
ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARING

RE: GLDC

Public Hearing, held on June 12, 2012, at 584
Phoenix Drive, Rome, New York, commencing at 9:00 a.m.,
before Nicole B. Fanelli, Court Reporter and Notary
Public in and for the State of New York.

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APPEARANCES :

- David Grow
- Steve DiMeo
- Joseph Surace
- David Nolan
- Patricia Riedel
- Paul Hagerty
- Jeffrey Simmons
- Christopher Militello
- Joseph Saunders
- Shawna Papale

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JUNE 12, 2012

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4 MR. GROW: Okay. We're going to
5 call the public hearing to order. I'm David
6 Grow, chairman of the IDA, and this is a
7 public hearing that was noticed by notice of
8 public hearing dated day 29, 2012.

9 We can have the notice of public
10 hearing read if anybody wants the notice
11 read, or does everybody have a copy of it?

12 MR. MILITELLO: This is Chris
13 Militello from the Rome City School District.
14 We would waive a reading of the public
15 notice. We've read it.

16 MR. GROW: And nobody else has
17 indicated that's present that they want the
18 notice read. Has everybody signed in with
19 the sign-in sheet?

20 SPEAKERS: Yes.

21 MR. MILITELLO: I believe so.

22 MR. GROW: All right. This is a
23 summary of a public hearing to determine or
24 to hear comments concerning the proposal of
25 the IDA to provide tax exempt arrangements

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2 with GLDC for vacant and undevelopeable land
3 and located in Griffiss Park. A number of
4 parcels that were -- that have been
5 identified as parcels that are -- that are
6 generally not developeable, and they're
7 currently titled in the name of the IDA.

8 So I think we'll hear first from Mr.
9 DiMeo, who's representing, essentially, GLDC,
10 which has made the request to the IDA for
11 this action.

12 MR. DIMEO: Basically, this is just
13 an extension of the pilot, maintain the
14 taxable status of properties. This is
15 largely vacant land. There may be some
16 structures that are unoccupied, which are
17 probably demo candidates, are located on
18 these parcels, which is essentially vacant
19 land. And I think it's approximately 800
20 acres. And I haven't added up what the city
21 shows the assessments are. I think it's
22 over \$90,000,000, which is, frankly, an act
23 of fiction.

24 MR. SURACE: That's what's on the
25 books.

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MR. DIMEO: Well, we've got a list here of all the assessments here, 50 -- I've added them all up, 54, 56 --

SHAWNA PAPALE: \$90,922,940 is the city of Rome assessor's tentative total assessment for the remaining property.

MR. SURACE: Those are properties that at this point have been put on the rolls by appraisals that were done on behalf of the air force base prior to its dismantling.

MR. DIMEO: No, that's not true, but --

MR. SURACE: Okay. So where did those figures come from.

MR. DIMEO: I have no idea where they came from, but, you know -- I don't know what you're using, where they came from at all.

MR. SURACE: These are assessments that have been in place for years.

MR. DIMEO: There's a difference between an assessment and appraisal.

MR. SURACE: Properties on the base

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were all appraised, I believe.

MR. DIMEO: Only times appraisal's been happening is when we sold properties or bank requires appraisal for somebody who's doing a project here. That's the only time's appraisal's been done.

MR. SURACE: Since you have been here.

MR. DIMEO: Well, I have been involved in this since 1993.

MR. SURACE: So when the base was deciding what to sell --

MR. DIMEO: Who's the base?

MR. SURACE: The air force base. When they transferred the properties over to GLDC --

MR. GROW: They didn't transfer to GLDC, only to the IDA.

MR. SURACE: Okay. When they transferred all to the IDA --

MR. DIMEO: They transferred them for a buck.

MR. SURACE: And there were no values on them? Because the assessor at the

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2 time for the city of Rome didn't have any
3 control on any of those. And those values
4 were in place when I took the job in 2000.
5 So at some point --

6 MR. GROW: Joey, we don't know where
7 the source --

8 MR. SURACE: Yeah, but he's making
9 an inference that I had direct input on the
10 valuation.

11 MR. GROW: I think he referred to
12 the city assessor as the title. So whatever
13 they are on the rolls now, I presume you
14 reconfirm them every year, those values,
15 whatever they are. I don't think at this
16 point the issue of those values are really
17 the important thing to the IDA. The IDA is
18 here to provide an economic unit at the
19 base. And whatever assessments were put on,
20 I don't think there's ever been any
21 appraisals by anybody, that I know of, of
22 this property. But these are properties that
23 in the IDA's view are not developable, are
24 essentially worthless pieces of land and need
25 to be maintained as part of the overall

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2 ambiance and aesthetics of the base. That's
3 really what we're talking about.

4 MR. SURACE: With that being said
5 and without being privy to their highest and
6 best use, their access, what's on the site,
7 the overall assessments probably are something
8 that most necessarily and definitely I had no
9 control over. So as a result, their
10 existence, their current assessments, are what
11 we, the school district in the city, are
12 trying to determine. If they're put under
13 this umbrella and they're given a no tax for
14 10 years, of course that would be an
15 opportunity missed for the taxing
16 jurisdiction. Are they fair and accurate?
17 If they're not developable, chances are
18 they're not fair and accurate. But have I
19 had an opportunity to address any of this?
20 No. Because we haven't gone through and done
21 a re-val so that I could do as you suggest,
22 go into their files and see, so -- that's a
23 point, Dave, that we're trying to figure out,
24 what exactly they all consist of. And we're
25 trying to figure out if the assessments, as

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2 Steve mentioned, might be excessively high,
3 but for what reason --

4 MR. DIMEO: That's not the reason
5 why the request is being made. That's a
6 point that the fact that there's 800 acres
7 and you're showing it on the books as having
8 a value of \$90 million.

9 Point of the matter is the
10 property's requested to stay in the IDA name
11 as tax exempt property because the general
12 pattern here has been as property's sold or
13 developed, the property either goes on tax
14 rolls or becomes subject to payment in lieu
15 of taxes, in which there are dollars that go
16 into each of the taxing jurisdictions. This
17 is property that's basically producing no
18 revenue. There is no source of revenues
19 coming from these properties. And the IDA
20 is a title holder for convenience purposes.
21 GLDC was set up to be a redevelopment arm
22 for transforming an air force base into a
23 business park and has done extremely well and
24 taken property that was producing zero taxes
25 and is now generating over \$4 million of

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2 various forms of property taxes in leu of
3 tax payments, not to mention the fact there's
4 other fees being realized off of development
5 here in the park.

6 So that's the nature of the request
7 here is that as property is sold and as
8 property is developed, of course then it
9 becomes subject to a different look and
10 either goes on the tax rolls, because it's
11 qualified for a pilot or applications are
12 made and it's treated as an individual
13 project. That's been the nature of the
14 operations here since 1994, when GLDC stood
15 up and asked. That's the practice that's been
16 here. So the notion that somehow there's
17 some loss revenue here, there's never any
18 revenue coming from these parcels to begin
19 with, so no lost revenue.

20 MR. SURACE: Well, the action that
21 for five years during the time that the air
22 force base owned it, it was exempt. And
23 then 10 years on top of fifty, sixty years
24 now that these properties, you're right, they
25 have not been generating any revenue. So

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2 you would think that because they haven't
3 been producing revenue, it's not revenue
4 loss. Well, that's one side.

5 If the properties are assessed
6 properly and their fair market values were
7 established, then would there be this need to
8 transfer under this umbrella pilot.

9 MR. DIMEO: We're not transferring
10 anything. We're keeping it in the name of
11 the IDA.

12 MR. GROW: The IDA is another
13 municipality, Joe. That's what we are.
14 We're just like the school district, and
15 we're like the city. And we view the
16 property in a way if it's in our name, just
17 like it's in the city's name, it's not
18 taxable, and that's the law. There's no way
19 that you can put any IDA property on the tax
20 roll, period.

21 Now, the problem is s that we go
22 through the process to determine whether or
23 not we ought to have a payment in leu of
24 agreement, and that's what we're here today
25 to determine, whether or not there are

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2 comments as to the proposal that has been
3 made to the IDA whether this should continue
4 to be a tax in the IDA name and if so
5 under what tax circumstances. That's what
6 the IDA's going to consider.

7 So if it stays in the IDA's name,
8 it doesn't make any difference to the IDA or
9 anybody, cause it won't get -- it's not on
10 the tax roll. It's not an assessed taxable
11 parcel.

12 MR. SURACE: We all realize that.

13 MR. GROW: So we're here now to
14 really decide -- the IDA's going to decide
15 in connection with this proposal, whether or
16 not it's going to stay in the IDA name.
17 And then, under what circumstances, what kind
18 of a pilot is there going to be and whether
19 or not it ought to be a zero pilot, which
20 is what the proposal is, or whether it ought
21 to be different.

22 MR. SURACE: Do the members on your
23 IDA board all know the different aspects of
24 the different parcels that you're voting on?

25 MR. GROW: Well, we know we have

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2 been told and been advised and the initial
3 proposal that all of these are undevelopable
4 parcels.

5 MR. MILITELLO: Let me rephrase
6 Joe's question. Has the IDA board or will
7 the IDA board or you as the president of the
8 IDA at this point, Dave, and for the record,
9 this is Chris Militello from the school
10 district, cause I know she's trying to keep
11 track of everybody, have you actually created
12 a list by SBL number, cause that's the way
13 that everybody else is going to understand
14 this transaction, notwithstanding -- I
15 understand, Steve, the GLDC has its facility
16 numbers and all that sort of stuff, we
17 understand that's the language you speak, but
18 everybody else outside of your room speaks
19 the FDL numbers.

20 So have you actually identified which
21 SBL numbers, for tax purposes, are being
22 affected by this proposed master lease --

23 MR. GROW: We have tax map numbers.

24 MR. MILITELLO: Okay. That is the
25 tax map, that's SBL, that's the same. -

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MR. GROW: I don't know what FBL is.

MR. MILITELLO: SBL, S as in Sam.

MR. GROW: Okay. But we have tax map numbers that identify the parcels.

MR. MILITELLO: Okay.

MR. SURACE: Then if there's any buildings on those parcels, you're knowledgeable of that.

MR. GROW: There may be unoccupied structures on them that are slated for demo.

MR. MILITELLO: Can you provide us with a list of the parcels as the IDA understand it.

SHAWNA PAPALE: It was part of the application, yes.

MR. MILITELLO: We don't have the application, Shawna. I asked for it two years ago.

SHAWNA PAPALE: And the attorney's handling it.

MR. MILITELLO: I understand, but you're also going to vote on this in three days from now.

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2 MR. SURACE: That doesn't do any of
3 us any good.

4 MR. MILITELLO: I don't have --

5 SHAWNA PAPALE: Joe, Joe, Joe, you
6 will receive a copy of it.

7 MR. SURACE: When, day before --

8 SHAWNA PAPALE: You know what, give
9 me -- I'm going to go make Joe a copy right
10 now.

11 MR. SURACE: Make everybody a copy,
12 please. So, Dave, the question is they
13 might have building on them, the building
14 might be slated for demolition, or they might
15 be put to an alternate highest investors --

16 MR. GROW: If they are, the GLDC
17 will come in and look for a pilot.

18 MR. DIMEO: If we lease a building
19 to a tenant, we have always had some
20 mechanism for providing revenues to the
21 taxing jurisdictions. The original agreement
22 was, before there was any assessment, there
23 was SFP agreement. And after that, when we
24 started selling property, obviously, then,
25 whoever the property owner, either pays full

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2 taxes or makes application to the IDA. In
3 cases where GLDC has been developer and has
4 developed property, there has been a payment
5 in leu of taxing agreement.

6 You know, this 800 acres includes a
7 mixture of landfills that the air force owned
8 and has capped, has been transferred. It
9 does include some lands that could be
10 developed, and obviously that would be the
11 go. And obviously includes a lot of areas
12 that's just open space.

13 MR. MILITELLO: Steve, can you speak
14 to the three facilities, GLDC 1, 2, and 3,
15 whose lease agreements have expired at this
16 time and what the status of those properties
17 are?

18 MR. DIMEO: Well, facility 1, I
19 think is the one where we have largely
20 transferred out most of the properties there.
21 That would have been the areas where Goodrich
22 is located, where MGS is located and Sovena,
23 I think that's facility 1. There may be
24 some scraps of land there. And each of
25 those particular properties is covered by a

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2 separate agreement of payment in leu of tax
3 agreement.

4 I'm not sure by -- know where
5 facility 2 is. I don't use the IDA's
6 nomenclature.

7 MR. MILITELLO: And I apologize if
8 this is off the track a second, but I want
9 to try to tie it back to what my question
10 was to Mr. Grow about tax parcel numbers.
11 You have a list of tax parcels numbers, but
12 can you relate those to Steve's GLDC facility
13 numbers? So if we were to look at that map
14 that's laying in front of everybody or the
15 map I have hanging on my wall in my office
16 of the park, that I could go up with a pen
17 and say SBL No. 24300 whatever is right
18 here, and I -- I can drive by and look at
19 it.

20 MR. GROW: I personally can't. It's
21 been presented in general terms to the IDA
22 as undevelopeable land.

23 We are here to have comments.
24 Beyond that, when this gets presented to the
25 IDA on Friday, I presume there will be an

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2 exact indication of land. I don't know
3 where GLDC's attorney is today, but I know
4 they're working on those issues.

5 The proposal to us is that this
6 essentially is land that's undevelopeable
7 right now and is not producing any income.

8 MR. MILITELLO: And pardon me if
9 this seems challenging, but how do you know
10 it's undeveloped that's just GLDC's say so?

11 MR. GROW: That's right, they're the
12 applicant.

13 MR. DIMEO: The land's not
14 developed. There are parcels that will never
15 be developed for a variety of reasons.

16 MR. MILITELLO: That's part of our
17 trying to understand your process here, is
18 that you've got a big lump right now that
19 you're proposing to put under the pilot
20 agreement or the master lease agreement --

21 MR. DIMEO: Not putting it; it's
22 already there.

23 MR. MILITELLO: I understand.
24 You're proposing to extend the current
25 circumstances for the -- for this property

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2 under one big umbrella, as Mr. Surace put
3 it.

4 MR. DIMEO: Right. And as we take
5 the property out and if we sell property or
6 develop it, then obviously that's a separate
7 transaction and it will be subject to another
8 agreement. Either it will be -- go on the
9 tax rolls, because it doesn't qualify for
10 payment in leu of tax agreement, or the
11 applicant can make a request to the IDA and
12 receive a pilot agreement and, you know, what
13 the public pilot schedule is for the
14 Industrial Development Agency.

15 MR. MILITELLO: But is there an
16 overall development plan that the GLDC has
17 for any of this property? I mean, is there
18 any identified uses at this point?

19 MR. DIMEO: Yeah, there's a zoning
20 map and also a master plan.

21 SHAWNA PAPALE: Which you have a
22 copy of it.

23 MR. MILITELLO: We do have.

24 SHAWN PAPALE: And you received
25 copies of the maps. You received copies of

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2 all the parcels. You came here and
3 personally had copies made and went through
4 all the documents that these pertains to and
5 they all had deeds associated with them that
6 detail it out where they are with maps.

7 MR. MILITELLO: Acknowledged and
8 agreed. What I'm trying to understand is if
9 there's particular uses identified for, let's
10 say, the old Skyline, is it?

11 MR. DIMEO: Skyline yes.

12 MR. MILITELLO: For example, do you
13 have --

14 SHAWNA PAPALE: It's in the master
15 plan.

16 MR. MILITELLO: Well -- but, Shawna,
17 the master plan doesn't say we're going to
18 -- we're going to put a new distribution
19 center for Family Dollar where Skyline is
20 right now. Obviously that's a hypothetical.
21 But my point is, is there that level of
22 detail --

23 MR. DIMEO: That's a developer side
24 that would hopefully either go to a
25 single-end user or it would be subdivided for

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2 multiple uses.

3 That's basically a site that would
4 allow office -- we're doing zoning
5 modification that would allow certain types
6 of clean tech development, like Global
7 Manufacture, things like that, and there are
8 some commercial uses.

9 Clearly as those things happen, they
10 would be subject to either full-blown taxes
11 or some type of payment in lieu of tax
12 agreement.

13 MR. MILITELLO: But right now
14 they're hypothetical, correct?

15 MR. DIMEO: There's no perspective
16 end users on the immediate horizon.

17 MR. MILITELLO: That's what I was
18 trying to understand. That was my question.

19 MR. DIMEO: Some of that property --
20 you go further down the 825 corridor, when
21 you get away from Skyline, that's all open
22 space. If you go further down you're going
23 to find former landfills that the air force
24 capped. Nothing will ever be located in
25 those things. They will be forever

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1 maintained as a capped landfill.

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3 There are -- we've taken down most
4 of the buildings that need to come down, but
5 there are other buildings that's slated for
6 demolition if and when money's ever available
7 for those. But -- and that's a cost to
8 GLDC.

9 GLDC plows back all of its real
10 estate proceeds from either leasing property
11 or selling a property to either create more
12 tax base in the form of trying to either get
13 more properties put on the tax rolls or to
14 furthering a long-term capital improvement
15 program for the park, which today public and
16 private investment, which you're included in
17 that, is -- over \$460 million has been
18 invested in Griffiss since 1995. GLDC has
19 made a significant amount of investment to
20 further a master plan that's been followed
21 faithfully from the one that was put forth
22 since 1994 so this place does not look like
23 a closed air force business. It is a
24 thriving business and technology park, and
25 the investment GLDC makes, it doesn't go to

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2 some condos in Florida, like a lot of
3 developers do, it goes back here in the
4 park.

5 MR. GROW: To follow on what Steve
6 said, and I was on one of the committees
7 that developed the master plan back in '94,
8 the decision of the IDA to accept title to
9 this land is based upon the fact that the
10 city and county wouldn't do it. If in fact
11 the city had done it, this property would
12 all be tax free anyway. There wouldn't be
13 any issue at all. The city would own it,
14 the city would hopefully developed it. But
15 the city didn't want to do it. Neither did
16 the county.

