

Onondaga County Industrial Development Agency
Regular Meeting Minutes
March 9, 2021

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, March 9, 2021 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:18 am with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Victor Ianno
Steve Morgan
Kevin Ryan
Fanny Villarreal

ABSENT:

Susan Stanczyk

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary, Agency
Carolyn Evans-Dean, Economic Development
Jeff Davis, Barclay Damon Law Firm
Kevin McAuliffe, Barclay Damon Law Firm
Amanda Fitzgerald, Barclay Damon Law Firm
Mike Lisson, Grossman St Amour PLLC
Joseph Markert, DL Manufacturing
Glenn MacKay, OYA Solar, LLC
John Switzer, SSC Lysander
Brandon Jackson, Brolex Plank Road, LLC
Jason Mehl, Brolex Plank Road, LLC
Charles Breuer, Hueber-Breuer

(Patrick Hogan shared information as to how the meeting will be conducted in light of COVID-19 at the start of the Audit Committee Meeting.)

APPROVAL OF REGULAR MEETING MINUTES – JANUARY 20, 2021 & FEBRUARY 9, 2021

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of January 20, 2021 and February 9, 2021 meeting. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of February 2021.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved the Treasurer's Report for the month of February 2021. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #453.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Payment of Bills Schedule #453 for \$52,497.14, PILOT payments to the Town of Cicero for \$5,849.00, Town of DeWitt for \$98,517.80, North Syracuse Central School District for \$36,338.00, East Syracuse Minoa Central School District for \$500,317.71 and Onondaga County for \$110,913.71 and COVID-19 Grant Payments totaling \$40,284.46. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was emailed to Board Members present to sign off.

AUDIT FROM GROSSMAN ST. AMOUR

Patrick Hogan stated the Audit presentation was made at the Audit Committee meeting.

Victor Ianno stated he was impressed with the professionalism and the ease with which the document were able to be read and understood.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution approving the 2020 Audit of the Agency. Motion was carried.

DL MANUFACTURING, INC./METZ PROPERTIES LLC (3101-21-04A) INITIAL MEETING.

Joseph Markert stated DL Manufacturing manufactures loading dock equipment and they sell to 500 companies. He stated they are currently leasing 11,000 square feet from Eagle Comtronics who also builds products for DL Manufacturing. He stated they lease a truck and run 3 loads a day with supplies. He stated they are looking at a 17,000 square foot expansion onto the building. He stated it will be warehousing but they are also expanding their manufacturing capabilities and streamlining the process.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing a public hearing for the DL Manufacturing, Inc./Metz Properties LLC project. Motion was carried.

OYA CAMILLUS A LLC (3101-20-16C)

Nancy Lowery stated the total project cost was blank and that was added to complete the application but no substantial changes. She stated the CBA has not changed. Glenn Mackay stated the amount of job creation was modified to zero jobs. He stated no total cost to the project has changed and no features of the layout has changed.

Nancy Lowery stated public hearings for OYA Camillus A and B were held and there were no comments received for the project.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of SEQRA negative declaration determination for the OYA Camillus A LLC project. Motion was carried.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide to include exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes for the OYA Camillus A LLC project. Motion was carried.

OYA CAMILLUS B LLC (3101-20-17D)

Patrick Hogan asked why the projects need to be divided. Glenn Mackay stated as part of the New York Sun Renewable Energy program called Community Solar, the state has capped the size of the project to 5 megawatts. He stated they have the availability of land to make essentially 10 megawatts but they divided it in two. He stated that makes it so the utility company can control the generating facilities easier.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the adoption of SEQRA negative declaration determination for the OYA Camillus B LLC project. Motion was carried.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide to include exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes for the OYA Camillus B LLC project. Motion was carried.

SSC LYSANDER, LLC (3101-2-21A) MEETING TO MODIFY

John Switzer stated they are requesting to change control to Goldman Sachs Renewable Power. He stated they have transacted with Goldman Sachs on 9 solar projects in Upstate NY. He stated Goldman has about 800 solar projects in 27 states which is about 2.3 gigawatts. He stated he believes they have a couple trillion under management. He stated they are requesting the Board to transfer controlling interest. He stated it is an approved PILOT so essentially requesting to change control for this approved PILOT Agreement to Goldman Sachs when it closes.

