

Onondaga County Industrial Development Agency
Regular Meeting Minutes
February 12, 2013

The regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, February 12, 2013 at the 333 West Washington Street, Syracuse, New York in the large conference room on the first floor.

Chairperson Donna DeSiato called the meeting to order at 8:01 am with the following:

PRESENT:

Donna DeSiato
Dale Sweetland
Daniel Queri
Janice Herzog

ABSENT:

Victor Ianno
Jessica Crawford
Mike Allen

ALSO PRESENT:

Mary Beth Primo, OCIDA, Executive Director
Kristi Smiley, OCIDA, Secretary & Treasurer
Karen Doster, Recording Secretary, Agency
Nora Spillane, Office of Economic Development
Linda McShane, Office of Economic Development
Tony Rivizzigno, Gilberti Law Firm
Peter Muserlian, Pemco Group
Jerry Marzo, Bitzer Scroll
Christine Dillingham, Bitzer Scroll
Walt Kalina, CHA
John Klucsik, Gilberti Law Firm
Kathy Rapp, County Legislature
Patrick Mocete, County Legislature
Sara Wisniewski, Gilberti Law Firm
David Silverman

APPROVAL OF MEETING MINUTES – JANUARY 15, 2013 REGULAR MEETING

Upon a motion by Dale Sweetland, seconded by Dan Queri, the OCIDA Board approved the minutes of the January 15, 2013 regular meeting. Motion was carried.

Donna DeSiato welcomed Janice Herzog to the OCIDA Board.

TREASURER'S REPORT

Kristi Smiley gave a brief review of the Treasurer's Report for the month of January 2013. She stated that the Treasurer's Report has been slightly altered because staff thought it would be easier if the Board could compare what was spent to the actual budget and past years. She stated that staff also had been looking into ways for the Agency to earn a higher interest rate on money that is in the money market. She stated that she reached out to the local banks and First Niagara is willing to offer .5% on the money market for the first 90 days and then .3% after that. She stated that we are currently earning .015% so she would like to begin talks with them to move at least a portion of the money to earn increased interest if the Board is agreeable.

Donna DeSiato asked if there were any comments regarding moving money to earn a higher interest rate. There were no comments.

Upon a motion by Dale Sweetland, seconded by Daniel Queri, the OCIDA Board approved the Treasurer's Report for the month of January 2013. Motion was carried.

PAYMENT OF BILLS- SCHEDULE #361

Kristi Smiley gave a brief review of the OCIDA Payment of Bills Schedule #361. She stated that there are three sets of legal bills. She stated that staff has been working through some of the bills to catch up for the end of 2012 and this will bring us current. She stated that CHA was broken down to three pieces with the different contracts. She stated that the Gilberti bill has been broken down to general expenses and White Pine.

Daniel Queri asked if there is \$18,000 left in the GEIS contract. Kristi Smiley stated yes.

Daniel Queri asked if that will get the Agency to finish out. Kristi Smiley stated that she believes besides the topographical and a couple other items it should take us through SEQRA. Walt Kalina stated that it should from CHA's standpoint in terms of writing up the final GEIS and the findings statement.

Dale Sweetland asked if any of the accounts receivables are overdue. Kristi Smiley stated that they are not over due at this point. She stated that the receivables that we are expecting is marketing money that the County owes the Agency at the end of the year and the others are shown on the reserves. She stated that there is nothing that is past due but things that are continuing.

Upon a motion by Dale Sweetland, seconded by Daniel Queri, the OCIDA Board approved the Payment of Bills, Schedule #360 with General Expenses being \$111,449.75 and PILOT payments to the Town of Cicero for \$49,058.53, Town of Clay for \$78,144.10, Town of DeWitt for \$158,773.36, Town of Elbridge for \$69,969.99, Town of Geddes for \$17,454.28, Town of Lysander for \$89,937.00, Town of Manlius for \$153,495.36, Town of Onondaga for \$2.74, Town of Salina for \$29,479.41, Town of Skaneateles for \$53,947.19, Town of Van Buren for \$34,530.00, Village of Solvay for \$69,666.57, Central Square Schools for \$50,764.60, East Syracuse Minoa Schools for \$566,892.95, Jamesville DeWitt Schools for \$88.23, Jordan Elbridge for \$367,575.99, Liverpool Schools for \$871,635.29, North Syracuse Schools for \$308,943.81, Skaneateles Schools for \$271,812.35, Solvay Schools for \$173,700.41, West Genesee Schools for \$173,895.61, Onondaga County for \$1,206,122.86 and City of Syracuse for \$1,367.73. Motion was carried.

CONFLICT OF INTEREST STATEMENT

The Conflict of Interest Statement was circulated and there were no comments.

TARBELL ROAD ASSOCIATES, LLC: PROJECT REVIEW AND PUBLIC HEARING

Kristi Smiley stated that there were no comments at the public hearing.

Peter Muserlian stated that they are moving forward to get Noble Health in the building.

Upon a motion by Dale Sweetland, seconded by Daniel Queri, the OCIDA Board approved a resolution adopting a negative declaration for the Tarbell Road Associates, LLC project located in the Town of DeWitt as an unlisted action with no adverse environmental impact. Motion was carried.