17 And the only way that this property
18 got transferred to be able to be developed
19 is because you got -- IDA came forward and
20 said we would take the risk of taking title
21 to this land. And the city of Rome agreed
22 to indemnify us and county agreed to
23 indemnify us so both municipalities are on
24 the hook for this property at the end of the
25 day.

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This property has been developed in a plan that was developed many years ago. It's been faithful, essentially, to the plan. It's been interrupted a few times. RFA was built. It was not originally on the plan. Property worth over a million dollars was given to the school district as part of the overall development of the park as part of the ambiance of the park. That's not taxable. That's not on the tax roll. That's prime, developable land. It could have been developed for private use.

The IDA has looked at this as a big package as if it's, in essence, the municipality running the base, and its lands, the roads, the parks and all that are part of city and park land. That's the way we view it. Some of it might get developed. City tears down buildings, goes off the tax roll. Sometimes it gets sold to a new person, and it goes back on the tax roll.

That's how we viewed it, agency views it. And I'm speaking for myself, but the agency members have been on a long time.

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I think I can speak for most of them.
That's how we operated in Rome, that's how we operated in New Hartford Business Park, we operated in Utica business park. I mean, we've basically been the same way throughout the county. And so part of the process here is to make this work as an essence of the city. If the city had run this, I don't know what would have happened. I mean, we can speculate on that. But it's been successful, I think. We have, you know, maybe almost six thousand people working here. There wouldn't have been anybody working here if the IDA hadn't taken the air force would still own the whole park.

MR. DIMEO: Or they would have auctioned it like they did Woodhaven, which has been a wonderful example of development.

MR. GROW: So that's -- I'm giving you a little philosophy from the IDA's historical standpoint. I have been on the IDA since 1989. I've lived through all of this. I feel as though a part of the growth of Rome has been the base and been

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2 the park. And if it hadn't been for that,
3 I don't know where the city would be today,
4 and I don't know where any of the taxing
5 jurisdictions would be today.

6 So the process is we got to work
7 together to make this whole thing work. We
8 don't want to be adversaries. We want this
9 to work at the end of the day. We
10 certainly want -- We're here, first of all,
11 to provide jobs and, second of all, to
12 provide tax revenue. That's what happens at
13 the end of the day if we have private people
14 that are building, developing and renovating
15 buildings just like in the city, somewhere
16 else in the city.

17 So that's our thinking, that's where
18 we're -- that's the philosophy of the IDA,
19 not just in Rome but throughout the county.
20 And we would hope that the other taxing
21 jurisdictions would have a sense of that.
22 We understand we may differ on particular
23 things but --

24 MR. MILITELLO: I just have one
25 question to follow up on what you said,

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2 Dave, because I appreciate you giving us the
3 IDA's perspective on how they view this
4 transaction and --

5 MR. GROW: That's just this one.
6 This is a general --

7 MR. MILITELLO: Right, exactly, the
8 overall philosophy on how you treat the GLDC
9 and other entities that are up here engaged
10 in the redevelopment of the park.

11 What is it that the IDA sees,
12 though, that makes you believe that that
13 can't all happen with the developable
14 parcels that are in this group generating
15 some level of revenue after 10 years of
16 being completely off the rolls in the initial
17 transfer from the government.

18 MR. DIMEO: Where'd that money come
19 from?

20 MR. MILITELLO: From GLDC.

21 MR. SAUNDERS: Where do you think we
22 got our money from?

23 MR. MILITELLO: From lease payments,
24 from wherever you derive revenue from.

25 MR. DIMEO: So we have operating

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2 expenses, we have debt service payments, we
3 have covenants with banks.

4 MR. MILITELLO: That would make you
5 look exactly like any other development
6 corporation.

7 MR. DIMEO: We'd immediately be in
8 the hole. We'd be upside down.

9 MR. MILITELLO: We're trying to
10 understand, though, whether that economic
11 analysis had actually been presented to the
12 IDA.

13 MR. GROW: Let me answer that. We
14 feel these parcels don't produce any income
15 just like a demolished building in any city.

16 MR. DIMEO: Or any other industrial
17 park that has vacant land.

18 MR. GROW: At the end of the day,
19 when these get developed, there will be
20 revenue that comes from them. But until
21 that happens, there's not going to be any
22 revenue. Whatever revenue's generated by
23 other properties gets plowed back into the
24 park and makes everything else more valuable,
25 more potentially developable.

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2 MR. MILITELLO: Steve's plan about
3 the industrial park is exactly what I think
4 our concern is that if you're somebody that
5 owns the business park, if you're Larry
6 Adler, he has property over there that is
7 not developing revenue for them. There is
8 part -- there is -- part and parcel of
9 whatever is over there is not actually what's
10 developing revenue for him, but he still has
11 to pay taxes for it unless it's under an IDA
12 -- -

13 MR. GROW: It's under an IDA pilot.

14 MR. SAUNDERS: He doesn't have to
15 invest his money in that park. He can take
16 it to Florida.

17 MR. MILITELLO: But then he has to
18 turn around and find a buyer, and then that
19 person's going to be on the hook to pay
20 taxes.

21 MR. DIMEO: We are looking for
22 buyers. We're not looking to hold back
23 property from development.

24 MR. MILITELLO: But as long as a
25 developer's hold that property, they got to

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2 pay tax on it, don't they? And they may
3 get a benefit from the IDA in the initial
4 outlay.

5 MR. DIMEO: And that's why you don't
6 find very often, particularly in Upstate New
7 York, private individuals taking on those
8 type of real estate developments, because
9 there are completely speculative, there's no
10 predictable absorption of a rate factor at
11 all. That's why you generally have either
12 not for profit corporation or local
13 development corporations taking on, for the
14 long haul, the development of industrial
15 parks or business parks. It's unheard of to
16 see a private developer step forward and try
17 to put forward those types of initiatives,
18 because you can't possibly come up with a
19 rational economic analysis that says that's a
20 good investment.

21 MR. SURACE: Dave, I got a list of
22 property currently owned by IDA, GLDC. And
23 I know that they were transferred in
24 different times, different years. I'm not
25 really quite sure if because there are -- it

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seems like --

SHAWNA PAPAIE: Those aren't all
just GLDC ones.

MR. SURACE: Will these also fit
into what Steve said, these will eventually
be transferred out of IDA and into tax
payment individuals --

MR. SAUNDERS: Most of the land --
probably half of the land will be transferred
out in that way. The rest of it is land
that's either could not be developed -- you
know, for example, there's probably a hundred
-- over a hundred acres of roadways up
there. That's going to be transferred to
either the city or to the state, all right.

MR. SURACE: To the city. City has
to pay the expense to maintain.

MR. GROW: Right.

MR. SAUNDERS: Right, which the city
does.

MR. DIMEO: But GLDC took
responsibility to rebuild the infrastructure,
the road infrastructure that's going to be
conveyed to the city, on top of it, the road

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2 that we built, which goes out to River Road,
3 we built it, we incurred \$660,000 debt
4 service, and we're making payments on it for
5 a road that's going to be owned by the city
6 of Rome. Where's a developer done that?

7 MR. SAUNDERS: So let's say there's
8 roughly 800 acres left, all right. So if
9 you subtract out a hundred or so for
10 roadways, probably another hundred or so, at
11 least, for landfills, all right, then you got
12 lands up here that are incumbered by
13 easements. For example, if you go over into
14 the Skyline area, there's a whole section in
15 there that's incumbered by a fairly large
16 drainage easement that relates to the
17 Parkway, Griffiss Parkway.

18 So there's areas -- you know,
19 there's power lines, things like that.
20 There's streams. There's things that are not
21 going to get developed, wetlands, that kind
22 of stuff. If you subtract that stuff, this
23 is just an estimate, but let's say half of
24 that land left is really could be developed
25 and sold to third parties, that's our

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intention. That's what we plan to do.

MR. SURACE: My question to Dave was on the properties that you already own, buildings --

MR. GROW: We own these, too.

MR. SURACE: Right. But the ones that you already own, Hangar Road, Perimeter Road, Ellsworth, Brooks Road, will those buildings that you have ownership of right now, will those be transferred at some point in time so that they become --

MR. GROW: You mean they're under pilot agreements now?

MR. SURACE: Yeah. Just trying -- the number of buildings that were on the base when the air force left really didn't have a great -- now that they're in your ownership and they're occupied and they're producing rents and an income stream, will they forever maintain the same ownership?

MR. SAUNDERS: A lot of that building fabric is gone, Joe. Remember when I saw you a couple weeks ago I mentioned to you about -- I mean, I don't know what the

PUBLIC HEARING

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2 figure is carrying for buildings up here, but
3 it's mostly buildings --

4 MR. SURACE: Close to 90 million.

5 MR. SAUNDERS: That stuff's gone.
6 Those buildings are gone. They've been
7 demolished.

8 MR. DIMEO: We've torn down well
9 over 2 million building fabric here in this
10 park.

11 MR. SURACE: With demo permits for
12 all of them, right?

13 MR. SAUNDERS: Um-hum. I mean, it
14 goes back many years. I don't know when we
15 started demolishing, Steve? Probably in the
16 '90s sometime.

17 MR. DIMEO: Yeah. Where Sovena,
18 Goodrich and MGS is located, those were all
19 World War II era warehouses that weren't
20 worth anything. And we incurred demolishing
21 to take them down. And now we have three
22 businesses with over four hundred people
23 working there, and all of them are paying
24 some form of taxes to the community. All
25 three of them are under pilot.

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2 MR. SURACE: I'd really like to be
3 -- get things squared away and see if our
4 records can actually coincide with one
5 another eventually because being brought in
6 after maybe some of these things were demoed
7 in the mid '90s to late '90s and trying to
8 make common sense out of the assessed value,
9 and what's left is a daunting task when you
10 really -- you know, I'm not given the
11 opportunity to match it up. Cause I don't
12 want anybody to think they're over assessed
13 on a building that might not even be there.
14 That's not our intent. But at the same
15 time, when a pilot that takes place, it's
16 the average taxpayer that has to bear the
17 brunt of what's not being paid for in the
18 form of taxable property on the base. And
19 that's always a tough sell for us.

20 MR. GROW: The taxpayer pyas for the
21 park, Fort Stanwix parks, it pays for city
22 hall, it pays for the roads. I mean, if
23 those were taxable, then there would be less
24 taxes on the taxpayer. We're viewing that
25 very similarly here, that this is part of a

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2 municipal operation that enhances the ability
3 of businesses.

4 MR. SURACE: Like a city within a
5 city.

6 MR. GROW: That's right.

7 MR. MILITELLO: Dave, do you not see
8 the problem with the IDA's stepping into that
9 role as opposed to taking this land -- let's
10 say you want to say that there's a 50-acre
11 green space that you like as park land and
12 is good for running trails, whatever, that
13 was one of the justifications there. What's
14 wrong with then deeding it back to the city
15 as city-owned land? If you want to take it
16 off the tax rolls --

17 MR. GROW: Go talk to the mayor
18 about that one, because in the past the city
19 has not wanted that.

20 MR. MILITELLO: That was 17 or 18
21 years ago when you didn't have anything here.

22 SHAWNA PAPALE: The road that was
23 built. They didn't want to build the road
24 and pay for the road.

25 MR. MILITELLO: That's our biggest

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2 concern here, Dave. The IDA, as we
3 understand it, exists to support economic
4 development projects as inducing people to
5 come in, create economic activity, give them
6 a benefit for it, and then you establish
7 some economic activity that benefits the
8 whole community including --

9 MR. GROW: And retain jobs, which
10 today is almost a bigger part of our thing
11 than anything else.

12 MR. MILITELLO: But the retention of
13 job thing is not -- is not very concrete
14 right now.

15 MR. GROW: Well, it is from our
16 standpoint.

17 MR. MILITELLO: You're making some
18 assumptions here that I don't know are
19 supported by anything you have in front of
20 you. What shows you that you're going to
21 keep a job just because --

22 MR. SAUNDERS: Maybe you guys
23 already covered this before I got here. I
24 don't feel you guys recognize the fact that
25 we're tax -- we would be tax exempt under

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2 428 under our right, in our opinion. We're
3 a not for profit 501C4 corporation.

4 MR. MILITELLO: With all due
5 respect, Jeff, you should go and get that,
6 then.

7 MR. SAUNDERS: The reason we're
8 asking the IDA is because the assessors,
9 because you guys are in here saying, no, no,
10 you guys are taxable.

11 MR. MILITELLO: Your recourse is to
12 go to court and say the assessor made the
13 wrong decision, not to go to a second body
14 to ask --

15 MR. SAUNDERS: That's not something
16 we want to do.

17 MR. MILITELLO: You got to.

18 MR. GROW: What that's -- what --
19 what applicants to the IDA, what alternatives
20 they have or don't have is the applicant's
21 issue. Here we're dealing with the IDA,
22 there's an application in front of us.

23 We have applications for assisted
24 living facilities, we have them for
25 apartments, we have them for townhouses, we

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2 have them for all kinds of different things.
3 But we have to analyze and see if it fits
4 into the big picture or whether or not
5 there's a better way to help these things
6 grow.

7 For example, in Clinton we have a
8 town -- or development of high-end type
9 townhouses. And part of what we decided
10 there was that we felt while it generally
11 probably wouldn't fit normally but the
12 overall need in the Rome, Utica area is some
13 high-end housing for businesses who bring in
14 executives that need to live in places on
15 more or less temporary, two, three four-year
16 basis, they don't want to buy. So we
17 developed kind of a thinking that we would
18 help them build -- help a developer build
19 maybe one or two, three years, but as soon
20 as these things are occupied, they hit a
21 pilot that grows. So that at least we get
22 them constructed and then we get people in
23 here that want to live in a place that may
24 not normally be thought have as a proper
25 pilot operation.

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So we're not adversary to taxing. We're trying to find a way to get capital improvements that will ultimately result in much greater tax liability than vacant, undeveloped land.

To me it just doesn't even make any sense to think about putting taxable taxes on property that's being used for a governmental-type purpose that hopefully if it gets developed will go on the tax rolls. And the best way to do that is to make the whole area business friendly.

MR. MILITELLO: Okay. And I can say honestly, we're going -- this isn't going to go well on the record, but we're like this right now, as far as our view and your view. We are not far from your concept. The difference between where we're viewing and what the IDA's doing and what your viewing it as, is that we view that as appropriate when you have, and that was my point to Steve before, somebody who comes in and says, "I want this piece of property. I want to develop it." Okay. That's where

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2 the IDA steps in and says, "We're ready to
3 help out." But when the land is being held
4 and it has value and it should be being --
5 the value of that should be being recognized
6 on the tax rolls because under the -- all
7 the master planning that was done back in
8 the 1990s over this, indicating that there
9 would be a period of time for this to
10 happen, and now that period of time has
11 expiring for three of the facilities, and
12 it's going to expire for several of the
13 other ones as they come forward. The
14 intent, as we understood it, was for that
15 property to go back onto the tax rolls so
16 that it would eventually generate some income
17 for people even if it's not developed at
18 this point. And if somebody comes forward
19 to say, "We want that piece of property."
20 Then the IDA steps forward and says, "Okay,
21 we'll take title to it. We'll do a regular
22 IDA deal to develop this property, and it
23 will benefit everybody involved," cause you
24 always have that option to take it back off
25 the tax rolls.

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MR. GROW: Right, I think you're right, we're not right there. I mean, the IDA --

MR. MILITELLO: We are close but --

MR. GROW: -- IDA feels at this point in accepting this application that it will consider this as part of the overall park development. And if that's the case, we are going to consider, if this comes onto the agenda Friday, which I think it will, whether or not we are going to do it. We have a responsibility, too. You have one as a school district. You're doing your responsibility. That's fine. We accept that. We accept your comments. We understand your position. I mean, you've made it clear to us a number of times. We understand that. We have ours.

And we don't -- you know, we will make a discretionary -- as an agency, a discretionary decision, just like when you vote on your contracts. We're not in there arguing whether you should have done it,

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2 shouldn't have done it. You have those
3 responsibility to make those decisions. We
4 have been given a statutory responsibility to
5 make our decisions. And we -- we struggle
6 with these kind of things.

7 We struggle with Special Metals over
8 in Clinton and New Hartford that -- you
9 know, but what we did over there was unique
10 and hard to decide to do, but they are going
11 to expand, partially because of what -- you
12 know, what benefits we gave them. These are
13 jobs. These people not only -- the business
14 not only pay taxes but the individuals that
15 work there, building houses and live in them
16 and pay taxes.

17 And so -- and some of the businesses
18 we support pay sales taxes, unfortunately
19 maybe that's for another day, the school
20 district doesn't benefit from the sales tax,
21 but the other jurisdictions do benefit from
22 that.

23 So, you know, we -- we understand
24 your plight. I'm a taxpayer in the city of
25 Rome. I know very well what it costs to

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2 live here. I'm not happy with any of the
3 taxes that I have to pay, but I know I have
4 to pay them. If I have to pay them to get
5 a good school district, good teachers, I want
6 to have that, because that helps in
7 attracting people here.

8 Unfortunately, historically we haven't
9 been able to convince many people that --
10 new executives that come in here think they
11 want to live somewhere else in the county
12 because they think the school districts are
13 better. We don't agree with that. I don't
14 personally agree with that philosophy, but
15 that's what we've had to deal with. We're
16 trying to make an attractive city for people
17 to want to live and work in. And I think
18 we want to make that county-wide, too.

19 And our board is made up of a broad
20 geographic background in the county, all
21 interested in county-wide development. And
22 -- and we understand that this is an unusual
23 kind of thing. It was new for our IDA to
24 take over title to this property on the
25 base. We debated long and hard on that as

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2 an IDA agency. And I don't think today that
3 it was a bad decision.

