EDGE Staff Present: S. Papale, J. Waters, A. Gerardo
Others Present: C. Levitt, L. Ruberto, L. Romano, Paul Scopac, Anthony D’Elia, Rudolph Buckley, Francis Hardy, Wayne Palmeter, Larry Adler, Dan Guzewich

D. Grow called the meeting to order at 8:03 AM.

A motion to enter into Executive Session to discuss pending litigation was made by F. Betrus and seconded by E. Quadraro at 8:03 AM. Motion passed unanimously 7-0.

A motion to exit Executive Session was made by F. Betrus and seconded by N. Brown at 8:36 AM. Motion passed unanimously 7-0.

The Agency received the January 17, 2014 Meeting Minutes. A motion to approve the January 17, 2014 Meeting Minutes with edits was made by M. Fitzgerald and seconded by M.F. Messenger. Motion passed unanimously 7-0.

A. Gerardo stated that the OCIDA financials are on track. The Agency received the financial statements.

M. Fitzgerald left the meeting.

A request to consider an inducement resolution relating to the Westmoreland Ambulatory 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 Westmoreland. Paul Scopac stated on behalf of the applicant that Westmoreland Development will be constructing a 17,000 sq. ft. building on Cider Street in Westmoreland that will be leased to Westmoreland Ambulatory Surgery Center. There will be eight surgeons that represent Oneida Healthcare in the building. The projects anticipates that there will be 20 FTE and 20 construction jobs created while other items like billing, laundry, food and landscaping will be outsourced. M.F. Messenger asked what percentage of patients would come out of area hospitals. Scopac stated that currently 51% of surgeries performed are done outside Oneida County. The remaining 49% are done at St. Elizabeth’s and Oneida Healthcare. He stated that there is no impact on Rome Hospital and Faxton- St. Luke’s Healthcare. The major surgeries will come out of Oneida Healthcare, which they are affiliated with and some out of St. Elizabeth’s, most surgeons are currently doing similar procedures in Syracuse. D. Grow stated that based on the representations made that Legal Counsel has deemed that this project does qualify for benefits. He also stated that in
retail projects the Agency seriously considers any potential competitive disadvantages. F. Betrus asked what hospital has an Emergency agreement with the facility. Scopac addressed that Oneida Healthcare will be the Emergency Room hospital. F. Betrus also asked the position of the town of Westmoreland on this project. Scopac responded that there has been no particular discussion with the Town but they are aware and well as the school district. The Agency requested the full Certificate of Need from the applicant as well as letters of support from local hospitals. F. Betrus stated that he served on the Clinton School Board with Paul Scopac and also had discussions about this proposal and he will abstain from voting. A motion to approve an inducement resolution relating to the Westmoreland Ambulatory Surgery Center facility for 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 Westmoreland was made by M.F. Messenger, seconded by S. Zogby. Motion approved 5-0-1 with F. Betrus abstaining.

A request to consent to the sale of a 30 foot wide strip of land on Floyd Ave. by Griffiss Local Development Corporation to Barilles Trailer Park. Under the terms of the Lease Agreement between the IDA and GLDC, the IDA must consent to any sale or lease. A motion to approve the consent to the sale of a 30 foot wide strip of land on Floyd Ave. by Griffiss Local Development Corporation to Barilles Trailer Park was made by S. Zogby, seconded by E. Quadraro. Motion passed unanimously 6-0.

Old Business

Larry Adler addressed the board on behalf of LT Group. He stated that Oneida County needs clarification that they are allowed to give his project a 485B exemption. L. Romano stated that legally you cannot have a 485B and a PILOT, but you can edit the PILOT formula. Adler stated that in a 485B was contemplated, but never made it into the PILOT agreement. Adler stated that he was not a party to the Allocation Agreement so he did not review before it was approved, he was only asked to provide an Exhibit F which addressed the 485B exemption. L. Romano stated that Exhibit F did not make it into the final Allocation Agreement. E. Quadraro asked how much the difference was between getting a 485B and not getting the exemption. N. Brown requested to see the variance over a ten-year time period. D. Grow stated that the taxing jurisdictions would have to sign off in the change to the Allocation Agreement. Adler stated that he appreciated being able to come before the Agency. Agency requested that Adler break out the variance in benefits of current vs. 485B vs. PILOT over a ten-year period.

Agency sent a letter to Daimler Buses North America because they are non-compliant with their job numbers. Daimler Buses North America responded to the letter stating that they had a substantial loss of orders as well as substantial industry reduction. The Agency debated whether or not they met the criteria to recapture benefits. Currently the company’s employment levels are below requirements and going forward they may end all employment at the project location. D. Grow asked whether they have submitted adequate information for the Agency to terminate the PILOT. L. Romano stated that in her legal counsel opinion that the company has met criteria for the Agency to not recapture benefits but can terminate the PILOT.
and put the project back on the tax rolls. A motion to not recapture benefits but to terminate the PILOT was made by N. Brown, seconded by F. Betrus. Motion passed unanimously 6-0.

A request to ratify a land transfer from the Air Force to GLDC. The land is leased to Birnie Bus. Under the terms of the Lease Agreement between the IDA and GLDC, the IDA must consent to any revisions. A motion to ratify a land transfer from the Air Force to GLDC was made by F. Betrus, seconded by E. Quadraro. Motion passed unanimously 6-0.

The Agency received the support letters and Certificate of Need from the OMNI Surgery Center and authorized a public hearing to be conducted.

S. Papale presented to the Agency a spreadsheet with other IDA’s housing benefits. The Agency reviewed the preliminary list and identified that more information is needed about consistency of benefits granted throughout the state as well as other local IDA’s. S. Papale stated that in County Executive Picente’s State of the State he presented in his Vision 2020 update the challenge to create 300 new downtown housing units in the next 5-years. Staff will do more research and present the Agency with recommendations.

S. Papale stated that the Edic Road condemnation is moving forward and that EDGE has made all attempts to negotiate. A motion to move forward with a public hearing and file necessary acquisition maps for the Edic Road condemnation was made by E. Quadraro and seconded by N. Brown. Motion passes unanimously 6-0.

S. Papale stated that the Agency is using a new cost benefit online tool through the Economic Development Council.

There being no further business, the meeting was adjourned at 9:53 AM upon a motion by F. Betrus and seconded by E. Quadraro.

Respectfully recorded,

Jennifer Waters