Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on June 20, 2014 at Mohawk Valley EDGE
584 Phoenix Drive, Rome NY

EDGE Staff Present: S. Papale, M. Carney, J. Waters
Others Present: C. Levitt, M. Levitt, L. Ruberto, Tim Lynn- Westmoreland Ambulatory Surgery Center, Dan Guzewich, Mayor Joe Fusco, Jake DiBari

D. Grow called the meeting to order at 8:05 AM.

A motion to enter Executive Session at 8:08 AM to discuss pending litigation was made by D. Grow and seconded by F. Betrus. Motion passed unanimously 7-0.

A motion to exit Executive Session at 8:30 AM was made by E. Quadraro and seconded by S. Zogby. Motion passed unanimously 7-0.

The Agency received the May 16, 2014 Meeting Minutes. A motion to approve the May 16, 2014 minutes with edits, was made by M. Fitzgerald and seconded by N. Brown. Motion passed unanimously 7-0.

M. Carney presented the most recent financial statements, which the Agency received as presented.

A request to consider a resolution authorizing the Agency to grant a mortgage to Mohawk Valley Economic Development District in connection with the 394 Hangar Road Corporation Facility, authorizing the execution of related documents (subject to approval by counsel) and extending mortgage tax exemption to the transaction. A motion to authorize the Agency to grant a mortgage to Mohawk Valley Economic Development District in connection with the 394 Hangar Road Corporation Facility, authorizing the execution of related documents (subject to approval by counsel) and extending mortgage tax exemption to the transaction was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 7-0. F. Betrus stated that he is a board member of MVEDD.

A request to consider an inducement resolution relating to the American Alloy Steel, Inc. (AAS) 2014 Facility Expansion subject to completion of SEQR, and authorizing a public hearing. M. Fitzgerald questioned whether this would be a concurrent PILOT or a new PILOT. S. Papale stated that this would be a new PILOT on the incremental increase in assessment based on the new project. AAS expects to create 20 construction jobs. Mayor Fusco stated that the City of Rome is in favor of this project. A motion to approve an inducement resolution relating to the American Alloy Steel, Inc. (AAS) 2014 Facility Expansion subject to completion of SEQR, and
authorizing a public hearing was made by F. Betrus and seconded by MF. Messenger. Motion passed unanimously 7-0.

A request to consider an inducement resolution relating to the Delta Apartment Community (The Buck Group, LLC) Facility subject to certain findings and subject to completion of SEQR, and authorizing a public hearing. S. Zogby questioned the amount of sales tax that would be exempted. S. Papale stated that the calculator used came up with the $268,000 figure. D. Grow stated that this type of housing is needed in the Rome area. Jake DiBari stated that the company plans on undertaking two eight unit buildings this year and will grow as the market will bear. He also stated that these units are essentially needed in Rome and many people would choose to live in Rome if the units were available. Mayor Fusco said that other units like this have waiting lists. The Agency received an independent letter and market study in regards to this project. The Agency also stated that this project will prevent economic deterioration. A motion to approve an inducement resolution for a sales tax exemption for the period of one year, with an option to come back to the Agency for an extension relating to the Delta Apartment Community (The Buck Group, LLC) Facility subject to certain findings and subject to completion of SEQR, and authorizing a public hearing was made by F. Betrus and seconded by MF. Messenger. Motion passed unanimously 7-0.

A request to consider a Statement of Findings relating to the OMNI Ambulatory Surgery Center facility, and request confirmation of action by the Oneida County Executive. Because the project is considered a “retail facility” the Agency must make certain findings to qualify the financial assistance. The Agency found that based on staff recommendations and presentations and application made by the Company that the OMNI Ambulatory Surgery Center facility met the finding that “The predominant purpose of the Project is to make available services which would not, but for the Project, be reasonably accessible to the residents of Oneida County because of a lack of reasonably accessible retail trade facilities offering such services.” They also found that “The Facility is likely to attract a significant number of visitors from outside Oneida County, and an appropriate market analysis demonstrates that a majority of the Project’s customers are expected to come from outside of Oneida County and the Project will not directly compete with existing businesses location in Oneida County.” S. Papale stated that the Agency received letters of support from area hospitals in regards to this project. A motion to approve the Statement of Findings relating to the OMNI Ambulatory Surgery Center facility, and request confirmation of action by the Oneida County Executive was made by S. Zogby and E. Quadraro. Motion passes unanimously 7-0.

