Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on January 24, 2013 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: S. Papale, M. Bonney, J. Waters, S. DiMeo, M. Carney, P. Zawko
Others Present: M Levitt, L. Ruberto, D. Guzewich

D. Grow called the meeting to order at 8:18 AM.

The Agency received the December 14, 2012 Meeting Minutes. A motion to approve the December 14, 2012 Meeting Minutes was made by M. Fitzgerald and seconded by S. Zogby. Motion passed unanimously 5-0.

The Agency received the most recent financial statements. M. Carney reported that the restricted cash was paid to the Town of New Hartford for the LT Group PILOT, and income has decreased due to lower than expected lease income. This resulted from some projects not closing and others came out of the OCIDA’s name. She also reported that the audit will begin on Tuesday January 29th. John Howard will then come back in March. The Agency received the financials subject to the annual audit.

A request to consider a final resolution relating to the Delta Hardwood Flooring, Inc. facility, authorizing the form and execution of related documents. P. Zawko reported that there was general support for the project during the public hearing. Some questions arose from the Town of Boonville about the parcels. Delta is looking to close in the coming days on the project. The Agency clarified that any parcels that have subtenants, the tenants would need to come to the OCIDA separately and are not covered by the PILOT. Delta will create 15 jobs and retain 20. A motion to approve a final resolution relating to the Delta Hardwood Flooring, Inc. facility, authorizing the form and execution of related documents was made by S. Zogby and seconded by M. Fitzgerald. Motion passed unanimously 5-0.

A request to consider a final authorizing resolution to the Phase II PPILOT for Mid-State Development Corp. facility, authorizing the form and execution of related documents. In the original project application, Vernon Downs split their project up into three phases. They wanted to come back for OCIDA support on each phase. The Agency stated that Phase II is limited to what was originally defined in the original application. If Mid-State wants to make any changes to the description they would have to come back with a new application. The Agency requested that L. Ruberto draft a letter to send to Mid-State to express those statements. Mid-State has already completed parts of the Phase II project in Phase I. The Agency questioned whether the project costs that were originally presented are being met. S. Papale stated that Mid-State is shifting items originally approved in between phases. For example they completed many items in Phase II in Phase I. Phase II now consists of a receiving dock and parking lot expansion. The spa and exercise room are moved to Phase III. The Agency requests that Mid-State submit an
updated budget to make sure the total project costs remain accurate to what was originally presented. A motion to approve a final authorizing resolution to the Phase II PPILOT for Mid-State Development Corp. facility, authorizing the form and execution of related documents, stipulating that the Agency recognizes that Mid-State performed some parts of Phase II in Phase I, and the Agency is only approving those projects that were part of the original application was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 5-0.

A request to consider an amendment to the January 1, 2005 Lease Agreement between the OCIDA and 5900 Success Drive Realty, LLC. 5900 Success Drive is in the process of being sold and the current 3 parcels of land need to be combined into one parcel. A motion to amend the Lease Agreement between the OCIDA and 5900 Success Drive Realty, LLC was made by S. Zogby and seconded by E. Quadraro, with M. Fitzgerald abstaining. Motion passed 4-0-1.

The Agency received the OCIDA Mission Statement and Performance Measures for 2013. A motion to ratify the OCIDA mission statement and approve the performance measurements for 2013 was made by M. Fitzgerald and seconded by S. Zogby. Motion passed unanimously 5-0.

S. Papale stated that the ABO is currently requiring all Public Authorities to have a Discretionary Funds policy in place. Staff in currently drafting one. She also stated that she attended the State EDC Conference in Albany and the OCIDA presented their successful audit. Reactions from other participants included the length of the audit and the amount of open communication with the staff. The conference also took up issues about public authorities and open court cases, for example the GLDC and Dept. of Labor case. Also discussed was the Governor budget and how it would affect IDA’s. Including the new idea to have all State Sales Tax exemptions be both approved by the Regional Council’s and Empire State Development. And also change from an exemption to a rebate system. This would be a hindrance to successful economic development stated S. DiMeo. Project with a large CapEx often have a large chunk of State Sales Tax included, if the IDA’s lost the ability to exempt from them, NY would not be competitive with other states. The Agency would like staff to draft letters in opposition to the State Sales Tax issue.

A request to enter into a Staff Services Contract with Mohawk Valley EDGE. The contract amount increased from $150,000 to $160,000. The contract has been reviewed by Council and they have to legal exception. F. Betrus stated that the staff does a “fabulous” and “awesome” job. A motion to approve the Staff Services Contract with Mohawk Valley EDGE for $160,000 was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 5-0.

**Old Business**

M. Fitzgerald asked staff about any open pending projects as well as project terminations. S. Papale stated that pending projects with taxable status dates jump ahead in the queue and legal council is working on getting deeds back to those companies with project terminations. E. Quadraro asked staff about current project job numbers. S. Papale reported that the State Report of Supplemental Information that the IDA uses to track job numbers have been sent out.
and the IDA will know more when they are returned. S. Papale reported that MetLife and Family Dollar closed the day prior.

A motion to go into Executive Session at 9:09 AM for potential projects, litigation and contracts was made by M. Fitzgerald and seconded by S. Zogby. Motion passed unanimously 5-0.

A motion to exit Executive Session at 10:12 AM was made by F. Betrus and seconded by S. Zogby. Motion passed unanimously 5-0.

There being no further business, the meeting was adjourned at 10:15 AM upon a motion by F. Betrus and seconded by D. Grow. Motion passed unanimously 5-0.

Respectfully recorded,

Jennifer Waters