
City of Syracuse
Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202
Tel (315) 473-3275

To: Board of Directors
City of Syracuse Industrial Development Agency

From: Judith DeLaney

Date: April 16, 2020

Re: Board of Directors Meeting Agenda – April 21, 2020

The City of Syracuse Industrial Development Agency will hold a Board of Directors Meeting on **Tuesday, April 21, 2020 at 8:00 a.m electronically.** Members of the public may participate via **Webex:** <https://bit.ly/syrsida-04082020> or by accessing the link on the Agency's website, using meeting number 713934932 password: SIDA or via telephone ((408) 418-9388 Access Code: 713934932. **NO PUBLIC APPEARANCES WILL BE PERMITTED.**

I. Call Meeting to Order –

II. Roll Call –

III. Proof of Notice – 1

IV. Public Hearing –

Dupli Associates LLC – 2

Attachment:

1. Public Hearing Notice.

V. Minutes – 3

Approval of Minutes from the March 17, 2020 Board of Directors meeting.

VI. New Business –

Dupli Associates LLC – Sue Katzoff – 4

Approval of resolutions authorizing the Agency to amend the Project.

Attachments:

1. Cost Benefit Analysis.

2. SEQRA Resolution.

3. *Approving Resolution.*
4. *PILOT Resolution. (Amended)*
5. *Final Resolution.*

Addis Company LLC – Sue Katzoff – 5

Approval of a resolution authorizing the Agency's participation in the mortgage refinancing of the project.

Attachments:

1. *Correspondence.*
2. *Resolution.*

Maguire Family Limited Partnership – Sue Katzoff – 6

Approval of a resolution authorizing the Agency to act as “Lead Agency” for purposes of SEQRA.

Attachments:

1. *SEQRA Resolution.*

360 Warren Street Associates LLC – Sue Katzoff – 7

Request to approve a resolution authorizing the Agency's participation in the mortgage refinancing of the Project.

Attachments:

1. *Correspondence.*
2. *Resolution.*

COVID 19 Relief – Sue Katzoff – 8

Approval of a resolution authorizing certain relief to Projects previously undertaken by the Agency during the COVID-19 health crisis declared in New York State.

Attachments:

1. *Resolution.*

VII. Adjournment –

City of Syracuse
Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202 Tel (315) 473-3275

PLEASE POST

PLEASE POST

PLEASE POST

PUBLIC MEETING NOTICE

THE SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY

HAS SCHEDULED

A

BOARD OF DIRECTORS MEETING

ON

TUESDAY, April 21, , 2020

At 8:00 a.m.

VIA Webex

Meeting Link: <https://bit.ly/syrsida-04082020>

Meeting Access Code: 713934932

Password: SIDA

VIA Phone

(408) 418-9388

Access Code: 713934932

For More Information, Please Contact the Office of the Agency at (315) 473-327

NOTICE OF PUBLIC HEARING

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, **NOTICE IS HEREBY GIVEN** that a public hearing, in accordance with the foregoing and pursuant to Section 859-a of the New York General Municipal Law, will be held **electronically** via Webex by the City of Syracuse Industrial Development Agency (the "Agency") on the 21st day of April, 2020, at 8:00 a.m., local time, in conjunction with the matter set forth below. **NO PUBLIC APPEARANCES WILL BE PERMITTED.** Members of the public may listen to the Public Hearing and provide comment by either logging into the Webex meeting at: <https://bit.ly/syrsida-04082020>, or by accessing the link on the Agency's website, using meeting number 713 934 932 and password SIDA *or* via telephone at (408) 418-9388, access code: 713 934 932.

Comments may also be submitted to the Agency in writing delivered to City of Syracuse Industrial Development Agency, 201 E. Washington Street, 6th Floor, Syracuse, N.Y. 13202 Attn: Judith DeLaney **TO BE RECEIVED BY NO LATER THAN APRIL 17, 2020.** The Public may also submit comments electronically to business@syrgov.net to be **received on or before April 17, 2020.** **ANY WRITTEN COMMENTS SO RECEIVED WILL BE READ INTO THE RECORD OF THE PUBLIC HEARING.** Minutes of the Public Hearing will be transcribed and posted on the Agency's website.

