

**Inducement Resolution  
Above Grid Rome Solar LLC Facility**

RESOLUTION OF THE ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TAKING PRELIMINARY OFFICIAL ACTION IN CONNECTION WITH A LEASE-LEASEBACK TRANSACTION FOR THE BENEFIT OF ABOVE GRID ROME SOLAR LLC, ACCEPTING AN APPLICATION, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT, AUTHORIZING THE AGENCY TO CONDUCT A PUBLIC HEARING, AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT.

WHEREAS, Above Grid Rome Solar LLC, on behalf of itself and/or the principals of Above Grid Rome Solar LLC, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") has applied to the Oneida County Industrial Development Agency (the "Agency") to enter into a transaction in which the Agency will assist in construction of an approximately 5 megawatt AC ground-mounted solar energy system/community solar array with solar panels connected to a single-axis tracking racking system consisting of two pervious gravel access roads, inverter pads, a fence surrounding the entirety of the equipment, underground wiring, and overhead utility interconnection to equipment (collectively, the "Improvements"), situated on a 50± acre portion of a 174.40± acre parcel of land located at 5727 Rome Taberg Road, City of Rome, County of Oneida (the "Land"), all for the purpose of furthering the mission of New York State renewable energy goals by providing renewable energy for consumers in the region under the New York State Community Solar Program (the Land and the Improvements are referred to collectively as the "Facility" and the construction of the Improvements is referred to as the "Project"); and

WHEREAS, the Land is leased by Rome Industrial Development Corporation (the "Owner") to the Company pursuant to a Solar Ground Lease dated August 2, 2021 (the "Ground Lease"); and

WHEREAS, the Company will lease the Facility to the Agency, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 372 of the Laws of 1970 of the State of New York, as may be amended from time to time (collectively, the "Act") and the Agency will lease the Facility back to the Company pursuant to a Leaseback Agreement (the "Leaseback Agreement"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility, to promote the development of renewable energy projects to support New York State's renewable energy goals as may be established

WHEREAS, the Facility constitutes a “community solar project” as defined by the New York State Energy and Research Development Authority (“NYSERDA”) and a “renewable energy project” as defined in the Act; and

WHEREAS, on September 18, 2020 as amended on April 30, 2021 and March 25, 2022 the Agency adopted a uniform tax exemption policy with respect to community solar projects (the “Solar UTEP”), in which it identifies terms of financial assistance for community solar projects and the related project eligibility criteria; and

WHEREAS, the Company requested the Agency provide financial assistance to the Company in connection with the Project in the form of provision for a fixed payment in lieu of taxes (the “PILOT Payments”) to be made by the Company to the Agency for a period of twenty-five years, during which time the Company shall make PILOT Payments equal to \$7,000 per MW-AC of nameplate capacity with an annual increase of two percent (2%) applied during year 2 through year 25, which will be allocated among the affected tax jurisdictions in the same proportion that taxes would have been paid but for the Agency’s involvement (the “Financial Assistance”), which Financial Assistance is a deviation from the Solar UTEP, and which will be more particularly set forth in a final authorizing resolution; and

WHEREAS, based upon representations made by the Company in its Application for Financial Assistance dated September 1, 2023 (the “Application”) the value of the Financial Assistance requested is described as follows:

- Real property tax abatement \$517,966.00 (approximately)
- Mortgage recording tax exemption Not requested

WHEREAS, the Company is requesting the Agency deviate from Policy for the following reasons:

- The Facility will be located on vacant land that is owned by a not-for-profit entity and is currently not generating any revenue for the taxing jurisdictions;
- The Land is not considered agricultural land or prime agricultural soil;
- Despite various efforts by the Owner to market the Land, it has proven to be undevelopable largely due to the preponderance of wetlands; and

WHEREAS, prior to the closing of a lease-leaseback transaction, and the granting of Financial Assistance, a public hearing (the “Hearing”) will be held so that all persons with views in favor of or opposed to either the Financial Assistance contemplated by the Agency, or the location or nature of the Facility, can be heard; and

