Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on February 25, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Absent: F. Betrus, M. Valentine
EDGE Staff Present: F. Arcuri, J. Cardone, J. Castilla, S. DiMeo, S. Papale, M. Rizzo, J. Stock
Others Present: M. Dorr, L. Ruberto
Press: None

Mr. Grow called the meeting to order at 8:10 AM.

The minutes of the December 18, 2009 Agency meeting were unanimously approved upon a motion made by Mr. Zogby, seconded by Mr. Quadraro.

The minutes of the Agency’s Annual Meeting held on December 18, 2009 were unanimously approved upon a motion made by Ms. Brown, seconded by Mr. Fitzgerald.

Ms. Cardone presented the financials to the Board. Members accepted the financials as presented. Discussion was held regarding the tax NYS has levied on all IDA’s in the State. Because the Rome Community Brownfield Restoration Corporation grant was included within the Agency’s 2008 financial statements, the tax assessed was overstated. The RCBRC grant is strictly a pass-through and no funds should be reflected in the Agency’s bottom line. Mr. Fitzgerald recommended that RCBRC income and expenditures be removed from the Agency’s Income Statement and be included as a disclosure in the notes section of the financials. After restating 2008’s statements the Agency will send the State its assessed tax based on the restated amount noting that the payment is being made under protest.

In other Agency business:

- An Initial Authorizing Resolution (IAR) for GLDC was brought before the Agency. Mr. DiMeo explained Project Cardinal to the Board. Project Cardinal involves a local firm that is in the cyber security/software business. The company has grown rapidly over the past few years and wishes to remain in the area. In order for the company to remain it needs a state-of-the-art office complex that meets the security requirements of its customers. GLDC will construct the building and lease the facility to Project Cardinal. The project cost is approximately $10.3 million. The Agency is being requested to deviate from its standard industrial PILOT policy and approve a 15-year PILOT that will run concurrently with Project Cardinal’s lease. The company currently employs 81 people. They are anticipating assistance from ESDC therefore job requirements with ESDC will be reflected in the PILOT’s recapture provisions. The numbers will be finalized by the time the Final Authorizing Resolution is brought before the Agency. In addition, it was agree that the Agency will serve as the lead on the SEQR. A motion to approve the IAR with a 15-year PILOT representing a deviation from standard Agency policy, mortgage recording tax exemption and sales tax exemption with employee levels to be determined was made by Mr. Zogby, seconded by Mr. Fitzgerald. The IAR was unanimously approved.

- A request by National Grid to grant an easement from Genesee Valley Transit in order to run a new power line service to Owl Wire and Cable at its Rome facility on 220 S. Madison Street was brought before the Agency. GVT has agreed to the easement in theory, and the respective parties are drafting a legal document for review and approval. As the GVT property is in the OCIDA’s name, staff is
requesting OCIDA’s consent to the easement, conditioned on review and approval of the document by IDA counsel. A motion to grant the easement subject to approval by Agency Counsel was made by Mr. Fitzgerald, seconded by Ms. Brown. The easement was granted with Mr. Grow abstaining.

- Old Business:
  - Agency members were informed of deedbacks that would be taking place in 2010. Among those being done in the 1st quarter of 2010 are Bank of NY, Midstate Electronics and Seifert Graphics.
  - A resolution to extend the PILOT to Daimler Bus approved by the Agency in 2008 to allow the company to utilize the full term of the benefits approved was brought before the Agency. Ms. Dorr explained that the resolution was necessary as the RP-412 for the project was not filed on time and resulted in the company being taxed at 100% for the 2010 tax year. A motion to approve the resolution extending the PILOT to Daimler Bus allowing the company the full ten years of PILOT benefits as approved by the Agency’s 2008 action with all other terms and conditions remaining unchanged was made by Mr. Fitzgerald, seconded by Mr. Zogby. The resolution was unanimously approved.
  - Ms. Ruberto informed the Board that Sitrin Healthcare has notified the Agency that they are restructuring their bond issue to be held by two banks. This will require an amendment to some of the bond documents and there will be a fee charged by bond and Agency counsel. Sitrin is asking if there will be an Agency fee in addition to the legal fees. There will be no additional benefit extended to Sitrin and in the past, the Agency has not charged a fee for such situations. Agency members agreed that no fee should be charged to Sitrin in this transaction. In addition, Ms. Ruberto said Sitrin estimates approximately $300,000 in bond proceeds left from the last bond transaction they had with the Agency. Sitrin would like to construct a storage structure for maintenance vehicles and a structure for salt storage. As bond counsel, Ms. Romano has concluded this action would be considered an “insubstantial deviation” from the extensive renovation that was done with the Sitrin project. One of the buildings to be constructed is ten feet outside of the boundary of what the Agency has title to; therefore counsel will have to amend the bond documents to include that area – which are minor revisions. Agency members indicated that they would support the described by Ms. Ruberto for the Sitrin project.
  - A motion to enter Executive Session for the purpose of discussing potential projects and pending litigation was made by Ms. Brown, seconded by Mr. Quadraro. The Agency entered Executive Session at 8:55 AM. Consensus to exit Executive Session was achieved at 9:50 AM.

There being no further business, the meeting was adjourned at 9:55 AM upon a motion made by Mr. Fitzgerald, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the  
Oneida County Industrial Development Agency  
Held on March 26, 2010 at Mohawk Valley EDGE Offices  
Rome, NY 13441

Members Present: F. Betrus, M. Fitzgerald, E. Quadraro, M. Valentine, S. Zogby  
Absent: N. Brown  
EDGE Staff Present: J. Cardone, J. Castilla, S. DiMeeo, S. Papale, M. Rizzo, J. Stock  
Others Present: C. Kahler, J. Saunders, M. Stephens, L. Romano  
Press: None

Mr. Fitzgerald called the meeting to order at 8:05 AM. Mr. Grow was delayed to the meeting, in his absence Mr. Fitzgerald deferred approval of the February minutes.

Ms. Cardone presented financials to the Board as of 2/28/2010. Members accepted the financials as presented. Ms. Cardone will present Agency proposal for distribution of dormant funds at April’s meeting to avoid possible state seizure of the funds.

Mr. Fitzgerald reported the results of the Audit Committee meeting held at 7:30 AM prior to this meeting. Mr. Howard presented the audit to the Committee and reports favorably on the financials and management letter. Mr. Howard also presented the Committee with restated financial statements for 2008. The Committee approved the 2009 audit and restated 2008 financials moved to submit both the Board for approval.