4 And, yeah, we've had to struggle
5 with these kind of things as we go forward,
6 but we sort of feel that, you know, there's
7 light at the end of the tunnel. We don't
8 know when the tunnel ends, but there is
9 light there. We've valued the counsel of
10 GLDC and EDGE from time to time. We've
11 valued your counsel. We want to work as
12 partners as best we can. Sometimes we don't
13 agree. That will always be the case, I
14 think.

15 MR. MILITELLO: I just like to tie
16 it back to this particular project and make
17 -- draw a distinction to what you're talking
18 about with Special Metals. You know the
19 project that you're discussing which -- and I
20 don't know the details of it, but from the
21 way that you're describing Special Metals'
22 involvement with the IDA, that makes perfect
23 sense, that you're going to go to somebody
24 who said, "Here's an identified project we're
25 going to do. Here's how you can help us do

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2 it. And here's the benefit that it's going
3 to produce to the community."

4 We're having a really hard time
5 seeing that with this particular project,
6 because there's a layer of removal here with
7 GLDC where everything seems speculative right
8 now, you know. It's up to -- we're not
9 suggesting that you haven't been successful
10 in the past, Steve, in bringing lots of
11 business here. But we're not seeing it
12 necessarily connected to giving this tax
13 break to these properties right now. Whether
14 you have to exempt these properties in order
15 for GLDC to continue to do its business, is
16 a major question mark from the school's
17 perspective right now, and that is -- that's
18 the biggest concern.

19 And the other concern with the
20 project as it's proposed right now is that
21 you've mixed apples and oranges here. You
22 have taken properties that you described,
23 Steve, as clearly undevelopable, landfill
24 property that may be environmentally blighted
25 to a degree it can't be used for anything,

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2 or landlocked parcels 20 feet between two
3 parcels that may just not be able to be
4 physically developed for anything, and you've
5 mixed them in with parcels that are clearly
6 something you're going to try to market and
7 try to use. And it makes it difficult for
8 us to be able to take one position on the
9 prospect of it. Some of it makes sense,
10 some of it doesn't make sense.

11 MR. DIMEO: The way the property
12 comes over to us here, the air force doesn't
13 go out and subdivide all the property and
14 convey it to us. They give us blobs of
15 property in which includes warts and all.

16 MR. MILITELLO: But, Jeff --

17 MR. DIMEO: It only gets subdivided
18 as we subdivide it to sell a piece of
19 property or create some type of demisable
20 unit for another purpose here.

21 MR. MILITELLO: Jeff and I had
22 conversations about the master lease back in
23 September and August of last year when Jeff
24 had brought work to the IDA board the pieces
25 of everything that's involved here as

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2 different transactions. And Jeff had said,
3 "You know what, we're really not crazy about
4 doing this in pieces. We'd rather do it in
5 a master lease." And there's never been a
6 conversation since then about what you plan
7 to do. And this literally came out of the
8 blue for us, less than two weeks ago. And
9 so now we're looking at it. Yes, you did
10 tell me that the concept was out there, but
11 we never talked about the concept.

12 And these are the concerns that have
13 been raised about the concept now that, in
14 examining it, make it seem like it might
15 make more sense, Steve, for you guys to do
16 this piece by piece so if you needed to keep
17 something off the tax rolls for 10 years
18 because you can show us it's environmentally
19 impaired, we don't have to sit back here and
20 say, "Why are you doing this?"

21 MR. GROW: Chris, I've made the
22 offer to the president of the school board
23 on two occasions to meet with him and
24 discuss our philosophy with them. It's never
25 been answered.

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2 MR. MILITELLO: This, I think, is
3 more internal issues.

4 MR. GROW: If that's what you're
5 talking about, what are our long-term plan
6 is, and the school board's concerned about,
7 we've been willing to meet with them. I
8 personally --

9 MS. RIEDEL: I never seen a letter
10 from you.

11 MR. GROW: No, but I talked to you
12 personally after meeting in Common Council
13 chambers and tell you I'd be willing to meet
14 with the school board on this, but I wanted
15 to meet with the school board without any
16 lawyers present. I wanted to explain our
17 position to the elected people of the school
18 board, just like when we meet with people of
19 the agency, we want to meet with the agency,
20 but that was not picked up.

21 And so I'm trying to explain as best
22 I can where we're coming. We're not -- I'm
23 the last person that would be adversary to
24 the school board, to the school district.
25 My wife is a teacher.

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MR. MILITELLO: We're talking about the specifics of this project.

MR. GROW: Part of what the school board has to understand, I think, is what -- where the IDA's coming from so they have a sense -- maybe we don't agree on the individual specifics of it because we still have to exercise our discretion, too, as a collective group. But at least we can understand each other from the standpoint that we're not trying to benefit anybody other than the school district and the taxing jurisdictions at the end of the day. That's our sole purpose.

MR. DIMEO: You're not losing anything. For 50 plus years this was never on the tax rolls.

MR. MILITELLO: But that's irrelevant, Steve.

MR. DIMEO: It's very irrelevant.

MR. MILITELLO: Real Property Tax Law 300, every piece of property in this state is taxable unless it's exempt.

MR. DIMEO: And this property was

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2 exempt, and the IDA they just continue the
3 exemption. We would argue GLDC is, in its
4 own right, a tax exempt organization.

5 MR. MILITELLO: To say 60 years of
6 history matters here, all that matters is
7 whether the IDA thinks it ought to extend
8 it.

9 MR. GROW: I don't disagree with you
10 that at the end of the day you're correct.
11 But the IDAs, in my opinion, were created to
12 make the -- to kind of soften the issue of
13 taxes when economic development occurs. And
14 so we -- you know, we really struggle with
15 these kind of things. And we have turned
16 down good projects for no pilot, no real
17 estate pilot, particularly in marginal
18 situations, simply because we don't agree.
19 Even though there are -- for example, in
20 Onondaga County, everyone gets a pilot.
21 There's no issue, everyone gets it. Utica,
22 essentially, everybody gets a pilot.

23 We don't act that way. We look at
24 every single application to consider, first
25 of all, is it income producing? Is it job

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2 producing? How are we going to help? And
3 you might be able to pick out a corner here
4 or something that maybe you can make an
5 argument. We feel that as a package, at
6 least that's been presented to us, and the
7 agency members will get a transcript of this
8 hopefully by Friday's meeting, be able to
9 read it, and that's one of the reasons I'm
10 here, is that I want to be able to relate
11 to the agency the comments and concerns.
12 And I think we've had a sense of them all
13 long. We understand what they are, but we
14 also understand what our fiduciary
15 responsibility is also. And that's one of
16 the things that -- that I just don't think
17 we connected on. And maybe at the end of
18 the day we'd be able to do that so --

19 MR. SIMMONS: I think -- just a
20 comment what Chris was saying. I reviewed
21 -- we had a pretty lengthy meeting here
22 where we went through the map, and it was
23 very helpful, back in November to understand
24 the parcels that were being -- how they were
25 being divided up, what buildings were located

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2 on what parcels, what the history was. And
3 there was a conversation at that time that
4 you had said, Jeff, that you were considering
5 taking these -- these groups of parcels and,
6 you know, moving them into an extension of
7 tax exemption.

8 Where I have concerns similarly that
9 we are not afforded enough time or
10 opportunity to understand proposals where they
11 are brought through the Oneida County
12 additional development agency board. And I
13 asked, I think, at that meeting or follow-up
14 meeting would you ever consider reviewing the
15 process and allowing us to be part of the
16 conversation initially as to what was being
17 proposed, what some of the details related to
18 the pilot agreement, and I was told flat out
19 no and --

20 SHAWNA PAPALE: No. That's not --
21 Jeff, that's not correct. You were --
22 you've been advised that you have the -- you
23 know, when the IDA meets and you were told
24 you can come to all the IDA meetings. We
25 didn't tell you no, we would not discuss

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2 projects with you. You asked to be
3 involved.

4 MR. SIMMONS: I asked specifically
5 as the project was being proposed or thought
6 about if -- including the proposal for the
7 level of pilot payments that would be
8 received by the municipality, whether or not
9 we could be involved in some of those
10 upfront discussions prior to receiving a
11 notice of hearing, and I was told no. And so
12 I think that that is contradictory to what
13 Dave is saying.

14 MR. GROW: Well, not totally, Jeff.
15 Not totally. It's like -- let me -- I
16 mean, you're -- I agree, if I were on your
17 side I'd be asking the same questions.

18 And I guess what we're saying is we
19 receive these applications at a meeting, and
20 I believe you can access our agenda. Do we
21 send the taxing jurisdictions --

22 SHAWNA PAPALE: No. It's all posted
23 on our Web site as required.

24 MR. GROW: A week or so ahead of
25 time as to what applications are going to be

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2 received at the meeting. And at that
3 meeting -- and I believe that as to other
4 than proprietary information that might be
5 part of the application, the applications are
6 available to review before the meeting.
7 That's the first time we get them, is when
8 that happens officially.

9 Now, we clearly, on big projects,
10 we, in Executive Session, essentially wait
11 like you do, discuss potential contracts,
12 potential items to see whether or not the
13 agency's comfortable with proceeding with the
14 project or are there other options that we
15 don't -- we'd rather do.

16 Preswick Glen's an example, for
17 example, that was an application to us, so
18 if you read about the problems with that,
19 and we elected not to get involved with
20 that, and we voted down that application.
21 So there are parts of every application that
22 may be proprietary, may contain some
23 financial information that the applicant
24 desires to remain confidential for competitive
25 reasons. We make -- they indicate that to

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2 us. We make an initial determination as to
3 whether that portion of the application gets
4 public. If they guilty FOILED or requested,
5 we contact the company to see whether or not
6 they're willing to defend their
7 confidentiality. We prefer to give
8 everything out. But as you could do in your
9 contract negotiations, not everything comes
10 out publically in the end of the day. So,
11 you know, we want to give as much as we can
12 as soon as we can, but frankly these
13 applications come in very close to our
14 meeting date.

15 SHAWNA PAPALE: Let me clarify. I
16 think Jeff wants to be involved before it
17 even becomes a topic discussion. He wants
18 to be involved in the negotiations, but I
19 think you wanted to weigh in and advise on
20 decisions of the IDA.

21 MR. SIMMONS: I want to in -- our
22 position is that prior to receiving -- I --
23 as you described, Dave, the board receives
24 these application for these financial
25 assistance and then reviews them. I'm pretty

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2 sure that there are a number of --
3 particularly for big projects, as you said, a
4 number of discussions regarding -- between
5 the Oneida County Industrial Development
6 Agency and particular business and/or entity
7 prior to that. And the terms -- in terms
8 of trying to weigh what might be brought
9 forward. I think that school district has
10 good information as to how various proposals
11 would be -- would affect the school district
12 in light of changing circles. And I would
13 like to be, as a school district, part of
14 that discussion, so that we're not placed
15 into where we're at now, an adversarial
16 position with the efforts that you're trying
17 to make. I know the law does not
18 necessarily -- and I've heard at your board
19 meetings, particularly in the Augusta matter,
20 which I don't want to get into the details
21 of that, but the amount of process that was
22 afforded to the school district was what was
23 within the law. That doesn't mean that it's
24 right. That doesn't mean that it's helpful
25 to the school district. And I'm looking for

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2 more process. I'm looking for more
3 information and more of a direct role for
4 the school district so that at the end of
5 the day, as we did this morning with Family
6 Dollar, we can say we support this project
7 and that we're not at odds. I'm asking you
8 to --

9 MR. GROW: Family Dollar issue's a
10 very complicated, very complicated, probably
11 the most we've ever done.

12 MR. SIMMONS: We understood the
13 complexity of that, and we appreciate the
14 consideration that's afforded to the school
15 district. And the fact that that agreement
16 looked at the impact of the school district
17 perhaps in a more detail, substantive way
18 than some of these other proposals, we feel.
19 And we want to be -- we want to be a
20 partner. You used the word "partner," Dave,
21 several times today. We want to be a
22 partner.

23 We don't feel that getting the -- a
24 hearing notice, often a few days before the
25 board is going to meet, and then two days

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2 after the board meeting we don't feel that's
3 treating the school district as a partner.

4 I just ask you to consider that. Maybe not
5 respond.

6 MR. GROW: I accept that. I think
7 that's a very plausible situation that you
8 are in. We have a process that applies not
9 only to Rome but applies to the entire
10 county, and -- you know, I'll just respond
11 in a way, I don't know how we could do it
12 for everybody. I just don't know how we
13 could do it.

14 And secondly, I think that a lot of
15 these projects, particularly with private
16 businesses, are very confidential. I mean,
17 to the point where only a few people are
18 aware of what's happening. And it isn't
19 until it gets to a point where the company's
20 comfortable with making a public presentation
21 are we permitted to even talk about it. And
22 that's impressed upon us enormously. I might
23 make an example, if you're negotiating a
24 union contract. You don't want any of that
25 stuff to get out until you've completed your

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2 negotiations. And at that point in time,
3 then it comes out to the public.

4 We're the same way, in essence, for
5 these kind of things. And I -- I feel
6 sorry for you in that sense of the word that
7 you maybe don't get enough time to look at
8 all this stuff. But I can assure you on
9 big projects we spend a lot of time on this,
10 looking at the application and reviewing and
11 seeing if it fits in with the overall idea
12 of economic development that the agency sort
13 of has.

14 You know, the process is -- you
15 know, the legal process is the application
16 comes in, requires a public hearing, I don't
17 know how many days notice, maybe 30 days
18 notice to the public hearing. And during
19 all that time presumably you have an
20 opportunity to review whatever documents we
21 can give out for that public hearing.

22 The purpose of the public hearing,
23 and very frankly the numbers that I have
24 held, and I told Shawna today, my view of a
25 public hearing is similar to probably the

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2 school board's public hearing. And it's not
3 a question and answer period. It's a
4 listening period. And, you know, I sort of
5 allowed the question and answer to continue.
6 I mean, typically we've had other ones where
7 we don't answer any questions. You just
8 comment on what you got, and we go ahead and
9 do our thing.

10 I think both, from Shawna's
11 standpoint who feels strongly that we should
12 try to respond to whatever questions are
13 there so at least we can get on the table
14 the issues that are pending as best we can.
15 But our process is similar to your school
16 board process in the sense there's only so
17 many things that we can share. We try to
18 share them as best we can. We understand
19 your dilemma. At the end of the day we
20 have to take responsibility for our
21 decisions, just like you have to do. And
22 the state is giving us that responsibility by
23 statute. And we take it very seriously that
24 responsibility, just like you take yours.
25 And your comments are taken very seriously by

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us.

And as was your -- New York Mills, for example, in the energy plan that was tied into St. Luke's and Utica College. That was a very difficult one for New York Mills. I don't know how many of you know about that deal, but that was not a -- that was not one that they were very happy with, and they told us, and we were sorry about that, too, but, unfortunately, you know, sometimes local people just don't have a sense where the end -- what happens at the -- in the big picture.

MR. SIMMONS: I just gave you an example something that just occurred this morning, what I'm talking about, okay. And as I indicated, we support the changes that are being made to the Family Dollar.

MR. GROW: And we thank you for that.

MR. SIMMONS: There was a discrepancy in the conclusion that Steve drew regarding the pilot impact on our district and analysis we did. We had an analysis

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2 that indicate that in 2016, when the pilot
3 comes back on two third payments, I believe,
4 that we were going to be \$120,000 less than
5 we would have been if the pilot had expired.

6 Steven's conclusion was, when you
7 take under consideration if the assessment
8 was reduced, we would -- we were actually
9 doing better under this agreement.

10 So there's a discrepancy there. I'm
11 not saying he's wrong, we're wrong. Meeting
12 of the minds and discussion up front to be
13 able to analyze that so we're working from
14 the same numbers would help the process,
15 would help us to be able to come forward and
16 understand the impact.

17 Now we got this discrepancy, it's
18 minor in our mind compared to the overall
19 value of the Family Dollar proposal --

20 MR. GROW: That's what I call a big
21 one.

22 MR. SIMMONS: Right. We're going to
23 support it, but those three days from now,
24 Friday, that's going to be approved. And,
25 you know, so we're not --

PUBLIC HEARING

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2 MR. GROW: I haven't heard the
3 transcript of the public hearing yet.

4 MR. SIMMONS: So we're not working
5 from the same analyze.

6 SHAWNA PAPALE: Sticking to this,
7 going back to this topic, and Dave is
8 correct, I been chastised by the IDA board
9 for conducting public hearings with give and
10 take. And Dave now understand part of the
11 reason why is to help educate people.

12 The last public hearing we had on
13 GLDC, when they came and asked for the pilot
14 extension, which included all the property
15 that is currently included in this
16 application less the property that was
17 removed, which was 770, 774, 776, 778, 780.
18 I think that was it. We spent three hours
19 going through that and going through the
20 maps.

21 So for the record, you've seen the
22 map. I believe I distributed the map less
23 those parcels that were removed. You had
24 been given it at the last public hearing.
25 At that meeting, too, we offered additional

PUBLIC HEARING

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2 time to sit and meet and talk about. I did
3 take back, Jeff, your request to be involved
4 in the process. So, I mean, the door's
5 always open to have those discussions. I
6 hear what you're saying, so does Dave, but
7 it becomes a challenge when we're also trying
8 to follow our process.

9 MS. RIEDEL: I guess, Mr. Grow, to
10 get back to your point where you said, well,
11 I'd like to explain something to you Pat or
12 something. When we as a board are looking
13 to meet with somebody, I don't give him much
14 peace of mind until he set up a meeting with
15 the person that we want to meet with.

16 I never heard back from you. I'm
17 not trying to be adversarial with you, but I
18 never heard back from you about us meeting
19 where I wanted us to have a meeting with the
20 chamber to explain to the chamber where the
21 district is coming from when we disagree with
22 you people. And I didn't give him any peace
23 until he worked that out. That's how we
24 operate as a board. If I wanted -- if you
25 were me -- or I were you and you really

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2 wanted to explain to the board, I would have
3 heard from you either by phone or by letter
4 or by something, "Pat, I'd like to sit down
5 with your board privately and meet with you
6 and tell us where you're coming from."
7 That's how we operate. That may not be how
8 you operate, however.

