

**Onondaga County
Industrial Development Agency**



**Annual Report
2017**

Onondaga County Industrial Development Agency
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BOARD MEMBERS¹

Names and Terms

Patrick Hogan, Chair
(February 2012- present)

Fanny Villarreal
(August 2016-present)

Victor Ianno
(February 2012-present)

Janice Herzog
(February 2013-present)

Kevin Ryan
(June 2016 – Present)

Susan Stanczyk
(December 2015 – Present)

Steve Morgan
(September 2014-Present)

¹ The Board Members of the OCIDA are appointed by and serve at the pleasure of the Onondaga County Legislature

OFFICERS AND STAFF

Officers & Staff

Julie A. Cerio
Executive Director

Isabelle Harris
Secretary

Karen Doster
Recording Secretary

Nate Stevens
Treasurer

Christopher Cox
Assistant Treasurer

Agency Counsel

Barclay Damon LLP

Agency Auditor

Grossman St. Amour Certified Public Accountants PLLC

COMMITTEES & MEMBERSHIP

Audit Committee

Janice Herzog - Chair
Sue Stanczyk
Patrick Hogan

Finance Committee

Victor Ianno - Chair
Steve Morgan
Patrick Hogan

Governance Committee

Kevin Ryan - Chair
Fanny Villarreal
Patrick Hogan

2017 BOARD MEETINGS & ATTENDANCE

<u>January</u>	<u>Februay</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>
Hogan	Hogan	Hogan	Hogan	Hogan	Hogan	Rescheduled to August	Hogan
Morgan	Herzog	Herzog	Herzog	Villarreal	Ianno		Herzog
Villarreal	Morgan	Morgan	Morgan	Stanczyk	Herzog		Ianno
Ryan	Villarreal	Ryan	Stanczyk	Ryan	Morgan		Morgan
Stanczyk	Ryan Stanczyk		Ryan		Ryan		Stanczyk
<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>				
Hogan	Herzog	Hogan	Hogan				
Ianno	Ianno	Herzog	Herzog				
Morgan	Morgan	Ianno	Ianno				
Stanczyk	Stanczyk	Morgan	Morgan				
	Villarreal	Stanczyk	Stanczyk				
	Ryan	Villarreal	Villarreal				
		Ryan	Ryan				

Compensation Schedule

For those who make over \$100,000 including biographical information
None

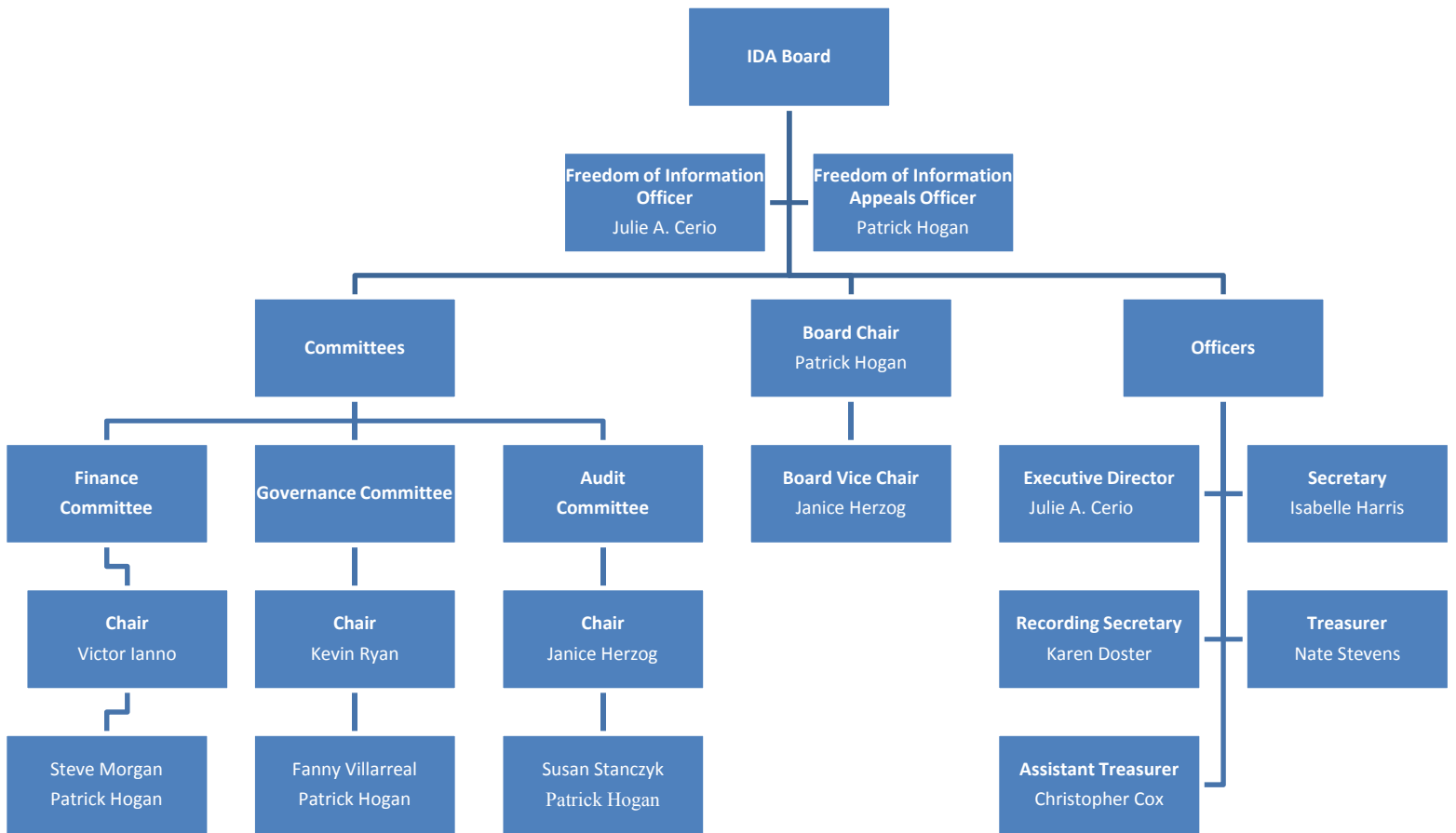
Board Biographies

Appendix A

Board & Committee Evaluations

Appendix B

2017 IDA ORGANIZATIONAL CHART



MISSION

To stimulate economic development, growth, and general prosperity for the people of Onondaga County by using available incentives, rights and powers in an efficient and cooperative manner.

