

**Supplemental Resolution  
Mortgage Recording Tax Exemption  
Increase  
Central Utica Building, LLC Facility**

Date: December 8, 2022

At a meeting of the Oneida County Industrial Development Agency (the "Agency") held at 584 Phoenix Drive, Rome, New York 13441 on December 8, 2022, the following members of the Agency were:

**Members Present:** David Grow, Michael Fitzgerald; Steve Zogby, Kirk Hinman, Gene Quadraro Mary Faith Messenger

**Members Present: WebEx:** Ferris Betrus.

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on an Application Amendment and request for Amended Financial Assistance relating to the Central Utica Building, LLC Facility.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

David Grow  
Michael Fitzgerald  
Ferris Betrus  
Kirk Hinman  
Mary Faith Messenger  
Gene Quadraro  
Steve Zogby

Voting Nay

RESOLUTION AUTHORIZING THE AGENCY TO ACCEPT AN APPLICATION AMENDMENT AND AUTHORIZE AN INCREASE IN THE VALUE OF FINANCIAL ASSISTANCE WITH RESPECT TO THE CENTRAL UTICA BUILDING, LLC FACILITY LOCATED IN THE CITY OF UTICA, ONEIDA COUNTY.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 372 of the Laws of 1970 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, Central Utica Building, LLC (the "Company") has requested that the Agency provide certain financial assistance, consisting of exemptions from mortgage recording taxes and exemptions from sales and use taxes (collectively, the "Financial Assistance"), for a project (the "Project") consisting of construction of a 94,000± square foot state-of-the-art medical office building and appurtenant facilities including parking areas and all infrastructure, utilities and amenities to support the same (collectively, the "Improvements") situated on parcels of land measuring 2.90± acres in the aggregate adjacent to the new Wynn Hospital (the "Wynn Hospital") located at the Corner of State and Columbia Streets, City of Utica, Oneida County, New York (the "Land") and the acquisition and installation of equipment in the Improvements (the "Equipment"), all for the purpose of providing a seamless and integrated health care delivery system together with the Wynn Hospital, and to enhance and expand the delivery of health care services to the community (the Land, the Improvements and the Equipment are referred to collectively as the "Facility"); and

WHEREAS, on March 3, 2022 the Agency adopted a resolution (the "Final Authorizing Resolution") authorizing financial assistance in the form of exemptions from sales and use taxes on purchases and exemptions from mortgage recording taxes (the "Financial Assistance") in support of the Facility, subject to the satisfaction of certain conditions described in the resolution; and

WHEREAS, the value of the Financial Assistance currently authorized by the Agency is described below:

- Sales and use tax exemption estimated at \$1,820,000
- Mortgage tax exemption estimated at \$128,138

WHEREAS, the Company submitted to the Agency a supplement to its Application for Financial Assistance (the "Application Amendment") and requested the Agency authorize an increase in the value of the mortgage recording tax exemptions to \$191,250 (the "Amended Financial Assistance") to account for certain changes in project costs and sources of funding for the Project; and

WHEREAS, the requested Amended Financial Assistance is less than \$100,000 higher than the Financial Assistance and therefore it is not necessary to conduct a public hearing to authorize the Amended Financial Assistance.

NOW, THEREFORE, BE IT RESOLVED by the Oneida County Industrial Development Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Facility as amended by the Application Amendment constitutes a "project", as such term is defined in the Act; and

(c) The Amended Financial Assistance will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Oneida County and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(d) The Amended Financial Assistance is reasonably necessary to induce the Company to maintain and expand its business operations in the State of New York; and

(e) The SEQRA findings adopted by the Agency on January 21, 2022 encompassed the actions to be undertaken by this resolution and no changes have been made since that time to the proposed action that would create new or increased adverse environmental impacts; and

(f) It is desirable and in the public interest for the Agency to accept the Application Amendment and approve the Amended Financial Assistance.

Section 2. In consequence of the foregoing, the Agency hereby determines to (i) accept the Application Amendment; and (ii) amend the value of the mortgage recording tax exemption to an amount not to exceed \$191,250.

Section 3. The Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the Amended Financial Assistance, and all acts heretofore taken by the Agency with respect to such Amended Financial Assistance are hereby approved, ratified and confirmed.

Section 4. This resolution serves to supplement (i) the inducement resolution adopted by the Agency on November 19, 2021 as amended on December 17, 2021 and (ii) the Final Authorizing Resolution.

Section 5. This resolution shall take effect immediately.

STATE OF NEW YORK    )  
                                  : ss.:  
COUNTY OF ONEIDA    )

I, the undersigned Secretary of the Oneida County Industrial Development Agency DO HEREBY CERTIFY THAT:

I have compared the foregoing copy of a resolution of the Oneida County Industrial Development Agency (the "Agency"), with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

I further certify that (i) all members of the Agency had due notice of said meeting, (ii) the meeting was open for the public to attend and public notice of the date, time and location for the meeting was duly given, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of December 2022.

  
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Shawna Papale, Secretary