

**Minutes of the Meeting of the
Oneida County Industrial Development Agency
Held on December 18, 2009 at Daniele's at Valley View
Utica, NY 13501**

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

Absent: M. Valentine

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

Others Present: C. Nichols, M. Stephens, L. Romano, P. Romano, L. Ruberto

Press: None

Mr. Grow called the meeting to order at 11:10 AM.

The minutes of the October 27, 2009 Agency meeting were unanimously approved upon a motion made by Mr. Fitzgerald, seconded by Mr. Zogby.

In other Agency business:

- A Final Authorizing Resolution (FAR) for Lewiston at Pheasant Run Phase III facility granting mortgage & sales tax exemption was brought before the Agency. *A motion to approve the FAR for Lewiston at Pheasant Run Phase III facility granting mortgage recording tax exemption and sales tax exemption was made by Mr. Betrus, seconded by Mr. Zogby.* Discussion ensued. Mr. Betrus said that given the economic climate of NYS and the reduced amount of industrial development projects coming before the Agency, the Agency must expand on the type of projects it assists to include those such as this which will improve the housing stock of the region. Mr. Grow called for a vote; Betrus, Brown, Grow, Quadraro in favor; Fitzgerald and Zogby opposed. The FAR was approved.
- An Initial Authorizing Resolution (IAR) for MTC Apparatus, Inc. was brought before the Agency. Mr. Castilla explained the company is currently leasing space from Mohawk LTD., and is now ready to buy a building in the Oneida County Business Park and grow its operation. The company is involved in the remanufacturing of industrial electric motors. While substantially complete, the application submitted by the company was missing some information. *A motion to approve the IAR for MTC Apparatus, Inc. contingent upon completing sections of the application left unanswered and completion of a long-form environmental assessment on the property being purchased was made by Mr. Betrus, seconded by Mr. Zogby.* The IAR was approved with Mr. Fitzgerald abstaining.
- In support of GUSC project to construct 3,500± square foot office facility on the steam plant parcel; a request by GUSC to grant an easement for ingress, egress and the installation of utilities on a portion of Bomber Drive was brought before the Agency. *A motion to grant the easement was made by Mr. Betrus, seconded by Ms. Brown.* The easement was unanimously granted
- A Resolution granting an easement to Mohawk Valley Community Action Agency in regards to parcel of land associated with MVCAA Daycare Center was brought before the Agency. *A motion to grant the easement was made by Ms. Brown, seconded by Mr. Fitzgerald.* The easement was granted with Mr. Zogby and Mr. Betrus abstaining.
- A Resolution authorizing conveyance of 4.56 acre parcel to GLDC to be further conveyed to Rome City School District was brought before the Agency. *A motion to convey the parcel was made by Mr. Betrus, seconded by Ms. Brown.* The conveyance was unanimously approved.

- A request by Alfred Publishing to approve refinancing and the granting of mortgage recoding tax was brought before the Agency. Ms. Ruberto explained the benefit of mortgage recording tax exemption was not used by the company when the project was originally approved in 2001. Now that the company is refinancing it would like to utilize the benefit. *A motion to approve the refinancing and to grant mortgage recording tax exemption was made by Mr. Zogby, seconded by Mr. Fitzgerald.* The motion was unanimously approved.
- A request to approve no-cost time extension amendment to extend the term of contract for DEC project regarding Rome Cable Site No. E633053 to August 25, 2011 was brought before the Agency. Mr. Arcuri explained that the City of Rome has agreed to the change order and that the City will be held liable for all payments associated with the contract. *A motion to approve the change order subject to review of Agency legal counsel was made by Mr. Betrus, seconded by Mr. Zogby.* The extension was approved with Mr. Grow abstaining. Ms. Romano stated that Bond, Schoeneck & King has submitted a conflict waiver in regards to this project as BS&K represents Owl Wire on labor matters. *A motion to approve the waiver of conflict was made by Mr. Fitzgerald, seconded by Mr. Zogby.* The waiver was unanimously approved.
- The 2010 Staff Services Agreement between Mohawk Valley EDGE and the Agency was brought before the Agency for consideration and approval. Discussion ensued. *A motion approve the Staff Services Agreement was made by Mr. Betrus, seconded by Mr. Quadraro.* The Agreement was unanimously approved.
- Ms. Cardone presented the financial statements for the period ending November 30, 2009. The financials were received by the Agency.
- The Agency entered Executive Session for the purpose of discussing the potential sale or lease of real property *upon a motion made by Mr. Betrus, seconded by Mr. Zogby* at 12:10 PM. Consensus to exit Executive Session was reached at 12:25 PM.
- *A motion to authorize Mr. Grow to sign documents with Champion Enterprises, Inc. to classify PILOT payments as administrative fees for the purposes related to the filing of Chapter 11 Bankruptcy by Champion Enterprises, Inc. subject to approval of Agency legal counsel was made by Mr. Betrus, seconded by Mr. Zogby.* The motion was unanimously approved.
- Old Business:
 - *A motion to agree to the Agency's subordination in an UCC-1 Financing Statement for Fisk Alloy Conductors, Inc. was made by Ms. Brown, seconded by Mr. Fitzgerald.* The motion was unanimously approved.
 - *A motion to adopt a negative declaration relating to the completion of the SEQR for the Mid-State Development project was made by Ms. Brown, seconded by Mr. Betrus.* The motion was unanimously approved.

There being no further business, the meeting was adjourned at 12:30 PM upon a motion made by Mr. Betrus, seconded by Mr. Zogby.

Respectfully submitted,

James P. Castilla
Assistant Secretary