

Approved Sept 15 2023

**Minutes of the Meeting of the  
Oneida County Industrial Development Agency  
July 14, 2023  
584 Phoenix Drive, Rome, NY  
And via Webex Video/Teleconference**

**Members Present:** David Grow, Ferris Betrus, Mary Faith Messenger, Gene Quadraro.

**Members Present – WebEx:** Mike Fitzgerald, Steve Zogby

**EDGE Staff Present:** Shawna Papale, Maureen Carney, Tim Fitzgerald, Laura Cohen, Mark Kaucher, Hannah Phillips, Bill Van Shufflin.

**Other Attendees:** Jenna Peppinelli, Levitt & Gordon; Rome Mayor Jackie Izzo, Shaun Kaleta, Oneida County; Steve Surace, 126 Business Park Drive LLC.

**Other Attendees – WebEx:** Linda Romano and Laura Ruberto, Bond, Schoeneck & King; Paul Goldman, Goldman Attorneys PLLC.

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

At 8:07 AM a motion to enter executive session in order to discuss litigation and pending contracts was made by, seconded by M.F. Messenger, and carried 6-0.

At 9:30 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**

Chair Grow stated that the June 16, 2023 meeting minutes that were included in the meeting materials are in need of correction, and that review and approval of the minutes should be deferred until the August meeting. However, the recording of the meeting has been posted online, which satisfies New York State rules.

**McCraith Beverages, Inc. Facility – Sales Tax Exemption**

M. Fitzgerald asked if it had been clarified if the lift gates that were included in the proposed equipment list from McCraith Beverages, Inc. were determined to be equipment for the building or equipment for the trucks. S. Papale confirmed that the lift gates are equipment for the trucks. The Agency would be allowed to exempt these items from sales tax under New York State law, but the motion passed in the May 2023 meeting did not include this item as sales tax-exempt. Shawna asked the members to confirm that this approach of excluding rolling stock (trucks, etc.) from sales tax exemption should be Agency policy moving forward. There was agreement among the members to exclude from sales tax exemption any rolling stock that has to be registered, licensed, and titled to operate.

**Financials**

M. Carney presented the 6/30/2023 interim financial statement. M. Carney explained how commitment fee funds from three solar applications will be used: the Source Renewables commitment fee will be held and used to pay for certain legal bills from bond counsel related to the project; the EDF Renewables commitment fee will be held by the Agency, and the Solitude Solar commitment fee will be held for another month. M. Carney explained that the Agency's CDs are laddered; one of the Agency's 6-month CD (\$250,000) was due to mature July 1, and this was extended another three months; another 13-month CD (\$250,000) matures in February 2024. Current cash position is fine. The Agency also closed on one project in June: Universal Photonics' 2023 bank refinance. This closing fee was \$1,500. PILOT billing has been completed and funds have been received. **Agency received and accepted the interim financials presented, subject to audit.**

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S. Zogby left the meeting at 9:53.

### **Annual Employment Review**

S. Papale shared that the Agency requested that ECR International and Renmatix come and present to the members to discuss their employment shortfall. Personnel from Renmatix had schedule conflicts on the date of the July meeting, and requested to instead present at the Agency's August meeting. That was acceptable to both S. Papale and Chair Grow. Personnel from ECR International requested to delay a presentation to the members until August as well, as they would first like the chance to discuss internal changes with Agency staff. A meeting with Agency staff has been scheduled for next week. S. Papale reminded the members that both Universal Photonics and Vicks were given one year to address their employment shortfalls, and that the Agency will consider any necessary action next year.

### **New Business – Recent Wolfspeed Announcements**

M. Fitzgerald brought up the two recent Wolfspeed-related announcements, first the financing it recently received to facilitate expansion, and second its new supply agreement with Japanese company Renesas, and questioned how these announcements impact the Mohawk Valley Fab. B. Van Shufflin explained that a portion of the new financing will go towards the full tooling and fit-out of the Mohawk Valley Fab ahead of schedule. He also explained that the new deal with Renesas is for wafers which are produced in North Carolina, and this is a result of Wolfspeed's current development of a mega-materials fab that will produce all Wolfspeed wafers. This deal is not expected to impact production of or demand for Mohawk Valley Fab-produced semiconductor chips.

### **Annual Reporting**

S. Papale shared that staff is considering creating a web-based portal that would be utilized by companies to fulfill their annual reporting requirement, as opposed to the current method of completing an Excel spreadsheet and providing supplemental documentation. There is one other IDA in New York State that receives information this way, and staff has spoken with this IDA to learn more about the process and technology. However, there would be a considerable cost to implementing this portal.

**There being no further business, at 10:07 AM Chair Grow asked for a motion to adjourn the meeting: F. Betrus moved, and E. Quadraro seconded the motion to adjourn. Motion carried 5-0.**

Respectfully Submitted,

Tim Fitzgerald