9 MR. GROW: I operate on a more
10 personal basis.

11 MS. RIEDEL: We're here today.
12 You've said where you're coming from, and now
13 you're going to meet on Friday.

14 Now, obviously your group has already
15 pretty much met and know where you're coming
16 from and what you're going to do on Friday.
17 So what we have to say really is just for
18 the record. We the school board does not
19 agree completely with what you're proposing.
20 So we are going to walk in here, just as we
21 have done in previous meetings, and it's
22 going to be a cut-and-dry meeting. It's
23 already -- nobody -- it's not going to be
24 "We're going to postpone this out so we can
25 talk to our board and say to our board,

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2 'school district and the city spent a lot of
3 time with us, and they still have problems
4 with this.'" We're going to come in, and
5 you're just gonna say, "Too bad about you,
6 school district." This is how we think.

7 I hate to say that because that's
8 what -- that's the impression that we get.
9 In two or three days that's exactly --

10 MR. GROW: I think that probably is
11 a correct impression. I can tell you,
12 though, we have seven members of the IDA,
13 and we have many instances when we don't get
14 -- don't agree. So there isn't one person
15 on the IDA that could really tell you what
16 the vote's going to be next Friday. And
17 we've turned down votes when the GLDC or
18 private developers come in and we voted them
19 down. And so the public hearing does make a
20 difference to us. And I know we read those
21 minutes and we understand -- unfortunately we
22 all can't be at them, and typically I'm not
23 at the public hearing. I read the
24 transcript. But I know this was important
25 to the school district, so I wanted to be

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1 here, and I'm willing to meet with the
2 school board and explain where the IDA is.
3 And, of course, we're all volunteers, too.
4 As you are. And we don't have -- you have
5 more meetings than we have.
6

7 MS. RIEDEL: Yes, we do.

8 MR. GROW: So it isn't easy to get
9 everybody to go, but I can tell you I really
10 feel that we both have the same end that we
11 want. It's a question of how we get there.
12 And I'm -- I think meeting is important.
13 And we probably should have had that meeting,
14 and maybe I should followed up after my
15 little discussion with you that morning, and
16 I didn't. I probably got off on something
17 else and just didn't do it. And I probably
18 kicked myself for not doing it. But you
19 know I'm available any time. Our agency's
20 willing to meet with the school board.
21 We've had this discussion as an agency. We
22 don't want an adversarial relationship. I
23 mean, I can only tell you we feel very
24 strongly that adverse media publicity is not
25 good for economic development overall. At

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2 the end of the day it hurts us. So we
3 need to have an understanding where
4 everybody's coming from as best we can and
5 then whatever happens ultimately after that,
6 it happens.

7 But, Pat, I'm sorry I didn't follow
8 up with you on that.

9 MR. MILITELLO: I'd just like to end
10 cap one thinking here. The distinction that
11 Jeff brought out is a really important one
12 for the IDA to get, which there is the legal
13 process that the general municipal requires
14 for you guys to go through in order to
15 consider and go through projects. And then
16 there is the process that is being discussed
17 right now, which is certainly far beyond,
18 and, Shawna, I recognize that you have gone
19 beyond what the statutes say that you
20 absolutely have to do. I don't think the
21 statute is clear what a public hearing is
22 for the IDA. I think it just says you have
23 a public hearing and it's up to you to
24 decide --

25 MR. GROW: That's right

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MR. MILITELLO: And then you do it, and if we didn't like it, if you come in and say we're not allowed to get information from you, then somebody else might have to decide whether that's a sufficient public hearing.

And the whole point being is we don't necessarily want to get to that point. If you're willing to continue to conduct the public hearings in this manner, where we can use them to get information about a project and supplement what Shawna may be able to provide us prior to the hearing so we can understand, the process is going to work better for everybody, and that's -- I -- I just wanted to make sure that's what you're taking out of a lot of these comments, which is if the process is better, there's less of a chance of us butting heads at the end of day over our differences.

MR. GROW: Yeah. I mean, we have to have some control over public hearings and -- but in some of our public hearings we have a lot of public here, where we need to

PUBLIC HEARING

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2 have control over that. And there's some
3 issues that get emotional. I mean, we're
4 emotional about our position to some extent,
5 but sometimes -- you know, at your school
6 board meetings you get real emotional. So
7 we have to have control here today. We're
8 all adults and people and we can be a little
9 more -- little more free with our discussion.
10 And, you know, I'm -- I don't really -- you
11 know, I'm just one member of the agency,
12 just like Pat's one member of the school
13 board. And we try to do the best job that
14 we can. And we don't want to create
15 problems if we can avoid them.

16 One of the problems with the -- the
17 park is that we're an owner. We feel like
18 an owner of this property. And we want to
19 get it developed as best we can. You know,
20 just like you own the school -- the property
21 the school district is on. You want it to be
22 the best you can make it. And there are
23 paths, you know, that are different to get
24 there, maybe, but, you know, we try to do
25 the best we can. We want to listen to your

PUBLIC HEARING

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2 comments. We want to express our philosophy.
3 We are not public figures. We don't like to
4 be in the media. We don't like to be --
5 We feel that our job is to review these
6 applications and provide the best decision we
7 can make based upon all of the comments.
8 And we appreciate the school board's
9 investment in those decisions. We might not
10 agree with them all the time, but we do
11 appreciate it.

12 And, you know, I mean if we've
13 messed up a little bit in the past or if I
14 have or our agency has, we can correct those
15 things. And we're certainly willing to meet
16 and work on them as best we can. We've met
17 many times with the mayor and the city even
18 before our current mayor, prior mayor on lots
19 of economic development issues, and there's
20 no reason why the school board can't be
21 represented at those meetings. But
22 historically it's been an issue that's been
23 focused more on, you know, where this thing
24 -- where the assessment should come out and
25 what should happen. We're talking internal

PUBLIC HEARING

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2 city development.

3 MR. SIMMONS: Dave, Pat has
4 discussed this with me. And in my time as
5 superintendent I can remember a couple
6 occasions where this occurred. There was a
7 time when -- whether it be a new business,
8 IDA was considering a proposal from out of
9 state that were -- you know, that any -- any
10 information to be shared publically can put
11 that project in jeopardy. So confidentiality
12 -- you brought up confidentially. There had
13 been a time when Steve or somebody from the
14 agency would come to board Executive Session
15 and share details --

16 MS. RIEDEL: That's gone away that

17 --

18 MR. SIMMONS: So that we would have
19 a better understanding and more lead time in
20 order to be able to understand the proposal
21 impact on the project and then be a
22 supportive partner. That has kind of gone
23 away.

24 MR. GROW: That's too bad.

25 SHAWNA PAPALE: Also there have not

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2 been circumstances where there's been projects
3 that have required that. It's more Family
4 Dollar type things.

5 MR. SIMMONS: Why can't that be
6 done?

7 MR. GROW: I don't see why it can't
8 be.

9 MR. SIMMONS: As part of the process
10 for extension of pilot that you're
11 considering so that we are brought in, again,
12 with little more lead time that my -- one of
13 the dilemmas we have two board members here,
14 only board member we have a same position
15 you do. We have an obligation to keep our
16 full board informed what's happening.

17 And just to say if I were to have
18 -- our board was to have a public hearing on
19 something, our full board would have to be
20 there, and have to be open. Our laws are
21 different. Open session, public would be
22 able to participate and be a little more
23 transparency to the process.

24 But I'm just wondering for your
25 consideration if we can't restore that

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2 process, I think work well, when the initial
3 stages of base development were considering.
4 And I think it would be helpful to us to be
5 able to involve our whole board in these
6 issues rather than, you know, the way it's
7 going now, so --

8 MR. GROW: I certainly will pass
9 that on. I mean, my personal view on that
10 is that we should be open. I mean, I will
11 tell you that I think EDGE is understaffed.
12 I think that economic development is not well
13 funded, both by the city or the county,
14 which means that we're utilizing resources
15 very -- it's very difficult to do everything
16 at the same time. And I'm not going to
17 apologize for not continuing what you
18 discussed. I'm a big fan of doing that. I
19 was -- I had been for years, but there's
20 only so much time in the day. And you're
21 paid and Shawna's paid and the rest of us on
22 these boards aren't paid, not that that
23 should take away any of our responsibilities,
24 because it doesn't. I mean, we're -- when
25 we talk this job, we're responsible to do

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2 the best we can. And so -- I mean, I will
3 pass on that comment to Steve and to Shawna.
4 Steve is not a direct person related to the
5 IDA. Shawna is our executive director, and
6 in that position is responsible to us.
7 Steve is an EDGE consultant for us when we
8 need information on projects.

9 So I wish there were more people.
10 I wish we had a bigger staff of economic
11 development. If you look at the money that
12 goes into the economic development in this
13 county, it's small. So, you know, I would
14 -- and all of our money, all the IDA's
15 money, we get paid, you know, by -- from
16 fees from these things. That money
17 essentially goes back to EDGE or to GLDC.
18 We don't have any money ourselves. Our
19 budget is basically all our contract work,
20 money goes back into the system. So these
21 projects in the county comes back, funnels
22 back in \$150,000 a year, back into Edge's
23 cost to economic development. But that's
24 another source of revenue that isn't there if
25 we don't have projects.

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2 So, you know, I -- I -- I've
3 wrestled with this thing particularly with
4 the Rome School District for a long time,
5 and I have trouble with it, but, you know, I
6 -- I think we're -- I really do believe
7 we're doing the best job we can. I think
8 you are. And you know if we can go forward
9 and remove some of the irritants that are
10 there that would be great, but I will tell
11 you I have -- I tried to get Shawna
12 yesterday and she was so busy I couldn't
13 reach her until this morning. So that's
14 another matter. I'm sure you have the same
15 problems, too many meetings, but sometimes
16 they are necessary.

17 MR. MILITELLO: I just want to kind
18 of end this -- since we are still on the
19 record for the public hearing, I just want
20 to end it by saying from the school's
21 perspective, we will send you a letter that
22 outlines our position, but for the record, we
23 do want to go on the record that we are
24 opposed to the project as it currently is
25 put into place. We've got a lot of reasons

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2 why we think that it could be done
3 differently, possibly better, and we would
4 urge that at least the IDA give consideration
5 to maybe tabling and looking at whether --
6 whether or not there is a more sensible way
7 that will relate what each parcel's value is
8 to what its tax treatment is going to be,
9 rather than trying to take it as one big
10 lump at this point. And say that
11 environmentally challenged property is going
12 to get the same treatment as much more
13 highly developable property. So I just
14 wanted to make sure for the record that
15 position's out there.

16 MR. GROW: The agency will get the
17 transcript of this.

18 MR. MILITELLO: Understood. Thank
19 you.

20 MR. SAUNDERS: There's also, there's
21 two maps. I think you seen both of them
22 actually floating around, and I actually
23 thought there were copies out here. I think
24 we must have given them the to environmental
25 liability companies.

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I'm going to have copies run off.
I will send them to -- I'll send you a
duplicate. One big map is F parcels, and
the other map shows pieces of property we
conveyed out. So I ask the record be held
open and we'll include those two maps in the
record. You've seen copies of them before.

MR. MILITELLO: If they're
specifically marked for this project, it
certainly advances our understanding --

MR. SAUNDERS: It's a map, helps a
little bit to look at the maps.

MR. MILITELLO: Right.

MR. GROW: Make sure you give them
to the city, too.

SHAWNA PAPALE: What we'll do is
we'll distribute it as our normal
distribution, Jeff, and, Pat, and I -- I
send them over to the mayor's attention.

MR. SURACE: Make sure I get one.

MR. SAUNDERS: We'll get you one,
one of each.

MR. SURACE: Thanks a million.

MR. GROW: Any other public comments

PUBLIC HEARING

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2 anybody wants to raise? Yes.

3 MR. HAGERTY: I'd just like to make
4 a couple comments. If you're not already
5 aware of it, there's a new paradigm that's
6 impacting the funding of the school district
7 within New York state. And that is, as you
8 know, most of the upstate district and Rome,
9 in particular, is a high need, low wealth
10 district. So we're very dependant on state
11 aid.

12 As you're also aware, the state has
13 big financial deficit problems of their own,
14 which they've been sharing with the school
15 district for a number of years now in the
16 form of reduced revenues in terms of district
17 aid to the school districts as well as what
18 they call a gap administration aid, which is
19 sharing the gap they have in their budget,
20 which is passing down a deficit to us. So
21 we are in the position that we are trying to
22 fund a school district that has an increasing
23 requirement to educate our young.

24 If you've been following the regents
25 activities at the state level, you will know

PUBLIC HEARING

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2 that they're trying to increase career ready
3 and college ready proficiency, graduation
4 rates of all students in New York state.

5 So we have sort of the worst of all worlds
6 here in terms of declining revenues and
7 increasing anticipation for performance within
8 a school district. If you map that over
9 onto a district like Rome, which is so
10 dependent on state aid, and we know that
11 state aid is an issue, then we turn even
12 more so perhaps than we have in the past to
13 what our local contribution is. And that's
14 why this scrutiny of the assess value and
15 growing of our local tax base, even though
16 it only attributes say 20 percent of our
17 total revenues.

18 It's very important to us, and it's
19 getting more important in the future and
20 getting more important, I think, for a number
21 of reasons. If you have been downstate or if
22 you have been following what's been going on
23 downstate there's a lot of resistance within
24 the state and all coming out of wealthier
25 districts downstate that's headed up upstate

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2 to fund our district. And I think it's a
3 fair concern that they have when you look at
4 the number of school districts and lack of
5 consideration, lack of expanded tax base
6 within given municipalities, i.e., what we're
7 talking about here. So I think we have a
8 reason to be sensitive and to follow very
9 closely what you as an economic development
10 agency is doing. And it's not because we
11 don't like you or we're trying to create
12 some adversarial relationship. It's because
13 we have some real issues and these are
14 long-term things that have to be sold on a
15 long-term basis.

16 So when Joe Surace talks about a
17 possible re-evaluation, to me that's a good
18 thing. Of course, he didn't clarify in terms
19 of any particular time frame, but those are
20 the things that we are going to have to do
21 locally, I think, in order to be able to
22 mirror the resources that we're deriving from
23 the rest of the state. We're going to have
24 to stand on our own two feet. And I
25 think we're doing that in Rome pretty well.

PUBLIC HEARING

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2 We have done a lot of consolidations. We
3 have been able to hold our budget intact.
4 But we still haven't solved the problem. We
5 still have that deficit. And that deficit
6 has quickly been gobbling us up.

7 This is very important to, I think,
8 understand the motivation behind why the
9 school district, i.e., the school board,
10 wants to be involved in what you're doing as
11 well as anything else that will create a
12 better economic situation for our local
13 district.

14 MR. GROW: I appreciate those
15 comments. I've heard them personally from
16 probably six or seven other school districts
17 in the county. All of the school districts
18 are talking that similar tune as to yours.

19 And I view our role as very long
20 term. We are trying to develop a long-term
21 tax base that will be stable going down the
22 road and transitioning from a tax base that's
23 based upon full government in Rome,
24 essentially an air force base, to a private
25 diversified stable tax base. And it's not

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2 easy to do. And, yes, there are some things
3 that will short term, probably work against
4 the district and the city, but in the long
5 term, if our analysis was correct, we hope
6 at the end of the day you will be able to
7 grow your tax revenues without increasing the
8 tax rate.

9 And our goal is that. Our goal is
10 to provide stability to you so you don't
11 have a roller coaster ride. I guess the
12 answer is we're here to help you as best we
13 can, but we also have a concern that the
14 county is suffering, too. And all areas of
15 the county are suffering. And so we're
16 trying to provide a mechanism that stabilizes
17 the tax base in the county and -- which, I
18 think, over the last ten, 15 years has been
19 pretty good. School district's tax rate
20 hasn't gone up substantially, the city
21 hasn't, the county hasn't. We're probably
22 one of the few counties in the state that
23 can say that. Yes, I think that we have
24 problems down the road. And we will have to
25 deal with them collectively as best we can.

PUBLIC HEARING

1
2 But we really do appreciate your
3 time and giving us your feelings on it. And
4 as I say, I'm willing to offer the agency as
5 many members I can get to meet you guys and
6 discuss it further. And hopefully at the
7 end of the day we can at least come to some
8 sense of understanding about various positions
9 so we can deal with issues going forward.

10 All right, we'll close the public
11 hearing. There's no public comments. And
12 thank you for coming.

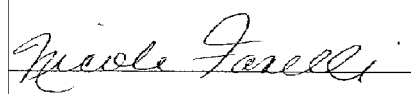
13 (Whereupon, the hearing was
14 concluded.)
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PUBLIC HEARING

CERTIFICATE

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I, NICOLA BRUZZESE FANELLI, a
Shorthand Reporter and Notary Public in and
for the State of New York, DO HEREBY CERTIFY
that the foregoing is a true and correct
transcript of my shorthand notes in the
above-entitled matter.