The following project is the subject of this public hearing:

Dupli Associates, LLC, or an entity to be formed (the "Company"), requested the Agency undertake a project (the "Project") consisting of: (A)(i) the continuation of an interest in two parcels of improved real property located at 600 Franklin Street N. to Solar Street (a/k/a 1 Dupli Park Drive) improved by an approximately 149,000 sq.ft. building ("Building 1") (bearing tax parcel identification number 118.-06-08.0); and 156 Solar Street and Division Street W. improved by an approximately 62,800 sq.ft. building ("Building 2") (bearing tax parcel identification number 118.-06-01.0), each in the City (the foregoing collectively referred to as the "Land"); (ii) the reconstruction and renovation of Building 1 consisting of a 7,000 sq.ft. expansion of the climbing gym for an aggregate approximately 23,000 sq.ft. climbing gym and exercise/training facility; approximately 37,500 sq.ft. of commercial office space; approximately 25,000 sq.ft. of commercial storage; approximately 45,000 sq.ft. of residential space containing approximately 39 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the annual 65% area median income rent limits for the City (the "AMI"); and approximately 3,500 sq.ft. of retail space; and the reconstruction and renovation of Building 2 consisting of 24,000 sq.ft. of residential space containing approximately 20 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the AMI; approximately 20,000 sq.ft. of commercial office space and approximately 9,500 sq.ft. of retail space (collectively, the "Facilities"); (iii) (iv) the acquisition and installation in and at the Land and Building 1 and Building 2 of furniture, fixtures and equipment (the "Equipment" and together with the Land and the Facilities, the "Project Facility"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law)

(collectively the "Financial Assistance"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the lease of the Land and Facilities by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement.

The Company shall be the initial owner or operator of the Project Facility.

The Agency will at the above-stated time hear all persons with views with respect to the proposed Financial Assistance to the Company, the proposed owner/operator, the location of the Project Facility and the nature of the Project.

A copy of the application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, are available for public inspection on the Agency's Website.

Dated: April 8, 2020

CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY

City of Syracuse Industrial Development Agency

201 East Washington Street,
6th Floor Syracuse, NY 13202
Tel (315) 473-3275

Minutes

Board of Directors Meeting
Tuesday, March 17, 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 by telephone conference with live streaming available to the public.

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

Staff Present: Judith DeLaney, Susan Katzoff, Esq., John Vavonese, Lori McRobbie.

I. Public Hearing – Ms. Murphy advised the Dupli Associates LLC public hearing was postponed in order to comply with the restrictions on public gatherings/meetings pursuant to executive orders issued by the Governor.

II. Call Meeting to Order

Ms. Murphy called the meeting to order at 8:16 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 February 20, 2020 Board of Directors meeting. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **THE MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 20, 2020 BOARD OF DIRECTORS MEETING WAS UNANIMOUSLY APPROVED.**

VI. Committee Report

Ms. Murphy reported the Audit and Finance Committee held a joint meeting on March 10, 2020. Michael Lisson of Grossman St. Amour CPAs, the Agency's independent auditor, gave a presentation on the Agency's draft 2019 financial statements. The Committee approved a motion to recommend to the Board of Directors acceptance of the financial statements as the official statements of the Agency.

Ms. Murphy also reported that the Committees discussed: (i) Dupli Associates, LLC's request to amend its Project; (ii) Maguire Family Limited Partnership's request to amend its Project; (iii) Park Outdoor Advertising's request to enter into a lease for a billboard on the Agency's property; (iv) the City's request to provide funding in the amount of \$520,882.58 for improvements to the Onondaga Creekwalk; (v) the City's request for the Agency to enter into a two year contract with U.S. Ignite and Centerstate CEO to assist in the development of a program to provide increase internet connectivity across the City and identify new sources of investment in technology for the betterment of the citizens of the City, to promote economic development and to advance the Syracuse Surge initiative.

