

Onondaga County Industrial Development Agency
Regular Meeting Minutes
June 13, 2024

A regular meeting of the Onondaga County Industrial Development Agency was held on Thursday, June 13, 2024, 335 Montgomery Street, Floor 2M, Syracuse, New York.

Janice Herzog called the meeting to order at 8:32 AM with the following:

PRESENT:

Susan Stanczyk
Janice Herzog
Fanny Villarreal
Cydney Johnson

ABSENT:

Patrick Hogan
Kevin Ryan
Elizabeth Dreyfuss

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nathaniel Stevens, Treasurer
Alexis Rodriguez, Secretary
McKenna Moonan, Office of Economic Development
Jeff Davis, Barclay Damon LLP
Amanda Fitzgerald, Barclay Damon LLP
John Sidd, Hancock Estabrook

APPROVAL OF REGULAR MEETING MINUTES- May 9, 2024

Upon motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the regular meeting minutes of May 9, 2024. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief overview of the Treasurer's Report for the month of May 2024.

Upon motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the Treasurer's Report for the month of May 2024. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of Payment of Bills.

Upon motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the Payment of Bills. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The conflict of interest was circulated and there were no conflicts.

ACTION ITEMS

1. NexGen Power Systems, Inc. (3101-18-01A) Terminating Project and Evaluating Recapture of Benefits: Robert Petrovich gave a brief overview of the NexGen Power Systems project. He stated that the company filed for Chapter 11 and are no longer operating and vacated the premises. He went on to explain that this project was brought forward by New York State, ESD, through Fort Schuyler. He also noted that they paid their most recent PILOT payment in February of 2024. Robert Petrovich stated that since they are no longer in business, he recommended that the Agency move forward in the termination process as well as evaluation of recapture possibilities. Janice Herzog reread the agency action requested of “A resolution of the Board evaluating the recapture of benefits and terminating a Project with NexGen Power Systems, Inc. and directing execution of termination documents with respect thereto.” A motion was made by Susan Stanczyk and seconded by Fanny Villarreal. Motion passed unanimously.
2. UR-Ban Villages PFA, LLC (3101-21-07A) Modification Meeting: Robert Petrovich explained that UR-Ban Villages is requesting that 2 acres be released to them, keeping the original PILOT agreement intact. He then explained that these 2 acres would become an indoor soccer field that will be part of the tax property base. Robert Petrovich explained the modification would not harm the community or the Agency, and Nate Stevens gave an update on the project status. Janice Herzog reread the Agency Action Requested “A resolution of the Board authorizing a release of a portion of the Agency’s

leasehold interest in the Project Facility.” A motion was made by Susan Stanczyk and seconded by Fanny Villarreal. Motion passed unanimously.

3. Public Relations/Marketing Services- Contract Authorization: Janice Herzog asked Robert Petrovich to explain how ABC Creative Marketing Group has benefited the Agency. Robert went on to explain that ABC Creative has provided a new website for the Economic Development Office, as well as marketing and videos that enhance the White Pine Science and Technology Park, which is adjacent to the Micron site. This is to help prepare the Agency for the welcoming of a Taiwanese delegation in hopes to secure supply chain relationships with the coming of Micron to Syracuse. Susan Stanczyk asked what the current contract amount is. Robert Petrovich explained that the original budget was \$75,000, which was increased to \$100,000, and will now be increased to help create more videos to enhance the projects the Agency is working on. Janice Herzog noted that through her “sneak peak” of one of the most recent videos that will be a great response to the opportunities coming to the area. Janich Herzog read the Agency Action Requested, “A resolution of the Board increasing the contract with ABC Creative Marketing Group in an amount not to exceed \$70,000 for public relations/marketing services for OCIDA to communicate the Agency’s objectives.” A motion was made by Susan Stanczyk and seconded by Fanny Villarreal. Motion passed unanimously.
4. Micron New York Semiconductor Manufacturing LLC- Eminent Domain Action: Janice Herzog read the Agency Action Requested. Robert Petrovich asked counsel (Jeff Davis and John Sidd) close to the matter to help give a better understanding of this situation. Jeff Davis compared this action to ones that have come before the Board previously as in the development of the White Pine Commerce Park as well as the OHB Application and redevelopment of Shoppingtown Mall. Jeff explained that there is a utility wastewater line that needs to run from the Micron site to Oak Orchard which will pass industrial wastewater as well as reclaimed processed water. Jeff stated that John has been working with Micron for obtaining the easements necessary for this line. Micron and John have obtained most of the easements necessary as of this meeting. Jeff stated that this action put before the Board is not one to take land but requesting the Board to take “necessary

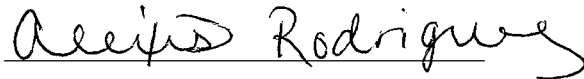
procedural steps” to begin analysis of the land in question. Jeff asked John to give more detail. John explained that he and Micron have been working on this for a year now and have been unsuccessful in coming to a compromise with a portion of landowners where the line would run. John went into brief detail as to what the line carrying wastewater would do for the Applicant and the process of treating said wastewater. John described the troubles he and Micron have faced when trying to gain certain rights to specific properties along the line’s path. Robert Petrovich added that this will not take land from the landowners, but will require a line deep in the ground, and after the installation, a restoring the site to the point where no one will know it is there. He stated that OCIDA in partnership with the Applicant have exercised all options. Jeff Davis explained the Board’s role in this project and stated that the Applicant is in the environmental review stages. Jeff Davis stated “It is to do such things, perform such acts, and execute such documents that are necessary and appropriate to duly notice and conduct a public hearing as provided under the EDP Article 2 including but not limited to: retaining any professionals, consultants, and contractors necessary to provide materials required under the EDPL in connection with a public hearing and the possible acquisition of real estate interests in the Eminent Domain parcels. And to take all actions under the Eminent Domain Procedure Law Section 404 to allow for and facilitate Agency officers, Agency contractors to enter upon the Eminent Domain parcels for the purpose of making surveys, test pits, borings, or other investigations, and also for temporary occupancy during construction.” Janice Herzog then asked what the timeline of this next step, where Jeff Davis gave brief detail on steps and timelines. Janice Herzog reread the Agency Action Requested of “A resolution of the Board authorizing and directing Agency staff and counsel to take various actions pursuant to the Eminent Domain Procedure Law for the potential acquisition of lands and easement rights in support of the development of the White Pine Commerce Park.” A motion was made by Susan Stanczyk and seconded by Fanny Villarreal. Motion passed unanimously.

5. COR Van Rensselaer Street Company II, LLC & COR Van Rensselaer Company III, Inc. (3101-15-14A) Request for execution and delivery of lender documents in connection with a financing extension: Janice Herzog read the Agency Action Requested “A

resolution of the Board authorizing execution and delivery of lender documents."

Amanda Fitzgerald explained the request, stating that it has been seen before by the Board in the past. She also stated that this is a portion of the COR Inner Harbor project, where they are refinancing their building with their current lender, where she stated that the Agency is already a part of the lender documents, and that the Agency is being asked to join in the refinancing documents. She explained that the Agency is in title by the nature of the straight lease transaction. She informed the Board that there is no additional mortgage recording tax exemption, just authorizing the execution of the lender documents. A motion was made by Susan Stanczyk and seconded by Fanny Villarreal. Motion passed unanimously.

Motion to adjourn made by Susan Stanczyk and seconded by Fanny Villarreal at 9:04 AM.

A handwritten signature in cursive script, reading "Alexis Rodriguez". The signature is written in dark ink and is positioned above a horizontal line.

Alexis Rodriguez, Secretary