PURPOSE & DESCRIPTION

The Onondaga County Industrial Development Agency (“the Agency”) is a public benefit corporation of the State of New York created in 1970 pursuant to Article 18-A of the General Municipal Law. Industrial Development Agencies are authorized to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and improve their recreation opportunities, prosperity and standard of living. Agencies promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, recreational, education, cultural, railroad, and horse racing facilities.

STATUTORY BASIS

§ 895. Onondaga County Industrial Development Agency. 1. For the benefit of the County of Onondaga and the inhabitants thereof, an industrial development agency, to be known as the ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of the County of Onondaga. The agency, its members, officers and employees, and its operations and activities, except as provided specifically herein, shall be governed by the provisions of title one of article eighteen-A of this chapter.

2. In addition to the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter, the agency shall have the power (i) to acquire, construct, own, maintain, and lease or sell to a railroad or private business corporation any interest including easements or rights or way, in one or more railroad supporting service facilities located in Onondaga County, including necessary switching apparatus, track, and other equipment necessary or convenient thereto, which will be used in conjunction with industrial, manufacturing, commercial or warehousing operations and (ii) to finance such facilities through the issuance of its bonds and notes, when in the judgment of the agency, such facilities will serve to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial and research facilities including industrial pollution control facilities and thereby advance the job opportunities, health and general prosperity and economic welfare of the people of the state and improve their prosperity and standard of living.

BYLAWS

Appendix C

CODE OF ETHICS

Appendix D

PERFORMANCE GOALS

Appendix E

AUTHORITIES & SUBSIDIARIES

None

OPERATIONS, PROGRAMS & ACCOMPLISHMENTS

SUMMARY

- A seven-member board appointed by the Onondaga County Legislature governs the Agency.
- Operating funds are derived solely from fees paid by applicants seeking assistance, closed Agency projects and the interest earned on the Agency fund balance.
- The Onondaga County Office of Economic Development administers the Onondaga County Industrial Agency through a contract between the County and the Agency.
- During the January - December 31, 2017 fiscal year, the Agency conducted 24 public meetings. These meetings included 11 regular board meetings, 2 special meetings, 1 annual meeting, 6 committee meetings, and 4 public hearings.
- An independent certified public accounting firm performs the annual financial audit of the Agency. The report will be available after March 31, 2018 at <https://www.ongoved.com/ocida/>

PROGRAMS & INCENTIVES

The Agency provides business support and operates incentive programs consistent with its powers and mission statement in the following areas:

- Financing – Tax-exempt private activity bonds, taxable bonds and Quasi-Equity Loan Fund participation. Statutory authority to issue civic facility bonds has terminated.
- Tax Management – Exemptions from mortgage recording, sales and use taxes and abatement of real property taxes through payment-in-lieu of tax agreements
- Training Support – Service contracts for company specific employee training and skills assessment programs consistent with its Employee Productivity Program guidelines
- Business Project and Program Support – financial support and contract management services for New York State economic development grant programs on behalf of private businesses.
- Community Project Support – Funding support for projects managed by not-for-profit community and economic development agencies, consistent with the Agency’s Mission
- Asset Development – Development of property and facilities for investment, for example the White Pine Commerce Park

ACCOMPLISHMENTS

- OCIDA completed two Payment in Lieu(PILOT) of tax agreements in 2017: Old Thompson Road LLC in the town of Dewitt and Welch Allyn, Inc. in the town of Skaneateles.,
- In 2017 the Agency induced five projects with a capital investment totaling approximately \$27,743,440.00.
- Continued remediation planning and work at the Roth Steel property located at 800 Hiawatha Blvd, Syracuse.
- Issued RFP for demolition services for the buildings at 800 Hiawatha Blvd, Syracuse NY.
- Continued development of White Pine Commerce Park property.

ASSESSMENT OF THE EFFECTIVENESS OF INTERNAL CONTROL STRUCTURE AND PROCEDURES ²

This statement certifies that management has documented and assessed the internal control structure and procedures of the Onondaga County Industrial Development Agency for the year ending December 31, 2017. This assessment found the authority's internal controls to be adequate, and to the extent that deficiencies were identified, the authority has developed corrective action plans to reduce any corresponding risk. (**Appendix F**)

MATERIAL CHANGES TO OPERATIONS AND PROGRAMS

- None

PROJECT DETAIL

² Assessment of the internal operations & controls of financial systems is included in the 2014 Independent Audit of the Agency, posted on the Agency website.

Straight Lease Transactions
Closed Transactions

<u>Project ID</u>	<u>Company</u>	<u>Project Description</u>	<u>Location</u>	<u>Amount</u>	<u>Retained</u>	<u>New</u>
16-11A	BlueRock Energy, Inc.	Upgrade and remodel 13,828 sq. ft. of unused office space for BlueRock Energy operations and management.	City of Syracuse	\$872,000	0	13
17-06A	Etna Development Company	Renovation and conversion of Hampton Inn hotel into a Tru hotel.	Salina	\$7,105,440	0	20
17-02B	Shining Stars DayCare, Inc.	Construction of a 15,000 sq. ft. daycare facility, parking lot and playground.	Manlius	\$2,743,000	0	5
16-01J	Tessy Plastics	Construction of a 246,000 sq. ft. manufacturing facility at its existing assembly and warehouse operation.	Van Buren	\$31,515,000	808	50
17-05B	Air Innovations Inc.	Renovation of a 13,000 sq. ft. facility at the Hancock Air Park.	Cicero	\$1,300,000	0	0
				\$43,535,00	808	88

Straight Lease Transactions
Projects- in-Progress

<u>Project ID*</u>	<u>Company</u>	<u>Project Description</u>	<u>Location</u>	<u>Amount</u>	<u>Retained</u>	<u>New</u>
15-14A	COR Inner Harbor Company LLC	Development of the Inner Harbor area of Syracuse into a unique mixed-use neighborhood.	City of Syracuse	\$323,560,000	0	TBD
17-01A	Morse Manufacturing Co., Inc.	Renovation of a 87,737 sq. ft. building and adjacent 40,000 sq. ft truck terminal into company's headquarters and primary base of operations.	Salina	\$3,885,000	35	0
17-07A	Specialist's One Day Surgery	Renovation of a 52,800 sq. ft. building into one-day surgery center.	Cicero	\$13,512,723	0	40
17-09A	United Radio	Purchase of two 100,000 sq. ft. buildings and renovation of one of them.	Dewitt	\$7,521,000	0	35
				\$348,478,000	35	75

Bond Transactions
Closed Transactions

<u>Project ID*</u>	<u>Company</u>	<u>Project Description</u>	<u>Location</u>	<u>Amount</u>	<u>Retained</u>	<u>New</u>
17-04B	Old Thompson Road LLC (Feldmeier)	Construction of a 130,000 sq. ft. office and manufacturing facility.	Dewitt	\$12,699,496	119	14
				\$12,699,496	119	14

Bond Projects in Progress
None

Employee Productivity Program

None

FINANCIAL REPORT

The Public Authority Accountability Act of 2005 (PAAA) as amended in 2009 is designed to ensure greater efficiency and accountability for New York's public authorities, including Industrial Development Agencies. Among the requirements of the PAAA is the preparation of an annual report that is to contain specified information. This section of the Agency Annual Report summarizes the financial information required by the PAAA.

Revenue/Expense Summary (unaudited)

Category	Revenue		Expense
Operating Revenue	\$ 2,535,332		
Pass-Thru Income	\$ 8,323,474		
Other Revenues	\$ 0		
Operating Expense			\$998,437
Pass Thru Expense			\$ 8,323,474
Other Expenses			\$ 0
Gain (Loss)			\$1,5536,895
Total	\$ 10,858,806		\$10,858,806

Assets and Liabilities Summary³ (unaudited)

Assets	
Cash and cash equivalents	\$3,191,090
Accounts Receivable	\$381,602
Notes Receivable	\$93,750
Prepaid expenses	\$0
Restricted Cash	\$1,642
Capital assets	\$3,345,677
Other Assets	\$0
Total	\$7,013,761
Liability & Equity	
Accounts Payable	\$31,940
Due to Related Party	\$97,815
Due to other governments	\$2,057
Note Payable, current portion	\$0
Equity	\$6,881,949
Total	\$7,013,761

³ The complete balance sheet is found in Appendix D

Four-Year Financial Plan

Appendix G

Revenue & Expense Detail

See 2017 Audited Financial Statements

Assets & Liability Detail

See 2017 Audited Financial Statements

Agency Contracts

<u>CHA</u>	Made payments of \$101 for WPCP wastewater design plan
<u>Spectra Environmental Group</u>	Made payments of \$220,780 for 800 Hiawatha Brownfield cleanup program
<u>O'Brien & Gere</u>	Made payments of \$155,565 for WPCP engineering studies
<u>Josall Syracuse, Inc.</u>	Made payment of \$38,705 for 437 N Salina roof repair
<u>Syracuse Design Group</u>	Made payments of \$3,220 for website design
<u>Bonadio & Co., LLP</u>	Made payments of \$14,000 for 2016 Audit
<u>Gilberti, Stinziano, Heintz & Smith, PC.</u>	Payment of \$10,755 for Legal Services in 2017

Agency Contract above \$5000 - Issued Without Competitive Bids

None

Real Property Schedule

A: Real Property Held

<u>Description</u>	<u>FMV</u>
435 North Salina	\$567,500
437 North Salina	\$56,250
800 Hiawatha	\$5,477,681
White Pines Commerce Park	\$ 3,475,524

B: Real Property Disposed: None

Audit & Management Letter

The Management Discussion and Analysis is found in the Agency's Annual Audit Report

Material Litigation

None

Appendices

APPENDIX A
BOARD BIOGRAPHIES

Patrick Hogan

Before joining the OCIDA Board, Patrick Hogan served the City of Syracuse as an employee of The City's Parks and Recreation Department for 34 years (culminating in a seven years stint as Deputy Commissioner). Additionally, he worked for 3 years as a member of the School Based Intervention Team with the City School District primarily working with children who have behavioral and academic problems. Starting in 2005 he was elected and reelected to 4 terms as second district City Councilor for the City of Syracuse. In his last term he was selected as Majority Whip by his colleagues on the Council. He has been a member of the following boards: Syracuse Jazzfest, the Central New York Blues festival, Syracuse Irish festival, Partners in Education, Clinton Square renovation committee, Westside Community School Strategy. Hogan coached basketball at St. Patrick's School and baseball at the Southside American little League. He remains a vital spokesman for his community and an active member of the Tipperary Hill neighborhood in Syracuse

Victor Ianno

Victor Ianno brings over 40 years of business experience to the Agency, including owning his own business, Lakeside Printing Inc. for 18years. He served as President of the National Association of Advertising Publishers from 1976-1978 and was a board member for fifteen years participating in all activities of the association. Mr. Ianno now serves as an active mentor and business investor assisting small business startups as well as owning and developing real estate.

Janice Herzog

Janice Herzog is the former director of external relations for the Burton Blatt Institute at Syracuse University. Herzog served as a liaison to the BBI Board of Advisors. She worked closely with the board to facilitate effective and timely communications, manage board operations and engagement, and follow up on board initiatives. Before joining BBI, Herzog worked for more than 20 years at Syracuse University College of Law. During that time, she was a member of the dean's senior staff and served as assistant dean for administration and external relations as well as director of external relations. In addition to working closely with the College of Law's board and executive committee, she has extensive experience in law school administrative operations and human resources management operations. She also worked in collaboration with the Office of Advancement in the areas of prospect management and engagement, donor and alumni relations, and fundraising. She has been a panel facilitator as well as speaker for the American Bar Association and the Council for Advancement and Support of Education (CASE) on topics related to board management and transformation and the board member's role in fundraising.

Steven Morgan

Steven Morgan is the owner and President of Dependable Disposal and Morgan Rubbish Removal in the town of Van Buren. Steven has been involved in the environmental-waste management sector in the Syracuse-Onondaga County area for over 24 years. Both companies provide environmentally safe waste removal and recycling solutions for residential, industrial and commercial customers. Steven believes very strongly in long-term business growth for the area that is accretive and that businesses have a civic and

moral obligation to their community. Since 1990 Steven has been involved in the waste management business. In the beginning he worked alongside his father, David Morgan, in the family business. After college, he was employed by Tessy Plastics in Elbridge as a product cost engineer while still involved in the family business. In 2001 Steven started Dependable Disposal and in 2002 he purchased his father's business. Since then the companies have experienced significant growth and now rank among the largest independent waste and recycling companies in the Syracuse market. Currently, Steven is leading a progressive movement in service improvement, community uniformity, increased recycling rates, and worker safety in Onondaga County with automated containerized service for residential customers. Steven is a graduate of Elbridge-Jordan High School and later graduated from Springfield College in Springfield, Massachusetts where he earned a Bachelor of Science degree in Business Management. Steven is a member or supporter of Centerstate CEO, Cayuga County Chamber of Commerce, Jordan-Elbridge Lions Club, Syracuse Tip Club, McMahon/Ryan Child Advocacy Center and the National Waste and Recycling Association.

Kevin Ryan

Kevin Ryan is a member of the law firm Costello, Cooney & Fearon, PLLC. He is a member of the firm's Business and Commercial and Construction Practice Groups. His practice focuses on all aspects of construction law, representing owners, contractors, and sub-contractors in dispute resolution through arbitration, mediation, or litigation, as well as in both jury and non-jury trials. In addition, he handles commercial disputes and insurance coverage matters, and has successfully represented clients in Article 78 proceedings both on behalf of and against municipalities relating to development projects and the award of public contracts. He is admitted to practice in the State of New York, the U.S. District Court for the Northern District of New York, the U.S. District Court for the Southern District of New York, the U.S. Court of Appeals for the Third Circuit and the U.S. Court of Federal Claims. As an active member of his community, Kevin is a former member of the Board of Directors of the Syracuse St. Patrick's Parade, and is a member of the Ancient Order of Hibernians and the Strathmore Men's Athletic Club. Kevin is a graduate of the State University of New York at Brockport and the Syracuse University College of Law.

Sue Stanczyk

Sue Stanczyk is the current Director of Budget for the Onondaga County Legislature. Having served as a staff member for the Legislature for over 25 years she brings an extensive background in public policy, government operations and budgeting. As Director of Budget for the Legislature, she is responsible for oversight and review of the \$1.3 billion budget of Onondaga County. In addition to the OCIDA Board, Sue is very active on the boards of the Green Planning Committee, SMTC Policy and Planning Committees, Deer and Ticks Management Advisory Committee, Reapportionment Commission, Sales Tax Commission, as well as a variety of Legislative committees and sub committees. Outside of the Legislature, Sue serves as Judges Coordinator for CNY Cheer Co. regional and national events, acts as a liaison for Section 3 Cheerleading Executive Committee, NYSCJA and is a certified Safety and Panel judge for All Star, College and High School level Cheer Competitions throughout North America.

APPENDIX B
AGENCY PERFORMANCE EVALUATIONS

Board Self-Evaluation

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members have a shared understanding of the mission and purpose of the Agency.	5	2		
The policies, practices and decisions of the Board are always consistent with this mission.	5	2		
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles.	6	1		
The Board has adopted policies, by-laws, and practices for the governance, management and operations of the Agency and reviews these annually.	6	1		
The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.	5	2		
Individual Board members communicate effectively with executive staff to be well informed on the status of all-important issues.	6	1		
Board members are knowledgeable about the Agency's programs, financial statements, reporting requirements, and other transactions.	5	2		
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.	6			1
The Board knows the statutory obligations of the Agency and if the Agency is in compliance with state law.	5	2		
Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members.	7			
Board members have sufficient opportunity review material and discuss recommendations before decisions are made and votes taken.	5	1		1
Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required.	7			
The Board works with management to implement risk mitigation strategies before problems occur.	5	2		
Board members demonstrate leadership and vision and work respectfully with each other.	6	1		

All members responded

Staff Evaluation

Does the staff have an understanding of the mission, duties & responsibilities of the Agency?	6	1		
Does the staff sufficiently fulfill the Board's administrative duties?	7			
Does the staff provide the Board with the information necessary for the Board to fulfill its duties in a prudent and timely manner?	6	1		
Does the staff encourage open discussion at Agency meetings by presenting information and responding to inquiries from board members, clearly and openly?	7			
Does the staff acknowledge to the Board a financial or other conflict of interest, as defined in Agency policy, with any project that may come before the Board during a staff member's tenure with the Board?	7			
Has each staff member submitted executed copies of each administrative document required of him/her by the County Legislature, State Statute or Regulation, or Board policies?	6	1		

Governance Committee Self-Evaluation

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Do Committee members understand the Committee's charter, duties & responsibilities as exhibited by its formal agendas, actions and reports?	2			
Is the Committee comprised of members who are independent as defined by the NYS Authorities Budget Office and who bring a body of expertise, knowledge, and experience necessary to understand and fulfill the goals and duties of the Committee?	2			
Does the Committee require a member to recuse him/herself if an appearance of a financial or other conflict might appear to influence a vote of the committee member or the committee as a whole?	2			
Does the Committee require a member to acknowledge a financial conflict of interest, as defined in Board policy, with any project or action that has come before the Committee during the tenure of the Committee member?	2			
Does the Committee receive advance copies of agendas and supporting material necessary for it to make an informed determinations or recommendations to the Board?	1	1		
Does the Committee acknowledge and encourage open discussion by its members and staff during committee meetings?	1	1		
Does the Committee present a self-evaluation to the Board annually, including an examination the Committee Charter?	2			

Finance Committee Self-Evaluation

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Do Committee members understand the Committee's charter, duties & responsibilities as exhibited by its formal agendas, actions and reports?	2	1		
Is the Committee comprised of members who are independent as defined by the NYS Authorities Budget Office and who bring a body of expertise, knowledge, and experience necessary to understand and fulfill the goals and duties of the Committee?	3			
Does the Committee require a member to recuse him/herself if an appearance of a financial or other conflict might appear to influence a vote of the committee member or the committee as a whole?	3			
Does the Committee require a member to acknowledge a financial conflict of interest, as defined in Board policy, with any project or action that has come before the Committee during the tenure of the Committee member?	3			
Does the Committee receive advance copies of agendas and supporting material necessary for it to make an informed determinations or recommendations to the Board?	2	1		
Does the Committee acknowledge and encourage open discussion by its members and staff during committee meetings?	3			
Does the Committee present a self-evaluation to the Board annually, including an examination the Committee Charter?	3			

Audit Committee Self-Evaluation

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Do Committee members understand the Committee's charter, duties & responsibilities as exhibited by its formal agendas, actions and reports?	3			
Is the Committee comprised of members who are independent as defined by the NYS Authorities Budget Office and who bring a body of expertise, knowledge, and experience necessary to understand and fulfill the goals and duties of the Committee?	3			
Does the Committee require a member to recuse him/herself if an appearance of a financial or other conflict might appear to influence a vote of the committee member or the committee as a whole?	3			
Does the Committee require a member to acknowledge a financial conflict of interest, as defined in Board policy, with any project or action that has come before the Committee during the tenure of the Committee member?	3			
Does the Committee receive advance copies of agendas and supporting material necessary for it to make an informed determinations or recommendations to the Board?	3			
Does the Committee acknowledge and encourage open discussion by its members and staff during committee meetings?	2	1		
Does the Committee present a self-evaluation to the Board annually, including an examination the Committee Charter?	3			

APPENDIX C

RESTATED BYLAWS
OF
ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

ARTICLE I
THE AGENCY

Section 1. **Name**. The name of the Agency shall be "Onondaga County Industrial Development Agency."

Section 2. **Seal of Agency**. The seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

Section 3. **Office of Agency**. The office of the Agency shall be at the Onondaga County 333 W. Washington Street, Suite 130, Syracuse, New York, or at such other address in the County of Onondaga as shall be determined by the Agency from time to time.

ARTICLE II
OFFICERS

Section 1. **Officers**. The officers of the Agency shall be a Chairman, a Vice Chairman, an Executive Director, a Secretary, a Treasurer, one or more Assistant Secretary(s) and an Assistant Treasurer.

Section 2. **Chair**. The Chairman shall be a member of the Agency and preside at all meetings of the Agency. The Chairman shall submit recommendations and such information as deemed pertinent concerning the business, affairs and policies of the Agency at each meeting. The Chairman shall appoint committee members and assign a chair for each committee.

Section 3. **Vice Chairman**. The Vice Chairman shall be a member of the Agency and perform the duties of the Chairman in the absence or incapacity of the Chairman. In the event of the resignation, removal or death of the Chairman, the Vice Chairman shall automatically succeed to the office of the Chairman and serve for the unexpired term of such office.

Section 4. **Secretary**. The Secretary may but need not be a member of the Agency. The Secretary shall keep all records of the Agency, shall act as Secretary at the meetings of the Agency, shall keep a record of all votes, shall record the proceedings of the Agency in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to this office. The Secretary shall have custody of the seal of the Agency and the power to affix such seal to all agreements, contracts, deeds, bonds or other evidences of indebtedness and all other instruments of the Agency authorized by the Agency to be executed and the power to attest (by manual or facsimile signature) such seal. The Secretary may, in their discretion, delegate some or all of the Secretary's duties to the Assistant Secretary.

Section 5. **Assistant Secretary**. The Assistant Secretary may but need not be a member of the Agency. The Assistant Secretary shall perform the duties of the Secretary in their absence or incapacity of the Secretary or if so requested by the Secretary. In case of the resignation or death of

the Secretary, the Assistant Secretary shall perform the duties of the Secretary until such time as the Agency shall appoint a new Secretary.

Section 6. **Treasurer**. The Treasurer shall not be a member of the Agency. The Treasurer shall be the Chief Financial Officer of the Agency. They shall have the care and custody of all funds of the Agency and shall deposit all such funds in the name of the Agency as the Agency may designate. Except as otherwise authorized by resolution of the Agency, the Treasurer shall sign all checks for the payment of money by the Agency pursuant to the direction of the Agency. Except as otherwise authorized by resolution of the Agency, all such checks shall be countersigned by the Chairman, the Vice-Chairman or Executive Director. The Treasurer shall keep regular books of accounts showing receipts and expenditures. He shall render to the Agency at each regular meeting an account of the financial transactions and the current financial condition of the Agency.

Section 7. **Assistant Treasurer**. The Assistant Treasurer shall not be a member of the Agency. The Assistant Treasurer shall perform the duties of the Treasurer in the absence of incapacity of the Treasurer. In the event of the resignation or death of the Treasurer, the Assistant Treasurer shall perform the duties of the Treasurer until such time as the Agency shall appoint a new Treasurer.

Section 7A. **Executive Director**. The Executive Director shall be the Chief Executive Officer of the Agency and shall not be a member of the Agency. The Executive Director shall be appointed by the Agency, and shall have general supervision over the administration of the business and affairs of the Agency, subject to the direction of the Agency. The Executive Director shall be charged with the management of all projects of the Agency. The Executive Director shall sign (manually or by facsimile signature) all agreements, contracts, deeds, bonds or other evidence of indebtedness and any other instruments of the Agency on behalf of the Agency, except as otherwise authorized or directed by resolution of the Agency.

Section 8. **Additional Duties**. In the absence or incapacity of the Treasurer and Assistant Treasurer, the other officers of the Agency shall have the care and custody of all funds of the Agency and the power to deposit the same in the name of the Agency in such bank or banks as the Agency may designate, and shall have the power to sign all checks of the Agency for the payment of money and the power to pay out and disburse such moneys under the direction of the Agency. In addition, all officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency, by its bylaws, or by its rules and regulations.

Section 9. **Appointment of Officers**. All officers of the Agency shall be appointed at the Annual Meeting of the Agency. All officers shall hold offices for one year or until their successors are appointed. If the term of an Agency member should terminate, their term of office as an officer shall also terminate. The Chief Executive Officer and the Chief Financial Officer shall not be members of the Agency.

Section 10. **Members of Agency**. There shall be seven members of the Agency who shall receive no compensation for their services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of their duties. The term of the office of each member of the Agency shall be by appointment of the Onondaga County Legislature and each member shall continue to hold office until his successor is appointed and has qualified.

Section 11. **Vacancies**. Should any office except that of Chairman become vacant, the Agency shall appoint a successor at the next regular meeting, and such appointment shall be for the unexpired term of said office.

Section 12. **Additional Personnel**. The Agency may from time to time employ such personnel, as it deems necessary to exercise its powers, duties and functions as prescribed by the New York State Industrial Development Agency Act, as amended, and all other laws of the State of New York applicable thereto. The selection and compensation of all personnel shall be determined by the Agency subject to the laws of the State of New York.

ARTICLE III MEETINGS

Section 1. **Annual Meeting**. The Annual Meeting of the Agency shall be held in January at the regular meeting place of the Agency or such other time and place as the Agency shall determine.

Section 2. **Meetings**. Meetings of the Agency may be held at such times and places as from time to time may be determined by the Agency. The Chairman of the Agency may, when he deems it desirable, and shall, upon the written request of two members of the Agency, call a special meeting of the Agency. Notice of all meetings shall be **sent by United States mail, electronic mail**, or delivered to the residence or business address of each member, and to Agency Counsel, at least four days prior to the day the meeting is to occur. Whenever possible the notice shall set forth the matters to be considered at the meeting. Waivers of notice may be signed by any member or members who were not properly noticed.

Section 3. **Executive Sessions**. Upon motion identifying the general area(s) of the subject(s) to be considered and a majority vote of the membership, an executive session may be entered into and conducted by the Agency for the reasons enumerated in Public Officers Law § 105. During an executive session the Agency may take action on the matters which are the subject of the executive session, however, no action by formal vote may be taken in an executive session to appropriate public moneys. Minutes must be taken of any action that is taken by formal vote, and must consist of a record or summary of a final determination and the vote thereon. The minutes do not need to include any matters not required to be made available to the public pursuant to FOIL.

Section 4. **Quorum**. At all meetings of the Agency, a majority of the Agency shall constitute a quorum for the purpose of transacting business; provided that a small number may meet and adjourn to some other time or until a quorum is obtained.

ARTICLE IV AMENDMENTS

Section 1. **Amendments to Bylaws**. The bylaws of the Agency may be amended with the approval of a majority of all the members of the Agency at a meeting, but no such amendment shall be adopted unless written notice thereof has been previously given to all members of the Agency.

ARTICLE V PROJECTS

Section 1. **Site of Agency Projects.** The Agency shall take local and state land use and environmental laws and regulations into consideration when reviewing and approving a project.

Section 2. **Compliance with Laws.** The Agency shall not approve the delivery of bonds for a project, which, at the time of such delivery is known by the Agency after reasonable inquiry to be in material violation of applicable zoning, environmental, labor or health laws or regulations, including applicable building and fire codes.

ARTICLE VI COMMITTEES

Section 1. **Governance Committee.** The Agency shall have a governance committee to be comprised of the Agency Chairman and two other members of the Agency appointed by the Chairman. Members of the Governance Committee shall be independent members as defined by the Public Authorities Accountability Act of 2005, as amended from time to time. It shall be the responsibility of the members of the Governance Committee to keep the members informed of current best governance practices; to review corporate governance trends, to update the Agency's corporate governance principles and to advise on the skills and experiences required of potential Agency members. The Governance Committee shall have such other purposes, powers, responsibilities and governance as provided in any charter adopted by the members of the Agency.

Section 2. **Audit Committee.** The Agency shall have an audit committee to be comprised of the Agency Chairman and two other members of the Agency appointed by the Chairman. Members of the Audit Committee shall be independent members as defined by the Public Authorities Accountability Act of 2005, as amended from time to time. It shall be the responsibility of the Audit Committee to recommend to the Agency the hiring of a certified independent accounting firm for the Agency, establish the compensation to be paid to the accounting firm and provide direct oversight of the performance of the independent audit performed by the accounting firm hired for such purpose. The Audit Committee shall have such other purposes, powers, responsibilities and governance as provided in any charter adopted by the members of the Agency.

Section 3. **Finance Committee.** The Agency shall have a finance committee to be comprised by the three members of the Agency appointed by the Chairman. Members of the Finance Committee shall be independent members as defined by the Public Authorities Accountability Act of 2009, as amended from time to time. It shall be the responsibility of the Finance Committee to review proposals for the issuance of debt for the Agency and make recommendations to the Agency regarding the issuance of such debt; seek any information it requires from the Agency and project applicants regarding the proposals for the issuance of debt and retain and consult with, at the Agency's expense, such outside counsel, experts and other advisors as the Finance Committee may deem appropriate. The Finance Committee shall have such other purposes, powers, responsibilities and governance as provided by any charter adopted by the members of the Agency.

Section 4. **Other Committees.** The Agency may designate from among its members other committees, each consisting of one or more members, and each of which, to the extent provided in the resolution or committee charter, shall have all the authority of the Agency members, except as otherwise provided by law.

Amended: July 22, 1985

Amended: September 11, 1996

Restated: January 14, 1997

Amended: May 12, 2005

Amended August 9, 2007

Amended April 9, 2009

Amended April 14, 2012

Amended December 11, 2012

APPENDIX D

CODE OF ETHICS

ARTICLE I. PURPOSE AND CONSTRUCTION

The Citizens of Onondaga County are entitled to expect the highest degree of conduct on the part of the Onondaga County Industrial Development Agency (the "Agency") officers, employees and members. The members of the Agency recognize that there must be rules of ethical conduct for its officers, employees and appointed officials to observe if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in the Agency. It is the purpose of this Code of Ethics to promulgate these rules of ethical conduct for the officers, employees and members of the Agency. These rules shall serve as a guide for official conduct of such officers, employees and members.

ARTICLE II. DEFINITIONS

Section 2.1.

Unless otherwise specifically indicated, for purposes of this Code of Ethics, the following terms shall have the following meanings:

- (a) "Agency" means the Onondaga County Industrial Development Agency.
- (b) "Appropriate body" pursuant to Article 18 of General Municipal Law means the Board of Ethics of the County of Onondaga.
- (c) "Child" means any son, daughter, step-son or step-daughter of an Agency officer, employee or member if such child is under 18 or is a dependant of the officer, employee or member as defined in the Internal Revenue Code Section 152(a)(1) and (2) and any amendments thereto.
- (d) "County" means the County of Onondaga.
- (e) "Interest" means a direct or indirect pecuniary or material benefit accruing to an Agency officer, employee or member, his or her spouse, or child whether as the result of a contract with the Agency or otherwise. For the purpose of this Code of Ethics, an Agency officer, employee or member shall be deemed to have an interest in the contract of (i) his/her spouse and children, except a contract of employment with the Agency (ii) a firm, partnership or association of which such officer, employee or member or his/her spouse or child is a member or employee; (iii) a corporation of which such officer, employee or member, or his/her spouse or child is an officer or director; and (iv) a corporation of which more than 5% of the outstanding capital stock is owned by an officer, employee or member, or his/her spouse or child.
- (f) "Relative" means a spouse or child of an Agency officer, employee or member.

- (g) "Spouse" means the husband or wife of an officer, employee or member subject to the provisions of this Code of Ethics unless legally separated from such officer, employee or member.

ARTICLE III. CODE OF ETHICS

There is hereby established and adopted a code of ethics containing the following standards of conduct for officers, employees and members of the Agency.

Section 3.1.

a. Conflict of Interest. No officer, employee or member of the Agency should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

b. Impressions. No officer, employee or member of the Agency should by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person. An officer or employee or member of the Agency should endeavor to pursue a course of conduct, which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

c. Receipt or Benefit. No officer, employee, or member of the Agency shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others, including directly or indirectly soliciting, accepting or agreeing to accept any benefit from another person upon an agreement that his/her vote, opinion, judgment, action, decision or exercise of discretion as an Agency officer, employee or member will thereby be influenced. A donation to a person seeking public or party office or to a committee supporting the efforts of such person shall not be considered such a benefit hereunder.

d. Confidential Information. No officer or employee or member of the Agency shall disclose information which is lawfully confidential and acquired by him in the course of his official duties or use such information to further his personal interests.

e. Representation before the Agency. An officer, employee or member of the Agency shall not receive or enter into any agreement, express or implied, for compensation or benefit to himself or a relative, directly or indirectly, for services to be rendered in relation to any matter before the Agency.

f. Disclosure of interest in any Agency Contract. To the extent that he knows thereof, any officer, employee or member of the Agency who has any interest in any contract or agreement of the Agency shall make prior disclosure in writing to the Chairman of the Agency and to the Agency's Counsel and shall withdraw from participation in any Agency process with respect thereto, subject to Section 801 of the General Municipal Law relating to prohibited conflicts of interest.

g. Partnership, unincorporated association or corporation. No partnership or unincorporated association of which an Agency officer, employee or member is a member or employee or in which he

or she has a proprietary interest, nor any corporation of which an Agency officer, employee or member is an officer or director or legally or beneficially owns or controls more than five percent (5%) of the outstanding stock, shall appear before the Agency without full disclosure to the members, subject to Section 801 of the General Municipal Law relating to prohibited conflicts of interest.

h. Investments in conflict with official duties. (i) An officer, employee or member shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private endeavor or entity, which creates a conflict with his or her Agency duties; (ii) No officer or employee or member of the Agency shall engage in any transaction as representative or agent of the Agency with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

i. Private employment or services. An officer, employee or member shall not engage in, solicit, negotiate for or promise to accept employment or render services for private interests when such employment or service creates a conflict of interest with or impairs the proper discharge of official Agency duties. In the event such a conflict arises with respect to a member, (s)he shall notify the Chairman of the Agency of same and withdraw from participation in any Agency process with respect thereto.

j. Future employment. For a period of one (1) year after the termination of service or employment with the Agency, no former officer, employee or member, on his or her own behalf, or as an employee, agent or representative of another may apply to or appear before or conduct business with respect to the Agency in any matter concerning which he or she personally rendered substantial services and made policy decisions during the period of his or her term of office, service or employment by the Agency. Said one (1) year prohibition may be waived by the members for good cause upon written application for such officer, employee or member. At the expiration of the one (1) year period and thereafter, the former officer, employee or member shall make prior disclosure in writing to the members of the nature and extent of his/her Agency involvement with matters (s)he now seeks to address with the Agency.

k. Offer of Employment. An officer, employee or member shall disclose in writing to the members any offer of employment received from any person, firm or corporation which, to the knowledge of such officer, employee or member, is furnishing or seeking to furnish goods or services to the Agency, if such officer, employee or member has substantial involvement or responsibility for policy making in securing such goods or services and if such officer, employee or member enters into negotiations for such employment. Such disclosure must be made whether or not such offer and negotiations are verbal or written and whether or not the offer is accepted.

l. Sale of Goods or Services. No officer or employee or member of the Agency employed on a full-time basis nor any firm or association of which such Agency member, officer or employee is a member nor corporation, a substantial portion of the stock of which is owned or controlled directly or indirectly by such member, officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the Agency.

Amended: April 9, 2009

APPENDIX E
MISSION STATEMENT & PERFORMANCE GOALS

MISSION STATEMENT

To stimulate economic development, growth, and general prosperity for the people of Onondaga County by using available incentives, rights and powers in an efficient and cooperative manner.

PERFORMANCE GOALS

Performance Goal One: To use Agency incentives, programs and policies stimulate economic development, growth and prosperity to encourage the growth of industrial, commercial and “new economy” net-wealth generating businesses in Onondaga County.

Performance Goal Two: To use Agency incentives, programs and policies stimulate economic development, growth and prosperity to encourage smart growth & sustainable investment into Onondaga County

Performance Goal Three: To use Agency incentives, programs and policies stimulate economic development, growth & prosperity to support businesses striving to compete in and react to the global economy.

Performance Goal Four: To use Agency incentives, programs and policies stimulate economic development, growth & prosperity to encourage entrepreneurs and new business development.

Performance Goal Five: For the Agency to perform its duties in a cooperative and efficient manner through proactive open communication with its economic development partners, businesses and the community as a whole.

Additional Questions

- 1. Have the board members acknowledged that they have read and understood the mission of the public authority?**

Yes

- 2. Who has the power to appoint the management of the public authority?**

The voting board members shall appoint officers at the Agency’s annual meeting.

- 3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?**

The Agency’s by-laws serve as the policy for appointing management.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

Agency staff is responsible for the administration and management of the Agency's programs and policies, and satisfaction of all statutory requirements.

The Board sets all policies and programs through majority approval of the Board.

5. Has the Board acknowledged that they have read and understood the responses to each of these questions?

Yes, the performance measurement report was presented to the Board for approval at March 10, 2015 regular board meeting.

APPENDIX F
ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
REPORT ON INTERNAL CONTROLS
FY 2017

Agency Mission: To stimulate economic development, growth, and general prosperity for the people of Onondaga County by using available incentives, rights and powers in an efficient and cooperative manner.