Nicola Fanelli

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4 ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
5 PUBLIC HEARING
6 RE: GLDC
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9
10 Public Hearing, held on June 12, 2012, at 584
11 Phoenix Drive, Rome, New York, commencing at 9:00 a.m.,
12 before Nicole B. Fanelli, Court Reporter and Notary
13 Public in and for the State of New York.
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Page 2

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2 APPEARANCES:
3
4 David Grow
5 Steve DiMeo
6 Joseph Surace
7 David Nolan
8 Patricia Riedel
9 Paul Hagerty
10 Jeffrey Simmons
11 Christopher Militello
12 Joseph Saunders
13 Shawna Papale
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2 PUBLIC HEARING RE: GLDC
3 JUNE 12, 2012
4 MR. GROW: Okay. We're going to
5 call the public hearing to order. I'm David
6 Grow, chairman of the IDA, and this is a
7 public hearing that was noticed by notice of
8 public hearing dated day 29, 2012.
9 We can have the notice of public
10 hearing read if anybody wants the notice
11 read, or does everybody have a copy of it?
12 MR. MILITELLO: This is Chris
13 Militello from the Rome City School District.
14 We would waive a reading of the public
15 notice. We've read it.
16 MR. GROW: And nobody else has
17 indicated that's present that they want the
18 notice read. Has everybody signed in with
19 the sign-in sheet?
20 SPEAKERS: Yes.
21 MR. MILITELLO: I believe so.
22 MR. GROW: All right. This is a
23 summary of a public hearing to determine or
24 to hear comments concerning the proposal of
25 the IDA to provide tax exempt arrangements

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1
2 with GLDC for vacant and undevelopeable land
3 and located in Griffiss Park. A number of
4 parcels that were -- that have been
5 identified as parcels that are -- that are
6 generally not developeable, and they're
7 currently titled in the name of the IDA.
8 So I think we'll hear first from Mr.
9 DiMeo, who's representing, essentially, GLDC,
10 which has made the request to the IDA for
11 this action.
12 MR. DIMEO: Basically, this is just
13 an extension of the pilot, maintain the
14 taxable status of properties. This is
15 largely vacant land. There may be some
16 structures that are unoccupied, which are
17 probably demo candidates, are located on
18 these parcels, which is essentially vacant
19 land. And I think it's approximately 800
20 acres. And I haven't added up what the city
21 shows the assessments are. I think it's
22 over \$90,000,000, which is, frankly, an act
23 of fiction.
24 MR. SURACE: That's what's on the
25 books.

PUBLIC HEARING RE: GLDC, JUNE 12, 2012

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1
2 MR. DIMEO: Well, we've got a list
3 here of all the assessments here, 50 -- I've
4 added them all up, 54, 56 --
5 SHAWNA PAPALE: \$90,922,940 is the
6 city of Rome assessor's tentative total
7 assessment for the remaining property.
8 MR. SURACE: Those are properties
9 that at this point have been put on the
10 rolls by appraisals that were done on behalf
11 of the air force base prior to its
12 dismantling.
13 MR. DIMEO: No, that's not true, but
14 --
15 MR. SURACE: Okay. So where did
16 those figures come from.
17 MR. DIMEO: I have no idea where
18 they came from, but, you know -- I don't
19 know what you're using, where they came from
20 at all.
21 MR. SURACE: These are assessments
22 that have been in place for years.
23 MR. DIMEO: There's a difference
24 between an assessment and appraisal.
25 MR. SURACE: Properties on the base

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1
2 were all appraised, I believe.
3 MR. DIMEO: Only times appraisal's
4 been happening is when we sold properties or
5 bank requires appraisal for somebody who's
6 doing a project here. That's the only
7 time's appraisal's been done.
8 MR. SURACE: Since you have been
9 here.
10 MR. DIMEO: Well, I have been
11 involved in this since 1993.
12 MR. SURACE: So when the base was
13 deciding what to sell --
14 MR. DIMEO: Who's the base?
15 MR. SURACE: The air force base.
16 When they transferred the properties over to
17 GLDC --
18 MR. GROW: They didn't transfer to
19 GLDC, only to the IDA.
20 MR. SURACE: Okay. When they
21 transferred all to the IDA --
22 MR. DIMEO: They transferred them
23 for a buck.
24 MR. SURACE: And there were no
25 values on them? Because the assessor at the

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1
2 time for the city of Rome didn't have any
3 control on any of those. And those values
4 were in place when I took the job in 2000.
5 So at some point --
6 MR. GROW: Joey, we don't know where
7 the source --
8 MR. SURACE: Yeah, but he's making
9 an inference that I had direct input on the
10 valuation.
11 MR. GROW: I think he referred to
12 the city assessor as the title. So whatever
13 they are on the rolls now, I presume you
14 reconfirm them every year, those values,
15 whatever they are. I don't think at this
16 point the issue of those values are really
17 the important thing to the IDA. The IDA is
18 here to provide an economic unit at the
19 base. And whatever assessments were put on,
20 I don't think there's ever been any
21 appraisals by anybody, that I know of, of
22 this property. But these are properties that
23 in the IDA's view are not developable, are
24 essentially worthless pieces of land and need
25 to be maintained as part of the overall

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1
2 ambiance and aesthetics of the base. That's
3 really what we're talking about.
4 MR. SURACE: With that being said
5 and without being privy to their highest and
6 best use, their access, what's on the site,
7 the overall assessments probably are something
8 that most necessarily and definitely I had no
9 control over. So as a result, their
10 existence, their current assessments, are what
11 we, the school district in the city, are
12 trying to determine. If they're put under
13 this umbrella and they're given a no tax for
14 10 years, of course that would be an
15 opportunity missed for the taxing
16 jurisdiction. Are they fair and accurate?
17 If they're not developable, chances are
18 they're not fair and accurate. But have I
19 had an opportunity to address any of this?
20 No. Because we haven't gone through and done
21 a re-val so that I could do as you suggest,
22 go into their files and see, so -- that's a
23 point, Dave, that we're trying to figure out,
24 what exactly they all consist of. And we're
25 trying to figure out if the assessments, as

PUBLIC HEARING RE: GLDC, JUNE 12, 2012

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1
2 Steve mentioned, might be excessively high,
3 but for what reason --
4 MR. DIMEO: That's not the reason
5 why the request is being made. That's a
6 point that the fact that there's 800 acres
7 and you're showing it on the books as having
8 a value of \$90 million.
9 Point of the matter is the
10 property's requested to stay in the IDA name
11 as tax exempt property because the general
12 pattern here has been as property's sold or
13 developed, the property either goes on tax
14 rolls or becomes subject to payment in leu
15 of taxes, in which there are dollars that go
16 into each of the taxing jurisdictions. This
17 is property that's basically producing no
18 revenue. There is no source of revenues
19 coming from these properties. And the IDA
20 is a title holder for convenience purposes.
21 GLDC was set up to be a redevelopment arm
22 for transforming an air force base into a
23 business park and has done extremely well and
24 taken property that was producing zero taxes
25 and is now generating over \$4 million of

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1
2 various forms of property taxes in leu of
3 tax payments, not to mention the fact there's
4 other fees being realized off of development
5 here in the park.
6 So that's the nature of the request
7 here is that as property is sold and as
8 property is developed, of course then it
9 becomes subject to a different look and
10 either goes on the tax rolls, because it's
11 qualified for a pilot or applications are
12 made and it's treated as an individual
13 project. That's been the nature of the
14 operations here since 1994, when GLDC stood
15 up and asked. That's the practice that's been
16 here. So the notion that somehow there's
17 some loss revenue here, there's never any
18 revenue coming from these parcels to begin
19 with, so no lost revenue.
20 MR. SURACE: Well, the action that
21 for five years during the time that the air
22 force base owned it, it was exempt. And
23 then 10 years on top of fifty, sixty years
24 now that these properties, you're right, they
25 have not been generating any revenue. So

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1
2 you would think that because they haven't
3 been producing revenue, it's not revenue
4 loss. Well, that's one side.
5 If the properties are assessed
6 properly and their fair market values were
7 established, then would there be this need to
8 transfer under this umbrella pilot.
9 MR. DIMEO: We're not transferring
10 anything. We're keeping it in the name of
11 the IDA.
12 MR. GROW: The IDA is another
13 municipality, Joe. That's what we are.
14 We're just like the school district, and
15 we're like the city. And we view the
16 property in a way if it's in our name, just
17 like it's in the city's name, it's not
18 taxable, and that's the law. There's no way
19 that you can put any IDA property on the tax
20 roll, period.
21 Now, the problem is s that we go
22 through the process to determine whether or
23 not we ought to have a payment in leu of
24 agreement, and that's what we're here today
25 to determine, whether or not there are

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1
2 comments as to the proposal that has been
3 made to the IDA whether this should continue
4 to be a tax in the IDA name and if so
5 under what tax circumstances. That's what
6 the IDA's going to consider.
7 So if it stays in the IDA's name,
8 it doesn't make any difference to the IDA or
9 anybody, cause it won't get -- it's not on
10 the tax roll. It's not an assessed taxable
11 parcel.
12 MR. SURACE: We all realize that.
13 MR. GROW: So we're here now to
14 really decide -- the IDA's going to decide
15 in connection with this proposal, whether or
16 not it's going to stay in the IDA name.
17 And then, under what circumstances, what kind
18 of a pilot is there going to be and whether
19 or not it ought to be a zero pilot, which
20 is what the proposal is, or whether it ought
21 to be different.
22 MR. SURACE: Do the members on your
23 IDA board all know the different aspects of
24 the different parcels that you're voting on?
25 MR. GROW: Well, we know we have

PUBLIC HEARING RE: GLDC, JUNE 12, 2012

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1
2 been told and been advised and the initial
3 proposal that all of these are undevelopeable
4 parcels.
5 MR. MILITELLO: Let me rephrase
6 Joe's question. Has the IDA board or will
7 the IDA board or you as the president of the
8 IDA at this point, Dave, and for the record,
9 this is Chris Militello from the school
10 district, cause I know she's trying to keep
11 track of everybody, have you actually created
12 a list by SBL number, cause that's the way
13 that everybody else is going to understand
14 this transaction, notwithstanding -- I
15 understand, Steve, the GLDC has its facility
16 numbers and all that sort of stuff, we
17 understand that's the language you speak, but
18 everybody else outside of your room speaks
19 the FDL numbers.
20 So have you actually identified which
21 SBL numbers, for tax purposes, are being
22 affected by this proposed master lease --
23 MR. GROW: We have tax map numbers.
24 MR. MILITELLO: Okay. That is the
25 tax map, that's SBL, that's the same. -

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1
2 MR. GROW: I don't know what FBL
3 is.
4 MR. MILITELLO: SBL, S as in Sam.
5 MR. GROW: Okay. But we have tax
6 map numbers that identify the parcels.
7 MR. MILITELLO: Okay.
8 MR. SURACE: Then if there's any
9 buildings on those parcels, you're
10 knowledgeable of that.
11 MR. GROW: There may be unoccupied
12 structures on them that are slated for demo.
13 MR. MILITELLO: Can you provide us
14 with a list of the parcels as the IDA
15 understand it.
16 SHAWNA PAPALE: It was part of the
17 application, yes.
18 MR. MILITELLO: We don't have the
19 application, Shawna. I asked for it two
20 years ago.
21 SHAWNA PAPALE: And the attorney's
22 handling it.
23 MR. MILITELLO: I understand, but
24 you're also going to vote on this in three
25 days from now.

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1
2 MR. SURACE: That doesn't do any of
3 us any good.
4 MR. MILITELLO: I don't have --
5 SHAWNA PAPALE: Joe, Joe, Joe, you
6 will receive a copy of it.
7 MR. SURACE: When, day before --
8 SHAWNA PAPALE: You know what, give
9 me -- I'm going to go make Joe a copy right
10 now.
11 MR. SURACE: Make everybody a copy,
12 please. So, Dave, the question is they
13 might have building on them, the building
14 might be slated for demolition, or they might
15 be put to an alternate highest investors --
16 MR. GROW: If they are, the GLDC
17 will come in and look for a pilot.
18 MR. DIMEO: If we lease a building
19 to a tenant, we have always had some
20 mechanism for providing revenues to the
21 taxing jurisdictions. The original agreement
22 was, before there was any assessment, there
23 was SFP agreement. And after that, when we
24 started selling property, obviously, then,
25 whoever the property owner, either pays full

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1
2 taxes or makes application to the IDA. In
3 cases where GLDC has been developer and has
4 developed property, there has been a payment
5 in leu of taxing agreement.
6 You know, this 800 acres includes a
7 mixture of landfills that the air force owned
8 and has capped, has been transferred. It
9 does include some lands that could be
10 developed, and obviously that would be the
11 go. And obviously includes a lot of areas
12 that's just open space.
13 MR. MILITELLO: Steve, can you speak
14 to the three facilities, GLDC 1, 2, and 3,
15 whose lease agreements have expired at this
16 time and what the status of those properties
17 are?
18 MR. DIMEO: Well, facility 1, I
19 think is the one where we have largely
20 transferred out most of the properties there.
21 That would have been the areas where Goodrich
22 is located, where MGS is located and Sovena,
23 I think that's facility 1. There may be
24 some scraps of land there. And each of
25 those particular properties is covered by a

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2 separate agreement of payment in leu of tax
3 agreement.
4 I'm not sure by -- know where
5 facility 2 is. I don't use the IDA's
6 nomenclature.
7 MR. MILITELLO: And I apologize if
8 this is off the track a second, but I want
9 to try to tie it back to what my question
10 was to Mr. Grow about tax parcel numbers.
11 You have a list of tax parcels numbers, but
12 can you relate those to Steve's GLDC facility
13 numbers? So if we were to look at that map
14 that's laying in front of everybody or the
15 map I have hanging on my wall in my office
16 of the park, that I could go up with a pen
17 and say SBL No. 24300 whatever is right
18 here, and I -- I can drive by and look at
19 it.
20 MR. GROW: I personally can't. It's
21 been presented in general terms to the IDA
22 as undevelopeable land.
23 We are here to have comments.
24 Beyond that, when this gets presented to the
25 IDA on Friday, I presume there will be an

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1
2 exact indication of land. I don't know
3 where GLDC's attorney is today, but I know
4 they're working on those issues.
5 The proposal to us is that this
6 essentially is land that's undevelopeable
7 right now and is not producing any income.
8 MR. MILITELLO: And pardon me if
9 this seems challenging, but how do you know
10 it's undeveloped that's just GLDC's say so?
11 MR. GROW: That's right, they're the
12 applicant.
13 MR. DIMEO: The land's not
14 developed. There are parcels that will never
15 be developed for a variety of reasons.
16 MR. MILITELLO: That's part of our
17 trying to understand your process here, is
18 that you've got a big lump right now that
19 you're proposing to put under the pilot
20 agreement or the master lease agreement --
21 MR. DIMEO: Not putting it; it's
22 already there.
23 MR. MILITELLO: I understand.
24 You're proposing to extend the current
25 circumstances for the -- for this property

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1
2 under one big umbrella, as Mr. Surace put
3 it.
4 MR. DIMEO: Right. And as we take
5 the property out and if we sell property or
6 develop it, then obviously that's a separate
7 transaction and it will be subject to another
8 agreement. Either it will be -- go on the
9 tax rolls, because it doesn't qualify for
10 payment in leu of tax agreement, or the
11 applicant can make a request to the IDA and
12 receive a pilot agreement and, you know, what
13 the public pilot schedule is for the
14 Industrial Development Agency.
15 MR. MILITELLO: But is there an
16 overall development plan that the GLDC has
17 for any of this property? I mean, is there
18 any identified uses at this point?
19 MR. DIMEO: Yeah, there's a zoning
20 map and also a master plan.
21 SHAWNA PAPALE: Which you have a
22 copy of it.
23 MR. MILITELLO: We do have.
24 SHAWN PAPALE: And you received
25 copies of the maps. You received copies of

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1
2 all the parcels. You came here and
3 personally had copies made and went through
4 all the documents that these pertains to and
5 they all had deeds associated with them that
6 detail it out where they are with maps.
7 MR. MILITELLO: Acknowledged and
8 agreed. What I'm trying to understand is if
9 there's particular uses identified for, let's
10 say, the old Skyline, is it?
11 MR. DIMEO: Skyline yes.
12 MR. MILITELLO: For example, do you
13 have --
14 SHAWNA PAPALE: It's in the master
15 plan.
16 MR. MILITELLO: Well -- but, Shawna,
17 the master plan doesn't say we're going to
18 -- we're going to put a new distribution
19 center for Family Dollar where Skyline is
20 right now. Obviously that's a hypothetical.
21 But my point is, is there that level of
22 detail --
23 MR. DIMEO: That's a developer side
24 that would hopefully either go to a
25 single-end user or it would be subdivided for

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1 multiple uses.
2
3 That's basically a site that would
4 allow office -- we're doing zoning
5 modification that would allow certain types
6 of clean tech development, like Global
7 Manufacture, things like that, and there are
8 some commercial uses.
9 Clearly as those things happen, they
10 would be subject to either full-blown taxes
11 or some type of payment in lieu of tax
12 agreement.
13 MR. MILITELLO: But right now
14 they're hypothetical, correct?
15 MR. DIMEO: There's no perspective
16 end users on the immediate horizon.
17 MR. MILITELLO: That's what I was
18 trying to understand. That was my question.
19 MR. DIMEO: Some of that property --
20 you go further down the 825 corridor, when
21 you get away from Skyline, that's all open
22 space. If you go further down you're going
23 to find former landfills that the air force
24 capped. Nothing will ever be located in
25 those things. They will be forever

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1 maintained as a capped landfill.
2
3 There are -- we've taken down most
4 of the buildings that need to come down, but
5 there are other buildings that's slated for
6 demolition if and when money's ever available
7 for those. But -- and that's a cost to
8 GLDC.
9 GLDC plows back all of its real
10 estate proceeds from either leasing property
11 or selling a property to either create more
12 tax base in the form of trying to either get
13 more properties put on the tax rolls or to
14 furthering a long-term capital improvement
15 program for the park, which today public and
16 private investment, which you're included in
17 that, is -- over \$460 million has been
18 invested in Griffiss since 1995. GLDC has
19 made a significant amount of investment to
20 further a master plan that's been followed
21 faithfully from the one that was put forth
22 since 1994 so this place does not look like
23 a closed air force business. It is a
24 thriving business and technology park, and
25 the investment GLDC makes, it doesn't go to

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2 some condos in Florida, like a lot of
3 developers do, it goes back here in the
4 park.
5 MR. GROW: To follow on what Steve
6 said, and I was on one of the committees
7 that developed the master plan back in '94,
8 the decision of the IDA to accept title to
9 this land is based upon the fact that the
10 city and county wouldn't do it. If in fact
11 the city had done it, this property would
12 all be tax free anyway. There wouldn't be
13 any issue at all. The city would own it,
14 the city would hopefully developed it. But
15 the city didn't want to do it. Neither did
16 the county.
17 And the only way that this property
18 got transferred to be able to be developed
19 is because you got -- IDA came forward and
20 said we would take the risk of taking title
21 to this land. And the city of Rome agreed
22 to indemnify us and county agreed to
23 indemnify us so both municipalities are on
24 the hook for this property at the end of the
25 day.

