

**Minutes of the Meeting of the
Oneida County Industrial Development Agency**

June 18, 2021

In person at 584 Phoenix Drive, Rome, NY/Webex Video/Teleconference Due to COVID-19 Emergency

Members Present: David Grow; L. Michael Fitzgerald; Kirk Hinman; Ferris Betrus; Steve Zogby; Mary Faith Messenger.

Members Webex/Teleconference: Ferris Betrus, Kirk Hinman, Steve Zogby.

EDGE Staff Present: Shawna Papale; Jennifer Waters; Mark Kaucher; Steve DiMeo; Maureen Carney; Bill Van Shufflin.

Webex: Tim Fitzgerald.

Other Attendees: Webex/Teleconference: Linda Romano & Laura Ruberto, Bond, Schoeneck & King; Mark Levitt & Jenna Peppenelli, Levitt & Gordon; Rome Mayor Jackie Izzo; Matt Andrews, City of Rome; Ryan McCune, Nexamp Inc.; Genevieve Trigg, Barclay Damon.

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

At 8:04 AM, an executive session was requested to discuss potential contracts. A motion to enter executive session to discuss potential contracts with the Agency was moved by M. Fitzgerald, seconded by M. F. Messenger, and carried 6-0.

At 9:03 AM a motion to exit executive session and return to the open meeting was moved by F. Betrus, seconded by M. Fitzgerald, and carried 6-0.

S. Zogby left the meeting after executive session and was not present for any other agenda items.

Minutes

The May 21, 2021 meeting minutes were reviewed. M. Fitzgerald specified that under the F.X. Matt Inducement Resolution, the motion should read that the PILOT would increase by 50% of the new assessment that would be generated from any new construction *over the next three years*. **A motion to approve the minutes, as corrected, was moved by M. F. Messenger, seconded by F. Betrus and carried 6-0.**

Financial Report

M. Carney reviewed the interim financial statements from May, 2021. She noted that cash has decreased over the past twelve months, due to the Agency closing on some large projects that had not yet disbursed funds to taxing jurisdictions. She also noted that the Agency has also disbursed Economic Development Special Projects funding. The balance in restricted cash is made up of 2021 PILOT holdings related to the Hartford and Hampton PILOTs which are distributed once all of the payments have been received. The balance in deferred revenue consists of \$1,000 commitment fees collected from several projects that have not closed as of April 30. The \$400,000 in board restricted fund balance was reclassified as un-restricted as of 12/31/20; the board voted to re-restrict the funds at the 3/26/21 board meeting; the minutes from the meeting were approved 4/30/21. Under the budget comparison report, the total closing and application fees amount to about \$54,000 for the year. Regarding the MSP PILOT clawback, all cash has been received and paid out to cover legal fees and distributed to taxing jurisdictions. F. Betrus asked for a clarification on the amount of funds paid to legal fees and taxing jurisdictions, to which M. Carney stated that she would circulate to the members the distribution of those funds. F. Betrus then asked if there is a running list of the annual fees received from the Agency's projects. S. Papale stated that she believed there were only two projects that had not yet paid their fee for this year, but that that list could also be distributed. The financial report was received as presented.

Camden Renewables, LLC – Inducement Resolution

Chair Grow presented an inducement resolution relating to the Camden Renewables, LLC 3.25-MW community solar facility, providing preliminary approval for financial assistance in the form of reduction of real property taxes for a period of 25 years (value estimated at \$3,431,092), consistent with the Agency's Uniform Tax Exemption Policy (Community

