Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on August 12, 2011 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

Members Present: S. Zogby, N. Brown, M. Valentine, F. Betrus, M. Fitzgerald, D. Grow, E. Quadraro,
EDGE Staff Present: M. Bonney, S. Papale, J. Cardone

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

For the purpose of discussing legal action the status of contracts a motion made by M. Valentine, seconded by S. Zogby, to enter executive session. Motion passed unanimously.

Emerged from executive session at 9:00am. Change to the agenda, deleting items 1, 3,4,5,6,7,8.

Chairman asked for a motion to approve the minutes from the July 21, 2011 meeting stating that the approval of these minutes will approve and ratify the action taken by the agency on July 21. Motion made by F. Betrus, seconded by N. Brown, to accept the minutes with the correction of typos on pages 1 and 2. Motion passed unanimously.

In other Agency business:

- A request to consider a final authorizing resolution relating to the Matt Brewery Co., Inc facility project. Matt Brewery Co., Inc will be constructing/installing an anaerobic digester which will treat their waste water (making it easier for the sewer system to handle) and generate methane gas which they will use to generate 30-40 percent of their electrical requirements. This project will retain 95 jobs. A motion to approve the final authorizing resolution, relating to the Matt Brewing Co., Inc. facility, approving benefits which are a deviation from the Agency’s Uniform Tax Exempt Policy for 10 years incremental PILOT, Sales Tax and Mortgage Recording Tax abatement and approving the form and execution of related documents was made by S. Zogby and seconded by M. Valentine, the motion was passed unanimously.

- A request to consider a final authorizing resolution relating to the Griffiss Utility Services Corporation facility, approving benefits which are a deviation from the Agency’s Uniform Tax Exemption Policy and approving the form and execution of related documents. This project will retain 16 jobs and create 2 new positions.
  - C. Milletello, Legal Counsel to the Rome City School District reminded agency of the letter submitted on July 21 and supplemental info in this month’s packet. His position was that the meeting of July 21 was not legal and therefore all business passed would not be valid therefore there would be no tax exemption for GUSC in the 2011-2012 tax year.
  - S. Zogby states that the July 21 minutes reflect that the resolution on July 21 was made subject to further negotiations between Rome City School District and City of Rome.
  - M. Fitzgerald expressed concern over fuel source and length of PILOT with regard to project.
  - D. Grow agreed that stability of fuel source is a concern for him too; however staff and project leadership are confident in research and findings. This project stabilizes fuel prices and should provide savings to the GBTP tenants which will make this Park attractive to businesses and grow the jobs in the County.

A motion to approve a final authorizing resolution relating to the Griffiss Utility Services Corporation facility, approving benefits which are a deviation from the Agency’s Uniform Tax
Exemption Policy and approving the form and execution of related documents, subject to further negotiations between the School District and City of Rome was made by F. Betrus and seconded by S. Zogby, the motion was passed with 6 yes and 1 no vote from M. Fitzgerald.

- A request to consider an inducement resolution relating to the Indium Corporation facility. Indium Corporation will be purchasing a property in Rome, retaining 40 jobs and will be expanding to create 20 new positions. A motion to approve an inducement resolution relating to the Indium Corporation facility for full PILOT with real property tax exemption, mortgage recording tax exemption and sales tax exemption and approving the form and execution of related documents was made by M. Fitzgerald and seconded by G. Quadraro, the motion was passed unanimously.

- A request to consider a final authorizing resolution relating to the New Hartford office Group (Hampton Inn Project), approving benefits which are a deviation from the Agency’s Uniform Tax Exempt Policy, approving the form and execution on related documents including a PILOT Allocation Agreement with the taxing jurisdictions- subject to legal counsel review and consent. This project would create 10 jobs.
  - M. Fitzgerald questioned if this request was consistent with benefits granted Vernon Downs project
  - D. Grow expressed concern over granting sales tax abatement and wanted consistency form the agency.
  - S. Zogby felt the New Hartford Business Park needed benefit to help get the Park going and sited precedent for a hotel inside a business park receiving benefits.
  - L. Adler, New Hartford Business Park developer stated he has been working on this project since 2008 and this is a very different economy from when he started. PILOT proceeds are going to the road construction which is a necessary part of the park development.

A motion to approve a final authorizing resolution relating to the New Hartford office Group (Hampton Inn Project), approving benefits which are a deviation from the Agency’s Uniform Tax Exempt Policy, approving the form and execution on related documents including a PILOT Allocation Agreement with the taxing jurisdictions- subject to legal counsel review and consent was made by S. Zogby and seconded by F. Betrus, the motion was passed unanimously.