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2 This property has been developed in
3 a plan that was developed many years ago.
4 It's been faithful, essentially, to the plan.
5 It's been interrupted a few times. RFA was
6 built. It was not originally on the plan.
7 Property worth over a million dollars was
8 given to the school district as part of the
9 overall development of the park as part of
10 the ambiance of the park. That's not
11 taxable. That's not on the tax roll.
12 That's prime, developable land. It could
13 have been developed for private use.
14 The IDA has looked at this as a big
15 package as if it's, in essence, the
16 municipality running the base, and its lands,
17 the roads, the parks and all that are part
18 of city and park land. That's the way we
19 view it. Some of it might get developed.
20 City tears down buildings, goes off the tax
21 roll. Sometimes it gets sold to a new
22 person, and it goes back on the tax roll.
23 That's how we viewed it, agency
24 views it. And I'm speaking for myself, but
25 the agency members have been on a long time.

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2 I think I can speak for most of them.
3 That's how we operated in Rome, that's how
4 we operated in New Hartford Business Park, we
5 operated in Utica business park. I mean,
6 we've basically been the same way throughout
7 the county. And so part of the process here
8 is to make this work as an essence of the
9 city. If the city had run this, I don't
10 know what would have happened. I mean, we
11 can speculate on that. But it's been
12 successful, I think. We have, you know,
13 maybe almost six thousand people working
14 here. There wouldn't have been anybody
15 working here if the IDA hadn't taken the air
16 force would still own the whole park.
17 MR. DIMEO: Or they would have
18 auctioned it like they did Woodhaven, which
19 has been a wonderful example of development.
20 MR. GROW: So that's -- I'm giving
21 you a little philosophy from the IDA's
22 historical standpoint. I have been on the
23 IDA since 1989. I've lived through all of
24 this. I feel as though a part of the
25 growth of Rome has been the base and been

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1
2 the park. And if it hadn't been for that,
3 I don't know where the city would be today,
4 and I don't know where any of the taxing
5 jurisdictions would be today.
6 So the process is we got to work
7 together to make this whole thing work. We
8 don't want to be adversaries. We want this
9 to work at the end of the day. We
10 certainly want - We're here, first of all,
11 to provide jobs and, second of all, to
12 provide tax revenue. That's what happens at
13 the end of the day if we have private people
14 that are building, developing and renovating
15 buildings just like in the city, somewhere
16 else in the city.
17 So that's our thinking, that's where
18 we're -- that's the philosophy of the IDA,
19 not just in Rome but throughout the county.
20 And we would hope that the other taxing
21 jurisdictions would have a sense of that.
22 We understand we may differ on particular
23 things but --
24 MR. MILITELLO: I just have one
25 question to follow up on what you said,

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2 Dave, because I appreciate you giving us the
3 IDA's perspective on how they view this
4 transaction and --
5 MR. GROW: That's just this one.
6 This is a general --
7 MR. MILITELLO: Right, exactly, the
8 overall philosophy on how you treat the GLDC
9 and other entities that are up here engaged
10 in the redevelopment of the park.
11 What is it that the IDA sees,
12 though, that makes you believe that that
13 can't all happen with the developable
14 parcels that are in this group generating
15 some level of revenue after 10 years of
16 being completely off the rolls in the initial
17 transfer from the government.
18 MR. DIMEO: Where'd that money come
19 from?
20 MR. MILITELLO: From GLDC.
21 MR. SAUNDERS: Where do you think we
22 got our money from?
23 MR. MILITELLO: From lease payments,
24 from wherever you derive revenue from.
25 MR. DIMEO: So we have operating

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2 expenses, we have debt service payments, we
3 have covenants with banks.
4 MR. MILITELLO: That would make you
5 look exactly like any other development
6 corporation.
7 MR. DIMEO: We'd immediately be in
8 the hole. We'd be upside down.
9 MR. MILITELLO: We're trying to
10 understand, though, whether that economic
11 analysis had actually been presented to the
12 IDA.
13 MR. GROW: Let me answer that. We
14 feel these parcels don't produce any income
15 just like a demolished building in any city.
16 MR. DIMEO: Or any other industrial
17 park that has vacant land.
18 MR. GROW: At the end of the day,
19 when these get developed, there will be
20 revenue that comes from them. But until
21 that happens, there's not going to be any
22 revenue. Whatever revenue's generated by
23 other properties gets plowed back into the
24 park and makes everything else more valuable,
25 more potentially developable.

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2 MR. MILITELLO: Steve's plan about
3 the industrial park is exactly what I think
4 our concern is that if you're somebody that
5 owns the business park, if you're Larry
6 Adler, he has property over there that is
7 not developing revenue for them. There is
8 part -- there is -- part and parcel of
9 whatever is over there is not actually what's
10 developing revenue for him, but he still has
11 to pay taxes for it unless it's under an IDA
12 -- -
13 MR. GROW: It's under an IDA pilot.
14 MR. SAUNDERS: He doesn't have to
15 invest his money in that park. He can take
16 it to Florida.
17 MR. MILITELLO: But then he has to
18 turn around and find a buyer, and then that
19 person's going to be on the hook to pay
20 taxes.
21 MR. DIMEO: We are looking for
22 buyers. We're not looking to hold back
23 property from development.
24 MR. MILITELLO: But as long as a
25 developer's hold that property, they got to

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1
2 pay tax on it, don't they? And they may
3 get a benefit from the IDA in the initial
4 outlay.
5 MR. DIMEO: And that's why you don't
6 find very often, particularly in Upstate New
7 York, private individuals taking on those
8 type of real estate developments, because
9 there are completely speculative, there's no
10 predictable absorption of a rate factor at
11 all. That's why you generally have either
12 not for profit corporation or local
13 development corporations taking on, for the
14 long haul, the development of industrial
15 parks or business parks. It's unheard of to
16 see a private developer step forward and try
17 to put forward those types of initiatives,
18 because you can't possibly come up with a
19 rational economic analysis that says that's a
20 good investment.
21 MR. SURACE: Dave, I got a list of
22 property currently owned by IDA, GLDC. And
23 I know that they were transferred in
24 different times, different years. I'm not
25 really quite sure if because there are -- it

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1
2 seems like --
3 SHAWNA PAPALE: Those aren't all
4 just GLDC ones.
5 MR. SURACE: Will these also fit
6 into what Steve said, these will eventually
7 be transferred out of IDA and into tax
8 payment individuals --
9 MR. SAUNDERS: Most of the land --
10 probably half of the land will be transferred
11 out in that way. The rest of it is land
12 that's either could not be developed -- you
13 know, for example, there's probably a hundred
14 -- over a hundred acres of roadways up
15 there. That's going to be transferred to
16 either the city or to the state, all right.
17 MR. SURACE: To the city. City has
18 to pay the expense to maintain.
19 MR. GROW: Right.
20 MR. SAUNDERS: Right, which the city
21 does.
22 MR. DIMEO: But GLDC took
23 responsibility to rebuild the infrastructure,
24 the road infrastructure that's going to be
25 conveyed to the city, on top of it, the road

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1
2 that we built, which goes out to River Road,
3 we built it, we incurred \$660,000 debt
4 service, and we're making payments on it for
5 a road that's going to be owned by the city
6 of Rome. Where's a developer done that?
7 MR. SAUNDERS: So let's say there's
8 roughly 800 acres left, all right. So if
9 you subtract out a hundred or so for
10 roadways, probably another hundred or so, at
11 least, for landfills, all right, then you got
12 lands up here that are encumbered by
13 easements. For example, if you go over into
14 the Skyline area, there's a whole section in
15 there that's encumbered by a fairly large
16 drainage easement that relates to the
17 Parkway, Griffiss Parkway.
18 So there's areas -- you know,
19 there's power lines, things like that.
20 There's streams. There's things that are not
21 going to get developed, wetlands, that kind
22 of stuff. If you subtract that stuff, this
23 is just an estimate, but let's say half of
24 that land left is really could be developed
25 and sold to third parties, that's our

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2 intention. That's what we plan to do.
3 MR. SURACE: My question to Dave was
4 on the properties that you already own,
5 buildings --
6 MR. GROW: We own these, too.
7 MR. SURACE: Right. But the ones
8 that you already own, Hangar Road, Perimeter
9 Road, Ellsworth, Brooks Road, will those
10 buildings that you have ownership of right
11 now, will those be transferred at some point
12 in time so that they become --
13 MR. GROW: You mean they're under
14 pilot agreements now?
15 MR. SURACE: Yeah. Just trying --
16 the number of buildings that were on the
17 base when the air force left really didn't
18 have a great -- now that they're in your
19 ownership and they're occupied and they're
20 producing rents and an income stream, will
21 they forever maintain the same ownership?
22 MR. SAUNDERS: A lot of that
23 building fabric is gone, Joe. Remember when
24 I saw you a couple weeks ago I mentioned to
25 you about -- I mean, I don't know what the

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1
2 figure is carrying for buildings up here, but
3 it's mostly buildings --
4 MR. SURACE: Close to 90 million.
5 MR. SAUNDERS: That stuff's gone.
6 Those buildings are gone. They've been
7 demolished.
8 MR. DIMEO: We've torn down well
9 over 2 million building fabric here in this
10 park.
11 MR. SURACE: With demo permits for
12 all of them, right?
13 MR. SAUNDERS: Um-hum. I mean, it
14 goes back many years. I don't know when we
15 started demolishing, Steve? Probably in the
16 '90s sometime.
17 MR. DIMEO: Yeah. Where Sovena,
18 Goodrich and MGS is located, those were all
19 World War II era warehouses that weren't
20 worth anything. And we incurred demolishing
21 to take them down. And now we have three
22 businesses with over four hundred people
23 working there, and all of them are paying
24 some form of taxes to the community. All
25 three of them are under pilot.

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2 MR. SURACE: I'd really like to be
3 -- get things squared away and see if our
4 records can actually coincide with one
5 another eventually because being brought in
6 after maybe some of these things were demoed
7 in the mid '90s to late '90s and trying to
8 make common sense out of the assessed value,
9 and what's left is a daunting task when you
10 really -- you know, I'm not given the
11 opportunity to match it up. Cause I don't
12 want anybody to think they're over assessed
13 on a building that might not even be there.
14 That's not our intent. But at the same
15 time, when a pilot that takes place, it's
16 the average taxpayer that has to bear the
17 brunt of what's not being paid for in the
18 form of taxable property on the base. And
19 that's always a tough sell for us.
20 MR. GROW: The taxpayer pyas for the
21 park, Fort Stanwix parks, it pays for city
22 hall, it pays for the roads. I mean, if
23 those were taxable, then there would be less
24 taxes on the taxpayer. We're viewing that
25 very similarly here, that this is part of a

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2 municipal operation that enhances the ability
3 of businesses.
4 MR. SURACE: Like a city within a
5 city.
6 MR. GROW: That's right.
7 MR. MILITELLO: Dave, do you not see
8 the problem with the IDA's stepping into that
9 role as opposed to taking this land -- let's
10 say you want to say that there's a 50-acre
11 green space that you like as park land and
12 is good for running trails, whatever, that
13 was one of the justifications there. What's
14 wrong with then deeding it back to the city
15 as city-owned land? If you want to take it
16 off the tax rolls --
17 MR. GROW: Go talk to the mayor
18 about that one, because in the past the city
19 has not wanted that.
20 MR. MILITELLO: That was 17 or 18
21 years ago when you didn't have anything here.
22 SHAWNA PAPALE: The road that was
23 built. They didn't want to build the road
24 and pay for the road.
25 MR. MILITELLO: That's our biggest

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2 concern here, Dave. The IDA, as we
3 understand it, exists to support economic
4 development projects as inducing people to
5 come in, create economic activity, give them
6 a benefit for it, and then you establish
7 some economic activity that benefits the
8 whole community including --
9 MR. GROW: And retain jobs, which
10 today is almost a bigger part of our thing
11 than anything else.
12 MR. MILITELLO: But the retention of
13 job thing is not -- is not very concrete
14 right now.
15 MR. GROW: Well, it is from our
16 standpoint.
17 MR. MILITELLO: You're making some
18 assumptions here that I don't know are
19 supported by anything you have in front of
20 you. What shows you that you're going to
21 keep a job just because --
22 MR. SAUNDERS: Maybe you guys
23 already covered this before I got here. I
24 don't feel you guys recognize the fact that
25 we're tax -- we would be tax exempt under

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2 428 under our right, in our opinion. We're
3 a not for profit 501C4 corporation.
4 MR. MILITELLO: With all due
5 respect, Jeff, you should go and get that,
6 then.
7 MR. SAUNDERS: The reason we're
8 asking the IDA is because the assessors,
9 because you guys are in here saying, no, no,
10 you guys are taxable.
11 MR. MILITELLO: Your recourse is to
12 go to court and say the assessor made the
13 wrong decision, not to go to a second body
14 to ask --
15 MR. SAUNDERS: That's not something
16 we want to do.
17 MR. MILITELLO: You got to.
18 MR. GROW: What that's -- what --
19 what applicants to the IDA, what alternatives
20 they have or don't have is the applicant's
21 issue. Here we're dealing with the IDA,
22 there's an application in front of us.
23 We have applications for assisted
24 living facilities, we have them for
25 apartments, we have them for townhouses, we

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2 have them for all kinds of different things.
3 But we have to analyze and see if it fits
4 into the big picture or whether or not
5 there's a better way to help these things
6 grow.
7 For example, in Clinton we have a
8 town -- or development of high-end type
9 townhouses. And part of what we decided
10 there was that we felt while it generally
11 probably wouldn't fit normally but the
12 overall need in the Rome, Utica area is some
13 high-end housing for businesses who bring in
14 executives that need to live in places on
15 more or less temporary, two, three four-year
16 basis, they don't want to buy. So we
17 developed kind of a thinking that we would
18 help them build -- help a developer build
19 maybe one or two, three years, but as soon
20 as these things are occupied, they hit a
21 pilot that grows. So that at least we get
22 them constructed and then we get people in
23 here that want to live in a place that may
24 not normally be thought have as a proper
25 pilot operation.

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2 So we're not adversary to taxing.
3 We're trying to find a way to get capital
4 improvements that will ultimately result in
5 much greater tax liability than vacant,
6 undeveloped land.
7 To me it just doesn't even make any
8 sense to think about putting taxable taxes on
9 property that's being used for a
10 governmental-type purpose that hopefully if it
11 gets developed will go on the tax rolls.
12 And the best way to do that is to make the
13 whole area business friendly.
14 MR. MILITELLO: Okay. And I can
15 say honestly, we're going -- this isn't going
16 to go well on the record, but we're like
17 this right now, as far as our view and your
18 view. We are not far from your concept.
19 The difference between where we're viewing
20 and what the IDA's doing and what your
21 viewing it as, is that we view that as
22 appropriate when you have, and that was my
23 point to Steve before, somebody who comes in
24 and says, "I want this piece of property. I
25 want to develop it." Okay. That's where

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2 the IDA steps in and says, "We're ready to
3 help out." But when the land is being held
4 and it has value and it should be being --
5 the value of that should be being recognized
6 on the tax rolls because under the -- all
7 the master planning that was done back in
8 the 1990s over this, indicating that there
9 would be a period of time for this to
10 happen, and now that period of time has
11 expiring for three of the facilities, and
12 it's going to expire for several of the
13 other ones as they come forward. The
14 intent, as we understood it, was for that
15 property to go back onto the tax rolls so
16 that it would eventually generate some income
17 for people even if it's not developed at
18 this point. And if somebody comes forward
19 to say, "We want that piece of property."
20 Then the IDA steps forward and says, "Okay,
21 we'll take title to it. We'll do a regular
22 IDA deal to develop this property, and it
23 will benefit everybody involved," cause you
24 always have that option to take it back off
25 the tax rolls.