Upon a motion by Mr. Valentine, seconded by Mr. Zogby, the 2009 Audit and restated 2008 financials were accepted and approved for submission to the Office of the New York State Comptroller. The motion was carried.

In other Agency business:

- Ms. Papale presented the Mission Statement and 2010 Performance Measurements of the Agency to the Board. Upon a motion by Mr. Zogby, seconded by Mr. Valentine, the Mission Statement was unanimously approved. Upon a motion by Mr. Betrus, seconded by Mr. Valentine, the Performance Measures were unanimously approved.
- A request for Agency consent to the sale of 2.536+ acre parcel (the “corner parcel”) from GLDC to Sovena was brought before the Agency. Mr. Saunders explained that the parcel was part of the original option Sovena had on the property when they purchased the property, however that portion of land could not be transferred at the time of sale. Upon a motion by Mr. Betrus, seconded by Mr. Valentine, the sale was approved with Mr. Zogby and Mr. Fitzgerald abstaining.
- A request to grant easements (together with GLDC) to Verizon and other utility providers for project related work at Technology Heights for buildings 776, 778 and 780 at Griffiss Business & Technology Park, Rome, NY was brought before the Agency. A motion to authorize the Agency’s Executive Director to approve the easements contingent upon review of Counsel was made by Mr. Zogby, seconded by Mr. Quadraro. Mr. Betrus disclosed that his daughter is the Director of Personnel at ITT, a building located in the aforementioned Technology Heights. The motion was carried.
- A request to consent to Equity Industrial Sherrill Limited Partnership – approve execution of (1) Amended and Restated Promissory Note; and (2) First Amendment to Fee and Leasehold Mortgage and Security Agreement and Assignment of Leases and Rents was brought before the Agency. Mr. Stephens stated that he had reviewed the documents and approves of the transaction. A motion to
consent to the transactions as stated was made by Mr. Valentine, seconded by Mr. Zogby. The motion was carried.

- A request by National Grid to grant an easement for placement of a utility pole at the former Rome Cable site was brought before the Agency. *A motion to grant the easement was made by Mr. Betrus, seconded by Mr. Quadraro.* The motion was carried.

- Old Business:
  - A request to clarify approval of resolution from December 18, 2009 IDA meeting regarding the conveyance of property to GUSC from GLDC at Griffiss Business & Technology Park, Rome, NY was presented by Mr. Saunders. Mr. Saunders explained the need to clarify that the fee would be conveyed to GUSC and GLDC would retain the easement on the property referenced in the December 18, 2009 Resolution which involved the construction of a 3,500± square foot office facility on the steam plant parcel. *A motion to clarify the resolution as described by Mr. Saunders was made by Mr. Betrus, seconded by Mr. Zogby.* The motion was carried

  - A request to reaffirm consent to an option agreement between GLDC and Dr. Costello to sell 1.9 acres at Dart Circle, Griffiss Business & Technology Park, Rome, NY was brought before the Agency. Mr. Saunders referenced the option agreement that was distributed to and consented to by members via email. *A motion to reaffirm the option agreement was made by Mr. Fitzgerald, seconded by Mr. Betrus.* The motion was carried

- Mr. Grow joined the meeting and assumed Chairman role at 8:35 AM.

  - Ms. Romano informed Agency members that deedbacks for Bank of New York and CMI will be taking place within the next few weeks.

  - A request to ratify the consent to the sale and assignment of the Champion Home Builders Co. Facility to Champion Home Builders, Inc. and the form and execution of related documents was brought before the Agency. *A motion to ratify the consent and assignment was made by Mr. Fitzgerald, seconded by Mr. Zogby.* The motion was carried.

- *A motion to approve the minutes of the February 25, 2010 meeting was made by Mr. Fitzgerald, seconded by Mr. Valentine.* The motion was carried.

- *A motion to enter Executive Session for the purpose of reviewing issues pertaining to contracts and potential litigation was made by Mr. Betrus, seconded by Mr. Zogby.* The motion was carried. The Agency entered Executive Session at 8:30 AM. Consensus to exit Executive Session was achieved at 8:40 AM.

There being no further business, the meeting was adjourned at 8:45 AM upon a motion made by Mr. Valentine, seconded by Mr. Quadraro.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on April 16, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Absent: N. Brown, M. Valentine
EDGE Staff Present: J. Cardone, J. Castilla, S. DiMeo, M. Rizzo, J. Stock
Others Present: L. Ruberto
Press: None

Mr. Grow called the meeting to order at 8:05 AM. Minutes from the March meeting were not available for action.

Ms. Cardone presented financials to the Board as of 3/31/2010. Members accepted the financials as presented. Ms. Cardone will present Agency proposal for distribution of dormant funds at May’s meeting to avoid possible state seizure of the funds.

In other Agency business:

- A request for Agency approval for the amendment and conversion of Charles T. Sitrin Health Care Center, Inc and Cedarbrook Village, Incorporated Series 2007 Bonds and the form and execution of related documents. **A motion to approve the amendment and conversion was made by Mr. Fitzgerald, seconded by Mr. Betrus.** The motion was carried.

- A request for Agency approval to consider a final authorizing resolution relating to the Westco Marcy, LLC Facility and approving the form and execution of related documents. A public hearing was held. Bob Kippers of Marcy supported the project but questioned the OCIDA and stressed his concern that IDA’s have more awareness of the financial conditions of the businesses it grants benefits to. **A motion to approve the final authorizing resolution was made by Mr. Zogby, seconded by Mr. Betrus.** The motion was carried. Ms. Papale recused herself from this transaction and was not present at this meeting having previously disclosed that the original property the first FedEx facility was built on was owned by her parents. The property chosen to build the facility was the result of an independent search. No Agency benefits were applied for or granted on the original construction of the facility.

- A request for Agency approval to consider a final authorizing resolution relating to the FedEx Ground Package System, Inc. Facility and approving the form and execution of related documents. **A motion to approve the final authorizing resolution granting a standard 10-year industrial PILOT on the incremental increase in assessed value resulting from the expansion of the facility, sales tax exemption and mortgage recording tax exemption with the company maintaining 22 FTE jobs and creating 10 FTE jobs within three years was made by Mr. Betrus, seconded by Mr. Grow.** The motion was carried.

