

Onondaga County Industrial Development Agency
Regular Meeting Minutes
May 10, 2022

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, May 10, 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 8:14 am with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Victor Ianno
Susan Stanczyk
Kevin Ryan
Fanny Villarreal

ABSENT:

Steve Morgan

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nate Stevens, Treasurer
Nancy Lowery, Secretary
Karen Doster, Recording Secretary
Jeff Davis, Barclay Damon Law Firm
Amanda Fitzgerald, Barclay Damon Law Firm
Samantha Podlas, Barclay Damon Law Firm
Rebecca Shiroff, Office of Economic Development
Kevin McAuliffe, Barclay Damon Law Firm
Christopher Andreucci, Harris Beach Law Firm
Sarah Stephens, SS Funding & Procurement Resources, LLC
Peter DiBlasio, Tracey Road Equipment, Inc.
Samantha Wilks, Immediate Mailing Services, Inc.
Christian Bianchi

APPROVAL OF REGULAR MEETING MINUTES – APRIL 12, 2022

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved the regular meeting minutes of April 12, 2022. Motion was carried.

TREASURER'S REPORT

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

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

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #469

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Payment of Bills Schedule #469 for \$2,215,371.77 and PILOT Payments to Onondaga County for \$9,428.91, City of Syracuse for \$8,493.64 and Syracuse City School District for \$14,547.90. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

TRACEY ROAD EQUIPMENT, INC./GERALD W. TRACEY PROJECT (3101-20-03B) INCREASE SALES AND USE TAX

Sarah Stephens stated Tracey Road Equipment came before the Board at the beginning of their project to get incentives to assist in the expansion project. She stated that was pre-Covid and unfortunately a couple things occurred; one is the increase in materials. She stated one of the significant materials Tracey Road is using is steel which is up over 30% from the original costs they budgeted before the project started. She stated they are self GC'ing and had to get a number of change orders for the project which increased the costs. She stated they are asking OCIDA for an increase to cover those budgetary increases that were unexpected so they can still access the incentives that they planned for in the beginning.

Nancy Lowery stated a public hearing was held and there were no comments.

Patrick Hogan stated he thinks everyone is well aware of the price of materials and what is happening in the whole world.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing additional financial assistance in the form of an increase in the sales and use tax exemption for the Tracey Road Equipment, Inc./Gerald W. Tracey Project. Motion was carried.

IMMEDIATE MAILING SERVICES, INC. (3101-18-02A) MEETING TO MODIFY

Sam Wilks stated back in 2019 Immediate Mailing Services reached out to OCIDA to help with the expansion of their 245 Commerce Boulevard building. She stated now that the project and expansion are complete, IMS would like to refinance the existing mortgage and get a second mortgage on the property to secure an evolving line of credit. She stated they are asking for OCIDA's consent because the Agency has a leasehold interest in the property from when they started the project in 2019.

Amanda Fitzgerald stated no additional benefits are being requested and this is simply authorization for the IDA to join in the lender documents.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the execution and delivery of documents for the Immediate Mailing Services, Inc. Motion was carried.

ICM CORPORATION (3101-04-04B) MEETING TO MODIFY

Amanda Fitzgerald stated ICM Controls Corp goes back to the early 2000's when OCIDA was able to issue bonds to help finance projects. She stated in 2004 and 2007 the Board approved the issuance of bonds totaling a little under \$9,000,000 to support the ICM Project. She stated as of June 1 the company will be redeeming those bonds so in connection with the redemption, some of the original documents will be terminated. She stated one of those documents is the installment sale agreement which was a key factor in the 2009 PILOT that the company also enjoys. She stated in order to continue the PILOT which has benefits through 2026, the Board's authorization is needed to allow Robert Petrovich, Executive Director, to enter into a few additional documents mainly a leaseback agreement. She stated there is no change in benefits, just an administrative change in the underlying documents supporting the 2009 PILOT. Jeff Davis asked if the PILOT runs through 2026. Amanda Fitzgerald stated yes.

Patrick Hogan asked why OCIDA stopped issuing bonds. Amanda Fitzgerald stated it was statutory.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing continuance of the existing PILOT Agreement and authorizing documentation to replace the Installment Sale Agreement being terminated for the ICM Corporation project. Motion was carried.

CRYOMECH, INC. (3101-19-02A)

Amanda Fitzgerald stated in December 2021 the Board approved authorization for Cryomech to sell the entire project to Kelvin Kool LLC and they decided not to go forward with that structure. She stated this is just administrative rescinding the authorization to sell to that company.