WHEREAS, notice of the Hearing will be given prior to the closing of a lease-leaseback transaction, and the granting of any Financial Assistance, and such notice (together with proof of publication) will be substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing are or will be annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the Application and to representations by the Company that the proposed lease-leaseback transaction is either an inducement to the Company to maintain and expand the Facility in the County or is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, the Financial Assistance is conditioned upon the Company's representations that the project will be completed substantially in accordance with the project that is contained in the Application (the "Project Obligation"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the "SEQR Act" or "SEQRA"), the Agency constitutes a "State Agency"; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form and related documents (the "Questionnaire") with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, the City of Rome Planning Board acted as lead agency for the purposes of SEQRA, and, prior to the granting of Financial Assistance, the Agency will adopt the determination and findings of the lead agency for purposes of SEQRA.

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

- Section 1.
- (a) The Agency accepts the Application submitted by the Company.
  - (b) The acquisition, construction and equipping of the Facility and the Agency's financial assistance therefor, will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County and the people of the State of New York and improve their standard of living by supporting New York State's renewable energy goals, and thereby serve the public purposes of the Act and the same is, therefore, approved.
  - (b) It is desirable and in the public interest for the Agency to enter into a lease-leaseback transaction for the purpose of providing Financial Assistance for the acquisition, construction and equipping of the Facility, as reflected in the Application and as amended from time to time prior to the closing of the lease-leaseback transaction.
  - (c) Based upon representations made by the Company in the Application, the Agency determines that (i) the Project is eligible for Financial Assistance under the criteria described in the Solar UTEP and (ii) it is not proper to deviate from the Solar UTEP because the per megawatt PILOT Payment described in the Solar UTEP does not distinguish between land that is used for agricultural and non-agricultural use.

- (c) The Agency resolves to **AMEND** the Financial Assistance by providing for PILOT Payments for a period of twenty-five years, during which time the Company shall make PILOT Payments equal to \$10,000 per MW-AC of nameplate capacity with an annual increase of two percent (2%) applied during year 2 through year 25, which will be allocated among the affected tax jurisdictions in the same proportion that taxes would have been paid but for the Agency's involvement, which Financial Assistance is consistent with the Solar UTEP, and which will be more particularly set forth in a final authorizing resolution.
- (d) The value of the amended Financial Assistance is estimated at \$34,817.00.

Section 2.

The form and substance of a proposed inducement agreement (in substantially the form presented to this meeting) by and among the Agency and the Company setting forth the undertakings of the Agency and the Company with respect to the closing of the lease-leaseback transaction, and the development of the Facility (the "Agreement") is hereby approved. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agreement, with such changes in terms and form as the Chairman shall approve. The execution thereof by the Chairman shall constitute conclusive evidence of such approval.

Section 3.

The Agency shall assist the Company in the acquisition, construction and equipping of the Facility and will provide the Financial Assistance with respect thereto subject to (i) obtaining all necessary governmental approvals, (ii) approval of the members of the Company, (iii) approval of the members of the Agency, (iv) receipt by the members of all comments submitted to the Agency at the Hearing, (v) agreement by the Agency and the Company upon mutually acceptable terms and conditions for the Leaseback Agreement and other documentation usual and customary to transactions of this nature, (vi) the condition that there are no changes in New York State Law which prohibit or limit the Agency from fulfilling its obligation and commitment as herein set forth to enter into the lease-leaseback transaction, (v) receipt of an executed Host Community Agreement between the Company and the City of Rome (the "Host Community"), (viii) a decommissioning plan acceptable to the Agency and the Host Community, (ix) proof that provision has been made to reserve funds for decommissioning of the Project, and (x) payment by the Company of the Agency's transaction fee and the fees and disbursements of bond counsel or transaction counsel, more particularly described in the Inducement Agreement.

Section 4.

