

Onondaga County Industrial Development Agency
Special Meeting Minutes
July 27, 2021

A Special meeting of the Onondaga County Industrial Development Agency was held on Tuesday, July 27, 2021 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
Victor Ianno
Steve Morgan
Susan Stanczyk
Kevin Ryan

DELAYED: Fanny Villarreal

ABSENT:

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary, Agency
Len Rauch, Office of Economic Development
Rebecca Shiroff, Office of Economic Development
Daniel Bonsangue, Office of Economic Development
Jeff Davis, Barclay Damon Law Firm

APPROVAL OF SPECIAL MEETING MINUTES – JUNE 29, 2021

Patrick Hogan stated there is a correction on Page 5 second paragraph. He stated it should read “alluding” not ‘eluding”.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved Special Meeting Minutes of June 29, 2021 with the correction. Motion was carried.

PAYMENT OF BILLS

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved the Payment of Bills, Schedule #459 for \$4,969.18. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

WHITE PINE SEORA FINDINGS STATEMENT

Jeff Davis stated at the last meeting on July 16 the Board voted to adopt the Final Supplemental Generic Environmental Impact Statement. He stated it included a summary of all the comments received by the various interested parties and the public and the responses to all of those. He stated Appendix C was a hard copy of all the comments received. He stated it was determined after the vote that there was an inadvertent copy error in one of the comment letters and it was not attached to Appendix C. He stated all other comments were addressed in the document in section 6.2 but because of the size of the comment letter and how it was transmitted with embedded comments instead a normal comment letter, it did not get in for copying purposes. He stated it was an inadvertent Scribner type error that can be corrected. He stated it is not a substantive or procedural issue so they are endeavoring to get a new copy of that for OCIDA to put on their website that will include in Appendix C the 200 page comment letter as well sending out by CD a revised mailing to all interested and involved agencies and other parties that received it. He stated he just wanted to clarify that for the record. He stated they were specifically comments that were submitted by CEE Engineering and Environment PLLC. He stated they were all reviewed, summarized and analyzed by this Board and considered. He stated they were part of the responses to the Section 6.2 of the Final Supplemental Generic EIS but the comment letter was excluded for copying reasons and is now being included.

Robert Petrovich asked if there are any substantive issues. Jeff Davis stated there are no substantive issues and no change to the process that was done. He stated it is a copy error and that is being corrected.

(Fanny Villarreal arrived at meeting.)

Jeff Davis read the resolution.

WHEREAS, the Agency currently owns White Pine Commerce Park (“Park”) located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, in an effort to transform the Park into a modern industrial park for advanced manufacturing and state-of-the-art industrial uses, the Agency previously performed a thorough environmental review of the Park and its anticipated environmental impacts pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), which included, but was not limited to, the following: (1) classifying the Park project as a Type 1 action; (2) acting as Lead Agency for the purpose of a coordinated environmental review; (3) conducting necessary studies and holding required hearings in connection with the preparation of a Generic Environmental Impact Statement (“GEIS”) to address anticipated potential impacts associated with the proposed multi-use industrial park; (4) preparation of a subsequent Final GEIS (“FGEIS”) that incorporated the DGEIS by reference and included responses to public comments received; and (5) preparation and issuance by the Agency of a Findings Statement in October of 2013 that (a) concluded the project avoided or minimized adverse environmental impacts to the maximum extent practicable, (b) incorporated mitigation measures that were considered practicable, and (c) identified certain impact thresholds that, if exceeded, may require supplemental determinations of their significance and/or impact evaluation, and possibly mitigation measures in addition to those identified; and

WHEREAS, since 2013, the Agency has attempted to market the Park for development around the country to potential manufacturing and industrial users, but those efforts have been unsuccessful and the Park remains vacant; and

WHEREAS, through its marketing efforts and communications with desired tenants around the country, the Agency has determined that the Park is not geographically large enough and must be expanded significantly to be considered an attractive, viable location for prospective large- and small-scale manufacturing and industrial developers; and

WHEREAS, to improve the Agency’s ability to market the Park to a larger, more diverse mix of large- and small-scale manufacturing and industrial developers, the Agency proposes to expand the existing Park to approximately 1,250+/- acres by acquiring additional acres to the north and east of the existing Park footprint, with such additional acreage comprised of certain parcels contiguous to the current Park, and which are generally located along NYS Route 31 and the east and west sides of Burnet Road (the “Project” or “Action”); and

WHEREAS, pursuant to SEQRA, the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a “significant impact on the environment” (as said quoted term is utilized in SEQRA) and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, pursuant to SEQRA (6 N.Y.C.R.R. § 617.9(7)(i)), the Agency recognized the proposed Project represents a significant change from the Park's current footprint that presents changed circumstances from those evaluated by the Agency under its prior SEQRA review in 2013; and

WHEREAS, the Agency prepared and completed a Full Environmental Assessment Form (the "FEAF") to aid in determining whether undertaking the Project requires a supplemental GEIS; and