Amanda Fitzgerald stated the Board has done similar things like this before and is similar to what was allowed for Abundant Solar. She stated the actual company that the Agency provided benefits to has not changed but the ownership interest has changed. She stated it is one step removed of which company is receiving the benefit. She stated it is still a proper practice for SSC to have brought this to the Board for approval because it is ultimately impacting who is receiving the benefits.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved a resolution consenting to the sale of a controlling interest in SSC Lysander LLC to GSRP Development Company X LLC. Motion was carried.

Janice Herzog recused herself from Brolex Plank Road LLC and The Trey Jay at Loso, LLC projects due to a conflict of interest and she left the meeting.

BROLEX PLANK ROAD LLC (3101-21-03A) INITIAL MEETING

Brandon Jacobson stated they recently purchased property on South Main Street in North Syracuse and they are looking to put in 48 units. He stated there is a major housing crisis in our County so they thought this would be a great place to put this project. He stated it is one of the last remaining parcels with a couple acres left in the village. He stated there is housing surrounding it, has all the amenities the village offers and they think it would a great addition to the community.

Patrick Hogan asked if this is an over 55 facility. Brandon Jacobson stated yes and will have elevators to make it easier for tenants to get to the 2nd or 3rd floor if they wanted to live there. He stated that 55 is their target market but they are not limiting who wants to live there.

Patrick Hogan stated that walkability is big thing for that age group.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing a public hearing for the Brolex Plank Road LLC project. Motion was carried.

TREY JAY AT LOSO, LLC (3101-2-6A) INITIAL MEETING

Charlie Breuer stated the project is located at 6477 Lake Shore Road. He stated they are proposing 13 total buildings with access off of Lake Shore Road as well as a secondary access off Beach Road. He stated the project will consist of 12, 3-story buildings creating 248 residential units. He stated it will be a mix of 1 and 2 bedroom units with rent being from \$1,000 to \$1,800 per month. He stated the 13th building will be a club house and will include a fitness

center, community room, a marina and property management offices. He stated the project will retain the 75 spot full service marina. He stated there will be approximately 1,100 feet of shore line on Oneida Lake. He stated they have been working on this project for over 3 years with site plan approval taking place in 2018. He stated they had some title issues but are now behind them and were able to close on the property earlier this year. He stated they believe it will be a tremendous benefit to our community. He stated Loso provided a housing community of Cicero residents who downsized to remain and contribute to the town. He stated they also create an opportunity for those who want to live on water front property but could not afford it due to an increase in lakefront residential prices.

Victor Ianno stated we are spending a lot of money trying to acquire and update White Pine and when you think about something to attract people and a company, having something like this on the lake probably 5-7 miles from White Pine would be a big selling point for a prospective new manufacturer or whoever goes there. He stated he thinks it is an excellent project.

Patrick Hogan asked if the marina was preexisting. Charlie Breuer stated yes. He stated a small portion of the 25 acres has been utilized as a marina. He stated a majority of the property is like a park. He stated there is room for about 75 boats in the marina which has been operated over the past year.

Patrick Hogan asked if there are plans to improve the marina. Charlie Breuer stated there are plans to improve the marina but the plans have not been submitted yet.

Patrick Hogan asked if the project has been through the Planning and Zoning Board. Charlie Breuer stated the site plan was approved in 2018.

Patrick Hogan asked about the traffic egress and asked if that has been dealt with. Charlie Breuer stated yes and a traffic study was provided which showed minimal impact. He stated it was acceptable to the Planning Board.

Patrick Hogan asked if there was a study done regarding the desire for this type of apartment building. Charlie Breuer stated yes and with the vacancy rate in the north part of Onondaga County, they feel there is a need and going to be more of a need with all the good things the County has been luring to the area.

Patrick Hogan asked if the price range is \$1,000 to \$1,800. Charlie Breuer stated that is the range. He stated the average would be \$1,300 to \$1,400 consistent with some of the rents in the newer apartment buildings in the area.

Patrick Hogan read a letter from Tim Burtis, Onondaga County Legislator-3rd District, in support of the Trey Jay Loso project.