**A motion to enter Executive Session for the purpose of discussing future negotiations was made by Mr. Betrus, seconded by Mr. Zogby.** The motion was carried. The Agency entered Executive Session at 8:35 AM. Consensus to exit Executive Session was achieved at 9:04 AM. Mr. Betrus and Mr. Zogby exited the meeting at 9:04 AM.

Old Business:

- A request by Rome Community Brownfield Restoration Corporation to grant additional authority for the Agency Executive Director to approve additional change orders up to a
maximum of $500,000 for additional asbestos abatement and anticipated overtime costs associated with meeting the Restore grant deadline of June 30, 2010 was brought before the Agency. Mr. Arcuri explained that MOUs with the City of Rome provide for $1,700,000 in total allowances for both projects. At this time, RCBRC is aware of $1,577,696 in costs associated with the project. The City of Rome has agreed to amend the MOUs to provide for $2,500,000 in total allowances, which is the full grant amount, and which will cover any additional change orders. A copy of the amendment is forthcoming, and will be available for signature at the next regular meeting of the Agency. A motion to authorize the Executive Director or available board member to sign additional change orders up to $500,000 for the above-mentioned purpose was made by Mr. Fitzgerald, seconded by Mr. Quadraro. The motion was carried with Mr. Grow abstaining.

There being no further business, the meeting was adjourned at 9:14 AM upon a motion made by Mr. Quadraro, seconded by Mr. Fitzgerald.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on May 21, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Absent: F. Betrus, S. Zogby
Others Present: B. Ackerman, J. Dinga, W. Farley, M. Hennessey, D. Simmons, M. Stephens, L. Romano
Press: None

Mr. Grow called the meeting to order at 8:10 AM. Minutes from the March 26 and April 16 meetings were unanimously approved upon a motion by Mr. Fitzgerald, seconded by Mr. Quadraro.

Ms. Cardone presented financials to the Board as of 3/31/2010. Members accepted the financials as presented. Ms. Cardone will present Agency proposal for distribution of dormant funds at May’s meeting to avoid possible state seizure of the funds.

In other Agency business:

- A request for Agency consent to a Notice of Agreement regarding a Brownfield Site Cleanup Agreement for Special Metals Corporation located on Middle Settlement Road, New Hartford. Ms. Simmons, Environmental Counsel to Special Metals, summarized the voluntary cleanup being undertaken by the company since as new owner, PCC, initiated an environmental study of the Special Metals site. Special Metals Corporation acknowledges that the Agency is indemnified against any environmental conditions identified at the site and the Company takes full responsibility for all findings. Approximately 45 of the 120 acre Special Metals Corporation parcel were designated as a Brownfield Site by NYS DEC in 2009. Cleanup is expected to be completed by 2012. Mr. Farley explained the recent investment PCC has made in the Special Metals plant to maintain jobs and keep the company competitive on the global market. A motion to approve the Notice of Agreement subject to review and approval of Agency Counsel was made by Mr. Fitzgerald, seconded by Ms. Brown. The motion was carried.

- A request by Burrstone Energy Center, LLC for an extension of the maturity date for the sales tax exemption certificate for the Burrstone Energy Project retroactive to the prior expiration to the end of the calendar year 2010 was brought before the Agency. Ms. Papale informed members that the company also may be asking for the Agency to consider a PILOT for the project as well since the assessment for the facility is based on the value of the equipment, which is disproportional to the value of the land. The PILOT that was approved by the Agency for the project was a 100% PILOT meaning the company paid 100% of the tax liability on the property. The 100% PILOT will remain in effect for the project. As Executive Director of the Agency, Ms. Papale is authorized to grant extension of sales tax exemption. Agency members agreed to the extension.

- A Final Authorizing Resolution for the Mid-State Development Corporation/Vernon Downs project was brought before the Agency. Mr. Dinga thanked Agency members for their support of the project. Ms. Romano recommended approval be subject to review of Counsel assuring all financing documents are in place. A motion was made by Mr. Quadraro, seconded by Ms. Brown, to approve the FAR granting mortgage recording tax exemption, sales tax exemption and a five-year commercial PILOT for Phase One of the project applied to the incremental increase in assessed value resulting from the execution of Phase One with the following job creation criterion:
- retention of 233 FTE positions
- creation of 15 FTE positions by 12/31/2012
- creation of 35 FTE positions by 12/31/2013 (cumulative)
- creation of 50 FTE positions by 12/31/2014 (cumulative)

The motion was carried.

- A request by National Grid for Agency consent to move electrical towers located on the property of Vick’s Lithograph was brought before the Agency. A motion to approve the request subject to legal review and consent of all land owners impacted was made by Mr. Fitzgerald, seconded by Mr. Valentine. The motion was carried.

- A request by 5900 Success Drive, LLC for Agency acknowledgement of current financing arrangements between it and Mohawk Valley EDGE was brought before the Agency. It is requested that documents reflect the loan from Mohawk Valley EDGE to 5900 Success Drive, LLC is interest-only. The internal loan between EDGE and 5900 Success Drive had prior Agency approval as an interest-only loan; however the loan documents did not reflect that the loan was interest-only until the property is sold. A motion for loan documents to reflect that the loan from Mohawk Valley EDGE to 5900 Success Drive, LLC is an interest-only loan until the property is sold was made by Mr. Fitzgerald, seconded by Mr. Grow. The motion was carried.

A motion to enter Executive Session for the purpose of discussing pending contracts and potential litigation was made by Mr. Valentine, seconded by Mr. Quadraro. The motion was carried. The Agency entered Executive Session at 8:55 AM. Consensus to exit Executive Session was achieved at 9:55 AM. Mr. Fitzgerald excused himself during discussion of the Route 233 LLC project. Ms. Brown exited the meeting at 9:40 AM.

- Staff informed Agency members of the pending sale of Route 233 LLC. The purchaser has requested that Agency benefits granted to Route 233 LLC be conveyed to the new ownership. Agency members agreed that they would consider the extension of benefits to the new owner provided he/she commit to the employment levels required by Route 233 LLC. A motion to approve the extension of Agency benefits to the purchaser of Route 233 LLC conditioned upon the new owner agreeing to retain employment commitments of Route 233 LLC, the company remain in its present location and the transaction has approval of Agency Counsel; was made by Mr. Quadraro, seconded by Mr. Valentine. The motion was carried; Mr. Fitzgerald abstained.