FISCAL YEAR 2017 REPORT ON INTERNAL CONTROLS			
AGENCY ACTION	CONTROL	CONTROL PROCESS	FINDING
Agency Capital Projects			
Project review	<ul style="list-style-type: none"> • Statute • Regulation • By-Laws • Classes of Projects Policy • Local Access Policy 	<ul style="list-style-type: none"> • Written Application • Cost Benefit Analysis • Staff Review • Board Attorney Oversight • Board Review & Approval • Conflict of Interest Statement 	Adequate
SEQRA Determination	<ul style="list-style-type: none"> • Statute • Regulation • By-Laws • Classes of Projects Policy 	<ul style="list-style-type: none"> • Formal EAF Statement • Staff Review • Attorney Review • Board Review & Finding 	Adequate
Public Hearing	<ul style="list-style-type: none"> • Statute • Regulation • By-Laws 	<ul style="list-style-type: none"> • Board Approval • Written Minutes • Report on Public Hearing at Board Meeting 	Adequate
Project Inducement	<ul style="list-style-type: none"> • Statute • Regulation • By-Laws • Classes of Projects • UTEP • Local Access Policy 	<ul style="list-style-type: none"> • Written Application • Cost Benefit Analysis • Staff Review • Board Attorney Oversight • Board Review & Approval 	Adequate
Benefit Oversight	<ul style="list-style-type: none"> • Statute • Regulation • Agency Policies 	<ul style="list-style-type: none"> • Annual Survey of Companies • Staff Review • Exec Director Oversight • Board Review & Approval of Annual Reporting • Board Attorney Oversight 	Adequate
PILOT Benefits Oversight	<ul style="list-style-type: none"> • Uniform Tax Exemption Policy 	<ul style="list-style-type: none"> • Review of comparable properties/ assessment value 	

	<ul style="list-style-type: none"> • Statute • Regulation 	<ul style="list-style-type: none"> • Review of cost of improvements • Review by School District Superintendent, Town Supervisor, Village Mayor, and the County Executive • Review by Agency Attorney • Board Review & Approval 	Adequate
Sales Tax Exemption Oversight	<ul style="list-style-type: none"> • Statute • Regulation • Agency Policy 	<ul style="list-style-type: none"> • Staff Review of project documents • Attorney Review • Staff review of ST -60 and supplemental letter when additional agents are appointed for a project • Board review and approval 	Adequate
Recapture of Benefits	<ul style="list-style-type: none"> • Statute • Regulation • Agency Policy • Lease Documents 	<ul style="list-style-type: none"> • Annual Survey of projects • Annual Employment Report • Staff Review of reported numbers versus application numbers • Explanations from Companies • Board Review & Approval of Report & Recommendations 	Adequate
Agency Service Contracts	<ul style="list-style-type: none"> • Procurement Policy • Funding Policy • EPP Policy & Guidelines • Inducement to Prospects Policy 	<ul style="list-style-type: none"> • Review by Staff • Attorney Review • Board Review & Approval • Formal Contracts for EPP • Annual Audit of Expenditures 	Adequate
Agency Fees	<ul style="list-style-type: none"> • Project Fee Policy • Legal Fee Policy 	<ul style="list-style-type: none"> • Staff Review • Board Review & Approval • Annual Audit • Attorney Review 	Adequate
Public Access			
Documents & Administration	<ul style="list-style-type: none"> • Statute • Regulation • Foil Policy 	<ul style="list-style-type: none"> • Annual Election of Foil Officer • Annual Election of Foil Appeals Officer 	Adequate
Public Comment	<ul style="list-style-type: none"> • Statute • Regulations • Board By-Laws 	<ul style="list-style-type: none"> • Publication of Hearing Notices • Written Record of Proceedings • Report public comments to 	Adequate

		the Board for each project	
Agency Administration			
Understanding of Mission, Goals, Process & Controls	<ul style="list-style-type: none"> • Statute • Agency By-Laws • Agency Policies 	<ul style="list-style-type: none"> • PAAA Training • New Member Orientation • Study Sessions • Annual Acknowledgement of Responsibilities • Agency Handbook - Reference Material for Board 	Adequate
Ethics & Conflict of Interests	<ul style="list-style-type: none"> • Statute • Conflict of Interest Policy • Agency Code of Ethics 	<ul style="list-style-type: none"> • Annual Conflicts Acknowledgement • Annual COI statement • Conflict of interest certificate signed at every meeting • Whistle Blower Officer 	Adequate
Agency Finances			
Financial Planning & Expenditures	<ul style="list-style-type: none"> • Statute • Regulation • Agency Policies • Procurement Policy 	<ul style="list-style-type: none"> • Annual Budget • Annual Audit • County Contract for Services • Board Monthly Review of Finances • Board Approval of Monthly Payment of Bills • Signature Authority and Two Signature for all expenditures 	Adequate
Financial Safeguards	<ul style="list-style-type: none"> • Statute • Procurement Policy • Travel Policy 	<ul style="list-style-type: none"> • Approval of Board of all expenditures • Approval of County officer of shared expenditures for travel 	Adequate

APPENDIX G
FOUR-YEAR FINANCIAL REPORT

2018 OCIDA Budget

I. Expenses				
A. Operational Expenses	2017	2018	2019	2020
Onondaga County - Office	\$452,016	\$452,016	\$452,016	\$452,016
Marketing	\$30,957	\$31,266	\$31,579	\$32,213
Legal Services	\$18,727	\$18,727	\$19,102	\$19,873
Accounting Services	\$350	\$350	\$350	\$350
Annual Audit	\$14,000	\$14,000	\$15,000	\$16,000
Insurance - Public Officials, General Business	\$14,420	\$14,853	\$15,298	\$16,230
Office Expenses (Inc Public Hearing Notice)	\$1,000	\$1,000	\$1,000	\$1,000
Meetings	\$1,200	\$1,200	\$1,200	\$1,200
Rent	\$60,297	\$60,900	\$61,509	\$62,745
Sub-Total Operational Expenses	\$592,600	\$594,312	\$597,054	\$601,628
B. Agency Program Expenses				
Property Reserve	\$300,000	\$300,000	\$300,000	\$300,000
Marketing	\$25,000	\$25,000	\$25,000	\$0
Development	\$50,000	\$25,000	\$0	\$0
Sub-Total Program Expenses	\$375,000	\$350,000	\$325,000	\$300,000
Total Operational and Program Expenses	\$967,600	\$944,312	\$922,054	\$901,628
II. Revenue				
Agency Revenues	\$500,000	\$500,000	\$500,000	\$500,000
National Grid Shovel Ready 1 Grant	\$0	\$0	\$0	
National Grid Shovel Ready 2 Grant	\$0	\$0	\$0	\$0
National Grid Marketing Grant Reimbursement	\$0	\$0	\$0	\$0
NYS Grant Reimbursement (CFA 1)	\$682,673	\$682,673	\$151,705	\$0
Interest Income	\$2,689	\$3,621	\$4,439	\$3,965
Lease Payments	\$23,300	\$23,300	\$23,300	\$23,300
Total Revenue	\$1,208,662	\$1,209,594	\$679,444	\$527,265
Projected Gain or Loss	\$241,062	\$265,282	\$(242,609)	\$(374,363)

APPENDIX I
PENDING LITIGATION

NONE