

DISTRIBUTION SUPPORT SYSTEMS, INC.

ENVIRONMENTAL RESOLUTION

At a regular meeting of the Onondaga County Industrial Development Agency convened in public session on May 12, 2015 at 8:00 a.m. at 333 West Washington Street, Syracuse, New York 13202, the following members were:

PRESENT:

Dan Overti
Steve Morgan
Janice Herzog
Pat Hogan
Lisa Dell
Victor Zanno
Jessica Crawford

ABSENT:

ALSO PRESENT:

Julie Cerio, Executive Director
Anthony P. Rivizzigno, Esq., Agency Counsel

Upon motion duly made and seconded, the following resolution was duly adopted by the Agency with its members voting as follows:

Aye

Nay

Dan Overti
Steve Morgan
Janice Herzog
Pat Hogan
Lisa Dell
Victor Zanno
Jessica Crawford

**RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A COMMERCIAL
PROJECT FOR DISTRIBUTION SUPPORT SYSTEMS, INC. WILL NOT HAVE A
SIGNIFICANT EFFECT ON THE ENVIRONMENT**

WHEREAS, the Onondaga County Industrial Development Agency (the “Agency”) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law, Chapter 435 of the 1970 Laws of New York, and Chapter 676 of the 1975 Laws of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, educational or cultural facilities, railroad facilities, horse racing facilities and continuing care retirement communities, among others, for the purpose of promoting, attracting, encouraging and developing recreation, and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and to improve their recreation opportunities, prosperity and economic welfare of the people of the State of New York and to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct, improve, maintain, equip or furnish one or more “projects” (as defined in the Act”); to sell, convey, mortgage, lease, pledge, exchange or otherwise dispose of said projects; and to issue bonds and provide for the rights of the holders thereof; and

WHEREAS, Distribution Support Systems, Inc. (the “Company”) has presented an application (the “Application”) to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the agency, requesting the Agency consider undertaking a project (the “Project”) consisting of the following: acquisition of land and construction of an approximately 105,000 square foot building to house their new facility in the Town of Clay, County of Onondaga; and

WHEREAS, the Agency has given due consideration to the Application and to representations made by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Onondaga County, New York; and (B) the completion of the Project will not result in the removal of a facility or a plant of the Project occupant from one part of the State of New York to another area of the State of New York or in the abandonment of one or more plants or facilities of the Project occupant located within the State of New York; and

WHEREAS, in compliance with the provisions of Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the Assistant Secretary of the Agency (A) caused notice of a public hearing (the “Public Hearing”) of the Agency to hear all persons interested in the Project and the Financial Assistance being contemplated by the Agency with respect to the Project to be mailed to the chief executive officer of the county and

of each city, town, village and school district in which the Project is to be located, (B) caused notice of the Public Hearing to be published in The Post-Standard, a newspaper of general circulation available to the residents of the Town of Clay, (C) conducted the Public Hearing at the Town of Clay Town Hall located at 4401 Route 31 in the Town of Clay, Onondaga County, New York, and (D) prepared a report of the Public Hearing which fairly summarized the views presented at the Public Hearing and distributed same to the members of the Agency; and

WHEREAS, the Agency is a local agency pursuant to the New York State Environmental Quality Review Act (“SEQRA”), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the “Regulations”); and

WHEREAS, undertaking the Project is an Action as defined by SEQRA; and

WHEREAS, a Full Environmental Assessment Form (“EAF”), was submitted to the Agency to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, the Agency has preliminarily determined that the Action is an Unlisted Action, as that term is defined in the Regulations, and that uncoordinated environmental review is permissible and appropriate under SEQRA; and

WHEREAS, the Agency has considered the Project and the EAF, together with the Agency’s knowledge of the area surrounding the Project, and such further investigation of the Project and its potential environmental effects as the Agency has deemed appropriate; and

WHEREAS, the Agency has reviewed the classifications of actions contained in the Regulations, and has compared the effects of the Project to the provisions of 6 NYCRR Part 617 which relate to the classification of actions under SEQRA; and

WHEREAS, the Agency has reviewed the Project against the criteria for determining significance contained in 6 NYCRR Part 617 in order to determine whether the Project may result in a significant environmental impact; and

WHEREAS, the Agency has determined that the Project will not result in an impact of the type illustrated in 6 NYCRR Section 617.7 or any other type of significant environmental impact.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Project is an Unlisted Action pursuant to SEQRA.

Section 2. The Agency has undertaken an uncoordinated environmental review of the Project.

Section 3. The Project will result in no significant adverse environmental impact.

- Section 4. An Environmental Impact Statement (EIS) will not be required for the Project.
- Section 5. The basis for this determination is set forth in the Negative Declaration and Criteria for Determining Significance, attached as Schedule A hereto and incorporated by reference herein.
- Section 6. The Negative Declaration shall be filed at the Agency as required by 6 NYCRR Section 617.12(b)(2).
- Section 7. This resolution shall take effect immediately.