- Ms. Romano informed Agency members that she has received a request by Mr. Adler to proceed with closing on the hotel project for the New Hartford Business Park induced by the Agency in 2008. Ms. Romano informed members that the inducement was approved conditioned upon a tax allocation agreement being in place with the Town of New Hartford. The tax allocation agreement has not been finalized with the Town of New Hartford therefore Ms. Romano recommends holding a new public hearing reflecting that no tax allocation agreement is in place prior to closing on the project.

There being no further business, the meeting was adjourned at 10:10 AM upon a motion made by Mr. Quadraro, seconded by Mr. Valentine.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on June 18, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Members Present: M. Fitzgerald, D. Grow, M. Valentine, S. Zogby
Absent: N. Brown, F. Betrus, E. Quadraro
EDGE Staff Present: J. Cardone, J. Castilla, S. DiMeo, M. Rizzo, J. Stock, P. Zawko
Others Present: M. Stephens, L. Ruberto, J. Saunders
Press: None

Mr. Grow called the meeting to order at 8:05 AM.

May 21, 2010 minutes were approved as corrected by reflecting Mr. Zogby’s absence upon a motion made by Mr. Fitzgerald, seconded by Mr. Valentine.

Ms. Cardone presented financials to the Board as of 5/31/2010. Members accepted the financials as presented.

In other Agency business:

- A request to consider a resolution approving the release of a parcel of land known as Apron 1 to Griffiss Local Development Corporation for transfer to Oneida County, and approving the execution of related documents, subject to approval by IDA counsel was brought before the Agency. A motion to approve the resolution was made by Mr. Zogby, seconded by Mr. Valentine. The motion was carried.

- A resolution approving the release of a 1.9 acre parcel of land to Griffiss Local Development Corporation for the sale to Dr. Costello, and approving the execution of related documents, subject to approval by IDA counsel was brought before the Agency. A motion to approve the resolution was made by Mr. Fitzgerald, seconded by Mr. Valentine. The motion was carried.

- A resolution consenting to the sale and assignment of the 421 Ridge Street, LLC facility to Rome Investments, LLC; consider a request by Rome Investments, LLC to extend the PILOT Agreement for the facility; and approving the form and execution of related documents, subject to approval by IDA counsel was brought before the Agency. Discussion ensued. A motion to consent to the sale and continuation of the current PILOT until its expiration date of July 26, 2011 was made by Mr. Valentine, seconded by Mr. Zogby. The motion was carried.

- A request to adopt a negative declaration for the purposes of SEQR relating to the Griffiss Local Development Corporation/Project Cardinal facility was brought before the Agency. A motion to adopt the negative declaration was made by Mr. Zogby, seconded by Mr. Grow. The motion was carried.

- A request to consider a final authorizing resolution relating to the Griffiss Local Development Corporation/Project Cardinal facility, approving the benefits which represent a deviation from the IDA’s Uniform Tax Exemption Policy and approving the form and execution of related documents, subject to approval in form and substance by IDA counsel was brought before the Agency. Mr. DiMeo updated members on the progress with negotiations with the proposed building tenant, Assured Information Security, Inc. (AIS) Mr. DiMeo would like the Agency’s recapture provisions to mirror those imposed by the State in regards to the company’s grant funding. Discussion ensued. It was agreed that the company should not be held to two different employment goals simultaneously by applying the Agency’s recapture policy on top of the State’s recapture policy. Given the size of the project and the economic impact of the jobs being created, and the fact that the lease has provisions
contained within it that calls for the company to pay 100% of assessed taxes should it default on the lease; Agency members agreed to adhere to the State’s recapture policy for the first five years of the project, and then institute the Agency’s policy without recapture provisions starting in year six to the expiration of the lease. A motion to adopt a Final Authorizing Resolution with respect to the GLDC/AIS Facility, approving the form and execution of related documents subject to approval by agency counsel, and approving a deviation from the Agency’s Uniform Tax Exemption Policy in the following respects: (1) GLDC will make PILOT payments to the taxing jurisdictions in an amount equal to 20% of taxes years one through and including five; 40% of taxes years six through and including ten; 55% of taxes year eleven; 60% of taxes year twelve; 65% of taxes year thirteen; 70% of taxes year fourteen; 75% of taxes year fifteen; and 100% of taxes after year fifteen; and (2) the benefits under the first five years of the PILOT Agreement will be conditioned upon the Sublessee meeting certain employment goals contained in a certain NYS Grant Disbursement Agreement to which the Sublessee is a party; was made by Mr. Valentine, seconded by Mr. Grow. The motion was carried.

- An Initial Authorizing Resolution for New York Custom Processing LLC was brought before the Agency. The principals of New York Custom Processing have purchased an abandoned meat processing plant in Bridgewater, NY. The project calls for the renovation of the facility and an addition being built onto the current structure. Increased demand for customized meat processing has led the company’s principals to invest in this project. The company will employ 14 and has requested Agency assistance in the form of a standard industrial PILOT and mortgage recording and sales tax exemptions. Agency members pointed out an error in the application that indicated sales tax exemption applied to the entire term of the PILOT. Mr. Castilla informed members that he has had discussions with the applicant clarifying the duration of the sales tax exemption. Agency members requested that the applicant resubmit that section of the application to more accurately reflect the amount of sales tax to be exempted. The correction will be provided at July’s meeting. A motion to approve an IAR with a 10-year PILOT, mortgage recording tax exemption and sales tax exemption for New York Custom Processing LLC was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried.

A motion to enter Executive Session for the purpose of discussing potential contracts was made by Mr. Valentine, seconded by Mr. Zogby. The motion was carried. The Agency entered Executive Session at 9:05 AM. Consensus to exit Executive Session was achieved at 9:45 AM.

Old Business:

- A request to release a 7.5 acre parcel from the IDA Prime Lease to GLDC for Project Cardinal was brought before the Agency. A motion to release the 7.5 acres in accordance with the MOU between OCIDA and GLDC was made by Mr. Fitzgerald, seconded by Mr. Valentine. The motion was carried.