A request to consider a Statement of Findings relating to the Westmoreland Ambulatory Surgery Center facility, and request confirmation of action by the Oneida County Executive. Because the project is considered a “retail facility” the Agency must make certain findings to qualify the financial assistance. S. Papale stated that the Agency received a letter of opposition from Rome Hospital in regards to this project. N. Brown stated that it seems like Rome Hospital see’s the project as taking away from their services. D. Grow abstained from discussion. S. Papale stated that this project did receive a Certificate of Need from the State of NY. She also stated that some of what Rome Hospital objected to was not agreed on by the state. MF. Messenger stated that for this type of procedure people are going to Syracuse of Hamilton,
they are not going to hospitals in Oneida County - even if they offer the same procedures. N. Brown stated that these types of medical facilities are the future of medical care - no one wants to go to the hospital anymore. The Agency found that based on staff recommendations and presentations and application made by the Company that Westmoreland Ambulatory Surgery Center facility met the finding that “The predominant purpose of the Project is to make available services which would not, but for the Project, be reasonably accessible to the residents of Oneida County because of a lack of reasonably accessible retail trade facilities offering such services.” They also found that “The Facility is likely to attract a significant number of visitors from outside Oneida County, and an appropriate market analysis demonstrates that a majority of the Project’s customers are expected to come from outside of Oneida County and the Project will not directly compete with exciting businesses location in Oneida County.” A motion to approve the Statement of Findings relating to the Westmoreland Ambulatory Surgery Center facility, and request confirmation of action by the Oneida County Executive was made by N. Brown and seconded by S. Zogby. Motion passed 4-0 with D. Grow, M. Fitzgerald and F. Betrus abstaining.

A request to consider a final authorizing resolution relating to the Griffiss Local Development Corporation (Building 240) Facility, approving financial assistance that is a deviation from the Agency’s Uniform Tax Exemption Policy, and approving the form and execution of related documents. Public hearing minutes were distributed to the Agency prior to the meeting. S. Papale stated that this building is currently not on the tax rolls and never has been. M. Fitzgerald asked staff why GLDC purchased the building. S. Papale stated the B. 240 was a non BRAC property and suffered extreme deterioration. GLDC determined that by purchasing the building they were protecting their master plan and other investments. GLDC owns the surrounding land and the purchasing of this building creates a large development parcel in a prime location at the Park. M. Fitzgerald questioned if GLDC was concerned that they will have sunk a great deal of money into the property, and would not likely get the money back. D. Grow stated that it probably wouldn’t be a concern for GLDC, because they can take a loss - whereas private businesses could not. GLDC looks at the enhancement of the Park as a whole and not just individual parcels. M. Fitzgerald stated that GLDC should have explored other bidders, S. Papale stated that GLDC did have some conversations with the other bidders but did not have a comfort level that any of them could pull off a successful project. S. Papale also stated that GLDC can use its reserves from sales, leases and grants to protect the investments that have already occurred at the park. E. Quadraro stated that you cannot argue with the success of Griffiss. A motion to approve a final authorizing resolution relating to the Griffiss Local Development Corporation (Building 240) Facility, approving financial assistance that is a deviation from the Agency’s Uniform Tax Exemption Policy, and approving the form and execution of related documents was made by M. Fitzgerald and seconded by F. Betrus. Motion passed unanimously 7-0.

OLD BUSINESS

• D. Grow questioned the Sylvan Beach project and whether it will open this year. S. Papale stated that staff is watching the project closely.
NEW BUSINESS

- The OCIDA is a named party in pending litigation and authorized legal counsel to file a limited notice of appearance in the case.

*There being no further business, the meeting was adjourned at 9:31 AM upon a motion by D. Grow and seconded by F. Betrus*

Respectfully recorded,

Jennifer Waters