The Agency is hereby authorized and directed to schedule the Hearing, so that the Agency may receive comments from all interested parties on the financial assistance contemplated by the Agency and the Financial Assistance requested by the Company.

- Section 5. The law firm of Bond, Schoeneck & King, PLLC is appointed Transaction Counsel in connection with the lease-leaseback transaction.
- Section 6. Counsel to the Agency and Transaction Counsel are hereby authorized to work with counsel to the Company and others to prepare, for submission to the Agency, all documents necessary to effect the lease-leaseback transaction.
- Section 7. The Chairman of the Agency is hereby authorized and directed (i) to distribute copies of this resolution to the Company and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.
- Section 8. This resolution shall take effect immediately.

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

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

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

Such resolution was passed at a meeting of the Agency duly convened on September 15, 2023 at eight a.m., local time, at Rome, New York which the following members were:

**Members Present:** David Grow, Ferris Betrus, Mary Faith Messenger, Mike Fitzgerald, , Kirk Hinman, Steve Zogby.

**Members Present – WebEx:** Gene Quadraro

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

**Other Attendees:** Jenna Peppinelli and Mark Levitt, Levitt & Gordon; Rome Mayor Jackie Izzo, Shaun Kaleta, Oneida County; Jennifer Miller and Mark Schweiker, Renmatix, Inc.

**Other Attendees – WebEx:** Laura Ruberto, Bond, Schoeneck & King; Paige Beyer and Jeff Davis, Barclay Damon LLP; Joe Tassone, Above Grid Rome, LLC; Dan Huntington, BW Solar Holding Inc., Robert Ryan, Harris Beach PLLC; Matt Wells, Bond, Schoeneck & King; Gareth McDonald; Hamza Khalil; Ari Goldberg.

The question of the adoption of the foregoing resolution was duly put to vote, which resulted as follows:

David Grow voting nay;  
Michael Fitzgerald voting aye;  
Ferris Betrus voting nay;  
Kirk Hinman voting aye;  
Mary Faith Messenger voting aye;  
Gene Quadraro voting aye;  
Steve Zogby voting aye.

and, therefore, the resolution was declared duly adopted.

The Agreement and the Application are in substantially the form presented to and approved at such meeting.

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

IN WITNESS WHEREOF, I have hereunto set my hand on January 5, 2024

A handwritten signature in cursive script, appearing to read "Shawna Papale".

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Secretary

## EXHIBIT A

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law, will be held by the Oneida County Industrial Development Agency (the "Agency") on October 18, 2023, at 11:00 a.m., local time, at 584 Phoenix Drive, City of Rome, Oneida County, New York in connection with the following matters:

Above Grid Rome Solar LLC, on behalf of itself and/or the principals of Above Grid Rome Solar LLC, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") applied to the Agency to enter into a transaction in which the Agency will assist in construction of an approximately 5 megawatt AC ground-mounted solar energy system/community solar array with solar panels connected to a single-axis tracking racking system consisting of two pervious gravel access roads, inverter pads, a fence surrounding the entirety of the equipment, underground wiring, and overhead utility interconnection to equipment (collectively, the "Improvements"), situated on a 50± acre portion of a 174.40± acre parcel of land located at 5727 Rome Taberg Road, City of Rome, County of Oneida (the "Land"), all for the purpose of furthering the mission of New York State renewable energy goals by providing renewable energy for consumers in the region under the New York State Community Solar Program (the Land and the Improvements are referred to collectively as the "Facility" and the construction of the Improvements is referred to as the "Project"). The Facility will be initially operated and/or managed by the Company. Rome Industrial Development Corporation (the "Owner") owns the Land and leases it to the Company, and the Company will lease the Facility to the Agency.