- Staff reported on those businesses that have fallen short of their employment minimums as of 12/31/2009. Members requested the following actions be taken:
  - A letter sent to companies that are less than 25% of their minimum job commitment stating they are in default of their lease and are entitled to a hearing.
  - A letter sent to companies that are employing less than 80% of their minimum job commitment requesting an explanation of the circumstances that have led them to reduce their workforce and detailing the company’s plan to restore job numbers.
Mr. Fitzgerald requested a brief Executive Session for the purpose of discussing potential contracts. *A motion to enter Executive Session was made by Mr. Fitzgerald, seconded by Mr. Zogby.* The Agency entered Executive Session at 9:55 AM. Consensus to exit was achieved at 9:58 AM.

There being no further business, the meeting was adjourned at 10:00 AM upon a motion made by Mr. Valentine, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla  
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on July 16, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Absent: E. Quadraro
EDGE Staff Present: F. Arcuri, J. Cardone, J. Castilla, S. DiMeo, M. Kaucher, J. Stock, P. Zawko
Others Present: M. Stephens, L. Ruberto, P. Romano
Press: None

Mr. Grow called the meeting to order at 8:05 AM.

June 18, 2010 minutes were approved as corrected by reflecting corrected language regarding letters to companies not in compliance with job commitments upon a motion made by Mr. Zogby, seconded by Mr. Betrus.

Ms. Cardone presented financials to the Board as of 6/30/2010. Members accepted the financials as presented.

In other Agency business:

- A request by Genesee Valley Transportation Inc. and Boonville Black River Canal Museum to grant an easement and approving the form and execution of related documents, subject to review by agency counsel was brought before the Agency. A motion to grant the easement was made by Mr. Betrus, seconded by Mr Valentine. The motion was carried.
- A request to approve the form and execution of documents to terminate the Rome Industrial Development Corporation/EMI facility and deed the property back to Rome IDC was brought before the Agency. Mr. Kaucher explained that EMI has vacated the facility at 5780 Success Drive, Rome, and RIDC will be liable for payment of 100% of taxes unless the property reverts to RIDC ownership. Therefore RIDC is requesting termination of the lease and Agency release of all interest in the property. A motion to approve the documents terminating the deed and return the property to RIDC ownership was made by Mr. Valentine, seconded by Mr. Betrus. The motion was carried.
- A request by New Hartford Office Group, LLC to re-affirm the original inducement resolution adopted on January 24, 2008 only as it pertains to the hotel project was brought before the Agency. Discussion ensued. Agency members agreed to table the request pending receipt of letters from each taxing jurisdiction affected by the action stating their position on the proposed project.
- A request to a one year extension of the land lease between GLDC and the United States of America (Rome Lab) for 3.57 acres of land located on the Griffiss Business & Technology Park in support of force protection improvements for AFRL/Information Directorate was brought before the Agency. A motion to extend the lease was made by Mr. Ferris, seconded by Mr. Zogby. The motion was carried.
- A request by Shumaker Engineering for approval of change orders relating to the demolition of the former Rome Cable Complex was brought before the Agency. Mr. Arcuri reviewed the change orders as presented by Shumaker Engineering. With the change orders, total project cost is still within the budgeted parameters of the project. A motion to approve the change orders as presented was made by Mr. Fitzgerald, seconded by Mr. Grow. The motion was carried with Mr. Grow abstaining.

A motion to enter Executive Session for the purpose of discussing potential contracts and personnel matters was made by Ms. Brown, seconded by Mr. Zogby. The motion was carried. The Agency entered Executive Session at 8:35 AM. Consensus to exit Executive Session was achieved at 9:40 AM.
There being no further business, the meeting was adjourned at 9:45 AM upon a motion made by Mr. Betrus, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the  
Oneida County Industrial Development Agency  
Held on August 27, 2010 at Mohawk Valley EDGE Offices  
Rome, NY 13441

Members Present: F. Betrus, M. Fitzgerald, D. Grow, M. Valentine, E. Quadraro  
Absent: N. Brown, S. Zogby  
EDGE Staff Present: F. Arcuri, J. Cardone, J. Castilla, S. DiMeo, S. Papale, M. Rizzo, P. Zawko  
Others Present: P. Reichel, L. Romano  
Press: B. Ackerman

Mr. Grow called the meeting to order at 8:05 AM.

July 16, 2010 minutes were unanimously approved on a motion made by Mr. Fitzgerald, seconded by Mr. Valentine.

Ms. Cardone presented financials to the Board as of 7/31/2010. Members accepted the financials as presented.

In other Agency business:

- A resolution approving the form and execution of a Mortgage Modification Agreement relating to the Broad Street Warehouse, LLC facility, subject to approval by agency counsel was brought before the Agency. A motion approving the resolution subject to the approval of Agency Counsel was made by Mr. Fitzgerald, seconded by Mr. Valentine. The motion was carried.
- A resolution consistent with the GLDC/OCIDA MOU and EDC Agreement to convey a 0.303 acre parcel to JELK, LLC was brought before the Agency. A motion to approve the resolution was made by Mr. Valentine, seconded by Mr. Fitzgerald. The motion was carried.
- A resolution consenting to mortgages by GLDC of the Building 796/798 facility and the granting of financial assistance, and approving the form and execution of related documents was brought before the Agency. A motion to approve the resolution subject to review by Agency Counsel was made by Mr. Grow, seconded by Mr. Quadraro. The motion was carried.
- A resolution consistent with the GLDC/OCIDA MOU and EDC Agreement to transfer title of Airport Access Road Property from OCIDA, GLDC transfer and convey the same to the County was brought before the Agency. Mr. DiMeo explained the property involves the Hangar Road Extension recently completed. The Agency action is necessary to transfer the road to Oneida County. A motion to approve the resolution was made by Mr. Fitzgerald, seconded by Mr. Valentine. The motion was carried.
- A resolution consenting to the sale, assignment and amendment of the sublease from Empire Aero Center, Inc. to Premier Aviation Overhaul Center, Ltd. (394 Hangar Road Corp. Facility); entering into financing documents in order to effectuate the sale; extending mortgage recording tax exemption to the financing documents; and approving the form and execution of related documents, subject to approval by agency counsel was brought before the Agency. Ms. Romano explained that Agency approval is required as the existing sublease agreement does not allow the assignment of the lease without consent of the Agency. A motion to approve the resolution subject to the approval of Agency Counsel was made by Mr. Fitzgerald, seconded by Mr. Betrus. The motion was carried.
- A resolution approving the form and execution of financing documents relating to the sale and assignment of the 421 Ridge Street, LLC facility to Rome 421 Ridge, LLC was brought before the Agency. Ms. Papale requested that prior to closing on the sale of the facility the current owners, 421 Ridge Street LLC, provide proof that any outstanding taxes or fees have been paid in full. A motion to approve the resolution contingent upon demonstration that all outstanding taxes and fees owed by 421 Ridge Street LLC have been paid in full was made by Mr. Betrus, seconded by Mr. Quadraro. The motion was carried.
• A motion to enter Executive Session for the purpose of discussing potential contracts and potential litigation was made by Mr. Betrus, seconded by Mr. Quadraro. The motion was carried. The Agency entered Executive Session at 8:30 AM. Consensus to exit Executive Session was achieved at 9:10 AM.

