

**City of Syracuse Industrial Development Agency**

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Minutes

Board of Directors Meeting  
Tuesday, April 21, 2020

**Due to the declaration of a public health emergency and the social distancing requirements imposed at the Federal, State and local level, this meeting was held in accordance with Executive Order 202.1 by video/telephone conference that was made available to the public.**

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**Board Members Present:** Kathleen Murphy, Steven Thompson, Kenneth Kinsey, Rickey T. Brown and Dirk Sonneborn, via tele/videoconference (in accordance with the Governor's Executive Order 202.1).

**Staff Present:** Judith DeLaney, Susan Katzoff, Esq., John Vavonese, Lori McRobbie, via tele/videoconference (in accordance with the Governor's Executive Order 202.1).

**Others Present:** Timothy Lynn, Esq., Chuck Sangster, Kate Maguire, Jen Tifft, Rick Moriarty, via tele/videoconference (in accordance with the Governor's Executive Order 202.1).

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**I. Call Meeting to Order**

Ms. Murphy called the meeting to order at 8:00 a.m.

**II. Public Hearing –**

**Dupli Associates, LLC<sup>1</sup>**

Ms. Murphy opened the Hearing at 8:05 a.m. and asked Ms. DeLaney to read the Notice of Public Hearing on the Project. A copy of the notice is attached and included in the minutes.

After Ms. DeLaney read the notice, Ms. Murphy asked if anyone in attendance wished to speak in favor of the Project. Timothy Lynn, one of the developers of the Project spoke in favor. He reported that the Merrell-Soule building has Part 1 approval from SHPO and awaiting Part 2 approval; but otherwise are ready to go. Regarding the Syracuse Scale building, Mr. Lynn said that yesterday a similar project got approval from SHPO so he believed they will receive approval as well.

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<sup>1</sup> The hearing was open to the public in accordance with Executive Order 202.1.

Mr. Thompson asked about a traffic study. Mr. Lynn reported they reached out to the City's planner but did not get a response. Mr. Lynn said he did not believe a traffic study was required.

Ms. Murphy asked an additional two times if anyone else in attendance wished to speak in favor of the Project. No one else spoke in favor of the Project.

Ms. Murphy then asked numerous times if anyone wished to speak in opposition to the Project. No one spoke in opposition to the Project.

Ms. Murphy closed the Public Hearing at 8:13 a.m.

### **III. Roll Call**

Ms. Murphy acknowledged all Board members were present.

### **IV. Proof of Notice**

Ms. Murphy acknowledged that notice of the meeting had been duly and properly provided.

### **V. Minutes**

Ms. Murphy asked for a motion approving the minutes from the March 17, 2020 Board of Directors meeting. Mr. Brown made the motion. Mr. Thompson seconded the motion. **THE MOTION TO APPROVE THE MINUTES FROM THE MARCH 17, 2020 BOARD OF DIRECTORS MEETING WAS UNANIMOUSLY APPROVED.**

### **VI. New Business**

#### **Dupli Associates LLC**

Ms. Katzoff noting a Public Hearing had just concluded on the Project and a cost benefit analysis had been included in the Agenda packet for the Board's review requested the members consider resolutions authorizing the Agency to undertake the Project.

She said the first resolution for consideration was a SEQRA resolution and said after review it had been determined the Project would have no significant effect on the environment.

There being no discussion Ms. Murphy asked for a motion to approve the resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION DETERMINING THAT THE UNDERTAKING OF THE PROJECT AT THE REQUEST OF DUPLI ASSOCIATES, LLC WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

Ms. Katzoff then asked the Board to approve an amended Inducement resolution for the Project. Noting a cost benefit analysis was included in the Agenda packet she said the resolution authorized the undertaking of the amended project, approved the appointment of the company as the agent of the agency, approved an amount not to exceed \$897,912; and approved exemptions from sales and mortgage recording taxes for the Project.

There being no discussion Ms. Murphy asked for a motion to approve the resolution. Mr. Brown made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A PROJECT; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT.**

Ms. Katzoff then requested the Board approve an amended PILOT resolution for the Project providing for a 15 Year PILOT schedule under the Agency's UTEP that will replace the PILOT schedule currently in place but that will commence in start in the current PILOT year under the existing PILOT such that the new PILOT will effectively be a 12 year PILOT.

