

Onondaga County Industrial Development Agency
Regular Meeting Minutes
November 8, 2022

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, November 8, 2022 at 333 West Washington Street, Syracuse, New York in the large conference room on the first floor.

Patrick Hogan called the meeting to order at 8:00 am with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Susan Stanczyk
Kevin Ryan
Fanny Villarreal

ABSENT:

Victor Ianno
Steve Morgan

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nate Stevens, Treasurer
Nancy Lowery, Secretary
Karen Doster, Recording Secretary
Alexis Rodriguez, Assistant Treasurer
Jeff Davis, Barclay Damon Law Firm
Brian Gerling, Barclay Damon Law Firm
Matthew Pelligra, Office of Economic Development

APPROVAL OF REGULAR MEETING MINUTES – OCTOBER 6, 2022 & OCTOBER 20, 2022 SPECIAL MEETING

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the regular meeting minutes of October 6, 2022 and special meeting minutes of October 20, 2022. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of October 2022.

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved the Treasurer's Report for the month of October 2022. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #475

Upon a motion by Fanny Villarreal, seconded by Susan Stanczyk, the OCIDA Board approved the Payment of Bills Schedule #475 for \$5,399,142.47 and PILOT payments to City of Syracuse for \$1,510.14, Onondaga County for \$970.99, Town of Onondaga for \$3.03, Town of DeWitt for \$14.88 and Jamesville DeWitt School District for \$97.40. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was circulated and there were no conflicts reported.

TOCCO VILLAGGIO III, LLC (3101-22-07A) INITIAL MEETING

James Trasher stated he is from CHA and representing Tocco Villaggio. He stated they are requesting sales and mortgage recording tax abatement. He stated inflation, cost of goods and labor all have increased. He stated they are not looking for PILOT. He stated it has previously been approved by the Town of Clay. He stated about 10 acres of commercial land would be developed separately as well as the townhomes that are adjacent.

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authoring a public hearing for the Tocco Villaggio III, LLC project. Motion was carried.

PEREGRINE HOLDINGS LLC (3101-22-09A) INITIAL MEETING

Stephen Bowman stated the project consists of a 68 bed memory care community located at 3965 Medical Center Drive consisting of 36,000 square feet. He stated it is going to cost \$81 million and this will be their 15th memory care community in Upstate New York. He stated the project addresses 2 IDA justifications in his opinion. He stated the market study shows the occupancy in memory care communities is 100% so there is no access to memory care services for new

residents or patients. He stated secondly they are going to be the only enhanced living licensed for assisted living in that part of the county. He stated enhanced living is at a higher level and individuals have longer periods of stay so they are not forced prematurely to a nursing home. He stated because of the but/for test that includes a PILOT, sales tax and mortgage tax abatement, they would not be able to do the project. He stated he has developed 2 other projects identical to this building about 4-5 years ago but with inflation, interest rates and increase in utilities it is just exorbitant. He stated his project costs have gone up about \$5 million in about 4 years. He stated Alzheimer's and dementia is a crisis in our country and there are about 6 million Americans with Alzheimer's today. He stated that number could be doubled in the next 10 years. He stated as an industry they are locked into a custodial modal of care and institution. He stated at Peregrine they try to develop a unique philosophy for memory care and address those unique needs. He stated in 5 years how do they measure if they did an effective job with the patient? He stated they struggled to answer that question but at the end of the day, inspired by Dr. Alzheimer himself, he thinks the goal of the program is to help individuals maintain a connection to themselves. He stated they know the disease of Alzheimer's you lose your short term memory and how you help maintain a connection to themselves is done through long term memory. He stated it can be anything from storytelling, biographies and lectures not to teach people but to remind them of what they already know. He stated they have a chapel in every one of their buildings and is one of the only nondenominational religious inspired programs in the State because long term memories can be more powerful in religious memories. He stated they are going to create 150 construction jobs over 9 months and between 50 and 100 permanent positions based on the increased census over the next 24-36 months. He stated those are jobs with full benefits and health insurance.

Pat Hogan stated in the market study it says 26% of the 75 year old and plus population has some kind of Alzheimer's. Stephen Bowman stated it is a really challenging question because if that is true based on his generation, he is 64 years old, then in 10 years we will have about 30 million Americans with Alzheimer's or dementia. He stated maybe not quite that high but if it is, it is going to be devastating and will redefine characteristics of American society. He stated 30 million people living in institutional memory care communities is really going to have a dramatic effect on our finances, on our programming and on our family life.

Pat Hogan stated there is certainly a great need and if anybody has been through it would understand.

Susan Stanczyk asked where the other facilities are. Stephen Bowman stated they have 8 in the capital district and facilities in Rochester and Buffalo as well as one out of state. He stated they want to stay closer to home in New York State. He stated it is challenging at times but meaningful at times as well.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authoring a public hearing for the Peregrine Holdings LLC project. Motion was carried.

G.A. BRAUN, INC. (3101-15-8B) MODIFICATION MEETING

Robert Petrovich stated back in 2015 Bond Schoeneck & King represented both the IDA and the applicant on this project. He stated through a search of records we determined that was actually the case. He stated those approvals were granted on both sides of the transaction. He stated Mr. Reichel is here to talk about the request.

Paul Reichel stated this project is at Hancock Airpark and the original construction of GA Braun's manufacturing facility was in 2007. He stated in 2015 they did an expansion of the facility and those bonds are variable rate based on the LIBOR index. He stated LIBOR is being eliminated and will no longer be available the beginning of June 2023 so any bonds or loans that bear interest based on LIBOR need to be amended to replace the LIBOR index with an alternative and in this case it is SOFR. He stated the documents need LIBOR pulled and add SOFR. He stated M & T holds the bonds and will also be extending the period they will hold them by one year as it gets worked through. He stated it is basic amendments to existing bond documents.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution approving certain Bond modifications for the GA Braun project and selecting Bond, Schoeneck & King as bond counsel for the bond modifications. Motion was carried.

OYA CAMILLUS B (3101-20-17D) MODIFICATION MEETING

Jeff Davis stated as OYA Camillus B was going through a construction financing due diligence, it was identified a single metes and bounds description in the lease area was incorrect. He stated that had to be modified so they are back before the Board to modify the documents because there is a lease off of that. He stated it is a relatively simple resolution authorizing the amendments to existing OCIDA documents to address a change in the lease description. He stated SEQR was already done and the resolution before the Board does not change the SEQR determination.

Upon a motion by Fanny Villarreal, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing an omnibus amendment and any related documents to amend the legal description of the straight lease transaction documents. Motion was carried.

ABUNDANT SOLAR POWER (E1), LLC (3101-20-13B) MODIFICATION MEETING

Jeff Davis stated the Abundant Solar project in Elbridge has two things that are being approved in this proposed resolution. He stated the first is the transfer in ownership of the underlying LLC. He stated on the backend of the LLC there is a series of transactions and transfers ultimately ending up with the Solar Partnership LLC being the 100% membership owner of the entity. He stated the Agency has the agreement and documents with Solarized New York Holdings LLC. He stated it is an ownership member change. He stated as part of completing the process in Elbridge there is a change in the lease as well. He stated there are no changes to the SEQR determination.

Noah Siegel stated they are nearing the end of construction and everything will be up and running by the end of the year. He stated it was a pleasure working with the Town and the IDA. He stated he would like the Board to come visit the site and they will be having a ribbon cutting hopefully before the snow comes

Patrick Hogan asked if they foresee any other changes. Noah Seigel stated not at this time.

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved a resolution consenting to the sale of membership interest of a company with a current straight-

lease transaction and authorizing an omnibus amendment and any related documents to amend the legal description of the straight-lease transaction documents. Motion was carried.

WHITE PINE PROPERTY – AUTHORIZATION OF ACTIVITIES

Robert Petrovich stated the White Pine site has been designated for investment by Micron of up to \$100 billion over 20 years. He stated the IDA still owns the property and will own it for the foreseeable short term. He stated staff is interested in additional site readiness of the property and what that means is we want to be in a position to complete necessary work in support of ultimately transferring property to Micron. He stated things we will have to undertake a number of interrelated tasks. He stated a boundary survey needs to be done for the property, we need to consolidate all the different tax parcels into one tax parcel and we need to do a topographic survey as well to be able to provide it to the construction team for site layout. He stated in addition we have a number of houses along Burnet Road and other locations on White Pine that are vacant and are attractive nuisances so staff would like to advance the work necessary to remove those houses. He stated pre-demolition surveys for asbestos and asbestos abatement is necessary. He stated the houses would be demolished or work with local fire departments who have expressed an interest in doing controlled burns such that they can provide training to their personnel involving properties they are not familiar with. He stated they do have controlled burn facilities in other locations but they know those facilities inside and out so doing something in a facility they are not familiar with is advantageous to them. He stated it is these kinds of activities he would like to get ready to go through a procurement policy.