• Old Business
  ▪ A review of responses from companies whose job numbers have fallen below the required minimum was held. Ms. Papale distributed the response from Fisk Alloy. In light of the response, Agency members agreed the company was in default of its PILOT provisions and that the PILOT will be terminated and policy will be enforced. In regards to Sherrill Manufacturing, Mr. Castilla explained the current status of the company and the repayment plan that has been submitted by the company to make all creditors whole by 9/30/2010. While the company is delinquent on 2010 taxes, members agreed to hold off action until the company responds to a letter to be sent from Mr. Grow that asks the company to address its plans for payment of the 2010 taxes as well as an action as it relates to an outstanding issue with the municipal electric company regarding double billing by the utility and the impact of the lack of availability of those funds paid to the utility has on the company’s ability to pay its PILOT payments.
  ▪ Mr. Saunders asked for Agency approval of an early entry agreement for Sovena USA, Inc. The Agency approved the transfer of property known as the “corner parcel” to Sovena USA, Inc.; however the title hasn’t yet been issued and therefore an early entry agreement is being recommended so that the company can complete the paving while the weather permits. A motion to issue an early entry agreement subject to the approval of Agency Counsel was made by Mr. Betrus, seconded by Mr. Quadraro. The motion was carried.

There being no further business, the meeting was adjourned at 9:15 AM upon a motion made by Mr. Fitzgerald, seconded by Mr. Valentine.

Respectfully submitted,

James P. Castilla  
Assistant Secretary
Minutes of the Meeting of the  
Oneida County Industrial Development Agency  
Held on September 17, 2010 at Mohawk Valley EDGE Offices  
Rome, NY 13441

Members Present: M. Fitzgerald, D. Grow, M. Valentine, E. Quadraro, S. Zogby  
Absent: F. Betrus, N. Brown  
EDGE Staff Present: J. Castilla, S. DiMeo, S. Papale, M. Rizzo, J. Stock, P. Zawko  
Others Present: L. Ruberto  
Press: None

Mr. Grow called the meeting to order at 8:05 AM.

August 27, 2010 minutes were unanimously approved on a motion made by Mr. Fitzgerald, seconded by Mr. Valentine.

Ms. Papale presented financials to the Board as of 8/31/2010. Members accepted the financials as presented.

In other Agency business:

- A resolution consenting to the sale of the Westco Marcy LLC facility and the assignment of IDA benefits was brought before the Agency. Ms. Ruberto explained that the original developer of the property was selling it to a California-based development company, Blechman & Blechman. The company provided a letter to Agency members confirming that the project as presented by Westco Marcy LLC will remain unchanged. A motion consenting to the sale and assignment of IDA benefits was made by Mr. Fitzgerald, seconded by Mr. Valentine. The motion was carried.

- A request to reaffirm its August 27, 2010 resolution consistent with the GLDC/OCIDA MOU and EDC Agreement to transfer title of Airport Access Road Property from OCIDA, GLDC transfer and convey the same to the County and consent to lease agreement pertaining to the same was brought before the Agency. The request came from GLDC counsel. Discussion ensued. A motion to reaffirm the resolution and carry out the transfer using the most expeditious and efficient means as determined by legal counsel was made by Mr. Fitzgerald, seconded by Mr. Grow. The motion was carried.

- An Initial Authorizing Resolution for an expansion of the Sovena USA facility located in Griffiss Park, Rome, NY was brought before the Agency. Ms. Papale explained that the company is doing well and the expansion is needed to accommodate the firm’s growing needs. A motion to approve mortgage recording tax exemption, sales tax exemption and a 10-year Industrial PILOT applicable to the increase in assessed value that runs concurrently with the existing PILOT, subject to SEQR review and approval of counsel was made by Mr. Fitzgerald, seconded by Mr. Grow. The motion was carried.

- A resolution authorizing the Agency to act as applicant on behalf of Delta Hardwood Flooring, Inc. to the New York State Environmental Investment Program and to enter into a sale-leaseback or similar transaction with the Company to implement the financing; and approving the form and execution of related documents, subject to review by Agency counsel was brought before the Agency. Mr. Zawko explained that the company has an opportunity to access a grant to assist in the purchase of productivity improvement equipment. The Agency lease will run concurrent with the designate useful life of the equipment as determined by the granting agency. The grant stipulates that the application must go through an organization such as an Industrial Development Agency. A motion to approve the resolution waiving the Agency’s $500 annual rent charges, contingent upon Delta Hardwood Flooring, Inc. submitting timely reports, was made by Mr. Quadraro, seconded by Mr. Zogby. The motion was carried with Mr. Fitzgerald, Mr. Grow and Mr. Valentine abstaining.

- A motion to enter Executive Session for the purpose of discussing potential contracts and potential litigation was made by Mr. Valentine, seconded by Mr. Quadraro. The motion was carried.
Agency entered Executive Session at 9:00 AM. Consensus to exit Executive Session was achieved at 9:45 AM.

- The 2011 Agency Annual Budget was brought up for discussion. 
  Upon a motion by Mr. Fitzgerald, seconded by Mr. Valentine, the budget was unanimously approved.
- A no-cost time extension for the Rome Community Brownfield Restoration Corporation project was brought before the Agency. A motion to approve the extension reaffirming that the Agency be held harmless and that all agreements in place with the City of Rome remain in full effect was made by Mr. Fitzgerald, seconded by Mr. Quadraro. The motion was carried with Mr. Grow abstaining.