The Agency contemplates providing financial assistance to the Company in the form of reduction of real property taxes for a period of twenty-five years, during which time the Company shall make PILOT Payments on the assessment relating to the Improvements equal to \$10,000.00 per MW-AC of nameplate capacity with an annual increase of two percent (2%) applied during year 2 through year 25, which financial assistance is consistent with the Agency's Uniform Tax Exemption Policy (Community Solar Policy), to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. Members of the public may access the Public Hearing by calling 1-408-418-9388 (Access code: 2634 415 5314). Comments may also be submitted to the Agency in writing or electronically prior to the Public Hearing. Minutes of the Public Hearing will be transcribed and posted on the Agency's website together with a video recording of the hearing. A copy of the Application for Financial Assistance filed by the Company with the Agency, including an analysis of the costs and benefits of the proposed Project, is available for public inspection at the offices of the Agency, 584 Phoenix Drive, Rome, New York and on the Agency's website.

ONEIDA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

Dated: October 4, 2023

By: /s/ Shawna M. Papale, Executive Director



**AFFIDAVIT OF PUBLICATION**

*Rome Sentinel*

**State of New York,**

**County of, Oneida,**

The undersigned is the authorized designee of **Rome Sentinel**, a **Daily** Newspaper published in **Oneida** County, **New York**. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

October 07, 2023

This newspaper has been designated by the County Clerk of **Oneida** County, as a newspaper of record in this county, and as such, is eligible to publish such notices.

*Christina Henke Rea*

\_\_\_\_\_  
Signature

Christina Henke Rea

\_\_\_\_\_  
Printed Name

Subscribed and sworn to before me,

This 12 day of October 2023

*Douglas W. Rea*

\_\_\_\_\_  
Notary Signature

Notary Public Stamp



**AFFIDAVIT OF PUBLICATION**  
*Rome Sentinel*

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN  
that a public hearing pursuant to  
Article 18-A of the New York  
State General Municipal Law,  
will be held by the Oneida  
County Industrial Development  
Agency (the "Agency") on  
October 18, 2023, at 11:00 a.m.,  
local time, at 584 Phoenix Drive,  
City of Rome, Oneida County,  
New York in connection with the  
following matters:

Above Grid Rome Solar LLC,  
on behalf of itself and/or the  
principals of Above Grid Rome  
Solar LLC, and/or an entity  
formed or to be formed on behalf  
of any of the foregoing  
(collectively, the "Company")  
applied to the Agency to enter  
into a transaction in which the  
Agency will assist in  
construction of an approximately  
5 megawatt AC ground-mounted  
solar energy system/community  
solar array with solar panels  
connected to a single-axis  
tracking racking system  
consisting of two pervious gravel  
access roads, inverter pads, a  
fence surrounding the entirety of  
the equipment, underground  
wiring, and overhead utility  
interconnection to equipment  
(collectively, the  
"Improvements"), situated on a  
50± acre portion of a 174.40±  
acre parcel of land located at  
5727 Rome Taberg Road, City of  
Rome, County of Oneida (the  
"Land"), all for the purpose of  
furthering the mission of New  
York State renewable energy

**AFFIDAVIT OF PUBLICATION***Rome Sentinel*

goals by providing renewable energy for consumers in the region under the New York State Community Solar Program (the Land and the Improvements are referred to collectively as the "Facility" and the construction of the Improvements is referred to as the "Project"). The Facility will be initially operated and/or managed by the Company. Rome Industrial Development Corporation (the "Owner") owns the Land and leases it to the Company, and the Company will lease the Facility to the Agency.

The Agency contemplates providing financial assistance to the Company in the form of reduction of real property taxes for a period of twenty-five years, during which time the Company shall make PILOT Payments on the assessment relating to the Improvements equal to \$10,000.00 per MW-AC of nameplate capacity with an annual increase of two percent (2%) applied during year 2 through year 25, which financial assistance is consistent with the Agency's Uniform Tax Exemption Policy (Community Solar Policy), to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. Members

**AFFIDAVIT OF PUBLICATION**

*Rome Sentinel*

of the public may access the Public Hearing by calling 1-408-418-9388 (Access code: 2634 415 5314). Comments may also be submitted to the Agency in writing or electronically prior to the Public Hearing. Minutes of the Public Hearing will be transcribed and posted on the Agency's website together with a video recording of the hearing. A copy of the Application for Financial Assistance filed by the Company with the Agency, including an analysis of the costs and benefits of the proposed Project, is available for public inspection at the offices of the Agency, 584 Phoenix Drive, Rome, New York and on the Agency's website.

