Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on September 20, 2013 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

Members Present: D. Grow, S. Zogby, M.F. Messenger, F. Betrus, E. Quadraro
EDGE Staff Present: J. Waters, S. Papale, S. DiMeo, M. Rizzo, M. Carney

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

A motion to enter into executive session at 8:06 AM to discuss potential issue with pending contracts was made by S. Zogby and seconded by E. Quadraro. Motion passed unanimously 5-0.

A motion to exit executive session at 8:22 AM was made by F. Betrus and seconded by M.F. Messenger. Motion passed unanimously 5-0.

The Agency received the August 16, 2013 Meeting Minutes. A motion to approve the August 16, 2013 Meeting Minutes was made by M.F. Messenger and seconded by S. Zogby. Motion passed unanimously 5-0.

The Agency received the most recent financial statements. M. Carney reported that the financial statements had no significant changes. Agency received the financials as presented.

F. Betrus presented the 2014 OCIDA Budget. The Finance Committee has reviewed and approved the budget and presents it to the Agency for their review. The Staff Services Contract with EDGE remains the same as in 2013. A motion to approve the 2014 OCIDA Budget by recommendation of the Finance Committee was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 5-0.

A request to consider a final authorizing resolution relating to the Varflex Corporation facility, approving financial assistance and approving the form and execution of related documents. The Agency conducted a public hearing on September 11, 2013; the school district was in attendance and indicated it fully supports the project and financial assistance. Financial assistance being approved consists of sales tax exemptions and real property tax abatements, consistent with the Agency’s Uniform Tax Exemption Policy. The public hearing minutes were distributed to the Agency. The Company is purchasing 5780 Success Drive in Rome and will create 5 jobs and retain 18 jobs as a result of the project. Varflex has purchased new equipment and needs to expand their manufacturing capacity. RIDC currently owns 5780 Success Drive and the property is not on the tax rolls. A motion to approve a final authorizing resolution relating to the Varflex Corporation facility, approving financial assistance and approving the form and execution of related documents, the Company is purchasing 5780 Success Drive in Rome and will retain 115 jobs in Oneida County instead of creating 5 and retaining 18, was made by S. Zogby and seconded by M.F. Messenger. F. Betrus stated that his nephew works for Varflex. Motion...
passed 4-0-1 with D. Grow abstaining- his legal partner Julie Grow Denton represents the selling Agency.

A request to consider an amended final authorizing resolution relating to the Facilities Realty Management Vernon, LLC (Universal Photonics, Inc.) facility, and approving the form and execution of related documents. The parties will amend the PILOT to clarify that all PILOT Payments will be based upon the current assessment of the Facility, which change will be effective the next taxable status date of 3/1/14. This change will not have a financial impact because project renovations were just completed on 9/4/13 and the assessor’s office has not yet reassessed the facility. The School District interpreted the assessment at a higher value than it really was; legal counsel has had discussions with the School on this issue. A motion to approve an amended final authorizing resolution relating to the Facilities Realty Management Vernon, LLC (Universal Photonics, Inc.) facility, and approving the form and execution of related documents was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 5-0.

A request to consider a SEQR resolution relating to the EDGE/North Utica Sewer Interceptor project, adopting a determination and making certain findings. The Agency has conducted an independent SEQR review in compliance with Article 2 of the New York State Eminent Domain Procedure Law. As part of its review it has considered (a) a Statement of Findings adopted by the County of Oneida on November 12, 2012; (b) an EAF submitted by EDGE relating to the project; and (c) comments received at a public hearing conducted by the Agency on September 12, 2013. The results of that review are contained in a Statement of Determination and Findings, which was circulated to the board prior to the meeting. The Statement of Findings will be amended to state that this project is an Oneida County project not an EDGE project. The public hearing was attended by the legal counsel of one entity that is being condemned for the easement. A motion to approve a SEQR resolution relating to the EDGE/North Utica Sewer Interceptor project, adopting a determination and making certain findings was made by S. Zogby and seconded by F. Betrus. Motion passed unanimously 5-0.

A request to consider a final authorizing resolution relating to the EDGE/North Utica Sewer Interceptor project, issuing a determination and finding to approve the acquisition of permanent and temporary easements and approving the form and execution of any and all related documents to effectuate the acquisition of the necessary property rights. EDGE has attempted to negotiate with several land owners to acquire temporary and permanent easements to complete the North Utica Sewer Interceptor project. It reached agreements with some owners but has been unsuccessful in reaching agreements with others, and has requested the Agency exercise its power of eminent domain to complete these acquisitions. The Agency conducted a public hearing on September 12, 2013; a transcript of that hearing was circulated to the board prior to the meeting. D. Grow stated that this is an important project for the area not just for Marcy Nanocenter at SUNYIT, but other businesses as well. A motion to approve consider a final authorizing resolution relating to the EDGE/North Utica Sewer Interceptor project, issuing a determination and finding to approve the acquisition of permanent and temporary easements and approving the form and execution of any and all related documents...
to effectuate the acquisition of the necessary property rights was made by F. Betrus and seconded by M.F. Messenger. Motion passed unanimously 5-0.

A request to consider a resolution consenting to a License Agreement granted by GLDC to the County of Oneida, approving the form and execution of related documents. GLDC will give the County permission to enter upon Parcel F10-C to use the Small Arms Range. Because the Agency owns fee title to the Land, it must consent to the grant of license. This is a standard transaction under the Memorandum of Understanding. The IDA is required to sign off on actions in regards to transferring property at Griffiss Business Park. A motion to approve consider a resolution consenting to a License Agreement granted by GLDC to the County of Oneida, approving the form and execution of related documents was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 5-0.

A request to consider a resolution consenting to a lease extension relating to a cell phone tower at Griffiss Business and Technology Park, approving the form and execution of related documents. GLDC and American Tower Asset Sub, LLC are parties to a lease agreement under which GLDC leases a cell phone tower located at Griffiss Park; the parties wish to extend the term of the lease for an additional 20 years. Because the Agency owns fee title to the land, it must consent to the lease extension. This is a standard transaction under the Memorandum of Understanding. A motion to approve a resolution consenting to a lease extension relating to a cell phone tower at Griffiss Business and Technology Park, approving the form and execution of related documents was made by S. Zogby and seconded by F. Betrus. Motion passed unanimously 5-0.

Old Business
S. Papale reported that she received an email from Herb Culley in reference to the Hampton Inn PILOT. The Town of New Hartford is doing the final sign-offs on the PILOT Allocation Agreement.

New Business
D. Grow prosed a resolution congratulating Steven J. DiMeco on his 20-years of service to Mohawk Valley EDGE and economic development. D. Grow praised the good decision by EDGE and Oneida County to have Steve manage the transition of Griffiss Air Force Base into a premier Business and Technology Park. D. Grow also stated that the Agency owes Steve a debt of gratitude for the hard work he is still doing on various economic development projects for the region.

There being no further business, the meeting was adjourned at 8:47 AM upon a motion by M. F> Messenger and seconded by F. Betrus. Motion passed unanimously 5-0.

Respectfully recorded,
Jennifer Waters