There being no further business, the meeting was adjourned at 9:50 AM upon a motion made by Mr. Quadraro, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on October 15, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Absent: N. Brown, E. Quadraro, M. Valentine
EDGE Staff Present: J. Castilla, S. DiMeo, S. Papale, J. Waters, P. Zawko
Press: B. Ackerman

Mr. Grow called the meeting to order at 8:05 AM.

September 17, 2010 minutes were unanimously approved as corrected reflecting the absence of Ms. Cardone on a motion made by Mr. Betrus, seconded by Mr. Zogby.

Ms. Papale presented financials to the Board as of 9/30/2010. Members accepted the financials as presented.

In other Agency business:

- An Initial Authorizing Resolution for Fish Creek Cabin Resort was brought before the Agency. Mr. Tim Schoen, one of the project’s principals, summarized the project for Agency members. The project involves converting a former manufactured housing community into a community resort focused on the attraction of kayakers. Fish Creek is recognized by the whitewater kayaking community circle as one of the best Class 3 “Play Rivers” in America. Ms. Mammone, consultant to the Schoens on the project, explained that financing is being put in place and discussions with the Town of Annsville in regards to infrastructure improvements needed to serve the Resort are taking place. Mr. Grow acknowledge receipt of letters of support for the project from the following: Mr. S. Leuenberger, Town of Annsville Supervisor; Assemblyman D. Townsend; Mr. R. Bowmann, Town of Annsville Assessor; Mr. R. Yager, Manager of Mountainman Outdoor Supply; Ms. K. Newton, community leader and former Taberg business owner; Ms. M. McHarris, Town of Vienna local business owner; and Dr. J. Bryant, Superintendent of Schools, Camden Central School District. The Schoens have requested a standard Commercial PILOT, sales tax exemption and mortgage recording tax exemption. Mr. Fitzgerald compared this project to hotel projects the Agency has assisted in the past and recommended granting a sales tax exemption and mortgage recording tax exemption. Mr. Grow said he would support some form of a PILOT on the project, although it may be less than the five-year benefit associated with a standard Commercial PILOT. Members agreed the form of PILOT, if any, would be decided after the public hearing. A motion granting the Initial Authorizing Resolution subject to final SEQR approval and pending the outcome of the public hearing was made by Mr. Betrus, seconded by Mr. Zogby. The motion was carried.

- An Initial Authorizing Resolution for an expansion of Indium Corporation of America was brought before the Agency. Mr. Lennon explained the project to Agency members. The former Fisk Alloy building in the Oneida County Business Park will be purchased by Indium for manufacturing purposes. Mr. Betrus acknowledge that Indium Corporation of America was a member of the Clinton Chamber of Commerce. The company employs 300 people in multiple locations in Oneida County. A motion granting the Initial Authorizing Resolution contingent upon final SEQR approval and Indium Corporation of America retaining 300 jobs in Oneida County was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried. The IDA will serve as lead agency for the SEQR completion...
• A request by National Grid to grant easements for certain properties related to the Airfield was brought before the Agency. A motion to table the request pending further clarification was made by Mr. Betrus, seconded by Mr. Zogby. The motion was carried.

• A request by Millers Wood Development Corp (Nirvana) for Agency consent to refinancing was brought before the Agency. Nirvana is changing banks and will be refinancing two mortgages. Company is requesting mortgage recording tax exemption. Ms. Ruberto said the company is eligible for mortgage recording tax exemption on any amount of new mortgage above the amount originally financed and equal to or below the amount originally approved by the Agency when the project was induced. A motion to consent to the refinancing with mortgage recording tax exemption within the parameters described by Agency Counsel was made by Mr. Zogby, seconded by Mr. Fitzgerald. The motion was carried.

• Ms. Ruberto informed members that the Sovena USA expansion project induced in September does not have a lead agency for completion of the SEQR. The Agency can serve in that role. A motion to assume lead agency status for the purpose of completing the SEQR for the Sovena USA project was made by Mr. Fitzgerald, seconded by Mr. Grow. The motion was carried, Mr. Zogby abstained.

• A motion to enter Executive Session for the purpose of discussing potential contracts was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried. The Agency entered Executive Session at 8:55 AM. Consensus to exit Executive Session was achieved at 9:10 AM.

• A request to approve Contract Change Order No. 005 for the former Rome Cable Complex 3 Demolition was brought before the Agency. A motion to approve Change Order No. 005 was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried with Mr. Grow abstaining.

The Agency suspended the meeting at 9:14 AM to conduct business for the Oneida County Local Development Corporation as Mr. Betrus had conflicting appointment. The meeting resumed at 9:20 AM with Mr. Betrus exiting the meeting.

A motion to enter Executive Session for the purpose of discussing potential litigation was made by Mr. Grow seconded by Mr. Fitzgerald. Consensus to exit was achieved at 9:45 AM.

There being no further business, the meeting was adjourned at 9:50 AM upon a motion made by Mr. Fitzgerald, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on November 19, 2010 at Mohawk Valley EDGE Offices
Rome, NY 13441

Absent: M. Valentine
EDGE Staff Present: F. Arcuri, J. Cardone, J. Castilla, S. DiMeo, M. Kaucher, S. Papale, M. Rizzo, J. Waters
Others Present: L. Romano, L. Ruberto, J. Saunders
Press: None

A motion to enter Executive Session for the purpose of discussing potential contracts was made by Mr. Fitzgerald, seconded by Mr. Zogby at 8:07 AM. Consensus to exit was achieved at 9:10 AM.

October 15, 2010 minutes were unanimously approved on a motion made by Mr. Fitzgerald, seconded by Mr. Zogby.

Ms. Cardone presented financials to the Board as of 10/31/2010. Members accepted the financials as presented.

In other Agency business:

- A request by GLDC to approve financing documents related to the Building 440 Parcel was brought before the Agency. Mr. Saunders explained the need for substituting Building 780 for Building 440 in the mortgage and assignment of lease and rents. A motion approving the financing documents subject to the review of counsel was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried.

- A request to adopt a negative declaration for the purpose of SEQR regarding the Indium Corporation project was brought before the Agency. Ms. Ruberto explained a negative declaration is appropriate as there is no change anticipated in the building’s footprint. A motion to adopt the negative declaration was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried.