Patrick Hogan stated he likes the idea that the companies have to come back before the Board for any change in policy.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution rescinding approval of the sale of the company project facility by Quantum Cool, LLC to Kelvin Kool LLC. Motion was carried.

BALDWINSVILLE SENIOR HOUSING PRESERVATION (3101-19-07A)

Kevin McAuliffe stated the action before the Board today is to ratify two prior resolutions and slightly expand the bond amount. He stated it is the senior citizen housing project that has 199 units in Baldwinsville which has been stalled by Covid and the fact there were no federal inspectors to look at it. He stated they couldn't have undertaken the project anyhow during Covid because there was going to be a minimization of the impact on the seniors. He stated they couldn't bundle the residents together and take them anywhere during Covid so renovations could be completed. He stated it was not possible. He stated now they can go back and undertake the project. He stated before the Board is an increase in the bond amounts from \$20,000,000 to \$20,500,000 and there have been slight increases in the cost of construction over

the two years this has been pending. He stated it is ready to go now and everyone is signing off on the official statement and he thinks it is going to close within the next two weeks. He stated all approvals are in place. He stated today's resolution is to ratify the two prior resolutions and to increase the bond amount from \$20,000,000 to \$20,500,000.

Robert Petrovich stated it should be noted Kevin McAuliffe from Barclay Damon represents the applicant and conflict counsel representing the Agency is Chris Andreucci who is here.

Kevin McAuliffe stated it is subsidized federal housing program for seniors and must have an income level that does not exceed 60% of the median and there is an additional 40 units for people that are 50% or less of the median income. He stated the rent structure stays in place for the next 30 years. He stated the rent is locked in with a letter with HUD.

Patrick Hogan asked if this project has been through all the local boards. Kevin McAuliffe stated it is all approved and the original PILOT was approved with written resolutions from each of the impacted taxing jurisdictions.

Chris Andreucci stated they are ready to close on May 18. He stated if OCIDA approves the increase in authorized amount he will send an email to the deal team.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution ratifying certain prior resolutions and findings of the Issuer with respect to the undertaking of a project and (b) increasing the not to exceed amount of the Bonds to \$20,500,000. Motion was carried.

EXECUTIVE SESSION

Jeff Davis stated his recommendation is to vote to go into Executive Session to discuss proposed potential acquisition of real property.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board went into Executive Session at 8:18 am to discuss potential acquisition of real property. Motion was carried.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board adjourned Executive Session at 8:44 am. Motion was carried.

PURCHASE CONTRACTS AMENDMENTS EXECUTION

Jeff Davis stated the resolutions laid out are Type II SEQR actions and the review has already been done. He stated these are mirror amendments to the contract and the Agency is recognizing this is a Type II SEQR action.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution to enter into two amendments to purchase contracts and any related documents with respect to two parcels of property. Motion was carried.

PURCHASE CONTRACTS EXECUTION

Jeff Davis stated as discussed previously the IDA embarked on a project to expand the White Pine Commerce Park and conducted a full SEQR review Generic Environmental Impact Statement process on that. He stated the project and criteria were based on the investigation and environmental EAF etc. He stated that project included the acquisition of certain property and such acquisition was included in the Agency SEQR review of the project including the evaluation of relevant impacts, facts and conclusions associated with the expansion of the commerce park. He stated a draft supplement generic environmental impact statement, final supplemental generic environmental impact statement and findings statement adopted by the Agency evaluated the relevant impacts, facts and conclusions associated with the acquisition of additional acreage including the property subject to these resolutions to accommodate the expansion of the park. He stated the Agency determined the project among other reasonable alternatives is one which minimizes or avoids adverse environmental affects to the maximum extent practicable. He stated the acquisition of the property would be carried out in the accordance with the conditions and threshold established in the final supplement GEIS and or findings statements thus avoiding, minimizing or mitigating any reasonable practicable adverse environmental impacts. He stated that is the substantive part of the SEQR resolution that is before the Agency for these two property acquisitions. He stated these are properties that are under option and the action before the Board is authorizing execution of option to purchase the

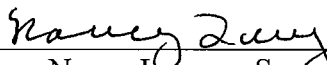
property. He stated there are two resolutions; first is adoption of the SEQR resolution and the second is the authorization to execute the options.

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

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved a resolution to enter into purchase contracts and any related documents with respect to two parcels of property. Motion was carried.

ADJOURN

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 8:47 am. Motion was carried.



Nancy Lowery, Secretary