt Stubley, Park Outdoor Advertising; Matt Lewis and Luke Lewis, Lewiston at Clinton Street, LLC.

Chairman D. Grow called the meeting to order at 9:00 AM.

Chairman Grow stated that there does not appear to be a need for Executive Session.

Minutes
The Agency reviewed the draft October 19, 2018 Meeting Minutes and tabled further consideration until the board has had an opportunity to further review them.

Interim Financials
M. Carney reviewed the Agency’s financials. There have been some recent project closings and several more planned by the end of the month.

Park Outdoor Advertising, Inc.
Chairman Grow introduced an inducement resolution relating to the Park Outdoor Advertising of New York Inc. facility. He then introduced Matt Stubley, representing the company. Mr. Stubley stated that the company appreciates the Agency’s interest in providing assistance to the company, and that it will help them offset costs related to the operation’s relocation. A motion to approve an inducement resolution relating to the Park Outdoor Advertising of New York Inc. facility, providing preliminary approval of financial assistance in the form of exemptions from sales tax (estimated value of $6,584); and real property taxes (estimated value of $263,500), consistent with the Agency’s MVHS Business Relocation Policy, which will result in the company retaining 16 FTE and creating 1 FTE within 3 years, and authorizing the Agency to conduct a public hearing, was made by M. Fitzgerald, seconded by S. Zogby, and carried, 6-0.

Lewiston at Clinton Street, L. L. C. (Phase 5)
Chairman Grow invited Mark and Luke Lewis to join the board at the table to discuss the request from Lewiston at Clinton Street, L.L.C. (Phase V) Facility. The Agency reviewed all the applications that the company has submitted since 2007, and worked to clarify what each phase of the project entailed. The initial request by the applicant was to include the entire project (up to a $25 million mortgage), but the Agency requested the company bring the requests back in stages as the facility was built out. In the board’s final analysis, it determined that at this time the Agency would be justified in approving a mortgage recording tax exemption on a mortgage amount not to exceed $16 million, which will include the re-financed amount. A motion to approve a supplemental resolution relating to the Lewiston at Clinton Street, L.L.C.(Phase 5) facility, authorizing an increase in the value of mortgage tax exemption value not to exceed $120,000, on a mortgage not to exceed $16 million, which includes the amount being re-financed, was made by S. Zogby, seconded by E. Quadraro, and carried 5-0, with F. Betrus abstaining.

Cardinal Griffiss Realty, LLC – Tabled
**STD Realty, LLC/McCraith Beverages, Inc.**  
Chairman Grow introduced a supplemental resolution relating to the STD Realty, LLC/McCraith Beverages, Inc. facility, authorizing an increase in the value of sales tax exemptions (estimated to be an additional $28,000) on the facility. There was no need for an additional public hearing. **A motion to approve a supplemental resolution relating to the STD Realty, LLC/McCraith Beverages, Inc. facility, authorizing an increase in the value of the sales tax exemptions was made by M. Fitzgerald, seconded by E. Quadraro, and carried 6-0.**

**Old Business**

a. **Jobs Report:** Discussion took place regarding the process for business notification of non-compliance. Consensus of the board was to move on to other business.

b. **Idea NY:** In relationship to the letter from the Commercialization Academy seeking continued OCIDA financial support for the program, S. Papale explained that the Griffiss Institute, in conjunction with EDGE staff, manages the $2 million grant which must be used for awards only. The request was tabled until there is an expressed need for financial support. The letter will be kept on file and reviewed in 2 years when the program contract expires.

c. **Board Duties and Responsibilities:** Chairman Grow referenced the October 31, 2018 memorandum from M. Levitt and J. Peppenelli. Discussion took place on several suggestions within the memo. F. Betrus stated that he has some concerns about several items in the memo. M. Levitt and J. Peppenelli stressed that the memo is not a policy document, but a counsel opinion. It is ultimately up to the board to decide how such matters are handled. It was suggested that if a board member requests certain information that the Executive Director considers confidential, the Chairman should determine whether or not it is confidential, but that the Board of Directors would have the power to override that decision. L. Romano discussed board member abstentions from voting: (1) Merely knowing an Agency applicant on a business or personal level does not mean a board member should abstain from voting, and could even be construed as a shirking of the board member’s fiduciary responsibility. In addition, if a member opts to abstain, there is no law saying they must leave the room. Rather, it would be sufficient to merely sit in the audience and refrain from discussion until an action has been taken. (2) A board member is legally forbidden from benefitting from Agency action and must resign if he/she would directly benefit from an Agency action tied to an applicant.

At 10:20 AM, a motion was made to adjourn the November 16, 2018 Agency meeting was made by E. Quadraro, seconded by S. Zogby, and carried 5-0 (M. Fitzgerald having exited the meeting earlier).

Respectively Recorded,

Mark Kaucher