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2 MR. GROW: Right, I think you're
3 right, we're not right there. I mean, the
4 IDA --
5 MR. MILITELLO: We are close but
6 --
7 MR. GROW: -- IDA feels at this
8 point in accepting this application that it
9 will consider this as part of the overall
10 park development. And if that's the case,
11 we are going to consider, if this comes onto
12 the agenda Friday, which I think it will,
13 whether or not we are going to do it. We
14 have a responsibility, too. You have one as
15 a school district. You're doing your
16 responsibility. That's fine. We accept
17 that. We accept your comments. We
18 understand your position. I mean, you've
19 made it clear to us a number of times. We
20 understand that. We have ours.
21 And we don't -- you know, we will
22 make a discretionary -- as an agency, a
23 discretionary decision, just like when you
24 vote on your contracts. We're not in there
25 arguing whether you should have done it,

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1
2 shouldn't have done it. You have those
3 responsibility to make those decisions. We
4 have been given a statutory responsibility to
5 make our decisions. And we -- we struggle
6 with these kind of things.
7 We struggle with Special Metals over
8 in Clinton and New Hartford that -- you
9 know, but what we did over there was unique
10 and hard to decide to do, but they are going
11 to expand, partially because of what -- you
12 know, what benefits we gave them. These are
13 jobs. These people not only -- the business
14 not only pay taxes but the individuals that
15 work there, building houses and live in them
16 and pay taxes.
17 And so -- and some of the businesses
18 we support pay sales taxes, unfortunately
19 maybe that's for another day, the school
20 district doesn't benefit from the sales tax,
21 but the other jurisdictions do benefit from
22 that.
23 So, you know, we -- we understand
24 your plight. I'm a taxpayer in the city of
25 Rome. I know very well what it costs to

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2 live here. I'm not happy with any of the
3 taxes that I have to pay, but I know I have
4 to pay them. If I have to pay them to get
5 a good school district, good teachers, I want
6 to have that, because that helps in
7 attracting people here.
8 Unfortunately, historically we haven't
9 been able to convince many people that --
10 new executives that come in here think they
11 want to live somewhere else in the county
12 because they think the school districts are
13 better. We don't agree with that. I don't
14 personally agree with that philosophy, but
15 that's what we've had to deal with. We're
16 trying to make an attractive city for people
17 to want to live and work in. And I think
18 we want to make that county-wide, too.
19 And our board is made up of a broad
20 geographic background in the county, all
21 interested in county-wide development. And
22 -- and we understand that this is an unusual
23 kind of thing. It was new for our IDA to
24 take over title to this property on the
25 base. We debated long and hard on that as

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2 an IDA agency. And I don't think today that
3 it was a bad decision.
4 And, yeah, we've had to struggle
5 with these kind of things as we go forward,
6 but we sort of feel that, you know, there's
7 light at the end of the tunnel. We don't
8 know when the tunnel ends, but there is
9 light there. We've valued the counsel of
10 GLDC and EDGE from time to time. We've
11 valued your counsel. We want to work as
12 partners as best we can. Sometimes we don't
13 agree. That will always be the case, I
14 think.
15 MR. MILITELLO: I just like to tie
16 it back to this particular project and make
17 -- draw a distinction to what you're talking
18 about with Special Metals. You know the
19 project that you're discussing which -- and I
20 don't know the details of it, but from the
21 way that you're describing Special Metals'
22 involvement with the IDA, that makes perfect
23 sense, that you're going to go to somebody
24 who said, "Here's an identified project we're
25 going to do. Here's how you can help us do

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2 it. And here's the benefit that it's going
3 to produce to the community."
4 We're having a really hard time
5 seeing that with this particular project,
6 because there's a layer of removal here with
7 GLDC where everything seems speculative right
8 now, you know. It's up to -- we're not
9 suggesting that you haven't been successful
10 in the past, Steve, in bringing lots of
11 business here. But we're not seeing it
12 necessarily connected to giving this tax
13 break to these properties right now. Whether
14 you have to exempt these properties in order
15 for GLDC to continue to do its business, is
16 a major question mark from the school's
17 perspective right now, and that is -- that's
18 the biggest concern.
19 And the other concern with the
20 project as it's proposed right now is that
21 you've mixed apples and oranges here. You
22 have taken properties that you described,
23 Steve, as clearly undevelopable, landfill
24 property that may be environmentally blighted
25 to a degree it can't be used for anything,

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2 or landlocked parcels 20 feet between two
3 parcels that may just not be able to be
4 physically developed for anything, and you've
5 mixed them in with parcels that are clearly
6 something you're going to try to market and
7 try to use. And it makes it difficult for
8 us to be able to take one position on the
9 prospect of it. Some of it makes sense,
10 some of it doesn't make sense.
11 MR. DIMEO: The way the property
12 comes over to us here, the air force doesn't
13 go out and subdivide all the property and
14 convey it to us. They give us blobs of
15 property in which includes warts and all.
16 MR. MILITELLO: But, Jeff --
17 MR. DIMEO: It only gets subdivided
18 as we subdivide it to sell a piece of
19 property or create some type of demisable
20 unit for another purpose here.
21 MR. MILITELLO: Jeff and I had
22 conversations about the master lease back in
23 September and August of last year when Jeff
24 had brought work to the IDA board the pieces
25 of everything that's involved here as

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2 different transactions. And Jeff had said,
3 "You know what, we're really not crazy about
4 doing this in pieces. We'd rather do it in
5 a master lease." And there's never been a
6 conversation since then about what you plan
7 to do. And this literally came out of the
8 blue for us, less than two weeks ago. And
9 so now we're looking at it. Yes, you did
10 tell me that the concept was out there, but
11 we never talked about the concept.
12 And these are the concerns that have
13 been raised about the concept now that, in
14 examining it, make it seem like it might
15 make more sense, Steve, for you guys to do
16 this piece by piece so if you needed to keep
17 something off the tax rolls for 10 years
18 because you can show us it's environmentally
19 impaired, we don't have to sit back here and
20 say, "Why are you doing this?"
21 MR. GROW: Chris, I've made the
22 offer to the president of the school board
23 on two occasions to meet with him and
24 discuss our philosophy with them. It's never
25 been answered.

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2 MR. MILITELLO: This, I think, is
3 more internal issues.
4 MR. GROW: If that's what you're
5 talking about, what are our long-term plan
6 is, and the school board's concerned about,
7 we've been willing to meet with them. I
8 personally --
9 MS. RIEDEL: I never seen a letter
10 from you.
11 MR. GROW: No, but I talked to you
12 personally after meeting in Common Council
13 chambers and tell you I'd be willing to meet
14 with the school board on this, but I wanted
15 to meet with the school board without any
16 lawyers present. I wanted to explain our
17 position to the elected people of the school
18 board, just like when we meet with people of
19 the agency, we want to meet with the agency,
20 but that was not picked up.
21 And so I'm trying to explain as best
22 I can where we're coming. We're not -- I'm
23 the last person that would be adversary to
24 the school board, to the school district.
25 My wife is a teacher.

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2 MR. MILITELLO: We're talking about
3 the specifics of this project.
4 MR. GROW: Part of what the school
5 board has to understand, I think, is what --
6 where the IDA's coming from so they have a
7 sense -- maybe we don't agree on the
8 individual specifics of it because we still
9 have to exercise our discretion, too, as a
10 collective group. But at least we can
11 understand each other from the standpoint
12 that we're not trying to benefit anybody
13 other than the school district and the taxing
14 jurisdictions at the end of the day. That's
15 our sole purpose.
16 MR. DIMEO: You're not losing
17 anything. For 50 plus years this was never
18 on the tax rolls.
19 MR. MILITELLO: But that's
20 irrelevant, Steve.
21 MR. DIMEO: It's very irrelevant.
22 MR. MILITELLO: Real Property Tax
23 Law 300, every piece of property in this
24 state is taxable unless it's exempt.
25 MR. DIMEO: And this property was

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2 exempt, and the IDA they just continue the
3 exemption. We would argue GLDC is, in its
4 own right, a tax exempt organization.
5 MR. MILITELLO: To say 60 years of
6 history matters here, all that matters is
7 whether the IDA thinks it ought to extend
8 it.
9 MR. GROW: I don't disagree with you
10 that at the end of the day you're correct.
11 But the IDAs, in my opinion, were created to
12 make the -- to kind of soften the issue of
13 taxes when economic development occurs. And
14 so we -- you know, we really struggle with
15 these kind of things. And we have turned
16 down good projects for no pilot, no real
17 estate pilot, particularly in marginal
18 situations, simply because we don't agree.
19 Even though there are -- for example, in
20 Onondaga County, everyone gets a pilot.
21 There's no issue, everyone gets it. Utica,
22 essentially, everybody gets a pilot.
23 We don't act that way. We look at
24 every single application to consider, first
25 of all, is it income producing? Is it job

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2 producing? How are we going to help? And
3 you might be able to pick out a corner here
4 or something that maybe you can make an
5 argument. We feel that as a package, at
6 least that's been presented to us, and the
7 agency members will get a transcript of this
8 hopefully by Friday's meeting, be able to
9 read it, and that's one of the reasons I'm
10 here, is that I want to be able to relate
11 to the agency the comments and concerns.
12 And I think we've had a sense of them all
13 long. We understand what they are, but we
14 also understand what our fiduciary
15 responsibility is also. And that's one of
16 the things that -- that I just don't think
17 we connected on. And maybe at the end of
18 the day we'd be able to do that so --
19 MR. SIMMONS: I think -- just a
20 comment what Chris was saying. I reviewed
21 -- we had a pretty lengthy meeting here
22 where we went through the map, and it was
23 very helpful, back in November to understand
24 the parcels that were being -- how they were
25 being divided up, what buildings were located

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2 on what parcels, what the history was. And
3 there was a conversation at that time that
4 you had said, Jeff, that you were considering
5 taking these -- these groups of parcels and,
6 you know, moving them into an extension of
7 tax exemption.
8 Where I have concerns similarly that
9 we are not afforded enough time or
10 opportunity to understand proposals where they
11 are brought through the Oneida County
12 additional development agency board. And I
13 asked, I think, at that meeting or follow-up
14 meeting would you ever consider reviewing the
15 process and allowing us to be part of the
16 conversation initially as to what was being
17 proposed, what some of the details related to
18 the pilot agreement, and I was told flat out
19 no and --
20 SHAWNA PAPALE: No. That's not --
21 Jeff, that's not correct. You were --
22 you've been advised that you have the -- you
23 know, when the IDA meets and you were told
24 you can come to all the IDA meetings. We
25 didn't tell you no, we would not discuss

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2 projects with you. You asked to be
3 involved.
4 MR. SIMMONS: I asked specifically
5 as the project was being proposed or thought
6 about if -- including the proposal for the
7 level of pilot payments that would be
8 received by the municipality, whether or not
9 we could be involved in some of those
10 upfront discussions prior to receiving a
11 notice of hearing, and I was told no. And so
12 I think that that is contradictory to what
13 Dave is saying.
14 MR. GROW: Well, not totally, Jeff.
15 Not totally. It's like -- let me -- I
16 mean, you're -- I agree, if I were on your
17 side I'd be asking the same questions.
18 And I guess what we're saying is we
19 receive these applications at a meeting, and
20 I believe you can access our agenda. Do we
21 send the taxing jurisdictions --
22 SHAWNA PAPALE: No. It's all posted
23 on our Web site as required.
24 MR. GROW: A week or so ahead of
25 time as to what applications are going to be

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2 received at the meeting. And at that
3 meeting -- and I believe that as to other
4 than proprietary information that might be
5 part of the application, the applications are
6 available to review before the meeting.
7 That's the first time we get them, is when
8 that happens officially.
9 Now, we clearly, on big projects,
10 we, in Executive Session, essentially wait
11 like you do, discuss potential contracts,
12 potential items to see whether or not the
13 agency's comfortable with proceeding with the
14 project or are there other options that we
15 don't -- we'd rather do.
16 Preswick Glen's an example, for
17 example, that was an application to us, so
18 if you read about the problems with that,
19 and we elected not to get involved with
20 that, and we voted down that application.
21 So there are parts of every application that
22 may be proprietary, may contain some
23 financial information that the applicant
24 desires to remain confidential for competitive
25 reasons. We make -- they indicate that to

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2 us. We make an initial determination as to
3 whether that portion of the application gets
4 public. If they guilty FOILED or requested,
5 we contact the company to see whether or not
6 they're willing to defend their
7 confidentiality. We prefer to give
8 everything out. But as you could do in your
9 contract negotiations, not everything comes
10 out publically in the end of the day. So,
11 you know, we want to give as much as we can
12 as soon as we can, but frankly these
13 applications come in very close to our
14 meeting date.
15 SHAWNA PAPALE: Let me clarify. I
16 think Jeff wants to be involved before it
17 even becomes a topic discussion. He wants
18 to be involved in the negotiations, but I
19 think you wanted to weigh in and advise on
20 decisions of the IDA.
21 MR. SIMMONS: I want to in -- our
22 position is that prior to receiving -- I --
23 as you described, Dave, the board receives
24 these application for these financial
25 assistance and then reviews them. I'm pretty

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2 sure that there are a number of --
3 particularly for big projects, as you said, a
4 number of discussions regarding -- between
5 the Oneida County Industrial Development
6 Agency and particular business and/or entity
7 prior to that. And the terms -- in terms
8 of trying to weigh what might be brought
9 forward. I think that school district has
10 good information as to how various proposals
11 would be -- would affect the school district
12 in light of changing circles. And I would
13 like to be, as a school district, part of
14 that discussion, so that we're not placed
15 into where we're at now, an adversarial
16 position with the efforts that you're trying
17 to make. I know the law does not
18 necessarily -- and I've heard at your board
19 meetings, particularly in the Augusta matter,
20 which I don't want to get into the details
21 of that, but the amount of process that was
22 afforded to the school district was what was
23 within the law. That doesn't mean that it's
24 right. That doesn't mean that it's helpful
25 to the school district. And I'm looking for

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2 more process. I'm looking for more
3 information and more of a direct role for
4 the school district so that at the end of
5 the day, as we did this morning with Family
6 Dollar, we can say we support this project
7 and that we're not at odds. I'm asking you
8 to --

9 MR. GROW: Family Dollar issue's a
10 very complicated, very complicated, probably
11 the most we've ever done.

12 MR. SIMMONS: We understood the
13 complexity of that, and we appreciate the
14 consideration that's afforded to the school
15 district. And the fact that that agreement
16 looked at the impact of the school district
17 perhaps in a more detail, substantive way
18 than some of these other proposals, we feel.
19 And we want to be -- we want to be a
20 partner. You used the word "partner," Dave,
21 several times today. We want to be a
22 partner.

23 We don't feel that getting the -- a
24 hearing notice, often a few days before the
25 board is going to meet, and then two days

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2 after the board meeting we don't feel that's
3 treating the school district as a partner.
4 I just ask you to consider that. Maybe not
5 respond.

6 MR. GROW: I accept that. I think
7 that's a very plausible situation that you
8 are in. We have a process that applies not
9 only to Rome but applies to the entire
10 county, and -- you know, I'll just respond
11 in a way, I don't know how we could do it
12 for everybody. I just don't know how we
13 could do it.

14 And secondly, I think that a lot of
15 these projects, particularly with private
16 businesses, are very confidential. I mean,
17 to the point where only a few people are
18 aware of what's happening. And it isn't
19 until it gets to a point where the company's
20 comfortable with making a public presentation
21 are we permitted to even talk about it. And
22 that's impressed upon us enormously. I might
23 make an example, if you're negotiating a
24 union contract. You don't want any of that
25 stuff to get out until you've completed your

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2 negotiations. And at that point in time,
3 then it comes out to the public.

4 We're the same way, in essence, for
5 these kind of things. And I -- I feel
6 sorry for you in that sense of the word that
7 you maybe don't get enough time to look at
8 all this stuff. But I can assure you on
9 big projects we spend a lot of time on this,
10 looking at the application and reviewing and
11 seeing if it fits in with the overall idea
12 of economic development that the agency sort
13 of has.

14 You know, the process is -- you
15 know, the legal process is the application
16 comes in, requires a public hearing, I don't
17 know how many days notice, maybe 30 days
18 notice to the public hearing. And during
19 all that time presumably you have an
20 opportunity to review whatever documents we
21 can give out for that public hearing.

22 The purpose of the public hearing,
23 and very frankly the numbers that I have
24 held, and I told Shawna today, my view of a
25 public hearing is similar to probably the

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1 school board's public hearing. And it's not
2 a question and answer period. It's a
3 listening period. And, you know, I sort of
4 allowed the question and answer to continue.
5 I mean, typically we've had other ones where
6 we don't answer any questions. You just
7 comment on what you got, and we go ahead and
8 do our thing.
9
10 I think both, from Shawna's
11 standpoint who feels strongly that we should
12 try to respond to whatever questions are
13 there so at least we can get on the table
14 the issues that are pending as best we can.
15 But our process is similar to your school
16 board process in the sense there's only so
17 many things that we can share. We try to
18 share them as best we can. We understand
19 your dilemma. At the end of the day we
20 have to take responsibility for our
21 decisions, just like you have to do. And
22 the state is giving us that responsibility by
23 statute. And we take it very seriously that
24 responsibility, just like you take yours.
25 And your comments are taken very seriously by

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1 us.
2
3 And as was your -- New York Mills,
4 for example, in the energy plan that was
5 tied into St. Luke's and Utica College.
6 That was a very difficult one for New York
7 Mills. I don't know how many of you know
8 about that deal, but that was not a -- that
9 was not one that they were very happy with,
10 and they told us, and we were sorry about
11 that, too, but, unfortunately, you know,
12 sometimes local people just don't have a
13 sense where the end -- what happens at the
14 -- in the big picture.
15 MR. SIMMONS: I just gave you an
16 example something that just occurred this
17 morning, what I'm talking about, okay. And
18 as I indicated, we support the changes that
19 are being made to the Family Dollar.
20 MR. GROW: And we thank you for
21 that.
22 MR. SIMMONS: There was a
23 discrepancy in the conclusion that Steve drew
24 regarding the pilot impact on our district
25 and analysis we did. We had an analysis

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2 that indicate that in 2016, when the pilot
3 comes back on two third payments, I believe,
4 that we were going to be \$120,000 less than
5 we would have been if the pilot had expired.
6 Steven's conclusion was, when you
7 take under consideration if the assessment
8 was reduced, we would -- we were actually
9 doing better under this agreement.
10 So there's a discrepancy there. I'm
11 not saying he's wrong, we're wrong. Meeting
12 of the minds and discussion up front to be
13 able to analyze that so we're working from
14 the same numbers would help the process,
15 would help us to be able to come forward and
16 understand the impact.
17 Now we got this discrepancy, it's
18 minor in our mind compared to the overall
19 value of the Family Dollar proposal --
20 MR. GROW: That's what I call a big
21 one.
22 MR. SIMMONS: Right. We're going to
23 support it, but those three days from now,
24 Friday, that's going to be approved. And,
25 you know, so we're not --

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2 MR. GROW: I haven't heard the
3 transcript of the public hearing yet.
4 MR. SIMMONS: So we're not working
5 from the same analyze.
6 SHAWNA PAPALE: Sticking to this,
7 going back to this topic, and Dave is
8 correct, I been chastised by the IDA board
9 for conducting public hearings with give and
10 take. And Dave now understand part of the
11 reason why is to help educate people.
12 The last public hearing we had on
13 GLDC, when they came and asked for the pilot
14 extension, which included all the property
15 that is currently included in this
16 application less the property that was
17 removed, which was 770, 774, 776, 778, 780.
18 I think that was it. We spent three hours
19 going through that and going through the
20 maps.
21 So for the record, you've seen the
22 map. I believe I distributed the map less
23 those parcels that were removed. You had
24 been given it at the last public hearing.
25 At that meeting, too, we offered additional

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2 time to sit and meet and talk about. I did
3 take back, Jeff, your request to be involved
4 in the process. So, I mean, the door's
5 always open to have those discussions. I
6 hear what you're saying, so does Dave, but
7 it becomes a challenge when we're also trying
8 to follow our process.