- A request to adopt Negative Declaration for purpose of SEQR for Sovena USA Project and consider Final Authorizing Resolution approving benefits which represent a deviation from standard Agency Policy was brought before the Agency. Ms. Ruberto reported that the SEQR has been reviewed and no further action is required. A motion to adopt a negative declaration and approve the Final Authorizing Resolution for the Sovena USA project whose benefits represent a deviation from standard Agency Policy was made by Mr. Zogby, seconded by Mr. Betrus. The motion was carried with Mr. Zogby abstaining.

- A request to approve execution of 3rd Amendment to Economic Development Conveyance (EDC) agreement between US Air Force and the Agency was brought before the Agency. A motion to approve the execution of the Amendment was made by Mr. Grow, seconded by Mr. Fitzgerald. The motion was carried.

- The review of the application by Ontario Properties was postponed until more information is made available by the applicant.

- A request by 5900 Success Drive Realty LLC to approve resolution granting the release of Lot No. 2 from the Lease and PILOT Agreements was brought before the Agency. Mr. Saunders explained that Lot 2 is still contaminated and the agreement in place with Tronix required they acquire the parcel and clean it. Tronix has filed for bankruptcy and the land has been placed in an environmental trust. A
motion to approve the resolution was made by Mr. Fitzgerald, seconded by Mr. Zogby. The motion was carried.

- A request to approve Change Order No. 6 for the cleanup of the former Rome Cable site was brought before the Agency. A motion to approve the change order was made by Mr. Betrus, seconded by Mr. Quadraro. The motion was carried with Mr. Grow abstaining.

- Agency members requested that Ms. Cardone create a spreadsheet that details cash flow on the Rome Cable project for next month’s meeting.

- A request by the taxing jurisdictions serving Sherrill Manufacturing to terminate the Agency’s lease and PILOT was brought before the Agency. The company is in default of the lease and PILOT terms as it has not made its tax payments for the 2009/2010 tax year and has filed for bankruptcy protection. A motion to terminate the lease and send notice of default to the company was made by Mr. Fitzgerald, seconded by Ms. Brown. The motion was carried.

There being no further business, the meeting was adjourned at 9:45 AM upon a motion made by Mr. Fitzgerald, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary
Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on December 17, 2010 at Danielle’s Valley View
Utica, NY 13501

Members Present: F. Betrus, M. Fitzgerald, D. Grow, S. Zogby, N. Brown, E. Quadraro,
Absent: M. Valentine
EDGE Staff Present: J. Castilla, S. DiMeo, S. Papale, M. Rizzo Bonney, J. Cardone
Others Present: L. Ruberto, L. Romano
Press: none

Mr. Grow called the meeting to order at 10:43 AM.

A motion to enter Executive Session for the purpose of discussing potential contracts was made by Ms. Brown seconded by Mr. Quadraro. Consensus to exit was achieved at 11:35 AM.

November 19, 2010 minutes were unanimously approved on a motion made by Mr. Zogby seconded by Ms. Brown.

Ms. Cardone presented financials to the Board as of 11/30/2010. Members accepted the financials as presented. The Agency received the requested summary report for RCBRC financials. Ms. Cardone explained the AR and discussed items she researched. Mr. Grow thanked Ms. Cardone for the detail and requested a new report whenever financials change.

In other Agency business:

- An Initial Authorizing Resolution for Sylvan Beach/Ontario Realty, Inc. was brought before the Agency and the tabled.
- The application of Indium Corporation of America has been withdrawn.
- Two change orders for the Rome Community Brownfield Restoration Corporation project were brought before the Agency. Along with an order for the additional money to be returned to the grant entity (City of Rome). A motion to approve the change orders was made by Mr. Grow, seconded by Mr. Quadraro. Mayor Brown expressed appreciation for the work of the IDA in Rome. Ms. Papale reported that the City of Rome has reconfirmed their commitment to Brownfield clean-up projects per meeting with the Mayor and Mr. Grow. The motion was carried with Mr. Grow abstaining.
- A final authorizing resolution relating to JABO Meat LLC/New York Custom Processing, LLC facility approving a standard industrial PILOT including sales and mortgage recording tax exemption and approving the form and execution of related documents was brought before the Agency. A motion to approve was made by Mr. Fitzgerald, seconded by Mr. Betrus. Motion carried.
- A request to consider a resolution consenting to the sub-sublease by Griffiss Local Development Corporation to Cyber Defense Institute, Inc in B796/725 Daedalian Drive, Rome, New York. Ms. Papale explained the new business is an education training company and the property is in the IDA’s name, so this lease will be subject to the current PILOT running in the building. Discussion among members involved tax exempt status of the company. A motion to approve the resolution contingent upon the tax exempt status of the business was made by Mr. Fitzgerald, seconded by Mr. Zogby was carried.
- The 2011 Staff Services Agreement between EDGE and OCIDA was presented for consideration to the Agency. A motion to approve the Staff Services Agreement with the correction of the typo ($140,000) was made by Mr. Fitzgerald, seconded by Mr. Zogby was carried.
• A motion to ratify the termination of the PILOT with Sherrill Manufacturing was made by Mr. Fitzgerald and seconded by Mr. Quadraro carried.

Old Business:

• A request to ratify the sale of the Ryan Companies US, Inc. facility to AX NY Office L.P. A motion to ratify the sale of the Ryan Companies US, Inc. facility to AX NY Office L.P. was made by Mr. Betrus, seconded by Mr. Grow. The motion was carried.
• Genesee Valley Transportation has been accessed for a parcel of land that is a railway. Discussion of the Agency determined the intent of the original PILOT was to cover all parcels of the northern railroad property. A motion for a resolution was made by Mr. Fitzgerald to include the property near Rome Strip Steel in the original PILOT, seconded by Mr. Zogby. Motion carried.
• Discussion of the Fisk Alloy PILOT was tabled and Ms. Papale will request from the company financial documents and other pertinent information for Agency consideration.

New Business:

• A resolution to support the Economic Development Council with a $500 donation was moved on a motion from Mr. Betrus and seconded by Mr. Fitzgerald. Motion carried.
• A resolution authorizing retaining corporate services of Mark Levit of Levit and Gordon was moved by Mr. Zogby, seconded by Mr. Betrus. Ms. Brown disclosed a conflict with Caroline Levit, seated on the board of the YWCA. The motion carried and Ms. Brown abstained.

There being no further business, the meeting was adjourned at 12:18 PM upon a motion made by Mr. Fitzgerald, seconded by Mr. Quadraro.

Respectfully submitted,

Mary Rizzo