Upon a motion by Daniel Queri, seconded by Janice Herzog, the OCIDA Board approved an inducement resolution for a straight lease transaction for the Tarbell Road Associates, LLC project consisting of the rehabilitation/fit up of 16,800 sq. ft. of space in an existing 60,530 sq. ft. building for its tenant, Noble Health Services in the Town of DeWitt. Motion was carried.

BITZER SCROLL: PILOT

Mary Beth Primo stated that this is the first project that will take advantage of the Agency's new adaptive reuse PILOT. She stated that we worked very well with the Company and with the assessor to come up with the PILOT value and she thinks everyone involved was satisfied with the results. She stated that it is a ten year PILOT.

Upon a motion by Dale Sweetland, seconded by Janice Herzog, the OCIDA Board approved a resolution approving the financial terms of the Payment in Lieu of Tax Agreement between Bitzer Scroll and the Agency for its manufacturing and distribution center located in the Town of DeWitt and authorizing the Chair, Vice Chair or an officer to sign all documents required to implement the PILOT. Motion was carried.

Upon a motion by Daniel Queri, seconded by Dale Sweetland, the OCIDA Board approved a resolution authorizing the Chair, Vice Chair or an officer to sign the closing resolution for the Bitzer Scroll project. Motion was carried.

UPDATE ON ROCKTENN SOLVAY LLC: PUBLIC HEARING

Kristi Smiley stated that last month RockTenn came before the Board to amend their application as they had done some research and the boilers were not going to be part of the assessed value so they took them out of the project. She stated that a public hearing was held on December 5 so that all parties involved were aware of the change in the dollar amount. She stated that there were no comments at that meeting.

AMENDMENT TO SOUTHERN WINE & SPIRITS OF UPSTATE NEW YORK: LOCAL ACCESS WAIVER

Tony Rivizzigno stated that the waiver was granted to Southern Wine but Syracuse Property Partners is the actual developer.

Donna DeSiato stated that we need to authorize the waiver for Syracuse Property Partners.

Upon a motion by Daniel Queri, seconded by Dale Sweetland, the OCIDA Board approved a resolution recognizing the waiver granted to Southern Wine for the purchase and installation of exterior pre-cast concrete wall panels should have been to Syracuse Property Partners, LLC, who is building the expansion for Southern Wine.

WHITE PINE COMMERCE PARK EXTRA WORK AUTHORIZATIONS

Mary Beth Primo stated that the initial air quality analysis has been done but our attorney, John Klucsik from Gilberti, has requested additional work so there is more substance to our SEQRA document.

John Klucsik stated that the original contract anticipated this qualitative review which has been done. He stated that he believes the Agency will be in a much stronger position if we do some quantitative work estimating the types of air emissions and the volumes of the emissions that might result from the kinds of development that is being targeted.

The Board, staff, and Counsel discussed the pros and cons of proceeding with the detailed air quality analysis.

Donna DeSiato stated that this is a \$3,100 expense and is alignment with our procurement policy.

Upon a motion by Dale Sweetland, seconded by Daniel Queri, the OCIDA Board approved a resolution authorizing the supplemental air quality analysis for the DGEIS. Motion was carried.

John Klucsik stated that a summary archeology review has been conducted and submitted to the Office of Parks and Historic Recreation. He stated that OPRHP has come back and suggested that it would be appropriate to do shovel testing over the entire area of the site which translates to something like 5,000 test bits. He stated that the work authorization before the Board is for an additional authorization of

\$2,500, to go back to OPRHP and try to bring the parties to a point where something more reasonable would be accepted by OPRHP.

Upon a motion by Dale Sweetland, seconded by Daniel Queri, the OCIDA Board approved a resolution authorizing extra work, in line with the Procurement Policy, on the Phase 1B archeological survey. Motion was carried.

AGREEMENT WITH ONONDAGA COUNTY FOR ADMINISTRATIVE SERVICES

Mary Beth Primo stated that every year OCIDA enters into an agreement with the County for administrative services. She stated that the contract is before the Board and it is the same contract that was signed in the past years. She stated that the dollar amount for 2013 that the Agency is committing to pay to the County will not exceed \$272,990. She stated that a request is being made authorizing the Chair to sign the contract agreement.

Upon a motion by Daniel Queri, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the Chair to sign the agreement with Onondaga County for the fiscal year 2013. Motion was carried.

2013 PROPOSED COMMITTEE MEMBERS

Donna DeSiato stated that each year the Board serves on subcommittees of OCIDA which are Finance, Audit and Governance. She stated that the work is distributed among the Board. She stated that this year's recommendations are Finance – Daniel Queri as Chair, Michael Allen and Donna DeSiato, Audit Janice Herzog as Chair, Dale Sweetland and Donna DeSiato, and Governance Victor Ianno as Chair, Jessica Crawford and Donna DeSiato.

Upon a motion by Dale Sweetland, seconded Daniel Queri, the OCIDA Board approved a resolution adopting the slate of committee members for 2013. Motion was carried.

CHANGES TO THE 2013 AGENCY CALENDER

Upon a motion by Daniel Queri, seconded by Janice Herzog, the OCIDA Board approved a resolution accepting changing the May 2013 meeting from the 7th to the 15th and the July meeting date from the 16th to the 11th. Motion was carried.

Upon a motion by Daniel Queri, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 8:39 am. Motion was carried.

Kristi Smiley, Secretary