



CITY OF UTICA

Utica Industrial Development Agency
1 Kennedy Plaza, Utica, New York 13502
(315)792-0195 fax: (315)797-6607

ROBERT M. PALMIERI
MAYOR

JOSEPH HOBICA, SR.
CHAIRMAN

JACK SPAETH
EXECUTIVE DIRECTOR

January 24, 2014 2:30p.m.
Utica Industrial Development Agency Re-Scheduled Regular Meeting
City Hall – Urban & Economic Development Conference Room

Members Present: Joseph Hobika, Sr., Emmett Martin, Vin Gilroy

Excused: John Zegarelli, John Buffa

Also Present: Jack Spaeth (Executive Director), Laura Ruberto (BS&K – Agency attorney)

Others: Jeff Foster and John Murphy (125 Business Park Group Utica, LLC), Mark Levitt (GVH counsel), Steve Hughes (OD)

1) CALL MEETING TO ORDER: The meeting was called to order by the Chairman Mr. Hobika, Sr. at 2:34p.m. The Finance, Governance and Audit Committees, as they consist of sitting Agency members, meet as a committee of the whole, and in doing such, meet at every meeting.

2) APPROVAL OF MINUTES: A motion was made by Mr. Martin, seconded by Mr. Gilroy, to approve the minutes of the December 3, 2013 meeting. With no discussion, the motion passed unanimously.

3A) OLD BUSINESS: 1002 Oswego Street, LLC

Mr. Spaeth explained to Agency members that a request was made by 1002 Oswego Street, LLC to execute financing documents and extend the mortgage recording tax exemption as the company is seeking additional financing from \$1.2m to 2.0m from their existing financial institution NBT Bank for the project.

As such, Mr. Gilroy made a motion, seconded by Mr. Martin, to approve extension of the Mortgage Recording Tax Exemption for the additional financing and the form and execution of related documents, subject to counsel review. With no further discussion, the motion passed unanimously.

3B) OLD BUSINESS: Primo Property Management, LLC

Mr. Spaeth presented the Market Study performed by a local appraiser for this project due to its residential component. The board determined that the Market Study demonstrates that the project will promote employment opportunities and prevent economic deterioration.

Prior to any discussion, Mr. Gilroy recused himself as he has a current professional relationship with the client. This Conflict of Interest was recognized by Agency members however, because Mr. Gilroy has no financial interest in the project, Chairman Hobika waived the Conflict of Interest.

As such, Mr. Martin made a motion, seconded by Mr. Gilroy, to adopt a resolution making a determination that the Primo Property Management project will promote employment opportunities and prevent economic deterioration. With no further discussion, the motion passed unanimously.

3C) OLD BUSINESS: GVH Realty LLC

Agency members deferred to Executive Session for attorney discussion.

3D) OLD BUSINESS: Auditor Engagement Letter

Mr. Spaeth stated that he received the audit engagement letter from Bonadio Co. for FY2013. Cost of the audit will be \$2,500.

As such, Mr. Gilroy made a motion, seconded by Mr. Martin, for Mr. Spaeth to execute the engagement letter and work with the auditors toward the conclusion of the audit. With no further discussion, the motion passed unanimously.

4A) NEW BUSINESS: 125 Business Park Group Utica, LLC

Mr. Spaeth briefly described the project at 125 Business Park Drive (125). 125 purchased the property for lease-up purposes with ORBCOMM as their first signed lease with two other entities in discussion and close to signed leases. ORCOMM will have 30 jobs initially with anticipation of creating up to 5 additional jobs. Mr. Spaeth introduced Mr. Foster and Mr. Murphy who further described their project and objectives.

Mr. Martin made a motion, seconded by Mr. Gilroy to adopt an initial inducement resolution and SEQR resolution relating to the 125 Business Park Group Utica, LLC facility contemplating financial assistance in the form of exemptions from mortgage tax, exemptions from sales tax and abatement of real property tax, consistent with the IDA's Uniform Tax Exemption Policy and authorizing the UIDA to conduct a public hearing. With no further discussion, the motion passed unanimously.

5) EXECUTIVE SESSION:

A motion was made by Mr. Martin and seconded by Mr. Gilroy to enter Executive Session for attorney discussion at 2:54pm. The motion passed unanimously.

A motion was made by Mr. Martin and seconded by Mr. Gilroy to exit Executive Session at 3:36pm. The motion passed unanimously.

6) ADJOURNMENT: There being no further business brought before the Agency, Mr. Gilroy made a motion to adjourn which was seconded by Mr. Martin and the meeting was adjourned at 3:37pm.

The next regular meeting of the Utica Industrial Development Agency is scheduled for Tuesday, February 4, 2014 at 8:30am.