Jeff Davis stated this resolution authorizes using the existing engineer under their current scope which is consistent with this in terms of preparing and prepping a site to create the bid packages. He stated the Board is also authorizing the use of the County to process the public bid process should we go down that road to free up staff time. He stated the County has offered to run the public bid that would ultimately come back to Board for any approval of expenditure of funds. He stated they will take the public bid, bids will come back to us, we would identify who the lowest bidders are and come back to the Board to authorize the use of funds for anything with regard to abatement contracting, demolition of homes etc. He stated all of this is consistent with the SEQR Environmental review that was done to make it a marketable facility to get to where

we are. He stated this is just procedural steps and actual expenditure of the money will come back before the Board.

Patrick Hogan stated this is amazing and wanted to thank his colleagues on the Board and certainly the staff and County Executive. He stated this is largest private investment in the history of the country.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the Executive Director to (i) (A) engage Ramboll, a previously approved engineering firm supporting the White Pine property, to commence the development of bid/procurement package(s) for the inspection, abatement and potential demolition of vacant Agency-owned structures at the White Pine property (B) utilize the Onondaga County Division of Purchase to manage such public bidding related to Agency public bids for the White Pine property; (ii) engage Ramboll to procure, select, coordinate and oversee subcontract(s) for survey and topographic work at the White Pine property; (iii) complete any necessary regulatory and permitting requirements and engage in discussions for possible arrangement with the Town of Clay Fire Department to conduct controlled burns of certain structures at the White Pine property to support training of fire department personnel, as requested by the Town of Clay Fire Department. Motion was carried.

A REQUEST FOR PROPOSAL (RFP) FOR PUBLIC RELATIONS/MARKETING SERVICES.

Robert Petrovich stated consistent with all the activity that we have seen relative to White Pine and even beyond the scope of White Pine there are a number of potential opportunities that the IDA Board will be contemplating in the future relating to Tier 1, 2 and 3 supply chains in support of the semiconductor industry. He state there is a need for public relations and marketing services in general. He stated we have probably always had that need but it has been exasperated with White Pine. He stated we need to be out in front with these particular issues. He stated consistent with how we retain a stable of legal expertise and technical expertise with the RFP process, we will have a stable of firms that we can use depending upon the specific project, relationships and conflict of interest that come up periodically. He stated we are seeking to issue an RFP for these types of services that will be provided by potentially any of the stable

of however many firms potentially respond and use those firms as opportunities present themselves. He stated staff recommends issuing the RFP with the Boards authorization.

Upon a motion by Fanny Villarreal, seconded by Janice Herzog , the OCIDA Board approved a resolution authorizing the issuance of a RFP for public relations/marketing services. Motion was carried.

EXECUTIVE SESSION

Jeff Davis stated he would request the motion for the Board to go into Legal Advice Session with regard to a discussion on legalities of accepting Onondaga County funding immediately followed by Executive Session which would be for the purpose of discussing the purchase of real property.

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board went into Legal Advice and Executive Session at 8:31 am. Motion was carried.

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board adjourned Legal Advice and Executive session at 8:59 am. Motion was carried.

ACCEPTANCE OF ONONDAGA COUNTY FUNDING

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing and ratifying the Executive Director to enter into a contract amendment with Onondaga County in connection with assisting economic development efforts of OCIDA. Motion was carried.

PURCHASE CONTRACT EXECUTION

Jeff Davis stated this property is in the White Pine Commerce Park expanded area and would be part of the Draft Supplemental GEIS, Final Supplemental GEIS and part of the Findings

Statement of the acquisition of the land consistent with the Findings Statement, the draft supplemental GEIS and Final Supplemental GEIS . He stated it has been previously determined among reasonable alternatives this avoids any adverse environmental effects to the maximum extent practical and the acquisition of the property will be carried out in accordance with those conditions and thresholds established in the Final Supplemental GEIS and the Findings Statement.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of SEQR determination. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the Executive Director to enter into a purchase contract and any related documents with respect to one parcel of property. Motion was carried.

ADJOURN

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 9:01 am. Motion was carried.



Nancy Lowery, Secretary