

**Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on October 27, 2009 at the EDGE offices
Rome, NY 13441**

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

Absent:

EDGE Staff Present: F. Arcuri, J. Cardone, J. Castilla, S. DiMeo, S. Papale, J. Stock

Others Present: J. Saunders

Press: None

Mr. Grow called the meeting to order at 8:10 AM.

The minutes of the September 18, 2009 Agency meeting were unanimously approved upon a motion made by Mr. Fitzgerald, seconded by Mr. Betrus.

In other Agency business:

- A request to approve a sub-sublease authorizing Owl Wire to lease a portion of their facility (approximately 170 square feet) to Esteves, Inc. was brought before the Agency. *A motion to approve the sub-sublease subject to review of legal counsel was made by Mr. Betrus, seconded by Mr. Quadraro.* The request was unanimously approved.
- A recommendation by Shumaker Consulting Engineering & Land Surveying, PC for acceptance of Ritter & Paratore Contracting, Inc. bid for demolition of Former Rome Cable Building Complex 3; and grant authority to Agency Executive Director to sign and authorize Contract Change Orders up to a maximum of \$175,000 above the approved contract price, for a total contract value of \$1,031,300 was brought before the Agency. *A motion to accept the Ritter & Paratore bid and to authorize the Executive Director to sign and approve contract change orders subject to legal counsel review, up to a maximum of \$175,000 above the approved contract price for a total contract value of \$1,031,000 was made by Mr. Betrus, seconded by Mr. Valentine.* The motion was approved with Mr. Grow abstaining.
- Ms. Cardone presented the Agency's financial statements. Mr. Fitzgerald noted that there is a potential for a net loss at year end. Ms. Papale explained that there were still certain projects pending that could prevent a loss, but they may or may not close by year end. Mr. Fitzgerald requested that the RCBRC project become an off-balance sheet item. *A motion to accept the financial statements was made by Ms. Brown, seconded by Mr. Betrus.* The motion was unanimously carried.
- *A motion to enter Executive Session for the purpose of discussing a potential change in operations regarding not-for-profit corporations was made by Mr. Betrus, seconded by Mr. Quadraro.* The Agency entered Executive Session at 8:35 AM. Mr. Quadraro was excused at 9:15 AM. Consent to exit Executive Session was reached at 9:25 AM.
- A resolution authorizing formation of a Limited Purpose Local Development Corporation subject to review by legal counsel as to its potential use was unanimously passed *upon a motion made by Mr. Fitzgerald, seconded by Mr. Zogby.*
- Mr. Arcuri informed the Agency that the NYS DEC just notified Shumaker Engineering of new air monitoring requirements and therefore an air monitoring contractor will need to be hired for the

demolition of the former Rome Cable Building Complex 3. Estimated cost of such a contractor should not exceed \$75,000. The funding for this item as well as the demolition of Building Complex 3 is fully reimbursable by the City of Rome through a Restore NY Grant the City received. *A motion authorizing the Executive Director to sign a contract for an air monitoring contractor in an amount not to exceed \$75,000, subject to Agency legal counsel review and approval by the City of Rome was made by Ms. Brown, seconded by Mr. Grow. The motion was unanimously passed with Mr. Grow abstaining.*

- Mr. Saunders requested the Agency amend the referenced lenders in its July 17 meeting in which they passed a resolution authorizing refinancing of the Griffiss Institute building. The original refinancing included Oneida Savings Bank, Mohawk Valley EDGE and MVEDD all participating in the project whose owner is the Griffiss Local Development Corporation. Mr. Saunders asked that the original loan from MVEDD to GLDC be changed to a loan from MVEDD to EDGE, who will then in turn lend the funds to GLDC for the project. *Upon a motion made by Mr. Fitzgerald, seconded by Mr. Valentine; the lenders for the Griffiss Institute project were amended to include Oneida Savings Bank and Mohawk Valley EDGE. The motion was passed with Ms. Brown and Mr. Betrus abstaining.*
- Mr. Saunders also requested the Agency approve a lease of a portion of the Griffiss Institute building to CUBRC, a research & development, testing and systems integration company headquartered in Buffalo, NY. *Upon a motion made by Mr. Zogby, seconded by Mr. Betrus; the lease was unanimously approved.*

There being no further business, the meeting was adjourned at 9:55 AM upon a motion made by Mr. Valentine, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary