

Onondaga County Industrial Development Agency  
Regular Meeting Minutes  
July 11, 2013

The regular meeting of the Onondaga County Industrial Development Agency was held on Thursday, July 11, 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 8:00 am with the following:

PRESENT:

Donna DeSiato  
Daniel Queri  
Janice Herzog  
Michael Allen  
Victor Ianno  
Lisa Dell

ABSENT:

Jessica Crawford

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  
Devon Knapp, Office of Economic Development  
Tony Rivizzigno, Gilberti Law Firm  
Paul Reichel, Bond Schoeneck & King  
Jeff Indivero, VIP Structures  
Stacy Kurtz, Dixon Schwabl  
Wayne Gormont, Dixon Schwabl  
Sara Wisnewski, Gilberti Law Firm

APPROVAL OF REGULAR MEETING MINUTES – JUNE 19, 2013

Upon a motion by Victor Ianno, seconded by Lisa Dell, the OCIDA Board approved the regular minutes of June 19, 2013. Motion was carried.

APPROVAL OF SPECIAL MEETING MINUTES – JUNE 3, 2013

Upon a motion by Lisa Dell, seconded by Mike Allen, the OCIDA Board approved the special minutes of June 3, 2013. Motion was carried.

#### TREASURER'S REPORT

Kristi Smiley gave a brief review of the Treasurer's Report for the month of June 2013.

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

#### PAYMENT OF BILLS – SCHEDULE #366

Kristi Smiley gave a brief review of the OCIDA Payment of Bills Schedule #366.

(Janice Herzog arrived at meeting.)

Upon a motion by Victor Ianno, seconded by Lisa Dell, the OCIDA Board approved the Payment of Bills, Schedule #366 with General Expenses being \$64,523.29 and PILOT payments to the Town of Geddes for \$143,024.93, Village of Jordan for \$12,119.68, Village of Solvay for \$401,242.29, Solvay Schools for \$970,975.96, City of Syracuse for \$611.65 and Onondaga County for \$548,281.00. Motion was carried.

#### CONFLICT OF INTEREST DISCLOSURE

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

#### SYRACUSE PROPERTY PARTNERS WAIVER REQUEST

Paul Reichel and Jeff Indivero stated that the waiver is regarding insulated panels bought for the roof for the addition to Southern Wine and Spirits' warehouse. Paul Reichel stated that for this particular work they must use a contractor that is approved by the manufacturer for warranty purposes.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution waiving the Agency's Local Access Policy for the installation of insulated metal panels. Motion was carried.

#### WHITE PINE COMMERCE MARKETING UPDATE

Stacy Kurtz and Wayne Gormont of Dixon Schwabl provided the Board with an update on the White Pine Commerce Park marketing plan. They described sample print and electronic ads as well as mock-ups of the website.

The Board, Staff, and Dixon Schwabl representatives discussed the plan in more depth.

#### ULTRA DAIRY LLC: SEQR, INDUCEMENT & AGENT AGREEMENT

Donna DeSiato asked if there were any comments at the public hearing. Kristi Smiley stated that there were no comments at the public hearing but the office did receive a letter after the public hearing from Counsel from ESM school district in support of the efforts in economic development and encouraging the Agency to make sure that ESM receives their appropriate payments.

Upon a motion by Victor Ianno, seconded by Mike Allen, the OCIDA Board approved a resolution adopting a negative declaration for the Ultra Dairy LLC project located in the Town of DeWitt as an unlisted action with no significant adverse environmental impact. Motion was carried.

Upon a motion by Daniel Queri, seconded by Mike Allen, the OCIDA Board approved an inducement resolution for a straight lease/bond transaction for a project consisting of a 100,000 square foot expansion of its existing dairy manufacturing plant located at 6750 Benedict Road in the Town of DeWitt. Motion was carried.

Upon a motion by Lisa Dell, seconded by Mike Allen, the OCIDA Board approved a resolution accepting the execution of the Agent Agreement outlining the responsibilities of the Developer and Agency for the Ultra Dairy LLC project. Motion was carried

The Board and Ultra Dairy representatives discussed the projects progress.

Upon a motion by Lisa Dell, seconded by Mike Allen, the OCIDA Board approved a resolution accepting the execution of the Agent Agreement outlining the responsibilities of the Developer and Agency for the Ultra Dairy LLC project. Motion was carried

#### REVIEW OF PROPOSED OCIDA 2014 BUDGET AND 2014 COUNTY CONTRACT EXPENSE

Mary Beth Primo stated that the categories are pretty much the same. She stated that the largest operational expense is the County Contract and that is the expense that covers cost of staff for this Board.

Kristi Smiley stated that the reason the Board is asking for approval now is because Mary Beth Primo has to go before the County Legislature in September to present the Office of Economic Development's budget. She stated that in October the Board will be asked to vote on its full budget.

The Board and staff discussed components of OCIDA's proposed budget.

Upon a motion by Mike Allen, seconded by Lisa Dell, the OCIDA Board approved a resolution approving the Agency share of the Office of Economic Development budget for fiscal year 2014. Motion was carried.

### REVIEW OF PROPOSED REVISIONS TO OCIDA'S UNIFORM TAX EXEMPTION POLICY

Mary Beth Primo stated that the Governance Committee met with staff and went over ideas for enhancing our present uniform tax exemption policy. She stated that the Governance Committee approved certain changes and new provisions and she will go over them today for the full board's approval. She stated that if the Board approves these today then staff will send out the new Uniform Tax Exemption Policy to all of the taxing jurisdictions for their comment. She stated that it has to be sent out with at least a 10 day comment period and after that they are adopted and become available to our projects.

The Board and Staff discussed the proposed changes to the Agency's standard PILOT schedules and recapture policy.

Kristi Smiley stated that this will go out to the taxing jurisdictions and they must be given a 10 day comment period so she thinks it will go into effect around the 25<sup>th</sup>.

Upon a motion by Janice Herzog, seconded by Daniel Queri, the OCIDA Board approved a resolution accepting the revisions to the Uniform Tax Exemption Policy. Motion was carried.

### AICM AND ONX1 UPDATE

Mary Beth Primo stated that staff received letters from Counsel for the East Syracuse Minoa School District. She stated that they thought it was going to be received before the public hearings as a comment but it was received after. She stated that there is right now a tax action going on between the former owners of the facility, Syracuse Properties LLC, are contesting the taxes it paid in 2010, 2011, and 2012. She stated that the present owner, Mr. Trafford, through

his attorney, has told the Ferrara, Fiorenz, Larrison, Barrett & Reitz Law Firm that they are trying to have the litigation transferred over to Mr. Trafford which may make it easier for all the parties to settle it. She stated that ESM's counsel wants the Agency to be mindful that the ESM School District is trying to provide their students with the best possible education.

Upon a motion by Janice Herzog, seconded by Mike Allen, the OCIDA Board adjourned the meeting at 9:09 am. Motion was carried.

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Kristi Smiley, Secretary