

Onondaga County Industrial Development Agency
Regular Meeting Minutes
September 15, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, September 15, 2020 via Zoom Teleconference.

Janice Herzog called the meeting to order at 8:11 am with the following:

PRESENT VIA TELECONFERENCE:

Janice Herzog
Steve Morgan
Sue Stanczyk
Kevin Ryan
Victor Ianno
Fanny Villarreal

ABSENT:

Patrick Hogan

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Jeff Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Joseph Mendelsohn, GSPP Sentinel Heights Rd, LLC
Sarah Stephens, SS Funding & Procurement Resources, LLC
George Laigaie, TC Syracuse
Robert Murray, Harris Beach, PLLC
Timothy Pecci, CF Anaconda

(Janice Herzog shared information as to how the meeting will be conducted in light of COVID-19 at the start of the Governance Committee Meeting.)

APPROVAL OF REGULAR MEETING MINUTES–AUGUST 5, 2020

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the regular meeting minutes of August 5, 2020. Motion was carried.

APPROVAL OF REGULAR MEETING MINUTES - AUGUST 11, 2020

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of August 11, 2020. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of August 2020.

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the Treasurer's Report for the month of August 2020. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #447.

Susan Stanczyk asked who Hawley Studios is. Nate Stevens stated the office needed to update some of their materials and they are a local photographer.

Upon a motion by Fanny Villarreal, seconded by Susan Stanczyk, the OCIDA Board approved the Payment of Bills Schedule #447 for \$1,521.78 and PILOT payments to Hinsdale Road Group, LLC for \$525,000.00, and Town of Camillus for \$146,525.53, West Genesee Central School District for \$508,983.42 and Onondaga County for \$115,678.05. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

(Steve Morgan joined meeting.)

GREEN STREET POWER PARTNERS (GSPP) SENTINEL HEIGHTS ROAD, LLC SECOND MEETING

(Victor Ianno joined meeting.)

Joe Mendelsohn stated this is a 3.75 megawatt solar PV system positioned in the Town of Lafayette off Sentinel Heights Road. He stated they have gone through the approval process in the Town of Lafayette and have received both the special use permit and site plan approval for the project. He stated they initiated the conversation with the Onondaga County IDA back in May and since then there were some minor changes. He stated it dropped from 5 megawatts

down to 3.75 due to some feedback from National Grid. He stated they have received the interconnection agreement from National Grid. He stated that there are submitted letters of support from the Town and School District.

Janice Herzog asked why National Grid had asked to reduce the wattage on the project. Joe Mendelsohn stated it had to do with some line restrictions due to other projects already existing on Sentinel Heights. He stated this was the maximum they could hold without substantial upgrades to their infrastructure.

Sue Stanczyk stated the application says there is employment opportunity in retention of employees and in another spot it indicates zero. She stated assuming the employees indicated are strictly construction and maintenance on the facility and asked what the jobs are. Joe Mendelsohn stated it is the construction during construction period which is about 6 months and they will have ongoing operations and maintenance of the facility with about 900 annual work hours. He stated it is in Section 3 of the supplemental information on the application.

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

Jeff Davis stated this is a Type I Action. He stated at the time it was not known that the project would come before OCIDA so the Town of Lafayette was lead agency and is a Type I action issuing a negative declaration. He stated had OCIDA been an involved agency at the time we would have consented to the process and would have been bound by the decision. He stated counsel reviewed the Lafayette decision, prepared a resolution in which the Board is accepting the determination of the Lafayette ZBA and the issuance of a negative declaration in the same context had we been noticed of their Lead Agency status. He stated the recommendation is the adoption of the resolution identifying the Type I action and reaffirming and reissuing the negative declaration issued by the Town of Lafayette ZBA.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination issued by the Town of Lafayette as a Type I action for the Green Street Power Partners (GSPP Sentinel Heights Road, LLC project. Motion was carried.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes for the Green Street Power Partners (GSPP Sentinel Heights Road, LLC project. Motion was carried.

TRACEY ROAD EQUIPMENT, INC. – SECOND MEETING

Sarah Stephens stated Tracey Road Equipment has outgrown their current space and is looking to add an expansion to their shop area by investing roughly \$4,500,000 in the expansion, site work and purchase of equipment. She stated there will be an additional 30 employees added to their current 140. She stated a majority of the new employees will be truck techs. She stated they have a partnership through BOCES to help with training that helps provide training for individuals they can then hire. She stated they have all of the Town of DeWitt approvals and have gone through all the processes and permitting. She stated they had to do a consolidation of the lots.

Victor Ianno asked if the expansion is being done on the back on Manlius Center Road. Sarah Stephens stated yes towards the back where the shop is.

Victor Ianno asked if they have all the room they need. Sarah Stevens stated yes. She stated they own about 12 parcels in that area and some of them are undeveloped.

Nancy Lowery stated there were no comments at the public hearing.

Jeff Davis stated the EAF was provided and it is an unlisted action. He stated he is recommending a negative declaration and a resolution was prepared for the Board to that effect and it has been reviewed by staff. He stated recommendation is adoption of the resolution issuing a negative declaration under SEQR.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination as an unlisted action for the Tracey Road Equipment, Inc. project. Steve Morgan abstained. Motion was carried.

Upon a motion by Fanny Villarreal, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes for the Tracey Road Equipment, Inc. project. Steve Morgan abstained. Motion was carried.

