

Onondaga County Industrial Development Agency  
Regular Meeting Minutes  
June 29, 2021

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, June 29, 2021 at 333 West Washington Street, Syracuse NY.

Patrick Hogan called the meeting to order at 8:01 am with the following:

PRESENT:

Patrick Hogan  
Victor Ianno  
Susan Stanczyk  
Kevin Ryan  
Fanny Villarreal

ABSENT:

Steve Morgan  
Janice Herzog

ALSO PRESENT:

Robert Petrovich, Executive Director  
Nancy Lowery, Secretary  
Nate Stevens, Treasurer  
Karen Doster, Recording Secretary, Agency  
Carolyn Evans-Dean, Economic Development  
Len Rauch, Economic Development  
Rebecca Shiroff, Economic Development  
Jeff Davis, Barclay Damon Law Firm  
Darlene Piper

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was circulated.

Jeff Davis stated the regular IDA meetings are on Tuesdays so this is a special meeting duly noticed by the Board.

TRACEY ROAD EQUIPMENT, INC./GERALD TRACEY PROJECT (3101-20-03B)

Jeff Davis stated before the Board is a request and resolution for approval of the execution of lending documents for Tracey Road. He stated the Board approved the financial assistance for Tracey Road in September in the form of use and tax exemption and mortgage recording tax exemption. He stated the straight lease transaction was closed in December but at that time they did not have their bank financing so they are now before the Board ready to close on their

mortgage loan. He stated the IDA needs to join in the mortgage loan in order to provide them mortgage recording tax exemption previously granted. He stated the resolution before the Board is authorizing Mr. Petrovich as Executive Director to enter into the mortgage loan documents that have previously been reviewed by counsel. He stated the amount of financial assistance for the mortgage recording tax exemption that was granted by the OCIDA Board was not to exceed \$3,900,000. He stated the current financing for the mortgage is \$5,500,000 so the exemption will only apply to the portion of the mortgage that was previously approved. He stated they are going for a greater mortgage than what was approved by the Board before in terms of the exemption so they will have to pay a mortgage recording tax on a portion of that and the Agency only exempted the \$3,900,000. He stated before the Board is the resolution authorizing execution of the lender documents.

Patrick Hogan asked if they indicated that they would back before the Board to amend the original PILOT. Jeff Davis stated no.

Victor Ianno stated the IDA is entering into the mortgage document with Tracey Road and asked if the Agency has any liability at all. Jeff Davis stated no. He stated it is how the Agency gets the mortgage recording tax exemption to the applicant.

Kevin Ryan asked what exactly is the IDA signing. Jeff Davis stated because we are in the chain of title with respect to the lease/leaseback transaction, we have to sign on all mortgage recording tax exemptions.

Kevin Ryan asked if we are consenting to letting them take the superior position to us. Jeff Davis stated yes. He stated it is a purely pass through mechanism to allow the exemptions to flow to the applicant.

Victor Ianno asked what happens to OCIDA being on the document in the event there was a default on their part. Jeff Davis stated nothing happens to OCIDA. He stated the Agency is taking on no liability but allowing the exemptions that this Board can provide to an applicant flow through. Kevin Ryan stated the banks position will be greater than ours and other than that we have no liability.

Robert Petrovich stated the Agency doesn't have a financial interest.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing approval and execution of lender documents for the Tracey Road Equipment, Inc. project. Motion was carried.

UPDATE ON THE 2021 WHITE PINE SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS) COMMENT PERIOD AND RESPONSE PROCESS

Jeff Davis stated we are in the middle of the supplemental GEIS process. He stated the draft went out for public comment and the public comment period ended on June 11. He stated 77 total comments were received through mail, email or those obtained at the public hearing. He stated there were 43 comments opposed to the project in some way or another and 34 in support of the project in one way or another. He stated the main areas of discussion in the comments received were the purpose and need for the project, the alternatives considered by the Board for the project, the land use and zoning, the potential use of eminent domain, traffic and air. He stated Barclay Damon currently is in the process, and hopefully by the end of this week, will have concluded responding to each one of those comments with the consultant, JMT. He stated then that document will go before the Board as part of the process and as required by an EIS process you have to gather all the public comments and respond to them. He stated that becomes an appendix to the EIS. He stated they are going through the 77 comments and responding. He stated many of those are legal comments, question comments and some were technical comments and the Board's consultant is looking at those. He stated all of that would be put together and a packet of material called the final supplemental generic environmental impact statement would be presented to the Board at a later date for consideration of adopting it as a final document. He stated once it is adopted as a final document by the Board then the next step would be at least 10 days after that there would be consideration of a findings statement by the Board to conclude the SEQR process. He stated that is where we are in the process right now and hopefully after July 4 if everything goes according to schedule there will be a document sent to the Board that includes all of those comments with the responses.