Patrick Hogan stated as a member of the City Council he has voted on housing before and certainly as a member of OCIDA. He stated this is not in a distressed area and it is in a community that already exists so he has no problem with the sales and use tax, the transfer or the mortgage recording taxes but he is going to think about the real property. He asked if they are asking for a 10 year PILOT agreement. Charlie Breuer stated yes. Patrick Hogan stated he would like to hear from local officials because that will directly affect the tax base and the revenue in that area.

Steve Morgan stated he thinks it is a great project. Patrick Hogan stated he thinks it is a great project but he may have an issue with the PILOT Agreement.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing a public hearing for the Trey Jay at Loso, LLC project. Motion was carried.

Janice Herzog returned to the meeting.

ULTRA DAIRY, LLC EASEMENT CONSENT

Robert Petrovich stated Ultra Dairy has done several projects and we are in lease leaseback arrangements on some of them. He stated WEP is doing sewer improvements there and this is consent to grant an easement so that access can be achieved for sewer improvements. He stated this action is to provide the Board's authorization for Robert Petrovich to execute that easement.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the execution of an easement for the Ultra Dairy, LLC project. Motion was carried.

ROTH STEEL UPDATE

Robert Petrovich stated we have tried a number of different approaches regarding redevelopment of the Roth Steel site. He stated as we start to take a dive into the issues related to the contamination principally governing the redevelopment, it always gets to a certain point and the development projects pivot away because of the financial risk and uncertainty with contamination and ultimately the cost associated on how to clean it up. He stated we are now looking at pursuing a strategy to embark on cleaning up the Roth Steel site via the IDA and once we obtain a certificate of completion from the DEC we would be in a position to solicit proposals for redevelopment for a site that would be unencumbered by the stigma and the real issues of contamination as they exist out there. He stated the site is contaminated with PCBs and principally our remediation will be removal of the PCB and the contaminated soil and placement of clean fill on top of that. He stated staff has been working with JMT as the consultants on this effort and the overall schedule is to achieve an outcome that a year from now and hopefully by the end of quarter 1 of 2022 we have remediated the site and have a certificate of completion. He stated we would then be in a position in the spring construction season of 2022 to move forward with a redevelopment. He stated we are going to work concurrently on remediation and redevelopment and be in a position to solicit redevelopment proposals for the site. He stated there is discussion about turning the site into athletic fields as a possible end use. He stated it has a little bit of a journey but we are working diligently to try to bring it to a conclusion and ultimately having something on the site besides the remnants of an old scrap yard.

Patrick Hogan asked if staff will be working with allies at state government regarding the possible grants funding. Robert Petrovich stated staff will be doing that as well as with federal partners.

Victor Ianno asked if the property is listed with any of the site locators. Robert Petrovich stated not with specific individuals. He stated we do have a LoopNet account and the site is out there and known. He stated in the past staff has been aggressive in trying to market it for

redevelopment but the problem is once we get to a certain point, with the financial uncertainty everyone goes to a different location or doesn't pursue the project. He stated we are hamstrung because of the contamination on the property.

Victor Ianno asked if it would make any sense if it was listed with the caption of the Agency will partner if a company sees an interest in the property's raw state. Robert Petrovich stated it is a strategy that was tried without success so he thinks we need to take a different approach because otherwise we are just going to be repeating the same thing.

Kevin Ryan asked if staff is going to be soliciting proposals to engage in the remediation of the site. Robert Petrovich stated staff worked with a firm prior to his time as executive director that provided services related to demolition and some removal at the site. Nate Stevens stated in 2018 a firm demolished the buildings and removed barrels from around the site but there are still the building slabs and contamination in the ground and on the property.

Robert Petrovich stated that in reviewing with counsel, counsel felt that the RFP and the contract was stale enough that we should reissue an RFP for just the removal of contamination from the property which is going to happen once a remedial design is completed, probably sometime in the summer.

Kevin Ryan asked before starting the process of asking for the proposals does staff have in mind a ball park as to how much we anticipate this is going to set us back to engage in this work. Robert Petrovich stated the cost is in the range of around \$800,000-\$900,000, potentially up to \$1,000,000, to remediate the site.

Kevin Ryan stated Roth Steel has been on our books for a long time and we always knew there were environmental issues. He stated it is not surprising the issues brought to the table today and not being able to sell it. He stated anything we can do to move on from this project would be great and he is in full support of what the Board wants to do. He stated we just need to find a way to clean this up. He stated it is a great piece of property sitting right on the lake and if we can make it viable and productive again that would be an excellent end use for this process.