UNIFORM TAX EXEMPTION POLICY 2020 (UTEP)

Robert Petrovich stated the Board has a modification to the UTEP which accomplishes a couple of key things driven somewhat by COVID. He stated what staff is looking at doing is making Onondaga County as attractive as we can for businesses that are here to expand and for businesses that want to locate here. He stated one of the major components of the UTEP is the creation of new PILOT schedules. He stated in addition to that staff focused on job retention and job creation PILOTs and the proposed PILOTs are very competitive PILOTs when measured against other IDAs across the state. He stated staff also included an MWBE component such that if local companies create a situation where they are enhancing their MWBE hiring they can come back to the Board upon demonstration and documentation of achieving those goals and objectives for an enhanced benefit from the PILOT program that they already sought. He stated those are the overarching and main new items included in the UTEP. He stated he has been working with staff and counsel on it and was circulated among various Board members for comment. He stated the UTEP has gone out to the taxing jurisdictions as was covered in the Governance Committee meeting. He stated the IDA Secretary has commented that there was only one comment on the UTEP and that comment was satisfactorily addressed. He stated we are in a position now to move this forward and thinks it is going to be a helpful tool in our tool box to be able to keep the businesses we have and attract businesses we are seeking in Onondaga County.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board approved a resolution accepting the revised 2020 Uniform Tax Exemption Policy (UTEP). Motion was carried.

TC SYRACUSE ASSIGNMENT APPROVAL

Robert Murray stated TC Syracuse Development Associates, LLC was the developer, the initial applicant, site selector and conducted due diligence to get the project going ultimately for the purposes of housing tenant Amazon. He stated at this time TC Syracuse Development Associates, LLC was only the developer and not a landlord. He stated it does not want to own, operate and lease the facility. He stated as contemplated on day one we are now at the point in time where CF Anaconda SYR LLC, the investor entity, is going to be taking over the project. He stated CF Anaconda SYR LLC is going to be purchasing the facility and the land from TC Syracuse Development Associates, LLC and then it will be seeking the Agency's consent to lease the facility to Amazon. He stated CF Anaconda SYR LLC will be the new landlord entity and will be in contract directly with the IDA and sublease to Amazon. He stated TC Syracuse Development Associates, LLC, George Laigaie, his company and all the faces will stay the same. He stated TC Syracuse Development Associates, LLC Mr. Laigaie is staying on as the developer of the project seeing it through Certificate of Occupancy issuance.

Janice Herzog asked if CF Anaconda Syr LLC will assume all obligations and be responsible for all recordings/filings. Robert Murray stated yes. He stated CF Anaconda SYR LLC will be stepping into TC Syracuse Development Associates, LLC's shoes and will have all the obligations, liabilities and responsibilities going forward.

Victor Ianno asked if CF Anaconda SYR LLC is a local organization. Robert Murray stated it is a Delaware Corporation investment vehicle.

Victor Ianno asked if there are any local people involved. Robert Murray stated no local investors. He stated the project is not changing and they are still leasing to the tenant Amazon which is the job creator. He stated as far as CF Anaconda SYR LLC having management or site facility on the ground he is not sure of that piece of the transaction. He stated CF Anaconda SYR LLC is an investment entity which will own the project and lease it to Amazon. He stated this is just as contemplated but more typically this would have happened on day one where CF Anaconda SYR LLC would have been the applicant and not TC Syracuse Development Associates, LLC but based on the speed and the size of the project nothing was lined up perfectly and TC Syracuse Development Associates, LLC found themselves the initial owner of the property.

Jeff Davis stated counsel worked with CF Anaconda SYR LLC on this matter. He stated they created a single purpose entity called CF Anaconda SYR LLC and it flows up to a parent company which is their investment arm; a significant entity with a lot of assets. He stated IDA counsel is comfortable that this is an appropriate entity to step into the shoes of TC Syracuse Development Associates, LLC.

Jeff Davis stated for SEQR purposes this is a Type II action and no further environmental review is needed for the transfer.

Upon a motion by Susan Stanczyk, seconded by Steve Morgan, the OCIDA Board approved a resolution approving an assignment transaction by TC Syracuse Development Associates to CF Anaconda SYR LLC and authorizing the execution and delivery of documents in connection therewith. Motion was carried.

EXECUTIVE SESSION

Jeff Davis stated counsel is recommending going into executive session for the purpose of discussing the potential acquisition of land by OCIDA. He stated a motion is needed to move into the executive session for that discussion.

Upon a motion by Janice Herzog, seconded by Kevin Ryan, the OCIDA Board went into Executive Session at 8:40 am. Motion was carried.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board adjourned Executive Session at 8:57 am. Motion was carried.

PURCHASE CONTRACT EXECUTION


Jeff Davis stated there is no specific project and no actual land disturbances contemplated at this time, this is just a SEQR resolution for the purchase of property. He stated that to the extent there is a segmentation concern under SEQR that is addressed in the resolution by noting the fact that this is just a simple purchase of land and if there were any future development on the

property that would be covered through a future SEQR determination for development. He stated the recommendation is to issue a negative declaration for this Type I action and noting the fact that to the extent necessary this is permissive segmentation under SEQR because there is no actual project and simply the purchase of the land and any SEQR review of potential environmental impacts would be speculative at this time.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination as a Type I action for purchase of property. Motion was carried.

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

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board adjourned the meeting at 9:00 am. Motion was carried.



Nancy Lowery, Secretary