

MINUTES
COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY
September 28, 2015
IDA OFFICE BUILDING
44 W. BRIDGE ST.
OSWEGO, NEW YORK

PRESENT: Canale, Kunzwiler, Rush, Schick, Sorbello and Toth

Absent/Excused: None

Also Present: Kevin C. Caraccioli, Carla M. DeShaw, David S. Dano and L. Michael Treadwell

Chair Rush called the meeting to order at 9:00 a.m. at the offices of the County of Oswego IDA in Oswego, NY.

APPROVAL OF MINUTES

On a motion by Mr. Kunzwiler, seconded by Mr. Toth, the minutes of the September 17, 2015 meeting were approved.

TREASURER'S REPORT

On a motion by Mr. Sorbello, seconded by Mr. Schick, the Financial Statements for the period ended July 31, 2015 were approved.

NOTICE OF MEETING

Meeting notices were posted at the Oswego County Building, the IDA Office Building, and on the IDA website. A notice was published in The Palladium Times on September 19, 2015.

Executive Session

Chair Rush and Mr. Caraccioli reported that due to matters involving the financial history of a business/organization and individuals and potential contractual matters, on a motion by Mr. Sorbello, seconded by Mr. Kunzwiler, it was approved to go into Executive Session at 9:02 a.m.

On a motion by Mr. Sorbello, seconded by Mr. Toth, the Executive Session ended at 9:25 a.m.

SolarCity Corporation

On a motion by Mr. Schick, seconded by Mr. Canale, and on the recommendation of counsel, it was approved to adopt language change in documents that any third party purchaser of credit must be a for-profit entity.

M&A Holdings of CNY, LLC

Mr. Caraccioli reported that Verizon Wireless plans to place a cell tower on the property requiring a lease on the premises. The primary lender, Pathfinder Bank, has consented to the arrangement. On a motion by Mr. Canale, seconded by Mr. Sorbello, it was approved and authorized to enter into a Consent to Lease and Subordination, Nondisturbance and Attornment Agreement with Syracuse SMSA Limited Partnership, d/b/a Verizon Wireless, Tenant.

Advanced Manufacturing Institute/Cayuga Community College – Fulton Campus

Ms. DeShaw, Executive Dean Community Education and Workforce Development, made a presentation on the Advanced Manufacturing Institute being proposed for the Fulton Campus. The project will be a collaboration with CiTi. The project will be a technology training lab that will be focused on needs of manufacturers. Space at the Fulton Campus will be renovated and equipped. Plans are to offer certificate programs and a 2-year degree program in industrial maintenance technology. Concept being supported by major companies such as The Fulton Companies, Novelis and Huhtamaki and machine tool companies. Application for funding is being prepared to help the project move forward and support to help leverage grant funding is being pursued.

Executive Session

Chair Rush reported that due to matters involving the Financial history of a business/organization and individuals and contractual matters, on a motion by Mr. Sorbello, seconded by Mr. Canale, it was approved to go into Executive Session at 10:31 a.m.

On a motion by Mr. Canale, seconded by Mr. Toth, the Executive Session ended at 10:50 a.m.

Advanced Manufacturing Institute

Following a discussion, on a motion by Mr. Schick, seconded by Mr. Sorbello, authorization was approved to provide a letter of support and on a motion by Mr. Toth, seconded by Mr. Schick, authorization was approved to provide up to \$100,000 from the PILOT EDF to help fund the Advanced Manufacturing Institute.

Delinquent Loan Report

Mr. Dano reviewed the report for the period ended August 31, 2015. It was reported that the V&D Properties, LLC loan was paid off in full.

Zink Shirts, LLC

Following a discussion and review of the financing application, on a motion by Mr. Sorbello, seconded by Mr. Schick, a resolution was adopted classifying the project as an unlisted action, declaring the County of Oswego IDA the Lead Agency for purposes of an uncoordinated review pursuant to the SEQRA and determining that the financial assistance for the Zink Shirts, LLC project will not have a significant effect on the environment. A copy of the Negative Declaration is on file at the Agency.

On a motion by Mr. Toth, seconded by Mr. Kunzwiler, the financial assistance for equipping (\$25,000) was approved. A copy of the Financing Proposal Summary and Cost/Benefit Analysis is on file at the Agency.

Legacy House HFA

Mr. Treadwell reported that the application is still in process.

Rochester's Cornerstone Group/OCO – Champlain Commons

Mr. Treadwell reported that the public hearing and the Deviation Notifications will be done whereby action can be taken at the next Agency's meeting subject to SEQRA action being finalized by the Town of Scriba.

Entergy

Following a discussion, on a motion by Mr. Toth, seconded by Mr. Schick, a resolution was approved supporting the continuation of the Entergy plant and nuclear power generation. A copy of the Supporting Resolution is attached and made an official part of the minutes.

Resolution Regarding an Alternate Allocation of PILOT Payments Received by the COIDA Pursuant to GML §858(15)

A copy of Resolution 143 approved by the Oswego County Legislature on August 13, 2015, is attached and made an official part of the minutes.

Universal Metal Works/Davis-Standard

Mr. Treadwell reported that the ribbon-cutting ceremony will be held on October 2, 2015 at 11:30 a.m.

Columbia Mills – Route 24-A

Following a discussion on the increase in the cost to pave the road for the Town of Minetto and for the Dollar General project, on a motion by Mr. Schick, seconded by Mr. Canale, the adjusted cost in the amount of \$12,646.86 was approved and will be paid from the sale of the property.

Next IDA Meeting

October 15, 2015 at 9:00 a.m. was scheduled.

ADJOURNMENT

On a motion by Mr. Sorbello, seconded by Mr. Canale, the meeting was adjourned at 11:10 a.m.

Respectfully Submitted,

H. Leonard Schick
Secretary

At a regular meeting of the Board of the County of Oswego Industrial Development Agency held on September 28, 2015 at 44 West Bridge Street, City of Oswego, State of New York at 9:00 a.m.

RESOLUTION

SUPPORTING THE CONTINUED OPERATION OF THE JAMES A. FITZPATRICK NUCLEAR FACILITY AND CALLING UPON STATE ELECTED REPRESENTATIVES TO ACT

WHEREAS, the James A. Fitzpatrick Nuclear Facility is located in the Town of Scriba, Oswego County, State of New York and has been in continuous operation since its opening on July 28, 1975; and

WHEREAS, recently, the Entergy Corporation announced the possibility of closing JAF with such a decision occurring as early as December, 2015; and

WHEREAS, JAF employs approximately 600 people on a full-time regular basis and provides additional employment during outages and other unscheduled periods of time to well over 1,000 tradesman and support staff and as such infuses the local economy with millions of dollars of economic impact; and

WHEREAS, since its construction and opening and continuous operation the economic benefits to the region are well into the billions of dollars; and

WHEREAS, with the potential closure of JAF looming the County of Oswego Industrial Development Agency voices its strong desire to encourage the Company to continue operating JAF into the foreseeable future at least until its current operating license expires in the year 2035; and

WHEREAS, the County of Oswego Industrial Development Agency also calls upon the State's elected representatives to do everything in their power and authority to encourage and permit Entergy Corporation to continue operating the JAF facility; and

WHEREAS, such action by our State's elected officials, including our State representatives, the Governor, our Congressman, and our US State Senators should engage Entergy Corporation in meaningful dialogue and explore state and federal regulatory reforms that will ensure the economic feasibility of the nuclear industry, particularly in Upstate New York; and

WHEREAS, the loss of 600 jobs and the resulting negative economic impact of such a job loss would be staggering for the community and as much effort should be put into retaining

these jobs as there is in attracting companies and industries that would have a similar economic benefit to that proven by the Entergy Corporation and JAF; and

WHEREAS, the State of New York will benefit from the continued carbon-free operation of JAF and the facility's contribution to lowering the State's carbon footprint, which is a stated goal of the State of New York's Energy Plan;

