Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on October 21, 2011 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

Members Absent: N. Brown, F. Betrus
EDGE Staff Present: S. Papale, J. Cardone, P. Zawko, J. Waters
Others Present: L. Romano, M. Levitt, C. Levitt

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

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

A motion to exit Executive Session at 9:05 am was made by E. Quadraro, seconded by M. Fitzgerald, Motion passed unanimously.

August 12, 2011 Minutes were approved and revised to reflect Agency comments on a motion made by M. Fitzgerald seconded by M. Valentine. Motion passed unanimously.

September 16, 2011 Minutes were approved and revised with Agency comments on a motion by S. Zogby seconded by M. Fitzgerald. Motion passed unanimously.

Agency Staff met with Assemblyman Anthony Brindisi and extended him an invitation to an OCIDA Board Meeting. Staff is working on a time to meet and will follow up with the Assemblyman via a written letter.

In other Agency business:

- A request for an initial inducement resolution relating to the deed transfer by the United States Air Force of Parcel F6B-1 and the sale-leaseback with Griffiss Local Development Corporation (Facility Transfer XV). This parcel is where Leonard Bus is located. D. Grow made a motion to approve an initial authorizing resolution relating to the deed transfer by the United States Air Force of Parcel F6B-1 and the sale-leaseback with Griffiss Local Development Corporation (Facility Transfer XV). The motion was seconded by E. Quadraro and passed unanimously.

- A request for a final authorizing resolution relating to the Griffiss Utility Services Corporation/GUSC Energy, Inc. Facility, approving benefits in the form of exemptions from sales tax and authorizing the execution and delivery of related documents. The agency received a request in June to include the sales tax exemption on the project (Received in a supplemental application). This request was not in the original application, thus not part of the original public hearing. Because the amount of the
potential sales tax exemption exceeded $100,000 a separate public hearing was required. The Rome City School Board and Rome City School Superintendent did attend. They did not have any comment on the sales tax issue, but did want to discuss PILOT that the OCIDA had already approved. There was no school opposition to sales tax. The Agency asked whether GUSC would transfer the sales tax onto its customers. S. Papale answered that the sales tax exemption would be on installing the equipment, site improvements and other things associated with the property. M. Fitzgerald questioned whether or not the equipment was going to be used for production of energy for resale. E. Quadraro made a motion to approve a final authorizing relating to the Griffiss Utility Services Corporation/GUSC Energy, Inc. Facility, approving benefits in the form of exemptions from sales tax and authorizing the execution and delivery of related documents. The motion was seconded by S. Zogby and was passed unanimously.

- A request for consent to an Easement request by Time Warner at the Griffiss Business and Technology Park at Technology Heights to run utility lines and provide that service to tenants. M. Valentine made a motion to approve an Easement request by Time Warner at the Griffiss Business and Technology Park at Technology Heights, subject to legal review. The motion was seconded by S. Zogby and passed unanimously.

- A request for an initial authorizing resolution for a standard commercial PILOT with sales tax exemption and no mortgage recording tax benefit as it relates to a request by Tri-Valley Beverages for a building extension in their Westmoreland facility. Legal counsel stated if the sales tax benefit is not granted it would represent a legal deviation from the IDA’s Uniform Tax Exemption Policy because the Policy states that all eligible commercial projects are entitled to sales tax benefits. The company is looking at other locations in Albany and Syracuse and there is the potential to move the business. Agency questioned whether it is really feasible for the company to move to those markets if their distribution is only Oneida and Herkimer Counties. They are creating four jobs and retaining 78. Other beverage distribution facilities (Sanzone and McCraith) received industrial PILOTS. M. Fitzgerald questioned whether a business decision to move the business out of the area would be based solely on whether they got a sales tax exemption. D. Grow questioned whether the Agency should give the company an advantage over others in the area by granting them a sales tax exemption benefit. It would not be an even playing field among the beverage distribution companies, the Agency helped the company get established it is now on them to succeed. S. Papale told the agency that the company has since had to reinvent themselves and that’s the reason for the construction and subsequent request for benefits. A motion by E. Quadraro to approve initial authorizing resolution for a standard commercial PILOT with no sales or mortgage recording tax benefits as it relates to a request by Tri-Valley Beverages for a building extension in their Westmoreland facility. The motion was seconded by S. Zogby and passed unanimously.
Financials were presented to the Agency for review. J. Cardone stated that they are on track for 2011 and that there are 2-3 other projects closing shortly which will put the Agency on line with the budget.

For the purpose of discussing potential contracts a motion made by M. Fitzgerald, seconded by M. Valentine, to enter executive session without staff at 9:40am. Motion passed unanimously.

For the purpose of discussing potential contracts a motion made by M. Fitzgerald, seconded by M. Valentine, to exit executive session at 9:45am. Motion passed unanimously.

There being no further business, the meeting was adjourned at 9:45 AM upon a motion made by D. Grow and seconded by M. Fitzgerald, and the motion was passed unanimously.

Respectfully submitted,

J. Waters