

Onondaga County Industrial Development Agency
Regular Meeting Minutes
October 2, 2017

A regular meeting of the Onondaga County Industrial Development Agency was held on Monday, October 2, 2017 at the 333 West Washington Street, Syracuse, New York in the large conference room on the first floor.

Janice Herzog called the meeting to order at 8:19 am with the following:

PRESENT:

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

ABSENT:

Patrick Hogan

ALSO PRESENT:

Julie Cerio, OCIDA, Executive Director (via conference call)
Isabelle Harris, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary, Agency
Tony Rivizzigno, Gilberti Law Firm
John Ciampa, Spectra Engineering
Travis Glazier, Office of the Environment
Holly Granat, Office of the Environment
Kevin McAuliffe, Barclay Damon
Tony Mangano, Etna Development Company
Ryan McMahon, Onondaga County Legislature

APPROVAL OF REGULAR MEETING MINUTES – SEPTEMBER 12, 2017

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved the regular meeting minutes of September 12, 2017. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of September 2017.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved the Treasurer's Report for the month of September 2017. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #411.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved the Payment of Bills Schedule #411 for \$16,524.47. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

Julie Cerio stated the legal RFP is going to be removed from the agenda and vote on it next month. She stated we have to follow procurement procedures, which we did, however the Harris Beach envelope came late so we didn't open it per our policy and as it turns out they had documentation it was received on time but was delivered to the front desk of the building and was not delivered to us.

800 HIAWATHA BLVD UPDATE AND REQUEST FOR ADDITIONAL FUNDS

Holly Granat stated the Office of the Environment applied for the EAP Assessment grant for Roth Steel property and the results we received from that round of grants were 191 out of 200 so we were close and they encouraged us to apply again. She stated there were 430 national applicants. She stated she thinks this time the assessment grant should be transferred into a cleanup grant. She stated the difference is the amount of funding will go from \$600,000 from assessment down to \$200,000 for cleanup. She stated this also involves a greater public engagement component so we need to have a public meeting regarding the proposal. She stated it is not a public meeting on the site itself but just on the proposal and she is working on that now. She stated she will have everyone review it before she submits and the deadline is November 2. She stated it will be the same application except for the public engagement piece. She stated after meeting with EPA she feels more confident this time around.

Steve Morgan asked if the cleanup grant is more attainable versus the alternative. Holly Granat stated yes and since we have gone through phase 1 and 2 assessment we have the requirements a cleanup grant entails so she thinks we are eligible. Travis Glazier stated when learning more about the other applicants there is a lot of prospecting so people aren't positioned for actual cleanup and are much more sparse so the Board should be in a solid position.

John Ciampa stated they have accomplished a lot in the last 18 months working on this site. He stated there was some significant removal with over 2,500 tons of PCB contaminated waste, large ASR piles and they had to work hard to get that not to be hazardous waste. He stated they did enough sampling to convince DEC and EPA that it would be go to a regular landfill so a significant amount of money was saved on that. He stated they took about 80 drums off the site with 50 to 60 of them having oil waste that had been littered around the surface of the site. He stated there may be a few in some of the buildings but as far as the bulk number of drums they are removed. He stated the site is fenced and a number of remediation and investigation plans were done. He stated one of the accomplishments was taking the section of the site designated for the trail and segregate that off to get an acceptable remediation plan for the trail portion of the site. He stated it was needed for the County's application for funding. He stated now they are back to investigating the site as a whole. He stated they wanted to reach an agreement with DEC on the site investigation plan and after several work plans with DEC they have arrived at this site investigation plan. He stated initially DEC wanted 200 borings of the site and after several reiterations of plans they tightened the grid in certain areas. He stated they hope to send a revised plan to DEC by the end of this week. He stated that is what is driving the additional costs and going through the further site characterization.

Travis Glazier stated this plan should be the final iteration. He stated they sat down with DEC and went through every spot on the map pointed out by John Ciampa to verify certain things. He stated this is a compromise between both sides which he thinks is both reflective of prior information about the site and its value to the board and the obligations financially.