Victor Ianno stated he read a couple of the letters that were in the paper yesterday. He stated one very positive letter supporting it and one kind of implying that they are using bad tactics in trying to force people through the threat of eminent domain and he thought that is the give and take of it all. He asked if all the letters were responded to. Jeff Davis stated yes. He stated all the comments received at the public comment, emails and letters are distilled down to various

categories. He stated some of them were repetitive questions so you don't have to respond to the same question twice. He stated you put all of those into the categories of the questions and then develop a response for each one. He stated some responses may be point noted and some are to comment and not related to the SEQR process. He stated some comments are more technical related to the SEQR process and specific questions.

Robert Petrovich stated the IDA and the County Executive have been steadfast in their expression of interest and the desire to come to agreement with folks with respect to acquiring the property that would make up the project campus at White Pine. He stated we have and still remain interested in discussing with folks that are not yet with deals in front of the IDA that we would be happy to meet with them and have conversations about coming to a mutually agreeable set of terms and conditions for acquisition. He stated eminent domain is a tool but it is not what we want to do and it is our absolute last resort.

Victor Ianno stated he understands and he is not implying that the IDA was doing something wrong. Robert Petrovich stated there have been some one-on-one conversations but he wants to make sure everyone understands what we are trying to do.

Robert Petrovich stated the County Executive met with folks in Clay last week and listened to comments and concerns with respect to the project. He stated at the end of the day he remains resolute in that we absolutely want to come to an agreement with folks. He stated some folks he is sure are intransigent in their opinion and position and he thinks others are understanding with greater information the magnitude of what is potentially out there and available for Central New York, Onondaga County in particular. He stated he thinks the County Executive was very effective and he thinks he conveyed a message of positivity. He stated some folks don't appreciate having to move but at the end of the day we will work very hard to try to come to an accommodation that meets their needs.

Victor Ianno stated kudos for the County Executive for doing that and he thinks that is great.

Jeff Davis stated it was a 2.5 hour community outreach meeting at the Town of Clay. He stated there was a lot of information exchanged and a lot of back and forth. He stated he thinks it went a long way to provide information to the public.

Patrick Hogan stated he would like to commend everybody involved in the public hearing as well. He stated that was outstanding. He stated one thing he was heartened by was the participation by all segments of the community and he thinks we need to realize that not only if we are lucky enough to end up with what we want out there, it's not only regional transformation implications but national because of the seriousness of some of our industries and their dependence on semiconductor.

Jeff Davis stated what Chairman Hogan is alluding to is the Board determined, although it is not required under the SEQR EIS process to do a public hearing, to hold a 1.5 hour Zoom public hearing during the COVID protocols. He stated there were 31 commenters and probably 70 people on the Zoom hearing total. He stated 11 at that time commented against the project and 20 of the commenters were in support of the project. He stated that was a process that is part of the public notice process and comment process that was undertaken. He stated it was not required but a good positive step to keep the public involved in the process after the draft went out and then receiving all the written comments until June 11. He stated the community outreach meeting was then held last week.

Patrick Hogan stated he thinks everyone on the Board and staff of course realizes the seriousness of this and we have been working on this for many years. He stated he wants to commend the staff because they have crossed every "t" and dotted every "i" in this process.

#### PROPERTY MANAGEMENT OF WHITE PINE SITE

Robert Petrovich stated as the Board knows we have been acquiring property at the White Pine campus. He stated there is a substantial amount of property either under ownership or under control of the IDA. He stated some of the properties have structures situated on them. He stated some folks that we have come to deals with are looking to leave, have moved or sold their properties to the IDA. He stated we need to as part of our stewardship along the road is to not create an environment of attractive nuisances so staff would like the Board to consider and provide the authority to do what we need to do to maintain, secure and potentially remove structures from land that we have at the White Pine campus. He stated in some instances we need to knock down the grass and in some instances we need make sure the properties that are still standing are secured. He stated ultimately in some situations we are going to be preparing the removal of structures at some point which will required an expenditure of funds.

Patrick Hogan asked if this would be under a County contract. Robert Petrovich stated we have people in our stable of contractors that we can employ for this. He stated we have people already out there mowing grass so this would be an expansion of that. He stated in addition to that in some instances properties need to be secured temporarily and ultimately buildings/structures will need to be removed. He stated we will need to deal with prep work necessary to be able to advance that, specifically asbestos surveys and ultimately raising of the structures.

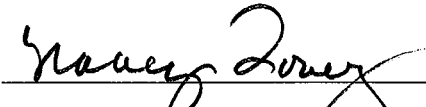
Patrick Hogan asked if this is something the Greater Syracuse Landbank can get involved with. Robert Petrovich stated we can certainly reach out to Kaitlyn Wright and explore those possibilities. He stated the office is partnering with them on other things.

Jeff Davis stated the first resolution is the use of procurement of studies and reports necessary to eventual removal and the other is for dealing with the maintenance of the properties.

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing the procurement of studies and reports necessary for eventual removal of structures owned by OCIDA at White Pine. Motion was carried.

Upon a motion by Fanny Villarreal, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the use of OCIDA funds to maintain the property and/or remove structures owned by OCIDA at White Pine. Motion was carried.

Upon a motion by Victor Ianno, the OCIDA Board adjourned the meeting at 8:17 am. Motion was carried.

  
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Nancy Lowery, Secretary