There being no discussion Ms. Murphy asked for a motion to approve the resolution. Mr. Thompson made the motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION APPROVING AN AMENDED PAYMENT IN LIEU OF TAX SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A PILOT AGREEMENT.**

Ms. Katzoff then requested approval of an amended Final Resolution for the Project to allow for the execution and delivery of all necessary documents to confer the approved financial assistance.

There being no discussion Ms. Murphy asked for a motion to approve the resolution. Mr. Thompson made the motion. Mr. Sonneborn seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A COMMERCIAL PROJECT UNDERTAKEN AT THE REQUEST OF THE COMPANY.**

#### **Addis Building LLC**

Ms. Katzoff requested the members approve a resolution authorizing the participation in further mortgage financing for the Project.

Ms. Katzoff said this Project closed in March of 2018 and recently notified the Agency it was in the process of obtaining further financing. She that such participation by the Agency is contemplated in the Project lease documents. In addition to the Agency's participation in the additional financing, the Company is requesting confirmation of its ability to use the unexpended portion of the original mortgage recording tax exemption (\$17,500) for the current mortgage borrowing.

There being no discussion, Ms. Murphy asked for a motion to approve the resolution. Mr. Thompson made the motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE AGENCY'S PARTICIPATION IN THE REFINANCING OF THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.**

### Maguire Family Limited Partnership

Ms. Katzoff requested the Board approve a motion authorizing the Agency to act as Lead Agency for purposes of SEQRA.

Ms. DeLaney reported that the Agency received a request from the Company to amend the Project due to long delays in pre-development of the site resulting in necessary changes. Representatives of the Company met with members of the Finance Committee at its meeting of March 10, 2020 to review the changes and the Committee made a recommendation that the Board of Directors consider approval of the request. Prior to consideration of resolutions approving the amended Project, a new environmental review is required to be completed.

There being no discussion, Ms. Murphy asked for a motion to authorize the Agency to act as Lead Agency for the SEQRA review. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION CLASSIFYING A CERTAIN PROJECT AS A TYPE I ACTION AND DECLARING THE INTENT OF THE CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY TO BE LEAD AGENCY FOR PURPOSES OF A COORDINATED REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT.**

### 360 Warren Street Associates LLC

Ms. Katzoff requested the members approve a resolution authorizing the participation in further mortgage refinancing for the Project.

Ms. DeLaney reported that the Directors approved assistance to the Project in 2011 for the renovation of the Onondaga Tower Building and the Agency's lease agreement contemplated participation in any further permanent financing. No additional benefits are requested. The Company currently is in the eighth year of a ten year PILOT.

There being no discussion, Ms. Murphy asked for a motion to approve the resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED THE AGENCY'S PARTICIPATION IN THE REFINANCING OF THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.**

### COVID 19 Relief

Ms. Katzoff requested that the Directors approve a resolution authorizing the Agency to provide certain relief to projects previously undertaken by the Agency during the COVID-19 health crisis declared in New York State.

Ms. DeLaney reported that due to the COVID-19 emergency, Staff is requesting the Board of Directors approve a resolution taking certain actions extending the time frames for projects previously undertaken by the Agency to meet certain benchmarks for job creation and capital investment and to provide additional time to complete projects in order to give developers some level of comfort that delays in their projects caused by the pandemic will not trigger parts of the Agency's recapture policy as outlined in the Resolution.

Ms. Murphy asked for a motion to approve a resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION**

**AUTHORIZING CERTAIN RELIEF TO PROJECTS PREVIOUSLY UNDERTAKEN BY THE AGENCY DURING THE COVID-19 HEALTH CRISIS DECLARED IN NEW YORK STATE.**

**VII. Adjournment**

There being no further business to discuss Ms. Murphy asked for a motion to adjourn the meeting.

At 8:35 a.m. Mr. Thompson made a motion to adjourn. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ADJOURN THE MEETING AT 8:35 AM.**