

Minutes of the Meeting of the
Oneida County Industrial Development Agency

May 23, 2025

584 Phoenix Drive, Rome, NY /Webex Video/Teleconference

Members Present: Steve Zogby, David Grow, Kristen Martin, Tim Reed, Aricca Lewis, James Genovese, and Franca Armstrong.

Members Present Virtual: Kristen Martin.

EDGE Staff Present: Shawna Papale, Tim Fitzgerald, Marc Barraco, and Mark Kaucher.

Others Present Virtual: Mark Levitt, Levitt & Gordon; Kevin McAuliffe, Barclay Damon; Linda Romano and Laura Ruberto, Bond, Schoeneck & King; Joseph Gehm, 126 Business Park Holdings LLC; Albert Giannino and Andrew Gearhart, BPAs.

S. Zogby called the meeting to order at 8:04 AM.

Minutes – May 2, 2025

S. Zogby presented the draft May 2, 2025 meeting minutes for review. **A. Lewis moved to approve the May 2, 2025 meeting minutes as presented. T. Reed seconded the motion, which carried 7-0.**

Chobani LLC – SEQR Resolution

S. Zogby introduced a SEQR resolution relating to the Chobani LLC facility. **A. Lewis made a motion to approve the Chobani LLC SEQR resolution. T. Reed seconded to approve the SEQR Resolution, which carried 7-0.**

Chobani LLC – Inducement Resolution

S. Zogby introduced an inducement resolution relating to the Chobani, LLC Facility, granting preliminary approval for financial assistance in the form of exemptions from sales tax (valued at \$51,625,000) and reduction in real property tax (valued at \$385,754,962) that provides the Company will make PILOT Payments (a) during the construction period: fixed annual payments of \$90,000.00; and (b) after the issuance of a Certificate of Occupancy: fixed annual payments of \$2,000,000 for forty (40) years, with an annual escalator of 1.5% added during years 11 – 40, with PILOT Payments to be allocated to the tax jurisdictions in accordance with an Agreement Allocating PILOT Payments, which financial assistance is a deviation from the Agency's Uniform Tax Exemption Policy, and authorizing the Agency to conduct a public hearing. The proposed project was discussed at length at the Agency's May 2 meeting, which included questions answered by the Chobani project's legal counsel. S. Papale confirmed that the identified sales tax exemption is the correct amount. She also pointed out that this resolution identifies the PILOT payments to be made by the Company during the construction period. D. Grow asked where the public hearing will be held. Staff responded that it will take place at the EDGE offices. **F. Armstrong made a motion to approve the inducement resolution, as presented, A. Lewis seconded the motion, which carried 7-0.**

Griffiss Local Development Corporation – Building 212

S. Zogby introduced a resolution relating to the Griffiss Local Development Corporation Master Lease Facility, authorizing the Agency to enter into an Option Agreement with GLDC and Bonacio Constructions, Inc. relating to the Building 212 Property, authorizing the partial release from the Master Lease and conveyance if said option is exercised, and approving the form and execution of related documents, subject to counsel review. T. Fitzgerald gave some additional background on the project. He identified the building as the former "parachute shop" at the corner of the Griffiss Parkway and Hangar Rd. The developer is proposing to construct a new office building on a portion of the site, which will serve one identified potential tenant, after GLDC demolishes and remediates the site. **T. Reed made a motion to approve entering into an option agreement GLDC and Bonacio Constructions, Inc. relating to the Building 212 Property. D. Grow seconded the motion, which carried 7-0.**

126 Business Park Holdings LLC – Inducement Resolution

S. Zogby introduced an inducement resolution relating to the 126 Business Park Holdings LLC facility, granting preliminary approval for financial assistance in the form of exemptions from sales tax (valued at \$13,125), exemptions from mortgage recording tax (valued at \$34,125) and reduction in real property tax (valued at \$635,387) for a period of 10 years, which financial assistance is consistent with the Agency's Uniform Tax Exemption Policy; adopting a finding that the project is reasonably necessary to discourage project occupants from relocating outside of New York State and/or preserving the

competitive position in their industry; and authorizing the Agency to conduct a public hearing. S. Zogby reminded the members that at the previous meeting, the members consented to the sale of the business and approved the SEQR resolution, but tabled the inducement resolution, pending further financial information that was to be presented by the developer. J. Genovese stated that the job preservation identified in the application is important to the County and to the Agency's mission, and that this is a respectable developer. He stated that the economic benefit of the job retention will be greater than the full taxes that would otherwise be paid on the building. After some additional discussion, Mr. Gehm spoke about the real possibility of both tenants leaving the community without the requested benefit. Mr. Giannino spoke about BPAs' desire to stay in Utica, but acknowledged other proximal options if this site doesn't make financial sense. He further identified Utica as the desired headquarters for BPAs going forward. S. Zogby proposed a compromise by extending a 1/3 abatement for a 10-year term, after next year's scheduled 2/3 abatement. S. Papale stated that there is precedent for this sort of compromise. Mr. Gehm stated that he wasn't sure the compromise benefit would be enough to get his lease negotiations across the finish line. After additional explanation from the developer and representatives from BPAs regarding the building's economics, as well as their interest in and commitment to this location, S. Zogby stated that he thought a compelling case had been made for the proposed benefit. **J. Genovese made a motion to approve the inducement resolution, as presented, T. Reed seconded the motion, which carried 6-0.** Mr. Giannino expressed his gratitude to the Agency for its support of the project.

K. Martin left the meeting during this discussion and did not vote.

Other Business – Stark Truss/Yoder Properties Mortgage Recording Tax

S. Papale shared that the project cost of the Stark Truss/Yoder Properties has increased, which will lead to a larger mortgage on the property. The company has reached out requesting an increase in its mortgage recording tax exemption, from \$18,876 to \$21,600. **A. Lewis made a motion to approve the requested increase in mortgage recording tax exemption, to \$21,600. F. Armstrong seconded the motion, which carried 6-0.**

Adjournment

With no further business, S. Zogby asked for a motion to adjourn. **At 9:06 AM, the meeting adjourned by consensus.**

Respectfully Submitted,
Tim Fitzgerald