ONEIDA COUNTY  
INDUSTRIAL DEVELOPMENT  
AGENCY

By:/s/ Shawna M. Papale,  
Executive Director  
Dated: October 4, 2023

**EXHIBIT B**

**MINUTES OF PUBLIC HEARING  
CONDUCTED ON OCTOBER 18, 2023**

Oneida County Industrial Development Agency  
Lease-Leaseback Transaction  
Above Grid Rome Solar LLC Facility

1. Mark Kaucher, representing the Oneida County Industrial Development Agency (the "Agency"), called the hearing to order at 11:00 a.m.
2. Mr. Kaucher also recorded the minutes of the hearing.
3. Mr. Kaucher then described the proposed project and related financial assistance as follows:

Above Grid Rome Solar LLC, on behalf of itself and/or the principals of Above Grid Rome Solar LLC, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") applied to the Agency to enter into a transaction in which the Agency will assist in construction of an approximately 5 megawatt AC ground-mounted solar energy system/community solar array with solar panels connected to a single-axis tracking racking system consisting of two pervious gravel access roads, inverter pads, a fence surrounding the entirety of the equipment, underground wiring, and overhead utility interconnection to equipment (collectively, the "Improvements"), situated on a 50± acre portion of a 174.40± acre parcel of land located at 5727 Rome Taberg Road, City of Rome, County of Oneida (the "Land"), all for the purpose of furthering the mission of New York State renewable energy goals by providing renewable energy for consumers in the region under the New York State Community Solar Program (the Land and the Improvements are referred to collectively as the "Facility" and the construction of the Improvements is referred to as the "Project"). The Facility will be initially operated and/or managed by the Company. Rome Industrial Development Corporation (the "Owner") owns the Land and leases it to the Company, and the Company will lease the Facility to the Agency.

The Agency contemplates providing financial assistance to the Company in the form of reduction of real property taxes for a period of twenty-five years, during which time the Company shall make PILOT Payments on the assessment relating to the Improvements equal to \$10,000.00 per MW-AC of nameplate capacity with an annual increase of two percent (2%) applied during year 2 through year 25, which

financial assistance is consistent with the Agency's Uniform Tax Exemption Policy (Community Solar Policy), to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein.

4. Mr. Kaucher then opened up the hearing for comments from the floor for or against the proposed financial assistance and the location and nature of the Facility. Attached is a listing of the persons heard and a summary of their views.
5. Mr. Kaucher then asked if there were any further comments, and, there being none, the hearing was closed at 11:15 a.m.

A handwritten signature in cursive script that reads "Mark Kaucher".

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Mark Kaucher

Anthony J. Picente Jr.  
County Executive

Shawna M. Papale  
Secretary/Executive Director

Timothy Fitzgerald  
Assistant Secretary



David C. Grow  
Chairman

Michael Fitzgerald  
Vice Chairperson

Mary Faith Messenger  
Treasurer

Ferris Betrus, Jr.  
Kirk Hinman  
Eugene Quadraro  
Stephen Zogby

**TO: OCIDA Board of Directors**

**FROM: Mark Kaucher**

**DATE: October 18, 2023**

**RE: Above Grid Rome Solar, LLC  
Wednesday, October 18, 2023 Public Hearing Minutes  
584 Phoenix Drive, Rome NY and WebEx**