Victor Ianno stated it sounds like the trail will be first. Travis Glazier stated ideally it would be done first but there are a lot of approvals in that process. He stated it is a federally funded highway project. He stated where the remainder of the site is dealt with is going to be looked at from a scheduling perspective as far as how things line up.

John Ciampa stated they have reached agreement with EAP and DEC on what needs to be done from a remediation perspective to build the trail and there is a final agreement on that. Travis Glazier stated the agreement allowed the county to hold on to \$6,000,000 in federal funding.

Victor Ianno asked if the trail is ultimately going to connect to the trail past amphitheater. Travis Glazier stated yes and it will be the extension loop to the lake trail. He stated it will be a future portion of the Empire State trail so this will be part of a statewide trail system in addition to being part of the loop the lake trail and the connection to the City's Creek Walk. He stated this is a very crucial part of the regional trail system.

Steve Morgan asked if parking has been established for this. Travis Glazier stated the sidewalks have been widened and bike lanes added on Hiawatha Boulevard. He stated Destiny expressed some interest making their sidewalks more accessible to people. He stated the County is putting forth in their capital improvement plan an extension of the Creek Walk through county property.

Kevin Ryan asked if Destiny is being cooperative in terms of allowing use of their property. Travis Glazier stated they haven't got into specifics on that portion but David Aitken has expressed interest in what the trail system brings to Destiny. He stated Destiny has a lot to gain from that access.

John Ciampa stated he laid out the various steps in a typical Brownfield cleanup program and some of the steps have already been done once for the trail portion of the property. He stated essentially they subdivided the site and now they are going back and doing a similar thing for the rest of the site. He stated the first step is remedial investigation which can start this fall. He stated JMT's anticipated fees are included in the budget as well as the subcontractor fee. He stated they are proposing over 30 soil borings for test pits, ground water sampling and soil vapor tests. He stated the Department of Health is also involved in reviewing information for the site. He stated after the investigation is complete the data will have to be evaluated and propose a cleanup remedy. He stated the cleanup is specific to the type of use so it is important to figure out exactly what we want to do for the site. He stated they will probably do a conceptual plan and will probably change over time but with the dredge disposals going on property that would be an industrial use cleanup so there would be less rigorous cleanup. He stated commercial would be different cleanup standards.

Kevin Ryan asked if we do in fact dump the dredge on area 1A the cleanup costs would be less than if we didn't dump it there. John Ciampa stated if very may well be. He stated if it was going to be a commercial use it would have a higher level of cleanup associated. He stated when the dredged sediment goes there the Canal Corporation will have to cap that as a land fill so they can basically provide the cap for that central portion of the site and that would be a cost OCIDA or future developer would not have to bare so there is some benefit.

Kevin Ryan stated once we drop the dredge essentially it becomes a landfill and the Canal Corporation will have capped which will preclude any future development. Travis Glazier stated not necessarily and it is common public use. He stated it is organic material.

John Ciampa stated they are asking for at least \$164,000. He stated some of this is in the future so there are some uncertainties but this is the best estimate at this time.

Kevin Ryan stated if we do deposit the dredge material on the property, how much are these numbers going to change down the road. John Ciampa stated one of the things not included is the remediation if we had to cap that site and that number is not included. He stated depending on how things go some of these costs may not be spent but are included as place holders.

Victor Ianno asked what condition will the site be in after all of this work is done and what can we do with it. John Ciampa stated once the buildings are demolished he thinks the commercial strip will be more attractive for development. He stated there may need to be some remediation associated with that in terms of the sampling results but certainly that commercial strip is not as contaminated as the rest of the site. He stated he does think there is viable potential for commercial redevelopment. Travis Glazier stated the work John Ciampa is doing is going to define what the uses are. He stated the investigation portion of this is to find out the cost of getting the property to a certain state and is necessary regardless of what the use is.

Victor Ianno stated once we know more about the site there may be substantial additional fees to get it ready for use. John Ciampa stated one of the benefits of the Brownfield Cleanup program is that the developer does the remediation because they will get tax credits for the money they spend. He stated OCIDA doesn't get tax credits because they don't need them.

