Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on March 15, 2013 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: M. Bonney, J. Waters, S. DiMeo, M. Carney, F. Arcuri, M. Kaucher, S. Papale
Others Present: C. Levitt, M. Levitt, L. Romano

D. Grow called the meeting to order at 8:00 AM.

The Agency received the February 21, 2013 Meeting Minutes. A motion to approve the February 21, 2013 Meeting Minutes was made by S. Zogby and seconded by M.F. Messenger. Motion passed unanimously 6-0.

The Agency received the most recent financial statements. M. Carney reported that on there is no significant items on the income statement and then revenue is over budget due to project timing. But the Agency is in line with its budget. The Agency received the financials as presented.

The Agency Audit Committee met prior to the full Agency meeting to go through the audit. John Howard presented the Agency audit and copies were sent to the Agency members. The Audit Committee recommends approval with the caveat that the members have one week to read thoroughly and come back with any questions. The Audit Committee also recommends submitting the audit to the PAAA system. The audit had no significant findings. A motion to approve the 2012 Oneida County Industrial Development Agency audit and submit to the PAAA system by March 28, 2013 was made by M. Fitzgerald and seconded by N. Brown. Motion passed unanimously 6-0.

The Agency is required to submit various documents in the PAAA system, including the Agency Annual Report of Projects. 100% of projects submitted and a report will be created for the next meeting. A motion to ratify and confirm all OCIDA PAAA submissions was made by M.F. Messenger and seconded by N. Brown. Motion passed unanimously 6-0.

A request to consider a resolution approving the acquisition of a 3.49± acre parcel of land in the Town of Marcy, and approving the form and execution of related documents. EDGE Counsel Jef Saunders is negotiating with the owners of a strip of land on Edic Road to obtain the parcel. It is a 3.49 ± acre of discontinued road that has 13 different owners. Each section is appraised for a max of $500 and all parcels are landlocked and non-conforming. Most appraised for less than $100. Most people have signed, some have not and are requesting more money. The adjoining parcels of this land are owned by the State of New York. When discontinuing the road the state did not take ownership to the center of the road. So the original property owners still owned the section landlocked by the state. EDGE will continue to make voluntary agreements with the owners. This land runs through the Marcy Nanocenter at SUNYIT site. Currently Counsel is...
offering $100 per signature when multiple people have to sign the deed. F. Betrus questioned why the Agency would get involved with this matter. J. Saunders stated because the Agency has the power of eminent domain. M. Fitzgerald asked whether Counsel has made written offers to the landowners. J. Saunders stated that they have made written formal offers based on a market analysis plus some. M. Fitzgerald requested that Counsel make a non-arbitrary offer, not dependent on the amount of signatures. Should be based on amount per acre not the number of signatures. S. DiMeo stated that the amount offered per owner is the amount of market rate plus the extra $100 per signature. D. Grow recommended that Counsel make a final highest and best offer. J. Saunders stated that none of the owners knew they owned the land and it is a liability because it is currently not on the tax rolls. A motion to approve a resolution approving the acquisition of a 3.49± acre parcel of land in the Town of Marcy, and approving the form and execution of related documents and to also waive the Agency fee due to precedent was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 6-0.

A request to consider a resolution approving the acquisition of certain temporary construction easements and permanent sewer easements in the City of Utica, and approving the form and execution of related documents. In conjunction with the Marcy Nanocenter at SUNYIT project, the upgrade to the county interceptor requires certain easements. The interceptor will run under lands owned by the NYS Thruway Authority, the Canal Corp., private land owners, Red Roof Inn, AmeriCU, National Grid and the City of Utica. The new line runs parallel to the prior Utica interceptor but does not have enough capacity. EDGE is assisting the County to construct the line. EDGE Counsel has made offers to the owners. Currently several easements are in place, construction may interrupt some businesses and Counsel is working with the businesses to figure out. The line will run between the existing line and the canal. The current Utica interceptor line easement is not large enough to cover the construction of the new line. A motion to approve a resolution approving the acquisition of certain temporary construction easements and permanent sewer easements in the City of Utica, and approving the form and execution of related documents; including an indemnification was made by S. Zogby and seconded by F. Betrus. Motion passed unanimously 6-0.

Old Business

Delta Hardwoods has decided to not go forward with their PILOT. L. Romano stated that staff has gone above and beyond to accommodate this project and also advised Delta that their subtenant could come to the Agency for benefits. Delta thought it was not cost effective for him to move forward with the PILOT.

A request to amend the name of the “Miller’s Wood” PILOT to “Nirvana.” Because the companies Empire Zone certification was under Nirvana and its PILOT was under Miller’s Wood. Their QEZE benefits were rejected by the State in October 2012 and were retroactive. A motion to amend the name of the “Miller’s Wood” PILOT to “Nirvana” going forward was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 6-0.

The Hampton Inn project is requesting another 90 day extension to get their allocation agreement finalized. L. Romano stated that the allocation is close to being completed but that
another extension was needed. A motion to approve the 90 extension for the Hampton Inn project to finalize their allocation was made by F. Betrus and seconded by N. Brown. Motion passed unanimously 6-0.

New Business

Agency staff is looking into putting a “green PILOT” into place. Currently Onondaga County has a good model and staff will come back with a presentation.

There being no further business, the meeting was adjourned at 9:17 AM upon a motion by F. Betrus and seconded by S. Zogby. Motion passed unanimously 6-0.

Respectfully recorded,

    Jennifer Waters