**Representing the Agency: Mark Kaucher**

**Other Attendees via WebEx: Genevieve Trigg and Paige Beyer, Barclay-Damon  
representing Above Grid Rome Solar, LLC**

**Public hearing opened at 11:00 AM**

**Reading of the public hearing notice was waived, upon consensus of the  
attendees.**

**No comments were made.**

**Public Hearing was closed at 11:15 AM**

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

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

That I have compared the foregoing copy of the minutes of public hearing held by the Oneida County Industrial Development Agency (the "Agency") on October 18, 2023 at 11:00 a.m. local time, at 584 Phoenix Drive, City of Rome, New York, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

I FURTHER CERTIFY that (i) pursuant to Title 1 of Article 18-A of the New York General Municipal Law, the hearing was open to the general public to attend, and public notice of the time and place of said hearing was duly given in accordance with such Title 1 of Article 18-A, (ii) the hearing in all respects were duly held, and (iii) members of the public had an opportunity to be heard.

IN WITNESS WHEREOF, I have hereunto set my hand as of January 5, 2024.



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Secretary



## Ruberto, Laura

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**From:** Ruberto, Laura  
**Sent:** Thursday, October 05, 2023 12:19 PM  
**To:** Anthony J. Picente; Jacqueline M. Izzo; pblake@romecsd.org; Kirstin Safin  
**Cc:** Romano, Linda; Shawna Papale (spapale@mvedge.org); Mark Kaucher  
**Subject:** Above Grid Rome Solar LLC/Oneida County IDA  
**Attachments:** tax jurisdiction notice (Above Grid Rome).pdf; inducement resolution 9-15-23 (Above Grid Rome)(16494808.2).pdf; notice of public hearing (Above Grid)(16562400.2).pdf

Tracking:	Recipient	Delivery
	Anthony J. Picente	
	Jacqueline M. Izzo	
	pblake@romecsd.org	
	Kirstin Safin	
	Romano, Linda	Delivered: 10/5/2023 12:22 PM
	Shawna Papale (spapale@mvedge.org)	
	Mark Kaucher	

Good afternoon; attached please find correspondence from Oneida County Industrial Development Agency relating to proposed financial assistance for the benefit of Above Grid Rome Solar LLC.

Best regards,  
Laura

**Laura S. Ruberto**

Paralegal  
Business  
315.218.8669 Direct  
[lruberto@bsk.com](mailto:lruberto@bsk.com)



501 Main Street, Utica, NY 13501-1245

This email is ONLY for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you have received it in error, please notify the sender of the error and delete the message.

IRS regulations require us to notify you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code. If you want a further description of this requirement, go to <https://www.bsk.com/disclaimer>.

Anthony J. Picente Jr.  
County Executive

Shawna Papale  
Secretary/  
Executive Director

Timothy Fitzgerald  
Assistant Secretary

ONEIDA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

**OCIDA**



584 Phoenix Drive, Rome, New York 13441  
(315) 338-0393, fax (315) 338-5694  
[info@mvedge.org](mailto:info@mvedge.org); [www.mvedge.org](http://www.mvedge.org)

David C. Grow, Chairman  
L. Michael Fitzgerald, Vice Chairman  
Mary Faith Messenger, Treasurer

Ferris Betrus Jr.  
Kirk Hinman  
Eugene Quadraro  
Steven Zogby

October 5, 2023

**VIA EMAIL**  
**READ RECEIPT REQUESTED**

Mr. Anthony J. Picente, Jr.  
Oneida County Executive  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

Michael J. Hoose  
Interim Superintendent of Schools  
Rome City School District  
409 Bell Street  
Rome, New York 13440

Jacqueline M. Izzo, Mayor  
City of Rome  
Rome City Hall  
198 North Washington Street  
Rome, New York 13440

Kirstin Safin, Clerk  
Board of Education  
Rome City School District  
409 Bell Street  
Rome, New York 13440

**Re: *Above Grid Rome Solar LLC***

Ladies and Gentlemen:

On September 15, 2023 Oneida County Industrial Development Agency (the "Agency") adopted an inducement resolution granting preliminary approval for financial assistance in support of the above-referenced project. Enclosed is a copy of the inducement resolution that describes the project and the proposed financial assistance, which financial assistance is consistent with the Agency's Uniform Tax Exemption Policy.

On October 18, 2023 at 11:00 a.m., at 584 Phoenix Drive, Rome, New York, the Agency will conduct a public hearing regarding this project. Enclosed is a copy of the Notice of Public Hearing, which has been submitted to the *Daily Sentinel*, Rome, New York for publication.

Anthony J. Picente, Jr.  
Jacqueline M. Izzo  
Michael J. Hoose  
Kirstin Safin  
October 5, 2023  
Page 2

You are welcome to attend such hearing at which time you will have an opportunity, both orally and in writing, to present your views with respect to the project and the proposed financial assistance. You are also welcome to submit your written comments to the Agency prior to the public hearing.

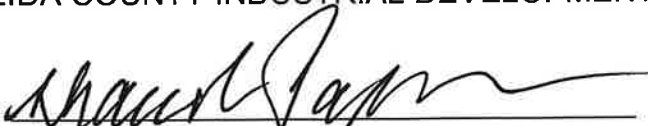
One of the conditions of financial assistance is that the Company enter into a Host Community Agreement with the City of Rome. In the absence of a Host Community Agreement, the Agency will require a writing from the Host Community that indicates its support of the project. The Company must also provide an executed Decommissioning Agreement, satisfactory to the Host Community, and evidence that sufficient funds have been reserved for decommissioning, either through a bond or an escrow account. If the Host Community is not party to the Decommissioning Agreement, the Agency will require a writing from the Host Community that indicates its agreement with the terms.

We are providing this notice to you, pursuant to Chapters 356 and 357 of the Laws of 1993 and Chapter 766 of the Laws of 2022, as the chief executive officer of an affected tax jurisdiction within which the project is located.

Should you desire to discuss this matter or if you have any questions concerning this notice please feel free to contact Shawna Papale at the Agency at telephone number 315-338-0393 or by email at [spapale@mvedge.org](mailto:spapale@mvedge.org).

Very truly yours,

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By:   
Shawna M. Papale, Executive Director

Enclosures: Inducement resolution, notice of public hearing

## Ruberto, Laura

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**From:** Picente, Anthony <apicente@ocgov.net>  
**To:** Ruberto, Laura  
**Sent:** Thursday, October 05, 2023 2:11 PM  
**Subject:** Read: Above Grid Rome Solar LLC/Oneida County IDA

Your message

To: Picente, Anthony  
Subject: Above Grid Rome Solar LLC/Oneida County IDA  
Sent: Thursday, October 5, 2023 12:47:19 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Thursday, October 5, 2023 2:09:39 PM (UTC-05:00) Eastern Time (US & Canada).

## Ruberto, Laura

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**From:** Mayor <mayor@romecitygov.com>  
**To:** Ruberto, Laura  
**Sent:** Thursday, October 05, 2023 2:36 PM  
**Subject:** Read: Above Grid Rome Solar LLC/Oneida County IDA

Your message

To: Mayor  
Subject: Above Grid Rome Solar LLC/Oneida County IDA  
Sent: Thursday, October 5, 2023 12:47:19 PM (UTC-05:00) Eastern Time (US & Canada)

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## Ruberto, Laura

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**From:** Microsoft Outlook  
**To:** pblake@romecsd.org; Kirstin Safin  
**Sent:** Thursday, October 05, 2023 12:19 PM  
**Subject:** Relayed: Above Grid Rome Solar LLC/Oneida County IDA

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[pblake@romecsd.org](mailto:pblake@romecsd.org) ([pblake@romecsd.org](mailto:pblake@romecsd.org))

[Kirstin Safin \(kstafin@romecsd.org\)](mailto:kstafin@romecsd.org)

Subject: Above Grid Rome Solar LLC/Oneida County IDA



Above Grid Rome  
Solar LLC/Onei...