Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on June 28, 2013 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: J. Waters, S. Papale, M. Carney
Others Present: M. Levitt, L. Romano, L. Ruberto, C. Levitt, Mayor Fusco, J. Simmons, P. Riedel,
C. Militello, C. Kahler, B. Taylor, D. Szwech, A. McLeach

D. Grow called the meeting to order at 8:06 AM.

The Agency received the May 17, 2013 Meeting Minutes. A motion to approve the May 17,
2013 Meeting Minutes was made by S. Zogby and seconded by M.F. Messenger. Motion passed
unanimously 5-0.

The Agency received the most recent financial statements. There is a slight variance due to the
timing of project closings. The Agency is currently within 8% of its budget. The Agency received
the financials as presented.

A request by United Technologies- Goodrich Corporation to adopt a final resolution for real
property tax abatement and sales tax abatement that are a deviation from the Agency’s
Uniform Tax Exemption Policy, and approving the form and execution of related documents.

A public hearing was held and the minutes of the public hearing distributed to the Agency
members. S. Papale stated that the new corporate management is unforgiving of the current
operations and will not hesitate to move this operation to a lower cost center. The Agency
approved an initial authorizing resolution for a 10-year PILOT that starts at 2/3 of taxes owed
and escalates up to 100% taxes paid. The Agency received a letter from the School District
stating their concern over recapture. The Agency puts a standard recapture clause in each of its
PILOTS. Mayor Fusco stated that the City of Rome is supportive of the company but that the
company has to pay its fair share sometime, they have already been on a PILOT for 10-years,
they should be helping themselves out in the next 10-years. S. Papale stated that the company
currently employees 235 people and has 13 current openings and corporate sees this location
as a high cost center.

A motion to approve a final authorizing resolution for real estate tax abatement and sales tax
abatement that are a deviation from the Agency’s Uniform Tax Exemption Policy, and approving
the form and execution of related documents for United Technologies- Goodrich Corporation
was made by S. Zogby and seconded by N. Brown. Motion passed unanimously 5-0.

A request to consider an inducement resolution for real property tax abatement and sales tax
abatement for Woodhaven Park Development, LLC. Woodhaven Park is a section of dilapidated
former Base housing in Rome. This project would overhaul and demolish some of the homes to
create a housing development. The Agency mandates that a Housing Market Study be complete per its Uniform Tax Exemption Policy. Currently the project does not have a formal market study complete. Woodhaven Park is not requesting mortgage tax abatement. D. Grow abstains from the vote and the discussion on this project, his firm represents the seller. B. Taylor stated that his company Shamrock Reality will be purchasing the property and the project is only feasible with tax abatements. He currently sees a market for market rate housing in this community. D. Szwech from Geneva Consulting stated that due to the high cost of rehab, the cost of the property and the tax structure this project isn’t feasible. The debt would too much to cover during construction. He also stated that his is a unique property that would allow for a lot of open space not currently available in that neighborhood. It would be like living in a park. The City has agreed to take over the infrastructure to help with costs. D. Szwech also stated that he has done the due diligence he normally does and covered everything that is in a market study. He believes that over the next 5-years the population of the community will increase 25% and housing prices will also increase 25%. M. Fitzgerald stated that the Agency needs a market study to take formal action and questioned the timeline of the project. D. Szwech stated that he hopes to have Phase 1 complete with 30 units in the Fall, in 24 months full build out of 228 units. M. Fitzgerald questioned the current assessment of the property. B. Taylor responded that the current assessment is $5.79 million based on a full market value of $3.125 million. But they are currently going to pay $2.1 million for the property. He also stated that if the property was assessed properly for $1.4 million a PILOT would not be necessary. M. Fitzgerald stated that it would make sense to base a 4-year PILOT on a $1.4 million assessment. S. Papale stated that this project is a deviation from the UTEP. But the area is substantially deteriorated and in need of repair. M. Levitt stated that a professional acceptable Housing Market Study be complete and reviewed by the Agency before a final authorizing resolution. S. Papale stated that this project would not potential close by the taxable status date. Mayor Fusco stated that this proposed PILOT would work for the City, but a market study should be completed.

A motion to approve an inducement resolution for a PILOT with the payments based on a $1.4 million assessment for Woodhaven Park Development, LLC, contingent on an acceptable Housing Market Study was made by M. Fitzgerald and seconded by M.F. Messenger. Motion passed unanimously 5-0-1 with D. Grow abstaining.

Woodhaven Park Development, LLC also requested sales tax abatement from the Agency. The estimated abatement would be $350,000. L. Romano stated that it would be a deviation to not grant sales tax. The Agency policy is when you grant a PILOT you also grant sales tax. Mayor Fusco stated that the City is not opposed to sales tax abatement.

A motion to approve sales tax abatement for Woodhaven Park Development, LLC was made by E. Quadraro and seconded by M.F. Messenger. Motion did not pass 2-3-1.

A request to consider a resolution authorizing the execution of a Declaration of Restrictive Covenants with respect to the Wal-Mart Distribution Center Facility, subject to approval in form
by counsel. Wal-Mart is doing a NYSERDA solar project at their facility in Marcy. They require adding restrictive covenants to the deed.

*A motion to a resolution authorizing the execution of a Declaration of Restrictive Covenants with respect to the Wal-Mart Distribution Center Facility, subject to approval in form by counsel was made by M. Fitzgerald and seconded by S. Zogby. Motion passed unanimously 6-0.*

**Old Business**

Staff provided the Agency with response letters from those companies who did not meet their job requirements. Fisk Alloy did not return a response.

**New Business**

The authorized condemnation for the discontinued section of Edic Road and for the County interceptor is moving forward. Counsel has been unable to negotiate with several parties.

Due to scheduling conflicts, the Agency is moving its next meeting to July 26th.

*There being no further business, the meeting was adjourned at 9:15 AM upon a motion by M. Fitzgerald and seconded by S. Zogby. Motion passed unanimously 6-0.*

Respectfully recorded,

Jennifer Waters