WHEREAS, based upon an examination of the FEAF prepared for the Project, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency's knowledge of the area surrounding the Project, and such further investigation of the Project and its potential significant environmental impacts as the Agency has deemed appropriate, at a regularly scheduled meeting on December 8, 2020, the Agency: (i) determined that the Project constitutes a "Type I Action" (as said quoted term is defined in SEQRA), (ii) determined that the Project required a coordinated review under SEQRA, (iii) issued a positive declaration under SEQRA for the Project determining that the Project may result in one or more significant adverse impacts to the environment, and (iv) determined that the preparation of a Supplemental GEIS ("SGEIS") was necessary to adequately identify and evaluate potential significant adverse impacts associated with the Project that are not addressed or were inadequately addressed in the existing DGEIS/FGEIS; and

WHEREAS, the Agency prepared a Draft SGEIS for the Project; and

WHEREAS, the Agency determined by resolution dated May 6, 2021 that the Draft SGEIS was complete and adequate for public review; and

WHEREAS, upon notice in a newspaper of general circulation in Onondaga County, public comments on the Project and the Draft SGEIS were received by the Agency at a public hearing, held virtually in accordance with the modifications to Article 7 of the Public Officers Law (the "Open Meetings Law") as modified by New York Governor Andrew Cuomo's Executive 202.79, on May 24, 2021; and

WHEREAS, written comments on the Project and the Draft SGEIS were received by the Agency during the public comment period from May 6, 2021 to June 11, 2021; and

WHEREAS, in consideration of and in response to the comments received, the Agency caused to be prepared a Final SGEIS; and

WHEREAS, the Agency subsequently reviewed, revised, and finalized the Final SGEIS, and, by resolution dated July 16, 2021, determined the Final SGEIS was complete; and

WHEREAS, the Final SGEIS and Notice of Completion of Final SGEIS were filed in accordance with SEQRA on July 16, 2021; and

WHEREAS, the Agency caused the Notice of Completion of Final SGEIS to be published in the Environmental Notice Bulletin on July 21, 2021 in accordance with SEQRA (6 N.Y.C.R.R. § 617.12(c)(1)); and

WHEREAS, more than ten days have passed since the acceptance and filings of the Final SGEIS; and

WHEREAS, the Agency has received and considered input from involved and interested agencies, legal and engineering consultants, and other relevant information; and

WHEREAS, as a result of its independent examination and review, the Agency finds that, on balance, and after due consideration of all relevant documentation and related information, it has more than adequate information to evaluate the relevant benefits and potential impacts of the Project and to issue this resolution and accompanying Findings Statement; and

WHEREAS, the Agency has complied with SEQRA in all respects.

NOW, THEREFORE, be it resolved by the members of the Onondaga County Industrial Development Agency as follows:

1. The Agency has given full consideration to the relevant environmental impacts, facts and conclusions set forth in the Draft SGEIS and Final SGEIS.
2. The Agency has weighed and balanced the relevant environmental impacts with the social, economic and other essential considerations relating to the Project.
3. The requirements of 6 NYCRR Part 617 have been met.
4. The Project, from among reasonable alternatives, is one which minimizes or avoids adverse environmental effects to the maximum extent practicable.
5. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Final SGEIS process will be minimized or avoided by incorporating as conditions those mitigative measures which are identified as practicable throughout the annexed SEQRA Findings Statement and Final SGEIS.
6. The annexed SEQRA Findings Statement, which was prepared in accordance with Article 8 of the Environmental Conservation Law, is hereby adopted and incorporated herein by reference. The facts and conclusions set forth in the Findings Statement are derived from the Draft SGEIS and Final SGEIS, other documents, reports, submittals and other relevant information, including the personal knowledge and familiarity of the Agency's members with the Project and surrounding area, comprising the record of these deliberations. The Findings Statement is set forth herein as the basis of the Agency's decision and to document the factors and standards considered by the Agency in making this decision.
7. A copy of this Resolution, together with the attachment hereto, shall be distributed in accordance with SEQRA and placed on file in the office of the Agency where the same shall be available for public inspection during business hours.
8. This Resolution shall take effect immediately

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution adopting the SEQRA Findings Statement based on the Final SGEIS, which incorporated by reference the Draft SGEIS, for the expansion of the White Pine Commerce Park. Motion was carried.

EXECUTIVE SESSION

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board went into Executive Session at 8:16 am. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board adjourned executive session at 8:34 am. Motion was carried.

PROPERTY ACQUISITIONS

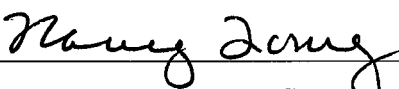
Jeff Davis stated this resolution confirms that the property acquisitions are part of the SEQR action that was thoroughly evaluated as part of the Supplement Generic EIS and resulting in the Findings Statement that was just voted on and as such confirms that SEQR was complied with and nothing further is required under the act.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing adoption of SEQRA determination consistent with previously adopted Findings Statement. Motion was carried.

Jeff Davis stated this is an omnibus of 6 resolutions for purchase of properties so the action requested is a resolution of the Board authorizing the Executive Director to enter into three purchase contracts and any related documents with respect to 3 parcels of property to be acquired and to exercise the options to purchase and to enter into purchase contracts and any related documents to three additional properties to be acquired that are currently under option.

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

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board adjourned the meeting at 8:36 am. Motion was carried.



Nancy Lowery, Secretary