NOW, THEREFORE, upon motion duly made and seconded, it is and shall hereby be

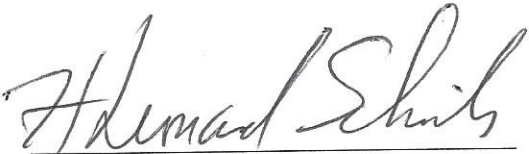
RESOLVED, that the County of Oswego Industrial Development Agency hereby encourages the Entergy Corporation to continue its operation of the James A. Fitzpatrick Nuclear Facility located in Scriba, New York; and pledges to work with Entergy to find meaningful ways to encourage the continued operation of JAF; and it is further

RESOLVED, that the County of Oswego Industrial Development Agency calls upon the State's elected representatives to make the continued operation of JAF a top legislative priority and continuously engage the Company in meaningful discussions on ways in which the State of New York and the Federal Government can support the nuclear industry and better ensure that the Entergy Corporation will continue to operate JAF through the expiration of its current license in the year 2035; and it is further

RESOLVED, that the County of Oswego Industrial Development Agency authorizes the Chief Executive Officer to send this Resolution to each of the region's elected State and Federal representatives to ensure that the County of Oswego Industrial Development Agency's position is well noted.

Motion having been put to a vote of the Board of the County of Oswego Industrial Development Agency members present and constituting a quorum was adopted unanimously.

Dated: September 28, 2015


H. Leonard Schick, Secretary

August 13, 2015

RESOLUTION REGARDING AN ALTERNATE ALLOCATION OF PILOT PAYMENTS RECEIVED BY THE OSWEGO COUNTY INDUSTRIAL DEVELOPMENT AGENCY PURSUANT TO GENERAL MUNICIPAL LAW §858(15)

By Legislator Shawn Doyle:

WHEREAS, the Oswego County Industrial Development Agency (hereinafter IDA) was created in 1973 by the adoption of section 911-b of the General Municipal Law as a body corporate and politic with certain enumerated powers and duties under Article 18-A of the General Municipal Law; and

WHEREAS, the Oswego County Legislature appoints the members of the IDA; and

WHEREAS, General Municipal Law §858(15) permits the IDA to enter into Payment in Lieu of Taxes (PILOT) agreements on certain terms and, further, permits an alternate allocation of these contractual payments by a taxing jurisdiction in lieu of receiving its proportionate share of taxes that would have been received had a given IDA project not otherwise been exempt from taxation; and

WHEREAS, this Legislature finds and determines that economic development and job retention and creation are a public purpose and is desirous of assisting the IDA in those goals;

NOW, THEREFORE, upon the recommendation of the Economic Development and Planning Committee of this body, it is hereby

RESOLVED, that, for PILOT proceeds commencing in August of 2015 the County of Oswego does hereby permit the IDA to utilize an alternate allocation of the contractual proceeds to fund an economic development fund resident with the IDA which shall be utilized solely for job creation, retention and economic development consistent with the IDA's corporate purposes and enumerated powers and duties within Oswego County, subject to the prior approval of the IDA's board; and, it is further

RESOLVED, that ten (10) percent of the PILOT contractual proceeds which would otherwise be payable annually under a given PILOT to the county may be retained by the IDA to capitalize an economic development fund until such time the fund resident with the IDA reaches a balance of \$2.5 million in uncommitted funds; and it is further

RESOLVED, that any uncommitted funds in excess of the \$2.5 million cap as of July 31 of each year will be transferred to the County on or before December 31 of each year; and, it is further

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RESOLVED, that no portion of the fund shall be utilized for IDA salaries, administrative or promotional purposes, and, further, the IDA shall maintain a separate account for the fund and provide an accounting to the county upon request; and

RESOLVED, that any contractual proceeds currently in the custody of the IDA from any prior alternate allocations of PILOT payments permitted by this legislature shall be credited to the \$2.5 million cap of the economic development fund created by the IDA; and, it is further

RESOLVED, that Resolution Number 124 of 1994 be, and is hereby, rescinded.

ROLL CALL

YES: 17 NO: 6 ABSENT: 1
ABSTAIN: 1

OSWEGO COUNTY LEGISLATURE

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss:

I hereby certify that the foregoing is a true and correct transcript of Resolution No. 143 adopted by the Oswego County Legislature on August 13, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the said County Legislature at Oswego, New York, on this 31st day of August, 2015.

Wendy M. Falls
Wendy M. Falls, Clerk
Oswego County Legislature