Janice Herzog asked if the housing demolition piece is included in this. John Ciampa stated it's not included and is future. Isabelle Harris stated she is working on an RFP for it.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution approving additional funds for the remedial investigation work on the Roth Steel Site. Kevin Ryan opposed. Motion was carried.

Ryan McMahon stated it is important to reflect on what has been accomplished by this Board for the community. He stated he asked this Board to consider stepping in through eminent domain to take the property due to development of a pick and pull on our water front because the City of Syracuse neglected their fiduciary responsibility to their citizens to do that. He stated since then this Board has invested a lot of money, time and effort with 3 main goals accomplished. He stated first taking something off our water front that should have never been there to begin with. He stated the second is the loop the lake trail and right now we are going into a new phase where it ends in Solvay, going through Honeywell site to the Roth site. He stated that wouldn't have been possible for this phase of the Loop the Lake trail if this Board didn't do what they are doing. He stated the Legislature is already voting on the next extension to complete the trail. He stated the third piece is what this site can help bridge and that is what the ask is today. He stated he's had conversations with the County Executive and the Canal Corporation for some time about dredging the Inner Harbor to open it up to boating traffic. He stated we want to have a thriving harbor for boats. He stated this site is strategically positioned where it's still full of environmental issues. He stated the Canal Corporation did not move forward to dredge the Inner Harbor because it costs too much money to take spoils elsewhere. He stated we can help accomplish another huge goal for the community around the lake by getting into an agreement with the Canal Corporation where they would dredge the Inner Harbor, the spoils would then go to a piece of the Roth property, the spoils would sit there up to a year and then they can remain there if it benefits the site or they could be transitioned out to other areas within the community that need that type of fill. He stated it could be permanent if it made sense for the site but it is not permanent as far turning the site into a landfill. He stated the Board would work on a deal with Canal Corporation to use area 1A and some 1B for some of the spoils. He stated this is potentially a solution not just for the Inner Harbor's development but also remediation issues and at the same time brings clarity to the rest of the development. He stated he thinks it is very positive and asks for the Board's support.

Steve Morgan asked what are the spoils made of coming out of the Inner Harbor. Travis Glazier stated there is a geologic feature in the Tully valley called the Tully Valley Mud boils. He stated there is a lack of layer in that area and there is pressure from the aquifer that pushes sediment up through the ground and feeds into Onondaga Creek. He stated the sediment travels down Onondaga Creek through the city and the first time it has an opportunity to slow down is at the Inner Harbor. He stated it is simply sedimentation from silt and sand mix. He stated there is about 8 feet of sediment that needs to be removed. He stated it has to be tested prior to it being put anywhere. He stated the Canal Corp has gone through some initial testing and he and John Ciampa reviewed the documentation and looks benign and should not have a problem with the Beneficial Use Determination from the State. He stated the State is also requiring further testing be done. He stated big vacuums are used to remove the material and comes out about 80/20 water to solvent so as this water is piped in from the Inner Harbor the sediment is captured and the water is piped back into the Harbor. He stated then there is a long term drying process. He stated it goes into geo tubes and sits for a period of time up to a year for them to dry. He stated it will be usable in other areas.

Victor Ianno asked if once the Canal Corp takes it out of the harbor and puts it on our property and there is a problem down the road and we don't need it, can we tell the Canal Corp to take it off or is it ours. Ryan McMahon stated it will most like be ours depending on how they structure it. He stated that is how you get the Canal Corp to do it.

Victor Ianno asked if Canal Corp is paying for this. Ryan McMahon stated yes.

Kevin Ryan stated the reality is based on the testing done so far is there is a reasonable certainty that this is not contaminated soil. Travis Glazier stated yes. He stated there are varying degrees of contamination but it is material that would be acceptably used at the site.

Janice Herzog asked if Tony Rivizzigno will be working with the Canal Corp for liability and insurance. Travis Glazier stated it will be worked out between counsels on both sides.