Approved 8-20-2021

Solar Policy) and authorizing the Agency to conduct a public hearing. GIS Mapping confirms the land is classified as Farmland of Statewide Importance and the \$5,500 per MW rate applies. The applicant has submitted a decommissioning plan and cost of decommissioning that has been approved by the Town of Camden Planning Board. **A motion to approve an inducement resolution related to the Camden Renewables, LLC project and authorizing the Agency to conduct a public hearing was moved by M. F. Messenger and seconded by K. Hinman.** M. Fitzgerald asked for clarification about the difference in the types of land if they are both of statewide importance, to which S. Papale explained that this project falls on land that is designated as the two lesser soil types which are priced at \$5,500 per MW, and not on "prime soils," which is priced at \$7,000 per MW. R. McCune further clarified that the two soil types on this land are both the lesser types, which are priced at \$5,500. M. Fitzgerald also asked that the full lease between the property owner and the company be shared, to which R. McCune stated he would share the lease. M Fitzgerald also asked for clarification on the decommissioning plan that has been completed, and whether or not it has been engineer-reviewed. R. McCune stated that a third-party engineer reviewed the proposed decommissioning plan. S. Papale stated that the Agency would have the decommissioning plan reviewed by an engineering firm on retainer by the Agency, and Chair Grow asked for the backup materials that went into the formation of the decommissioning plan. With the understanding that the receipt of these materials should be in a timely manner, the Agency was advised by L. Romano that it could go ahead and schedule a public hearing, contingent on the approval of the decommissioning plan by the Agency's retained engineer. F. Betrus asked, to be put on the record, who owns Green Eagle Solar VI, LLC, which is the sole member of Camden Renewables, LLC. R. McCune stated that Green Eagle Solar VI, LLC is a wholly owned subsidiary of Nexamp Incorporated, which is a privately held corporation in Boston. Nexamp Inc. is owned by Diamond Generation Corporation, which owns several power assets, as well as some other smaller private investors. **The motion that was made by M. F. Messenger to approve the inducement resolution of Camden Renewables, LLC was amended to state that the approval is contingent on receipt of the property lease, town-approved decommissioning plan & proof of bond, more detail in computation of the \$3,431,092 PILOT benefit, and copy of host community agreement. The motion carried 6-0.**

Camden Renewables, LLC – SEQR Resolution

Consider a SEQR resolution relating to the Camden Renewables, LLC 3.25-MW community solar facility. The Town of Camden Planning Board acted as lead agency for the SEQR review and determined the project is a Type 1 action. Based on the findings of the lead agency, the Agency determines it is a Type 1 action. **A motion to accept the SEQR findings related to the Camden Renewables, LLC project was moved by M. Fitzgerald, seconded by M. F. Messenger, and carried 6-0.**

Griffiss Local Development Corporation – Proposed Sublease of 584 Phoenix Drive

Chair Grow introduced a resolution to consider a request from Griffiss Local Development Corporation to consent to the sublease of a portion of 584 Phoenix Drive to Benn Realty. **A motion to approve the sublease of a portion of 584 Phoenix Drive to Benn Realty, was moved by F. Betrus, seconded by M. Fitzgerald, and carried 6-0.**

Old Business

Chair Grow notified the members of the withdrawal of applications for financial assistance for both the BAE Facility and GLDC Buildings 774 and 798 Facilities.

Chair Grow also notified the members of the receipt of supplemental application materials for clarification of financial assistance regarding the Woodhaven Partners, LLC project.

Chair Grow then presented to the members a request for consent to sublease commercial space at one of the Air City Loft buildings, owned by Bonacio Construction. This space would be sublet to a food service commercial operation. **A motion to consent of the sublease of this commercial space was moved by M. Fitzgerald, seconded by M. F. Messenger, and carried 6-0.**

Approved 8-20-2021

Chair Grow stated that the presentation with Congresswoman Claudia Tenney, which was originally scheduled for today, had to be rescheduled, and is tentatively scheduled to take place at the Agency's July meeting.

There being no further business, Chair Grow asked for a resolution to adjourn the meeting. At 11:21 AM a motion to adjourn the meeting was moved by M. Fitzgerald, seconded by F. Betrus, and carried unanimously.

Respectfully Submitted,

Tim Fitzgerald