Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on January 17, 2014 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: S. Papale, J. Waters, S. DiMeo, P. Zawko
Others Present: M. Levitt, C. Levitt, L. Ruberto, Dan Guzewich, Jon Sayre, Brett McGowan, Zain Haider, Bruce Smith, Dr. Nameer Haider, Robert Trafford

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

A motion to enter into Executive Session to discuss personnel was made by F. Betrus and seconded by E. Quadraro at 8:00 AM. Motion passed unanimously 7-0.

A motion to exit Executive Session was made by F. Betrus and seconded by S. Zogby at 8:52 AM. Motion passed unanimously 7-0.

The Agency received the December 12, 2013 Meeting Minutes. A motion to approve the December 12, 2013 Meeting Minutes with edits was made by M. Fitzgerald and seconded by M.F. Messenger. Motion passed unanimously 7-0.

A request to consider an inducement resolution relating to the OMNI Outpatient Surgery Center facility. The Applicant is requesting real property tax abatement, mortgage tax exemption and sales tax exemption (standard retail financial assistance) in connection with the construction of a new ambulatory facility in the Town of Kirkland. Dr. Haider spoke to the Agency about his past medical experience. He is currently an active physician in Washington DC as well as locally. He is also involved in academics at Georgetown- he is currently involved in three national clinical trials. He is expanding on what he is doing including inventing new technologies for pain management including migraine pain. Their OMNI Outpatient Surgery Center would be an outpatient center to bring new technologies to the region. This project would create new jobs in the medical field and would also have an educational component. The only other facility to obtain this type of surgery is in Syracuse- the patients would often times have Doctors locally but would have to travel for surgery. This would prevent that. This project would not take any jobs or patients from the hospitals. Dr. Haider stated that in the Certificate of Need process the hospitals had the ability to object to the project and they received no objections. Bruce Smith, lawyer for OMNI stated that this project would bring patients from their Utica office to the facility in Kirkland. The new facility will have a higher level of accreditation than their current office. Their current facility located at 1508 Genesee Street in Utica will be converted to an administration center and will continue to serve as general offices. Dr. Haider stated that the services that will be offered at OMNI include spinal injections, nerve cauterization, laser spine surgery (which currently cannot be done locally) and neuro stimulation implants. The center will also focus on new technology and specifically to apply...
modern engineering to the body. Bruce Smith also stated that the types of surgery offered by OMNI are not usually done in hospitals because it is cheaper and more efficient do to them in outpatient facilities. Dr. Haider explained that he used to run the Pain Management Center at St. Elizabeth’s but because the center was not high profit it was taken out of the hospital. M. Fitzgerald questioned why there was no land cost. Zain Haider stated that currently their mother owns the property and it is adjacent to a current shopping center. The parcel is currently vacant and has very little taxes generated from it. The parcel would be separated on the tax rolls and is currently within the zoning requirements. This project would still utilize the local hospitals for basic services related to the surgeries including blood work, MRI’s and other services. The project also has an agreement with St. Elizabeth’s for emergencies. The project will employ 17 FTE’s immediately but they anticipate that will grow because other physicians will want to utilize the state-of-the-art space. Bruce Smith stated that the facility will be a single-specialty facility unlike a proposed facility in Westmoreland that is multi-specialty. The facility in Westmoreland received objections from Rome Hospital and Faxton-St. Luke’s. S. Zogby stated that this seems like a great projects, but would like verification from the hospitals that this does not directly compete with their services. A motion to approve an inducement resolution contingent on the Agency receiving letters of support from the local hospitals and ancillary service providers before a scheduled public hearing, as well as contingent on parcel subdivision and SEQR was made by S. Zogby and seconded by E. Quadraro. The Agency also stated that this project does meet the qualifications of a standard retail project under their Uniform Tax Exemption Policy. Motion passed unanimously 7-0.

A request to consider a SEQR resolution relating to the MedCare Administrators, LLC facility. The Town of Marcy completed its SEQR review on January 13, 2014 and the IDA will rely on the findings by the lead agency. A motion to approve a SEQR resolution relating to the MedCare Administrators, LLC facility was made by F. Betrus and seconded by M. Fitzgerald. Motion passed unanimously 7-0.

