

**RESOLUTION AUTHORIZING THE
SALE OF 435 NORTH SALINA STREET**

A regular meeting of the Onondaga County Industrial Development Agency was convened in public session on February 9, 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
Susan Stanczyk
Kevin Ryan

ABSENT: Victor Ianno
Steve Morgan
Fanny Villarreal

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

The following resolution was offered by Susan Stanczyk, seconded by Janice Herzog, to wit:

**RESOLUTION APPROVING THE SALE OF 0.05+/- ACRES OF
PROPERTY KNOWN AS 435 NORTH SALINA STREET IN THE CITY OF
SYRACUSE AND THE EXECUTION OF DOCUMENTS IN CONNECTION
THEREWITH, SUBJECT TO COMPLIANCE WITH THE
REQUIREMENTS OF PUBLIC AUTHORITIES LAW, 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") and Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975, 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 approximately 0.05± acres of real property and the approximately 3,492 square foot building thereon (the "Property") known as 435 North Salina Street, City of Syracuse, County of Onondaga and State of New York (Tax Map No. 017.-02-08.0), as more fully described in the Appraisal (as hereinafter defined); and

WHEREAS, the Agency currently leases the property to SEED Syracuse, Inc. ("SEED"), a not-for-profit corporation; and

WHEREAS, the Agency has received an appraisal of the Property (the "Appraisal") from CNY Pomeroy Appraisers, Inc., which appraises the fair market value of the Property at \$190,000; and

WHEREAS, the Agency is contemplating the sale of the Property to SEED by negotiation for a sale price of \$190,000; and

WHEREAS, SEED desires to purchase the Property for a purchase price of \$190,000; and

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

WHEREAS, the sale of the Property to SEED is within the purpose, mission or governing statute of the Agency; and

WHEREAS, prior to the sale of the Property, the Agency is required to comply with the applicable requirements of Article 5-A of the Public Authorities Law (the "Act"), and the Agency's Property Disposition Policy;

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

Section 1. The Agency hereby approves the sale of the Property to SEED for the amount of \$190,000; provided, however, that the Agency shall not convey the Property to SEED until such time as the Agency has complied with the requirements of the Act and the Policy. The Agency hereby authorizes and directs the Executive Director to take such actions as may be required to comply with requirements of the Act and the Policy, including but not limited to preparation and delivery of an explanatory statement of disposal by negotiation as required by Section 2897 of the Act not less than ninety days in advance of such disposal, and the preservation of a copy of such explanatory statement in the Agency files.

Section 2. (A) Subject to the limitation in Section 1, the Chairman (or Vice Chairman) and/or Executive Director of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver such documents as may be necessary to convey the Property to SEED (collectively, the "Agency Documents"), 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 SEED, 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>	<u>ABSTAIN</u>
Patrick Hogan	X			
Janice Herzog	X			
Victor Ianno			X	
Steve Morgan			X	
Susan Stanczyk	X			
Kevin Ryan	X			
Fanny Villarreal			X	

The foregoing 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 (the "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 February 9, 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 9 day of February 2023.

(SEAL)

 Nancy Lawrence
Secretary