



BOARD OF DIRECTORS MEETING

June 12, 2017

4:00 PM

NFE 2107

AGENDA

1. Call to order
2. President's Report:
 - Resolution 158 – Authorization for easement at the Marcy Nanocenter site
3. New Business
4. Public Comment
5. Next quarterly Board of Directors meeting: June 28, 2017
6. Adjournment

RESOLUTION OF THE BOARD OF DIRECTORS
OF FORT SCHUYLER MANAGEMENT CORPORATION

June 12, 2017

RESOLUTION NO.: 158

APPROVAL AND AUTHORIZATION FOR AN EASEMENT FOR NIAGARA MOHAWK
POWER CORPORATION TO INSTALL A GAS LINE AT THE MARCY SITE IN UTICA,
NEW YORK

WHEREAS, Fort Schuyler Management Corporation (“Corporation”) is a 501(c)(3) corporation formed for the purposes of helping to facilitate research and economic development activities related to the research and educational mission of the State University of New York (“SUNY”) by purchasing, constructing, and developing and managing facilities and promoting the research therein which support the economic development, research activities, and the mission of SUNY and the State University of New York Polytechnic Institute (“SUNY Poly”); and

WHEREAS, consistent with its purposes, the mission of the Corporation is to advance high-tech research, development, and commercialization opportunities through the acquisition, construction, and management of state-of-the art facilities, while promoting economic development and education and workforce training throughout New York; and

WHEREAS, the vision of the Corporation is to further expand New York’s global leadership in nanotechnology by leveraging cutting edge facilities and infrastructure, in conjunction with the world class resources and expertise of SUNY Poly, to enable innovation, private and corporate investments, and job creation across New York; and

WHEREAS, in conjunction with SUNY Poly and in support of selected Upstate New York economic development initiatives of Governor Andrew M. Cuomo, the Corporation is developing several comprehensive initiatives throughout Upstate New York for research, technology outreach, business development, manufacturing, and education and training hubs; and

WHEREAS, New York State has recognized the need for developing, constructing and operating a technology oriented industrial park on the real property known as the Marcy Nanocenter site on the SUNY Poly campus in the Utica, New York area; and

WHEREAS, to facilitate this project, in accordance with Chapter 953 of the Laws of 1983, as amended by Chapter 462 of the Laws of 2001, SUNY ground leased the Marcy Campus to the Corporation under that certain Amended and restated Ground lease dated as of May 1, 2010; and

WHEREAS, FSMC subleased the land to the Economic Development Growth Enterprises Corporation (EDGE), which has an agreement with SUNY and the Research Foundation to serve as the lead developer of the property; and

WHEREAS, as part of the development effort, EDGE acquired a large parcel of land for a parkway and conveyed a portion of this property known as the Grace/Meyer parcel, which is approximately 8.15 acres in size, to FSMC; and

WHEREAS, EDGE is seeking to have gas service provided to the Marcy Nanocenter site to accommodate the full buildout of the site and has requested that the Corporation grant an easement to Niagara Mohawk Power Corporation, doing business as National Grid, for installation of a gas line to the site that will provide such service; and

WHEREAS, the Corporation seeks to grant an easement to Niagara Mohawk to install a gas line and regulator station on the Grace/Meyer parcel of land;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CORPORATION AS FOLLOWS:

SECTION 1: APPROVAL TO GRANT AN EASEMENT TO NIAGARA MOHAWK POWER CORPORATION TO UNDERTAKE THE PROJECT. The Board hereby authorizes and approves the Corporation granting an easement to Niagara Mohawk Power Corporation to install a gas line and regulator station on the Grace/Meyer parcel of land at the Marcy Nanocenter site.

SECTION 2: DOCUMENTS AND CONTRACTS. The Board hereby authorizes, empowers and directs the President and Treasurer, each of them without the other, to approve, sign, acknowledge and deliver all documents and contracts in such form, substance, and content, and upon such terms, as may be necessary or appropriate, to implement and carry out the purposes and intents of this Resolution.

SECTION 3: EFFECTIVE DATE. This Resolution shall take effect immediately.

CERTIFICATION

FORT SCHUYLER MANAGEMENT CORPORATION
RESOLUTION NO: 158

The undersigned, being a duly elected and qualifying officer of Fort Schuyler Management Corporation ("Corporation"), DOES HEREBY CERTIFY that the attached resolution constitutes a true and correct copy of a resolution adopted by the Board of Directors of the Corporation on _____, 2017, as it appears in the records of the Corporation in my possession as of the date hereof.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have signed this Certification on this ____ day of _____, 2017.

Cheryl Casey-Rose
Secretary of the Board

To: Fort Schuyler Management Corporation Board of Directors

Re: Easement for Gas Line at Marcy Nanocenter site

Background:

To facilitate development of a technology oriented park on the Marcy Nanocenter site in the Utica, New York area, the State University of New York ground leased land at the site to the Fort Schuyler Management Corporation (FSMC), pursuant to authorization in Chapter 953 of the Laws of 1983, as amended by Chapter 462 of the Laws of 2001. FSMC then subleased the land to the Economic Development Growth Enterprises Corporation (EDGE), which has an agreement with SUNY and the Research Foundation to serve as the lead developer of the property.

As part of the development effort, EDGE acquired a 30-40 acre parcel of land needed for a parkway to the site. EDGE then conveyed to FSMC a portion of this land approximately 8.15 acres in size known as the Grace/Meyer parcel. EDGE is now seeking to provide gas service to the Marcy Nanocenter site and has requested that FSMC grant an easement to the Niagara Mohawk Power Corporation, doing business as National Grid, for installation of a gas line to the site that will provide such service. The easement is for the section of the gas line that will be installed on the Grace/Meyer parcel.

Compliance with Acquisition and Disposition of Real Property Policy:

The Acquisition and Disposition of Real Property Policy, adopted by the FSMC Board in Resolution No. 145 on February 22, 2017 requires that certain information be provided for the disposition of a beneficial interest in real property, which definition includes the granting of an easement.

(1) Full Description of the Asset – This is an easement for installation of an underground gas line and aboveground regulator station on the Grace/ Meyer land parcel at the Marcy Nanocenter site in the Utica, New York area. The area of permanent easement is approximately .86 acres and the area of temporary easement is approximately 2.53 acres.

(2) Appraisal of the Fair Market Value of the Asset – Since this is not a sale but merely an easement for the underground installation of a gas line that will support the construction of facilities on the site, an appraisal would be impractical and would not provide any relevant information.

(3) Description of the Transfer and a Reasonable Statement of the Kind and Amount of Benefit to the Public Resulting from the Transfer – This easement is for an underground gas line and

above ground regulator station that will support the full buildout of the Nanocenter site and also provide backup for the SUNY Poly campus.

(4) Statement of the Value to be Received Compared to the Fair Market Value – This will support development of the site and costs will be borne by EDGE, which has grant funding for site development work.

(5) Names of Private Parties Participating in the Transfer – Niagara Mohawk Power Corporation.

(6) Names of Private Parties who have made an Offer for such Asset – None.

(7) Statement of Disposal by Negotiation – N/A

(8) Approvals – FSMC President Robert Megna and Contracting Officer Scott Bateman approve approve this proposed easement.

Requested Action:

The Board is being requested to approve a resolution authorizing the President to grant an easement to Niagara Mohawk for installation of a gas line and to take related actions to implement the resolution.