A request to consider a final authorizing resolution relating to the MedCare Administrators, LLC facility, authorize financial assistance that is consistent with the IDA’s Uniform Tax Exemption Policy, and authorize the form and execution of related documents. The IDA conducted a public hearing on December 17 attending by Brian Scala, Greg Johnson, Vis Scalise, Matt Ross, Ferris Betrus, Shawna Papale and Jennifer Waters. Marcy Town Supervisor Brian Scala supports the project. See public hearing minutes attached. A motion to approve a final authorizing resolution relating to the MedCare Administrators, LLC facility, authorize financial assistance that is consistent with the IDA’s Uniform Tax Exemption Policy including financial assistance in the form of real property tax abatement, mortgage tax exemptions and sales tax exemptions contingent on MedCare Administrators including related companies owned by the principals meet the minimum of the lesser of 60 total jobs in Oneida County or 90% of employees working in anywhere in the country be located in Oneida County, and authorize the form and execution of related documents was made by F. Betrus and seconded by M. Fitzgerald. Motion passed unanimously 7-0.
A request to consider a supplemental inducement resolution relating to the Rome Hospitality Group, LLC facility. The Agency received a STAR Report from Rome Hospitality showing room occupancy in the area. M.F. Messenger stated that this project would take place in a business park. The only other hotels that the Agency granted a sales tax exemption to were both located in business parks. To be consistent the Agency will grant like benefits to this applicant. The other hotel in a business park received a sales tax exemption. D. Grow stated that in his observations it is difficult to get a hotel in Rome and the current hotel at Griffiss is full most of the time. Mayor Fusco sent a letter in favor of granting this project a sales tax exemption. The STAR Report submitted is not an acceptable market study as requested by the Agency. A motion to approve a supplemental inducement resolution adding sales tax exemption, to the Rome Hospitality Group, LLC facility without an acceptable market study was made by E. Quadraro and seconded by M.F. Messenger. Motion passed unanimously 7-0. L. Ruberto will determine if a Certificate of Findings is necessary.

A request to consent to the amendment of the sublease between Griffiss Local Development Corporation and Exelis/ITT (GLDC Building 778 Facility). The parties would like to extend the lease term for an additional year to December 31, 2015; under the terms of the Lease Agreement between the IDA and GLDC, the IDA must consent to any revisions to sublease terms. A motion to approve consent to the amendment of the sublease between Griffiss Local Development Corporation and Exelis/ITT (GLDC Building 778 Facility) was made by F. Betrus and seconded by E. Quadraro. Motion passed unanimously 7-0.

A request to consider consent to a license agreement between GLDC and M/D Tree Farm. M/D Tree Farm would like access to two informal roadways on lands owned by GLDC. Under the terms of the Lease Agreement between the IDA and GLDC, the IDA must consent to any revisions. M/D Tree Farm will provide an insurance certificate to GLDC. The lease is terminable by either party upon 60 days notice. A motion to approve consent to a license agreement between GLDC and M/D Tree Farm was made by S. Zogby and seconded by E. Quadraro. Motion passed unanimously 7-0.

Robert Trafford the new owner of the former Sherrill Manufacturing facility presented to the Agency his plan for the property. He also purchased the former New Venture Gear facility in East Syracuse. R. Trafford presented a plan to repurpose the Sherrill Manufacturing property including adding new tenants from outside and within the area. 40% of the property is currently leased out for 50 cents a square foot. He projects that in the next 24-months there will be 400-1000 new jobs in the facility. The biggest obstacle to date is with the aging unreliable infrastructure to the property including utilities. R. Trafford stated that he wanted to bring the Agency up to speed with the project as they have been involved in the past and would like them to continue to be involved.

E. Quadraro left the meeting.

A request to consider a final authorizing resolution relating to the Vernon Downs (Phase III) Project and authorize the form and execution of related documents. The Agency was presented
with a memo from Legal Counsel describing the Phase III project. The only change from what was originally presented to the Agency was the addition of asbestos abatement to the project demolition. Phase III is estimated to cost $9.25 million. All three phases of the project were expected to cost $16,547,000. Current investment is above that figure. L. Ruberto is tracking their investment numbers and, based upon the figures provided by the Company, they have met and exceeded their original projections. A motion to approve a final authorizing resolution relating to the Vernon Downs (Phase III) Project and authorize the form and execution of related documents was made by M. Fitzgerald and seconded by S. Zogby. Motion passed unanimously 6-0.

S. Zogby left the meeting.

The Agency was presented with the OCIDA Mission Statement Ratification & Performance Measurements for 2014. A motion to approve the OCIDA Mission Statement Ratification & Performance Measurements for 2014 was made by F. Betrus and seconded by M. Fitzgerald. Motion passed unanimously 5-0.

The Agency was presented with the OCIDA Staff Services Contract with Mohawk Valley EDGE. The Agency added the following language to the contract. “If OCIDA becomes dissatisfied with such designated staff member, EDGE shall designate a replacement staff member acceptable to OCIDA in its sole discretion. If EDGE fails to designate a staff member acceptable to OCIDA, OCIDA may terminate this Agreement upon 30 days written notice.” A motion to approve the contract with the amendment and ratify the contract at the following meeting was made by F. Betrus and seconded by N. Brown. Motion passed unanimously 5-0.

There being no further business, the meeting was adjourned at 10:19 AM upon a motion by M. F. Messenger and seconded by F. Betrus. Motion passed unanimously 5-0.

D. Grow reconvened the OCIDA meeting at 10:23 AM.

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

A motion to enter into Executive Session to discuss personnel was made by F. Betrus and seconded by N. Brown at 10:24 AM. Motion passed unanimously 5-0.

A motion to exit Executive Session was made by acclamation at 10:30 AM.

There being no further business, the meeting was adjourned at 10:31 AM upon a motion by acclamation.

Respectfully recorded,

Jennifer Waters

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