Patrick Hogan stated that property was going to be another junk yard before OCIDA negotiated for the property. He stated by the positive action by, at that time, the Chair of the County

Legislature, now the County Executive, that we ended up obtaining the property and preserving it. He stated it will be an asset to the community at large.

Robert Petrovich agreed and stated other investments made in and around the Roth site are impressive. He stated to the extent the Agency can over the next 12-14 months get this property back online with a higher and better use, it is going to enhance all the other activities that have been occurring in and around the Roth site on the micro level and on macro level such as the bridge construction, the Loop the Lake Trail and completion of those projects as well.

Kevin Ryan stated it was the right thing to do at the time stopping it from becoming another junk yard and it is the right thing to do now to move it out and make it usable again.

EXECUTIVE SESSION/LEGAL ADVICE

Jeff Davis stated he would like to make a recommendation for a motion to enter into executive session pursuant to Public Officer's Law Section 105H to discuss a proposed acquisition of 4 parcels public discussion of which would substantially affect the value of that land.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board went into executive session at 8:59 am. Motion was carried.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board adjourned executive session and entered regular session at 9:29 am. Motion was carried.

(Steve Morgan and Fanny Villarreal left the meeting.)

PURCHASE CONTRACT EXECUTION

Jeff Davis stated there are two motions before the Board and the first is a SEQR resolution. He stated he will read pertinent parts from it. He stated there are four SEQR resolutions before the Board and the Board will do one vote for all four. He stated they are nearly identical resolutions and the only change being the address for the properties. He stated the Agency is desiring to purchase property from sellers pursuant to the terms of the purchase and sale. He stated pursuant

to SEQR the Agency is required to make a determination with respect to environmental impacts on any Type I or unlisted action. He stated a short EAF has been prepared by the Agency to aid in the determination with regard to the acquisition to the property and whether that acquisition may have a significant effect upon the environment. He stated this action is limited just to the acquisition of the land and the property by the Agency. He stated the Agency does not have a project before it concerning the use of the property. He stated the Agency has no current or proposed plans to develop the property. He stated the Agency currently has no project before it. He stated consideration of potential impact associated with future development would be purely speculative. He stated should the property be made available for future development at that time and in the future when a project is known, it would undergo a complete and thorough environmental review pursuant to SEQR. He stated based on the examination of the EAF the acquisition of the four properties in front of the Broad, each one of the acquisitions, is an unlisted action under SEQR. He stated each one of the acquisitions does not direct any subsequent development or commit the Agency to any future actions. He stated any potential future development were to occur would be dependent on environmental conditions or other factors that are currently unknown to the Agency. He stated in the Agency's review of the acquisition, our review is no less protective of the environment since any future potential future development of the property would undergo a thorough environmental review pursuant to SEQR at that time. He stated according the Agency acting as lead agency is hereby determining that the acquisition of the lands will have a significant effect on the environment and the Agency will not require the preparation of environmental impact statements with respect to the project. He stated as a consequence to the foregoing the Agency has prepared a negative declaration with respect to the project, that project being the acquisition of each one of the four parcels. He stated there are four separate negative declaration resolutions in front of the Board. He stated he thinks it is appropriate to take a resolution authorizing agency counsel and the Executive Director to execute and work through the appropriate distribution of a negative declaration for the acquisition of each one of these four parcels.

Patrick Hogan asked if there will be one resolution. Jeff Davis stated the first resolution is the SEQRA resolution and would be one vote by the Board to issue a negative declaration for the acquisition of each one of the four parcels.

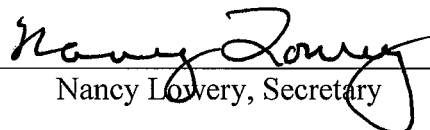
Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution issuing a negative declaration for each of the four proposed land acquisition resolutions. Motion was carried.

Jeff Davis stated the second resolution is a resolution authorizing the Executive Director to enter into the four purchase and sale contracts and any related documents with respect to the four parcels that the Agency intends to acquire.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into the four purchase and sale contracts and any related documents with respect to four parcels of property. Motion was carried.

Patrick Hogan added the Payment of Bills included the grant reimbursements for the local businesses.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board adjourned the meeting at 9:35 am. Motion was carried.


Nancy Lowery, Secretary