

**Minutes of the Meeting of the
Oneida County Industrial Development Agency
November 19, 2021**

In person at 584 Phoenix Drive, Rome, NY and Webex Video/Teleconference

Members Present: David Grow; L. Michael Fitzgerald; Steve Zogby; Kirk Hinman; Eugene Quadraro.

Members Present Webex/Teleconference: Ferris Betrus.

EDGE Staff Present: Shawna Papale; Jennifer Waters; Mark Kaucher; Steven J. DiMeo; Bill Van Shufflin; Maureen Carney; Tim Fitzgerald.

Others Present: Rome Mayor Jackie Izzo; Bob Scholefield, Mohawk Valley Health System; Bruce Smith, Cohen Compagni Beckman Appler & Knoll, PLLC; Dave Quirillo, Central Utica Building

Others Present Webex/Teleconference: Laura Ruberto and Linda Romano, Bond, Schoeneck & King; Mark Levitt and Jenna Peppenelli, Levitt & Gordon; Genevieve Trigg, Barclay Damon.

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

Executive Session: Chair Grow asked if there were any requests for Executive Session. At 8:03 AM, S. Zogby motioned to enter executive session to discuss pending contracts and possible litigation matters. M. Fitzgerald seconded the motion, which carried 6-0.

At 9:02 AM, a motion to exit executive session and return to the open meeting was moved by E. Quadraro, seconded by F. Betrus, and carried 6-0.

Minutes: The October 21, 2021 meeting minutes were reviewed. M. Fitzgerald pointed out the incorrect date in the heading of the minutes. T. Fitzgerald stated that the language regarding the lease renewal to Rome Community Brownfield Restoration Corporation needed to be revised to state that the lease agreement will use the Agency's current form. **A motion to approve the minutes as corrected was moved by S. Zogby, seconded by E. Quadraro and carried 6-0.**

EDGE 2022 Contract and Supplemental Contract

Chair Grow presented for the Agency's consideration, the proposed 2022 Mohawk Valley EDGE Staff Service Contract and Supplemental Staff Service Contract. With no comments or questions, F. Betrus moved to approve both the 2022 Mohawk Valley EDGE Staff Service Contract and Supplemental Staff Service Contract, as presented. K. Hinman seconded the motion, which then carried 6-0.

M. Fitzgerald reminded the Agency that after the previous meeting, staff was going to evaluate the time and effort associated with change in ownership activities that come before the Agency, in anticipation of more such activity occurring as the Agency takes on more solar projects. **M. Fitzgerald moved to increase the fee for handling such requests from \$500 to \$2,500. The motion was seconded by E. Quadraro and was passed unanimously.**

Parco Properties, Inc./The Fountainhead Group, Inc.

Chair Grow introduced a final authorizing resolution relating to the Parco Properties, Inc./The Fountainhead Group, Inc. facility, approving financial assistance in the form of exemptions from sales tax (estimated at \$97,475 but not to exceed \$107,222) and reduction of real property tax for a period of ten years, during which time the Company will pay PILOT Payments equal to the current taxes (estimated at \$203,000), which financial assistance is a deviation from the Agency's Uniform Tax Exemption Policy, and authorizing the form and execution of related documents in the Agency's customary form and subject to counsel review. The Agency conducted a public hearing on August 26, 2021 and mailed deviation notices to the affected tax jurisdictions on November 10, 2021. Chair Grow pointed out that no comments were received from the affected taxing jurisdictions. **A motion to approve the final authorizing resolution relating to the Parco**

Properties, Inc./The Fountainhead Group, Inc. facility was moved by S. Zogby and seconded by M. Fitzgerald. F. Betrus asked for clarification if a 2% yearly escalator was included in the proposed benefit. Both M. Kaucher and S. Papale stated that there was, but that the current taxes are locked in for 10 years. **S. Zogby amended his motion so that it would be consistent with the annual increases outlined in the original inducement resolution. M. Fitzgerald concurred. With no further discussion, the motion carried, 6-0.**

Cold Point Corporation

Chair Grow introduced a request from Cold Point Corporation to amend an existing sales tax exemption to (i) extend the time for an additional one year through May 18, 2022 and (ii) increase the value of the exemption from \$144,683 to \$188,870, a difference of \$44,187. A public hearing is not required as the value of the additional financial assistance does not exceed \$100,000. **M. Fitzgerald moved to approve the request from Cold Point Corporation to both extend its sales tax exemption period and increase the value of its exemption, as proposed. The motion was seconded by K. Hinman and was passed unanimously.**

GSPP 7024 Fox Rd., LLC (Marcy Community Solar Project)

Chair Grow introduced a request from GSPP 7024 Fox Rd., LLC (Marcy Community Solar Project) to consent to a change of control to (i) the transfer of 100% of the Company's equity voting interest from GSPP CM Panel, LLC to GSPP Holdco, LLC and (ii) the transfer of 100% of the equity voting interest from GSPP Holdco, LLC to GSPP CB 2021 Master Lessor, LLC, which is contemplated to occur upon mechanical completion of the Project, and authorize the form and execution of related documents subject to counsel review. **S. Zogby moved to approve the request from GSPP 7024 Fox Rd., LLC to consent to changes of control, as proposed. The motion was seconded by M. Fitzgerald and passed 6-0.** M. Fitzgerald that this action will be subject to the new fee schedule, which was just approved.

