

**RESOLUTION AUTHORIZING
DISPOSAL OF PERSONAL PROPERTY**

A regular meeting of the Onondaga County Industrial Development Agency convened in public session on September 14, 2023, at 8:30 a.m., local time, at 335 Montgomery Street, 2nd Floor, Syracuse, New York.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT: Patrick Hogan
Janice Herzog
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss

ABSENT: Susan Stanczyk
Kevin Ryan

ALSO PRESENT: Robert M. Petrovich, Executive Director
Jeffrey W. Davis, Esq., Agency Counsel
Amanda M. Fitzgerald, Esq., Agency Counsel

The following resolution was offered by Fanny Villarreal, seconded by Janice Herzog, to wit:

**RESOLUTION AUTHORIZING THE DISPOSAL BY NEGOTIATION
OF CERTAIN PERSONAL PROPERTY AND THE EXECUTION OF
DOCUMENTS IN CONNECTION THEREWITH AND DETERMINING
OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, Onondaga County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York (the “State”), to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Agency currently owns and is developing White Pine Commerce Park (the "Park") located northeast of the intersection of NYS Route 31 and Caughdenoy Road, including the expansion to areas north and east generally located along NYS Route 31 and the east and west sides of Burnet Road, all in the Town of Clay, Onondaga County, New York; and

WHEREAS, within the Park are abandoned structures located at 8501 Burnet Road (the "Improvements") in the Town of Clay, County of Onondaga and State of New York; and

WHEREAS, as the Agency intends to demolish the Improvements at one or more times in further of its development of the Park, the Agency is contemplating the disposal by negotiation of certain salvageable personal property within the Improvements consisting of certain windows, interior doors, storm doors, exterior doors and sliding glass doors (collectively, the "Personal Property") by donating the Personal Property to Syracuse Habitat for Humanity, Incorporated ("Habitat"); and

WHEREAS, the Agency has received an appraisal of the Personal Property (the "Appraisal") from Bollinger's Appraisal Services, attached hereto as Exhibit A, which Appraisal appraises the fair market value of the Personal Property at \$505.00; and

WHEREAS, Habitat desires to acquire the Personal Property; and

WHEREAS, the Agency has determined that (i) the Personal Property is not needed by the Agency for its purposes; (ii) the disposal of the Personal Property to Habitat will promote economic development; and (iii) it is in the best interests of the Agency to dispose of the Personal Property; and

WHEREAS, the disposal of the Personal Property to Habitat is within the purpose, mission or governing statute of the Agency; and

WHEREAS, based on the Appraisal, the fair market value of the Personal Property does not exceed fifteen thousand dollars; and

WHEREAS, the Executive Director of the Agency provided the following information to the members of the Agency, as required by Public Authorities Law Section 2897(7)(b):

1. The Personal Property consists of windows, interior doors, storm doors, exterior doors and sliding glass doors within the Improvements located at 8501 Burnet Road in the Town of Clay, County of Onondaga and State of New York.
2. The Appraisal is attached hereto as Exhibit A.
3. The purpose of the proposed transfer by the Agency of the Personal Property is to support the general prosperity for the people of Onondaga County as the Personal Property would be otherwise destroyed in connection with the demolition of the Improvements to be undertaken as part of the development of the Park. By such proposed transfer the Personal Property will be used by Habitat in furtherance of its not-for-profit purposes rather than being destroyed.

4. The Agency will not receive any money in connection with the disposal of the Personal Property to Habitat. The fair market value of the Personal Property pursuant to the Appraisal is \$505.00.
5. The private party participating in the transfer is Syracuse Habitat for Humanity, Incorporated.
6. No other private parties have made an offer.

WHEREAS, to enable Habitat to obtain the Personal Property, the Executive Director has recommended to the members of the Agency that the Agency grant Habitat access to the Improvements and the land upon which the Improvements are located pursuant to an access agreement (the "Access Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby determines to dispose of the Personal Property by donation to Habitat.

Section 2. (A) The Chairman (or Vice Chairman) and/or Executive Director of the Agency are hereby authorized, on behalf of the Agency, upon advice of counsel, to execute and deliver such documents as may be necessary to convey the Personal Property to Habitat, including, but not limited to, the Access Agreement (collectively, the "Agency Documents"), all in a form or forms to be approved by the Chairman (or Vice Chairman) and/or Executive Director, upon the advice of Agency counsel, the execution thereof to constitute conclusive evidence of such approval and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same.

(B) The Chairman (or Vice Chairman) and/or Executive Director of the Agency are hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required in order to convey the Property to Habitat, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and the provisions of the Agency Documents.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Patrick Hogan	X		
Janice Herzog	X		
Cydney Johnson	X		
Elizabeth Dreyfuss	X		
Susan Stanczyk			X
Kevin Ryan			X
Fanny Villarreal	X		

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) ss.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on September 14, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matter therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting, (B) said meeting was in all respects duly held, (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law, and (D) there was a quorum of the members of the Agency present throughout said meeting.

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 hereunto set my hand this 14 day of September, 2023.

(SEAL)

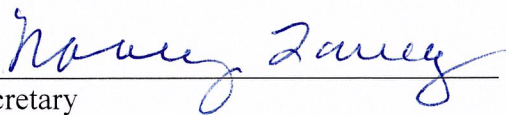

Secretary

Exhibit A

Appraisal – See attached