Janice Herzog asked once the Geo tubes are dried out what happens. Travis Glazier stated the Geo tubes will sit there for about a year until they have reached a certain moisture level.

Victor Ianno stated if somebody did surface in the next 6 months and said they want a portion of the site, how soon would we be ready to react. Ryan McMahon stated once you have an assessment they would have an idea of what kind of Brownfield credits they could receive.

Victor Ianno stated we have to wait for the assessment before doing anything. John Ciampa agreed and stated hopefully we would be completing that this fall with the evaluation being done over the winter and plans maybe by spring.

Sue Stanczyk asked how deep they have to dredge. Travis Glazier stated 8 feet is the target to create a gully.

Steve Morgan stated the marina is an asset we have and it is not utilized.

Kevin Ryan asked when they want to start dredging. Travis Glazier stated they want to start as soon as possible.

Kevin Ryan asked how long it will take. John Ciampa stated they are working on developing a plan to coordinate all of these pieces but has not seen it yet. Travis Glazier stated he anticipates months and not years.

Janice Herzog stated having access to that area is a game changer in terms of what it means for the Inner Harbor. She stated that is one of our projects and so is Roth Steel and she thinks the support back and forth is important.

Ryan McMahon stated the biggest thing the County has done is Onondaga Lake and all things associated with it. He stated there is a proven demand for entertainment venues around the lake to bring their boats in. He stated this would give them access to go lodge at the Inner Harbor or Destiny. He stated it makes a lot of sense from a recreational economic standpoint.

Janice Herzog stated the other message it sends is without our support the Canal Corp may not deal with it. Ryan McMahon agreed and stated it just stays on the bottom of the list.

Janice Herzog stated with all that is going on with the activity in the Inner Harbor, the lakefront and the Amphitheater, this just keeps the momentum going. She stated people see the activity

the entity developing the hotel. He stated the request before the board today is a consent for them to transfer the fee title to hotel parcel over to Hotel@T5 and they are going to do a supplemental PILOT and a supplemental lease/leaseback with the IDA. He stated the same exact relationships will be in place and the benefits have already been approved. He stated the hotel will pay at the same rate per square foot and everything else. He stated the actions are to simply acknowledge the Town of Camillus on SEQR, as the lead agent and consent to the transfer of this hotel parcel from Township 5 to Hotel@T5 LLC, the execution of a supplemental lease/leaseback and a supplemental PILOT. He stated it is still in the project but we have to go through legal machinations to close.

Tony Rivizzigno stated he has talked with Kevin McAuliffe about this and as far as he is concerned its fine with the Agency doing it. He stated there are no ramifications for the Board.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution for SEQRA purposes concerning the environmental significance of the Hinsdale Road/Township 5 project consisting of an Unlisted Action pursuant to SEQRA and will result in no significant adverse environmental impact. Motion was carried.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution consenting to the transfer of fee title to the hotel parcel for the Hinsdale Road Group, LLC project. Motion was carried.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution consenting to the bifurcation of the lease and PILOT agreements for the Hinsdale Road Group, LLC project. Motion was carried.

DOT FOODS, INC. (P. DRESCHER COMPANY) - TERMINATION

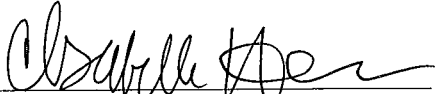
Tony Rivizzigno stated this is a termination of a lease started back in 1993. He stated they are done with their project and looking to terminate the lease agreement.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the execution and delivery of termination documents with respect to DOT Foods, Inc. Motion was carried.

Nate Stevens stated at the last meeting the Board approved some expenses for O'Brien and Gere and when receiving the final invoices it was realized that \$646.02 was light in one of the categories. He stated enough was approved overall but the way he wants to structure it to have all the resolutions match the change orders would be helpful to approve an additional \$646.02 so all the documents are clean moving forward.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution approving an additional \$646.02 from O'Brien and Gere Invoice #65466-5. Motion was carried.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board adjourned the meeting at 9:24 am. Motion was carried.


Isabelle Harris, Secretary