

**MINUTES**  
**COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY**  
**August 28, 2019**  
**IDA OFFICE BUILDING**  
**44 W. BRIDGE ST.**  
**OSWEGO, NEW YORK**

**PRESENT:** Schick, Sorbello, Stahl and Toth

**Absent/Excused:** Canale, Kells and Trimble

**Also Present:** Kevin C. Caraccioli, Tim Hardy, Jeff Holbrook, Kevin LaMontagne, L. Michael Treadwell and Dali Vargas

Chair Toth 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. Sorbello, seconded by Mr. Stahl, the minutes of the July 23, 2019 meeting were approved.

**TREASURER'S REPORT**

On a motion by Mr. Schick, seconded by Mr. Sorbello, the Financial Statements for the period ended June 30, 2019 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 August 14, 2019.

**Round 4 DRI**

Fulton was announced as the winner of the Round 4 DRI competition.

**CNY REDC**

Mr. Treadwell reported on Round 9 of the CFAs. CNY had 45 projects for ESDC funding and 5 were from Oswego County. CNY had 117 projects for other State Agencies and 23 were from Oswego County.

**Executive Session**

Chair Toth and Mr. Caraccioli reported that due to matters involving the financial history of a business/organization and individuals and pending and current contractual matters, on a motion by Mr. Stahl, seconded by Mr. Sorbello, it was approved to go into Executive Session at 9:28 a.m.

On a motion by Mr. Stahl, seconded by Mr. Schick, the Executive Session ended at 12:01 p.m.

**Port City Logistics**

Mr. Holbrook provided a status report of the COIDA assisted project in the City of Oswego in Executive Session. On a motion by Mr. Toth, seconded by Mr. Schick, a resolution was approved to terminate the COIDA Lease and PILOT Agreement and to require the 2019 PILOT to be paid within 30 days or be subject to a lien. A copy of the Resolution is attached and made an official part of the minutes.

**Attis Industries**

Mr. Hardy provided a report on future plans for the project in the Town of Volney in Executive Session.

**Delinquent Loan Report**

Mr. LaMontagne reviewed the report ended July 31, 2019 in Executive Session.

**Manufacturing Start-Up Facility**

Mr. Treadwell reviewed in Executive Session the Fulton DRI and the CNY REDC CFA initiatives and strategies to advance the project at the Nestle site in Fulton.

**Incubator Project/Price Chopper Building**

Alternative strategies to site an incubator project in the City of Oswego were discussed in Executive Session. Mr. Caraccioli reported that the COIDA and Oswego Health had closed on the acquisition of the Price Chopper Building for the Behavioral Health Services project on August 22, 2019.

**CME Electrical Supply, Inc.**

Following a discussion and a review of the Company's Application and Financing Proposal Summary and Cost/Benefit Analysis in Executive Session for a MEP Loan, on a motion by Mr Schick, seconded by Mr. Stahl, a loan was approved in the amount of \$25,000.

**Art's Parts N More, Inc.**

Following a discussion in Executive Session, and consideration of a Letter of Intent regarding establishing a business on a site at Columbia Mills in the Town of Minetto, on a motion by Mr. Stahl, seconded by Mr. Sorbello, authorization was approved to prepare a formal purchase agreement.

**Administrative Services Agreement with OOC, Inc.**

Following a discussion that was held in Executive Session, on a motion by Mr. Stahl, seconded by Mr. Schick, the Administrative Services Agreement was amended and extended through December 31, 2020.

**Next Meeting**

September 26, 2019 at 9:00 a.m. was scheduled.

**Adjournment**

On a motion by Mr. Stahl, seconded by Mr. Sorbello, the meeting was adjourned at 12:06 p.m.

Respectfully Submitted,

H. Leonard Schick  
Secretary

At a Regular Meeting of the County of Oswego Industrial Development Agency held on the 28<sup>th</sup> day of August, 2019 at 44 West Bridge Street, City of Oswego, County of Oswego, State of New York.

## RESOLUTION

### TERMINATING PILOT AGREEMENT FOR 91 MITCHELL STREET PROJECT

**WHEREAS**, the County of Oswego Industrial Development Agency (the Agency) entered into a Payment in Lieu of Taxes (PILOT) Agreement (the Agreement) with Port City Logistics, Inc. and PCL Properties, LLC, (collectively, the Company) by agreement dated as of August 1, 2016, covering real property located at 91 Mitchell Street in the City of Oswego (the Project Facility); and

**WHEREAS**, the Agency has yet to receive the Company's 2019 PILOT payment totaling \$27,841.00, which was due on March 31, 2019, and has accrued additional late fees of \$1,670.46, totaling \$29,511.46, despite repeated requests for payment and two separate demands by the Agency's legal counsel; and

**WHEREAS**, the Company, through its principal owner Jeffery Holbrook, notified the Agency that the Company is not engaged in any economic development activity at the Project Facility and, in fact, the Project Facility is vacant at this time; and

**WHEREAS**, the Agency has determined that it is necessary to cancel the Agency Lease Agreement for the Project Facility that was executed simultaneously with the PILOT Agreement and further declare the PILOT Agreement terminated in accordance with Section 2.7 of the Agreement, returning the Project Facility to the status of a taxable property;

**NOW, THEREFORE**, upon motion made by Board Member Toth and seconded by Board Member Schick it is and shall hereby be

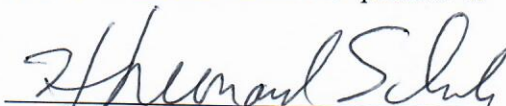
**RESOLVED**, that the Agency Lease Agreement entered into as of August 1, 2016, by and between the Agency and Company is hereby cancelled and the PILOT Agreement of the same date and executed by the same parties is hereby declared in default pursuant to Section 2.7 of the Agreement and is hereby terminated effective immediately; and it is further

**RESOLVED**, that the Chief Executive Officer is hereby directed to notify the Affected Taxing Jurisdictions of the cancellation of the Agency Lease Agreement and PILOT Agreement so that the Project Facility can be returned to taxable status as determined by the said Taxing Jurisdictions; and it is further

**RESOLVED**, that should the 2019 PILOT Payment not be paid on or before September 30, 2019, action is hereby authorized to place a lien against the Project Facility to recapture the PILOT payment, together with any costs incurred in doing so.

The motion having been put to a vote of the IDA Board Members present is unanimously adopted.

Signed this 26 day of September, 2019.

  
H. Leonard Schick, Secretary