

**Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on August 14, 2008 at the EDGE Offices,
Rome, NY 13441**

Members Present: F. Betrus, N. Brown, M. Fitzgerald, D. Grow, M. Valentine, S. Zogby

Staff Present: J. Castilla, S. DiMeo, J. Karam, S. Papale

Others Present: D. Guzewich, M. Hennessey, C. Martell, N. Matt, M. Murphy, L. Ruberto, C. Vitale, J. Vitale

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

The minutes of the June 26 meeting of the Agency were unanimously approved on a motion made by Mr. Betrus, seconded by Mr. Valentine.

In other Agency business:

- An Initial Authorizing Resolution for Matt Brewing Company was brought before the Agency. Mr. Matt explained the \$7.465 million plan being implemented to rebuild the bottling facility at the brewery after the fire. Discussion ensued. *Mr. Fitzgerald made a motion to fix taxes for Matt Brewing company at \$100,000 for one year; fix taxes at the 2008 rate for years 2 – 5 and the higher of 2008 taxes or 2/3 of all taxes due and owed for years 6 – 10.* The motion was seconded by Mr. Grow and unanimously approved.
- Chris Martell from Hodgson-Russ, the developer for the BBL hotel and restaurant complex in Vernon was present to further explain his project to the Agency. Mr. Martell was present at the Agency's June meeting and was directed to speak with the taxing jurisdictions affected by the project to determine their support of the project. Mr. Martell spoke with representatives from the taxing jurisdictions and has obtained support of the project receiving Agency benefits from county and town officials however the school district, while in favor of the project, could not offer support of the project receiving real property tax benefits. Mr. Martell recognized the project was a deviation from Agency policy but requested approval of the project. Ms. Papale stated that in her discussions of this project with County Executive Mr. Picente, Mr. Picente was not opposed to the project receiving sales and mortgage recording tax exemptions. Discussion ensued. *Mr. Zogby made a motion to induce an Initial Authorizing Resolution allowing sales tax exemption and mortgage recording tax exemption but no PILOT for property taxes.* The motion was seconded by Mr. Zogby. Mr. Hennessey expressed confidence in the project benefiting the area given the location of the project. Mr. Grow called for a vote. Mr. Betrus and Mr. Zogby were in favor, Mr. Valentine, Ms. Brown, Mr. Grow and Mr. Fitzgerald opposed. The motion was defeated. *Mr. Valentine made a motion to induce an IAR allowing mortgage recording tax exemption only.* Mr. Fitzgerald seconded the motion. The motion was unanimously approved. Mr. Martell asked that if the Agency should modify its policy in regards to retail projects, that it reconsider his request for a PILOT and sales tax exemption as well.

- Jim and Chris Vitale, developers for the Terrace at Woodland were present to further explain their Assisted Living Project (ALP) for low/mod income individuals planned for the City of Rome. Chris distributed a narrative description of the ALP and stated it would create 40-50 permanent jobs and 50 construction jobs. He further explained that there is currently no low/mod income ALP facility in Rome and those seniors who are in need of such facilities are forced to move to other cities that have such services. The Vitales requested the Agency approve a PILOT with sales and mortgage recording tax exemptions. Ms. Papale suggested to the Vitales that property tax reductions would be more advantageous under the City of Rome's 485-b program rather than through a PILOT from the Agency. *A motion to approve mortgage recording tax exemption for the Terrace at Woodland project was made by Mr. Valentine.* Ms. Brown seconded the motion. Mr. Grow called for a vote. Mr. Grow, Mr. Betrus, Mr. Valentine, Ms. Brown and Mr. Zogby voted in favor; Mr. Fitzgerald opposed. The motion was passed. *A motion to approve sales tax exemption for the Terrace at Woodland project was made by Mr. Betrus.* Mr. Grow seconded the motion. Upon a vote, Mr. Grow and Mr. Betrus were in favor, the remaining Board opposed, Ms. Brown abstained. The motion was defeated.
- A Resolution to approve amendments to OCIDA 2002 Bonds for Hamilton College, authorizing termination of the bond insurance securing the bonds, conversion of the bonds from variable rate to fixed rate, remarketing of the bonds in fixed rate mode, and related amendments to bond documents was brought before the Agency. *The Resolution was unanimously approved upon a motion made by Mr. Fitzgerald, seconded by Mr. Grow.*
- A Resolution authorizing (a) the release of Parcel F-1 and Parcel F-4 from Lease Agreements with GLDC, (b) the conveyance of Parcel F-1 and Parcel F-4 to GLDC pursuant to the Memorandum of Understanding and (c) upon acquisition of certain additional lands from the United States Air Force, the release of said lands to GLDC, all for the purpose of conveying all lands to Birnie Bus Service, Inc. was brought before the Agency. *A motion to approve the Resolution using the best-suited methodology in the opinion of legal counsel was made by Mr. Betrus, seconded by Mr. Fitzgerald.* The motion was unanimously passed.
- An Initial Authorizing Resolution (IAR) for a project by Leonard Bus Company was brought before the Agency. Ms. Papale related to the Board the project meets Agency criterion for sales, mortgage recording and PILOT exemptions. Mr. Grow felt the project would be better served if the company filed for 485-b benefits with the City of Rome. Discussion ensued. *Mr. Grow moved to approve an IAR for Leonard Bus Company with mortgage recording tax exemption and sales tax exemption.* Mr. Betrus seconded the motion. All members voted in favor with Mr. Fitzgerald abstaining. The motion was passed.
- An Initial Authorizing Resolution for a project by Birnie Bus Service, Inc. was brought before the Agency. *A motion to approve mortgage recording tax exemption for the project was made by Mr. Fitzgerald, seconded by Mr. Valentine.* All members voted in favor of the project with Mr. Grow abstaining. The motion was passed.
- *A Resolution authorizing the termination of the Oneida Research Services Facility and the form and execution of conveyance and termination documents was unanimously approved upon a motion made by Mr. Fitzgerald, seconded by Mr. Betrus.*

- *A motion to approve the transfer of Parcel F4C to GLDC under the terms and conditions consistent with the MOU and EDC Agreement was made by Mr. Betrus, seconded by Mr. Grow. The motion was unanimously passed.*
- *A Resolution to have OCIDA serve as the lead agency under SEQR for the Rome Cable Complex #3 Demolition Project was brought before the Agency. A motion to approve the Resolution was made by Mr. Fitzgerald, seconded by Mr. Betrus. The motion was unanimously passed.*
- *The Agency entered Executive Session at 10:00 AM upon a motion made by Mr. Fitzgerald, seconded by Mr. Valentine.*
- *The Agency exited Executive Session at 10:20 AM upon a motion made by Mr. Valentine seconded by Mr. Fitzgerald*

There being no further business, the meeting was adjourned at 10:30 AM upon a motion made by Mr. Betrus, seconded by Mr. Valentine.

Respectfully submitted,

Shawna M. Papale
Executive Director