9 MS. RIEDEL: I guess, Mr. Grow, to
10 get back to your point where you said, well,
11 I'd like to explain something to you Pat or
12 something. When we as a board are looking
13 to meet with somebody, I don't give him much
14 peace of mind until he set up a meeting with
15 the person that we want to meet with.

16 I never heard back from you. I'm
17 not trying to be adversarial with you, but I
18 never heard back from you about us meeting
19 where I wanted us to have a meeting with the
20 chamber to explain to the chamber where the
21 district is coming from when we disagree with
22 you people. And I didn't give him any peace
23 until he worked that out. That's how we
24 operate as a board. If I wanted -- if you
25 were me -- or I were you and you really

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2 wanted to explain to the board, I would have
3 heard from you either by phone or by letter
4 or by something, "Pat, I'd like to sit down
5 with your board privately and meet with you
6 and tell us where you're coming from."
7 That's how we operate. That may not be how
8 you operate, however.

9 MR. GROW: I operate on a more
10 personal basis.

11 MS. RIEDEL: We're here today.
12 You've said where you're coming from, and now
13 you're going to meet on Friday.

14 Now, obviously your group has already
15 pretty much met and know where you're coming
16 from and what you're going to do on Friday.
17 So what we have to say really is just for
18 the record. We the school board does not
19 agree completely with what you're proposing.
20 So we are going to walk in here, just as we
21 have done in previous meetings, and it's
22 going to be a cut-and-dry meeting. It's
23 already -- nobody -- it's not going to be
24 "We're going to postpone this out so we can
25 talk to our board and say to our board,

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2 'school district and the city spent a lot of
3 time with us, and they still have problems
4 with this.'" We're going to come in, and
5 you're just gonna say, "Too bad about you,
6 school district." This is how we think.

7 I hate to say that because that's
8 what -- that's the impression that we get.
9 In two or three days that's exactly --

10 MR. GROW: I think that probably is
11 a correct impression. I can tell you,
12 though, we have seven members of the IDA,
13 and we have many instances when we don't get
14 -- don't agree. So there isn't one person
15 on the IDA that could really tell you what
16 the vote's going to be next Friday. And
17 we've turned down votes when the GLDC or
18 private developers come in and we voted them
19 down. And so the public hearing does make a
20 difference to us. And I know we read those
21 minutes and we understand -- unfortunately we
22 all can't be at them, and typically I'm not
23 at the public hearing. I read the
24 transcript. But I know this was important
25 to the school district, so I wanted to be

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2 here, and I'm willing to meet with the
3 school board and explain where the IDA is.
4 And, of course, we're all volunteers, too.
5 As you are. And we don't have -- you have
6 more meetings than we have.

7 MS. RIEDEL: Yes, we do.

8 MR. GROW: So it isn't easy to get
9 everybody to go, but I can tell you I really
10 feel that we both have the same end that we
11 want. It's a question of how we get there.
12 And I'm -- I think meeting is important.
13 And we probably should have had that meeting,
14 and maybe I should followed up after my
15 little discussion with you that morning, and
16 I didn't. I probably got off on something
17 else and just didn't do it. And I probably
18 kicked myself for not doing it. But you
19 know I'm available any time. Our agency's
20 willing to meet with the school board.
21 We've had this discussion as an agency. We
22 don't want an adversarial relationship. I
23 mean, I can only tell you we feel very
24 strongly that adverse media publicity is not
25 good for economic development overall. At

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2 the end of the day it hurts us. So we
3 need to have an understanding where
4 everybody's coming from as best we can and
5 then whatever happens ultimately after that,
6 it happens.

7 But, Pat, I'm sorry I didn't follow
8 up with you on that.

9 MR. MILITELLO: I'd just like to end
10 cap one thinking here. The distinction that
11 Jeff brought out is a really important one
12 for the IDA to get, which there is the legal
13 process that the general municipal requires
14 for you guys to go through in order to
15 consider and go through projects. And then
16 there is the process that is being discussed
17 right now, which is certainly far beyond,
18 and, Shawna, I recognize that you have gone
19 beyond what the statutes say that you
20 absolutely have to do. I don't think the
21 statute is clear what a public hearing is
22 for the IDA. I think it just says you have
23 a public hearing and it's up to you to
24 decide --

25 MR. GROW: That's right

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2 have control over that. And there's some
3 issues that get emotional. I mean, we're
4 emotional about our position to some extent,
5 but sometimes -- you know, at your school
6 board meetings you get real emotional. So
7 we have to have control here today. We're
8 all adults and people and we can be a little
9 more -- little more free with our discussion.
10 And, you know, I'm -- I don't really -- you
11 know, I'm just one member of the agency,
12 just like Pat's one member of the school
13 board. And we try to do the best job that
14 we can. And we don't want to create
15 problems if we can avoid them.

16 One of the problems with the -- the
17 park is that we're an owner. We feel like
18 an owner of this property. And we want to
19 get it developed as best we can. You know,
20 just like you own the school -- the property
21 the school district is on. You want it to be
22 the best you can make it. And there are
23 paths, you know, that are different to get
24 there, maybe, but, you know, we try to do
25 the best we can. We want to listen to your

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2 MR. MILITELLO: And then you do it,
3 and if we didn't like it, if you come in
4 and say we're not allowed to get information
5 from you, then somebody else might have to
6 decide whether that's a sufficient public
7 hearing.

8 And the whole point being is we
9 don't necessarily want to get to that point.
10 If you're willing to continue to conduct the
11 public hearings in this manner, where we can
12 use them to get information about a project
13 and supplement what Shawna may be able to
14 provide us prior to the hearing so we can
15 understand, the process is going to work
16 better for everybody, and that's -- I -- I
17 just wanted to make sure that's what you're
18 taking out of a lot of these comments, which
19 is if the process is better, there's less of
20 a chance of us butting heads at the end of
21 day over our differences.

22 MR. GROW: Yeah. I mean, we have
23 to have some control over public hearings and
24 -- but in some of our public hearings we
25 have a lot of public here, where we need to

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2 comments. We want to express our philosophy.
3 We are not public figures. We don't like to
4 be in the media. We don't like to be --
5 We feel that our job is to review these
6 applications and provide the best decision we
7 can make based upon all of the comments.
8 And we appreciate the school board's
9 investment in those decisions. We might not
10 agree with them all the time, but we do
11 appreciate it.

12 And, you know, I mean if we've
13 messed up a little bit in the past or if I
14 have or our agency has, we can correct those
15 things. And we're certainly willing to meet
16 and work on them as best we can. We've met
17 many times with the mayor and the city even
18 before our current mayor, prior mayor on lots
19 of economic development issues, and there's
20 no reason why the school board can't be
21 represented at those meetings. But
22 historically it's been an issue that's been
23 focused more on, you know, where this thing
24 -- where the assessment should come out and
25 what should happen. We're talking internal

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2 city development.

3 MR. SIMMONS: Dave, Pat has
4 discussed this with me. And in my time as
5 superintendent I can remember a couple
6 occasions where this occurred. There was a
7 time when -- whether it be a new business,
8 IDA was considering a proposal from out of
9 state that were -- you know, that any -- any
10 information to be shared publically can put
11 that project in jeopardy. So confidentiality
12 -- you brought up confidentially. There had
13 been a time when Steve or somebody from the
14 agency would come to board Executive Session
15 and share details --

16 MS. RIEDEL: That's gone away that
17 --

18 MR. SIMMONS: So that we would have
19 a better understanding and more lead time in
20 order to be able to understand the proposal
21 impact on the project and then be a
22 supportive partner. That has kind of gone
23 away.

24 MR. GROW: That's too bad.
25 SHAWNA PAPALE: Also there have not

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2 been circumstances where there's been projects
3 that have required that. It's more Family
4 Dollar type things.

5 MR. SIMMONS: Why can't that be
6 done?

7 MR. GROW: I don't see why it can't
8 be.

9 MR. SIMMONS: As part of the process
10 for extension of pilot that you're
11 considering so that we are brought in, again,
12 with little more lead time that my -- one of
13 the dilemmas we have two board members here,
14 only board member we have a same position
15 you do. We have an obligation to keep our
16 full board informed what's happening.

17 And just to say if I were to have
18 -- our board was to have a public hearing on
19 something, our full board would have to be
20 there, and have to be open. Our laws are
21 different. Open session, public would be
22 able to participate and be a little more
23 transparency to the process.

24 But I'm just wondering for your
25 consideration if we can't restore that

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2 process, I think work well, when the initial
3 stages of base development were considering.
4 And I think it would be helpful to us to be
5 able to involve our whole board in these
6 issues rather than, you know, the way it's
7 going now, so --

8 MR. GROW: I certainly will pass
9 that on. I mean, my personal view on that
10 is that we should be open. I mean, I will
11 tell you that I think EDGE is understaffed.
12 I think that economic development is not well
13 funded, both by the city or the county,
14 which means that we're utilizing resources
15 very -- it's very difficult to do everything
16 at the same time. And I'm not going to
17 apologize for not continuing what you
18 discussed. I'm a big fan of doing that. I
19 was -- I had been for years, but there's
20 only so much time in the day. And you're
21 paid and Shawna's paid and the rest of us on
22 these boards aren't paid, not that that
23 should take away any of our responsibilities,
24 because it doesn't. I mean, we're -- when
25 we talk this job, we're responsible to do

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2 the best we can. And so -- I mean, I will
3 pass on that comment to Steve and to Shawna.
4 Steve is not a direct person related to the
5 IDA. Shawna is our executive director, and
6 in that position is responsible to us.
7 Steve is an EDGE consultant for us when we
8 need information on projects.

9 So I wish there were more people.
10 I wish we had a bigger staff of economic
11 development. If you look at the money that
12 goes into the economic development in this
13 county, it's small. So, you know, I would
14 -- and all of our money, all the IDA's
15 money, we get paid, you know, by -- from
16 fees from these things. That money
17 essentially goes back to EDGE or to GLDC.
18 We don't have any money ourselves. Our
19 budget is basically all our contract work,
20 money goes back into the system. So these
21 projects in the county comes back, funnels
22 back in \$150,000 a year, back into Edge's
23 cost to economic development. But that's
24 another source of revenue that isn't there if
25 we don't have projects.

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2 So, you know, I -- I -- I've
3 wrestled with this thing particularly with
4 the Rome School District for a long time,
5 and I have trouble with it, but, you know, I
6 -- I think we're -- I really do believe
7 we're doing the best job we can. I think
8 you are. And you know if we can go forward
9 and remove some of the irritants that are
10 there that would be great, but I will tell
11 you I have -- I tried to get Shawna
12 yesterday and she was so busy I couldn't
13 reach her until this morning. So that's
14 another matter. I'm sure you have the same
15 problems, too many meetings, but sometimes
16 they are necessary.

17 MR. MILITELLO: I just want to kind
18 of end this -- since we are still on the
19 record for the public hearing, I just want
20 to end it by saying from the school's
21 perspective, we will send you a letter that
22 outlines our position, but for the record, we
23 do want to go on the record that we are
24 opposed to the project as it currently is
25 put into place. We've got a lot of reasons

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2 why we think that it could be done
3 differently, possibly better, and we would
4 urge that at least the IDA give consideration
5 to maybe tabling and looking at whether --
6 whether or not there is a more sensible way
7 that will relate what each parcel's value is
8 to what its tax treatment is going to be,
9 rather than trying to take it as one big
10 lump at this point. And say that
11 environmentally challenged property is going
12 to get the same treatment as much more
13 highly developable property. So I just
14 wanted to make sure for the record that
15 position's out there.

16 MR. GROW: The agency will get the
17 transcript of this.

18 MR. MILITELLO: Understood. Thank
19 you.

20 MR. SAUNDERS: There's also, there's
21 two maps. I think you seen both of them
22 actually floating around, and I actually
23 thought there were copies out here. I think
24 we must have given them the to environmental
25 liability companies.

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2 I'm going to have copies run off.
3 I will send them to -- I'll send you a
4 duplicate. One big map is F parcels, and
5 the other map shows pieces of property we
6 conveyed out. So I ask the record be held
7 open and we'll include those two maps in the
8 record. You've seen copies of them before.

9 MR. MILITELLO: If they're
10 specifically marked for this project, it
11 certainly advances our understanding --

12 MR. SAUNDERS: It's a map, helps a
13 little bit to look at the maps.

14 MR. MILITELLO: Right.

15 MR. GROW: Make sure you give them
16 to the city, too.

17 SHAWNA PAPALE: What we'll do is
18 we'll distribute it as our normal
19 distribution, Jeff, and, Pat, and I -- I
20 send them over to the mayor's attention.

21 MR. SURACE: Make sure I get one.

22 MR. SAUNDERS: We'll get you one,
23 one of each.

24 MR. SURACE: Thanks a million.

25 MR. GROW: Any other public comments

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2 anybody wants to raise? Yes.

3 MR. HAGERTY: I'd just like to make
4 a couple comments. If you're not already
5 aware of it, there's a new paradigm that's
6 impacting the funding of the school district
7 within New York state. And that is, as you
8 know, most of the upstate district and Rome,
9 in particular, is a high need, low wealth
10 district. So we're very dependant on state
11 aid.

12 As you're also aware, the state has
13 big financial deficit problems of their own,
14 which they've been sharing with the school
15 district for a number of years now in the
16 form of reduced revenues in terms of district
17 aid to the school districts as well as what
18 they call a gap administration aid, which is
19 sharing the gap they have in their budget,
20 which is passing down a deficit to us. So
21 we are in the position that we are trying to
22 fund a school district that has an increasing
23 requirement to educate our young.

24 If you've been following the regents
25 activities at the state level, you will know

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2 that they're trying to increase career ready
3 and college ready proficiency, graduation
4 rates of all students in New York state.
5 So we have sort of the worst of all worlds
6 here in terms of declining revenues and
7 increasing anticipation for performance within
8 a school district. If you map that over
9 onto a district like Rome, which is so
10 dependent on state aid, and we know that
11 state aid is an issue, then we turn even
12 more so perhaps than we have in the past to
13 what our local contribution is. And that's
14 why this scrutiny of the assess value and
15 growing of our local tax base, even though
16 it only attributes say 20 percent of our
17 total revenues.

18 It's very important to us, and it's
19 getting more important in the future and
20 getting more important, I think, for a number
21 of reasons. If you have been downstate or if
22 you have been following what's been going on
23 downstate there's a lot of resistance within
24 the state and all coming out of wealthier
25 districts downstate that's headed up upstate

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2 to fund our district. And I think it's a
3 fair concern that they have when you look at
4 the number of school districts and lack of
5 consideration, lack of expanded tax base
6 within given municipalities, i.e., what we're
7 talking about here. So I think we have a
8 reason to be sensitive and to follow very
9 closely what you as an economic development
10 agency is doing. And it's not because we
11 don't like you or we're trying to create
12 some adversarial relationship. It's because
13 we have some real issues and these are
14 long-term things that have to be sold on a
15 long-term basis.

16 So when Joe Surace talks about a
17 possible re-evaluation, to me that's a good
18 thing. Of course, he didn't clarify in terms
19 of any particular time frame, but those are
20 the things that we are going to have to do
21 locally, I think, in order to be able to
22 mirror the resources that we're deriving from
23 the rest of the state. We're going to have
24 to stand on our own to two feet. And I
25 think we're doing that in Rome pretty well.

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2 We have done a lot of consolidations. We
3 have been able to hold our budget intact.
4 But we still haven't solved the problem. We
5 still have that deficit. And that deficit
6 has quickly been gobbling us up.

7 This is very important to, I think,
8 understand the motivation behind why the
9 school district, i.e., the school board,
10 wants to be involved in what you're doing as
11 well as anything else that will create a
12 better economic situation for our local
13 district.

14 MR. GROW: I appreciate those
15 comments. I've heard them personally from
16 probably six or seven other school districts
17 in the county. All of the school districts
18 are talking that similar tune as to yours.

19 And I view our role as very long
20 term. We are trying to develop a long-term
21 tax base that will be stable going down the
22 road and transitioning from a tax base that's
23 based upon full government in Rome,
24 essentially an air force base, to a private
25 diversified stable tax base. And it's not

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2 easy to do. And, yes, there are some things
3 that will short term, probably work against
4 the district and the city, but in the long
5 term, if our analysis was correct, we hope
6 at the end of the day you will be able to
7 grow your tax revenues without increasing the
8 tax rate.

9 And our goal is that. Our goal is
10 to provide stability to you so you don't
11 have a roller coaster ride. I guess the
12 answer is we're here to help you as best we
13 can, but we also have a concern that the
14 county is suffering, too. And all areas of
15 the county are suffering. And so we're
16 trying to provide a mechanism that stabilizes
17 the tax base in the county and -- which, I
18 think, over the last ten, 15 years has been
19 pretty good. School district's tax rate
20 hasn't gone up substantially, the city
21 hasn't, the county hasn't. We're probably
22 one of the few counties in the state that
23 can say that. Yes, I think that we have
24 problems down the road. And we will have to
25 deal with them collectively as best we can.

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2 But we really do appreciate your
3 time and giving us your feelings on it. And
4 as I say, I'm willing to offer the agency as
5 many members I can get to meet you guys and
6 discuss it further. And hopefully at the
7 end of the day we can at least come to some
8 sense of understanding about various positions
9 so we can deal with issues going forward.

10 All right, we'll close the public
11 hearing. There's no public comments. And
12 thank you for coming.

13 (Whereupon, the hearing was
14 concluded.)
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2 CERTIFICATE
3

4 I, NICOLA BRUZZESE FANELLI, a
5 Shorthand Reporter and Notary Public in and
6 for the State of New York, DO HEREBY CERTIFY
7 that the foregoing is a true and correct
8 transcript of my shorthand notes in the
9 above-entitled matter.
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13 Nicola Fanelli
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