GSPP Hillsboro & Dunbar, LLC (Camden Community Solar Project)

Chair Grow introduced a request from GSPP Hillsboro & Dunbar, LLC (Camden Community Solar Project) to amend previously authorized financial assistance in the form of reduction of real property taxes for a period of 25 years (value estimated at \$1,729,030), consistent with the Agency's Uniform Tax Exemption Policy (Community Solar Policy) and authorizing the Agency to conduct a public hearing. The Agency adopted a final authorizing resolution on October 23, 2020 approving financial assistance for the project consistent with the Community Solar Policy that was adopted in September 2020. The applicant is requesting the financial assistance be revised to be consistent with the amended Community Solar Policy that was adopted in April 2021. 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 decommission plan and decommissioning bond that has been approved by the Host Community. **E. Quadraro moved to approve the request from GSPP Hillsboro & Dunbar, LLC to consent to changes to financial assistance, as proposed and authorizing the Agency to conduct a public hearing. The motion was seconded by S. Zogby and passed 6-0**

Central Utica Building, LLC

Chair Grow introduced an inducement resolution relating to the Central Utica Building, LLC facility, providing preliminary approval for financial assistance in the form of exemptions from sales tax (estimated at \$1,820,000 not to exceed \$2,002,000) and exemptions from mortgage recording tax (estimated at \$128,138 not to exceed \$140,951), which financial assistance is consistent with the Agency's Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing. The project is considered a "retail facility" and the Agency will need to make findings at a future meeting to qualify financial assistance. S. Zogby stated that the proposed benefit seems high, given that Mohawk Valley Health System will only occupy 25-30% of the building, according to the information provided. As such, he would be comfortable with reducing and limiting the financial benefit. **M. Fitzgerald made a motion to approve a benefit to Central Utica Building, LLC not to exceed \$500,000 in sales tax exemption and not to exceed \$140,951 in mortgage recording tax exemption. S Zogby seconded this motion.** Chair Grow then noted that the Agency has been supportive of the MVHS hospital project since its inception, and that this proposed benefit aligns with that support by benefitting this project commensurate with the level of MVHS building occupation. B. Scholefield stated that according to the application, MVHS will be utilizing about 25% of the proposed building. B. Scholefield then stated that ambulatory

surgical centers, such as the one MVHS is proposing to put in this building, are handling more and more surgeries as a trend nationwide, and that this project would help build the capacity of such surgical space in Oneida County. F. Betrus asked if this building will be connected to the hospital. B. Scholefield stated that they would not be connected, and that generally speaking, the traffic between these buildings will generally be low, limited to doctors and staff. **With no further discussion, the motion passed 6-0.**

Delta Luxury Townhomes LLC

Chair Grow introduced an inducement resolution relating to the Delta Luxury Townhomes LLC facility, granting preliminary approval for financial assistance in the form of exemptions from sales tax (estimated at \$490,000 not to exceed \$539,000) and exemptions from mortgage recording tax (estimated at \$64,500 not to exceed \$70,950) which financial assistance is consistent with Tier 3 benefits under the Agency's Uniform Tax Exemption Policy (Housing Policy) and authorizing the Agency to conduct a public hearing. **M. Fitzgerald made an amended motion, such that the sales tax benefit will be the lesser of what's incurred within two years of the date of the agency appointment, or \$490,000, and cannot exceed the lesser amount. K. Hinman seconded the motion.** M. Fitzgerald asked Mayor Izzo to explain the ongoing need for new housing in Rome, which this project seeks to satisfy. Mayor Izzo explained that townhomes are a segment of the area's housing stock that is very limited, and this project addresses this need, which is identified in the applicant's market study. **With no further discussion, the motion passed 6-0.**

Delta Luxury Townhomes LLC – SEQR Resolution

Chair Grow introduced a SEQR resolution relating to the Delta Luxury Townhomes LLC facility. The City of Rome Planning Board acted as lead agency for the SEQR review and determined on July 8, 2021 that the project is a Type 1 action. Mayor Izzo stated that the City Planning Board has given the project a negative declaration on the SEQR. She also stated that, in connection to this project, the City plans to replace the bridge crossing over the Wood Creek at Merrick Rd. **A motion to accept the SEQR findings related to the Delta Luxury Townhomes LLC project was moved by F. Betrus, seconded by S. Zogby, and carried 6-0.**

Financial Report

M. Carney reviewed the interim financial statements from October 31, 2021. She stated that the Agency had closed on its projects with EDF Renewables 2 and Square One Coating Systems in October. These closings resulted in over \$54,000 in administrative closing fees paid to the Agency. Overall, there has been an increase in cash of over \$194,000 over the last twelve months. She also noted that the project with Engler Electric closed during the month of November.

S. Zogby asked if the Agency was on track to close several more projects by the year's end, which S. Papale confirmed. She also stated that there usually is an uptick in project closings at the end of each year.

The financial report was accepted as presented.

There being no further business, Chair Grow asked for a resolution to adjourn the meeting. At 9:32 AM a motion to adjourn the meeting was moved by S. Zogby, seconded by M. Fitzgerald, and carried unanimously.

Respectfully Submitted,

Tim Fitzgerald