- A request to consider a final authorizing resolution relating to the Burrstone Energy facility, approving benefits which are a deviation from the Agency’s Uniform Tax Exemption Policy and approving the form and execution of related documents. This project would retain 3 jobs.
  - C. Militello, legal counsel to the NY Mills School District stated that Kathy Houghton, Superintendent of NY Mills was here but had to leave. On her behalf he is submitting the letter of opposition to the PILOT.
  - S. Papale acknowledged an additional letter was also submitted at the July 21st meeting.
  - S. Zogby asked if school district could realize savings by becoming a customer of Burrstone Energy. P. Goldman, legal counsel for Burrstone Energy stated the matter had been explored and does not appear feasible, and currently the facility is at capacity.
  - F. Betrus referred to photos submitted and confirmed that the equipment is not bolted to the ground and can be moved.
  - D. Grow stated that this company is providing low cost, reliable energy to Faxton- St. Lukes Healthcare and Utica College who provide community services.

A motion to approve a final authorizing resolution relating to the Burrstone Energy facility, approving benefits which are a deviation from the Agency’s Uniform Tax Exemption Policy and approving the form and execution of related documents was made by N. Brown and seconded by S. Zogby with M. Valentine, G. Quadraro and M. Fitzgerald abstaining, the motion was passed.

- A request for Agency approval to consider an Initial Authorizing Resolution for MetLife for a project at the company owned facility located at 5950 Airport Road, Oriskany, NY. This is a $14Million project which will create 100 jobs and retain 1,054 plus 146 jobs over 5 years. MetLife has been a long time employer in the region. A motion to approve the initial authorizing resolution granting a
Incremental PILOT for real property tax exemption and sales tax exemption on the incremental increase was made by S. Zogby and seconded by F. Betrus. The motion was carried with E. Quadraro, abstaining.

- A request for the Agency approval of a resolution whereby the Agency is accepting the deed from the Air Force for parcel F10C (Small Arms Range) then lease the property to Griffiss Local Development Corporation under the standard Griffiss 10 year lease agreement and PILOT. On a motion by D. Grow and seconded by M. Valentine, the motion passed unanimously.

- A request to consider an initial authorizing resolution for Affordable Senior Housing Opportunities of New York Inc. to build an affordable senior housing complex at 4752 Middle Settlement Road, New Hartford, NY. This project would create 10 jobs.
  - C. Trevisani, Director of Development of Affordable Senior Housing spoke about the project. Relating that this project will be built on approximately 8 acres of vacant land which has been for sale for 15 years. He has been working with the Zoning Board to change zoning to mixed use and conversations with County and Town have been supportive of project. The company has completed 10 other similar projects around NYS. The PILOT deviation requested is similar to benefits granted this company for similar projects.
  - Agency members debated this project and compared precedents around Oneida County. Legal Counsel informed agency that this type of project is keeping within the new policy of the Agency adopted two years ago.
  - A. Kowalzyck, legal counsel from Affordable Senior Housing Opportunities of NY Inc., spoke in favor of this project stating that most of his tenants are over 70 years old and they are at 99% occupancy.

  M. Fitzgerald made a motion to approve an initial authorizing resolution for a 5 year PILOT providing 75% tax relief in year 1, 50% in year 2 and increase percentage due by 5% in years’ three through five. Applicant will pay 100% thereafter. The motion was seconded by E. Quadraro and passed unanimously.

The review of financials was deferred.

Old Business:

- A request by Griffiss Utility Services Corporation/ GUSC Energy Inc. for sales tax exemption was tabled.

New Business:

- Discussion over next meeting date of the Agency. The Rome City School District requested more time to review information from Aug. 3rd public hearing, and that project is the only business before the agency on Aug. 19. Meeting of Aug. 19 cancelled and GLDC application deferred to September meeting.

At 10:40 am, a motion to enter Executive Session for the purpose of discussing potential litigation was made by E. Quadraro seconded by N. Brown, the motion was passed unanimously. Consensus to exit was achieved at 10:46 AM.

There being no further business, the meeting was adjourned at 10:46 AM upon a motion made by S. Zogby and seconded by N. Brown, the motion was passed unanimously.

Respectfully submitted,

Mary Rizzo Bonney on behalf of J. Waters

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