VII. New Business

Agency Draft Financial Statements

Mr. Vavonese reported that Mr. Lisson was present at the joint Audit and Finance committee meeting on March 10, 2020. Mr. Vavonese reviewed the Agency's audit and presented the draft financial statements as approved by the Financial Committee. Mr. Vavonese reported that the audit went well, there were no errors or omissions and the auditor's opinion is that it was 'clean and unmodified'.

Ms. Murphy asked for a motion to accept the financial statements. Mr. Brown made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ACCEPT THE DRAFT FINANCIAL STATEMENTS AS THE OFFICIAL 2019 FINANCIAL STATEMENTS OF THE AGENCY.**

Dupli Associates LLC

Ms. Katzoff requested the Board approve a motion authorizing the Agency to act as Lead Agency for purposes of SEQRA. She advised that the public hearing is being held until further notice, but SEQRA needs to be moved forward to prevent delays to the Project.

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 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.**

The Syracuse Flatiron, LLC

Ms. DeLaney advised that included in the members' agenda was an application for financial assistance for a new project from Syracuse Flatiron, LLC (the "Company") and requested approval of a resolution authorizing a public hearing on the project.

Ms. DeLaney described project as a the mixed-use project consisting of the gut and rehabilitation of a vacant building. At completion the mixed-use building will contain two first floor commercial units and six residential units. The building has long been an eyesore and the target of past efforts by both community activists and the City to encourage its revitalization. Project costs are estimated at approximately \$2.2 million.

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 DETERMINING THAT THE ACQUISITION, RESTORATION, PRESERVATION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A MIXED-USE FACILITY AT THE REQUEST OF THE COMPANY CONSTITUTES A PROJECT; DESCRIBING THE FINANCIAL ASSISTANCE IN CONNECTION THEREWITH; AND AUTHORIZING A PUBLIC HEARING.**

415 S. Clinton LLC

Ms. Katzoff advised the Board that 415 S. Clinton LLC (the "Company") has requested an extension of both the lease agreements entered into by the Company and the Agency and the sales and use tax appointment of the Company through September 1, 2020. The Project has encountered long delays associated with issues involving historic tax credit finance and building code design. The project is now underway and is anticipated to be completed this summer. No additional benefits are being requested.

Ms. Murphy asked for a motion to approve the resolution. Mr. Brown made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION APPROVING AN EXTENSION OF THE TERM OF: (i) THE LEASES BETWEEN THE AGENCY AND THE COMPANY; AND (ii) THE SALES TAX APPOINTMENT OF THE COMPANY AS AGENT OF THE AGENCY UNTIL SEPTEMBER 1, 2020; AND AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS.**

JMA Tech Properties LLC

Ms. Katzoff requested the Board approve a resolution authorizing a temporary sales tax appointment for the JMA Tech Properties LLC Project until June 1, 2020. JMA Tech Properties LLC (the "Company") and the Agency have been working to complete documents for a closing, however, in the interim the Company needs to order materials now to take advantage of a full construction season.

Mr. Kinsey asked when construction will start. Ms. Katzoff reported that the Company has indicated that construction will start now. Mr. Kinsey asked if there is currently a building on the property and Ms. Katzoff reported there are two buildings – the Coyne Building and the Wastewater Building.

Ms. Kaztoff advised that all recapture and reporting provisions are included in the temporary documents so there is no risk associated with the granting of the temporary appointment.

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 APPROVING THE TEMPORARY APPOINTMENT OF THE COMPANY AS AGENT OF THE AGENCY WITH RESPECT TO A PROJECT AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.**

Maguire Family Limited Partnership

Ms. Katzoff requested the Board approve a motion authorizing a request from Maguire Family Limited Partnership (the "Company") to amend its project and to terminate the existing PILOT agreement.

Ms. DeLaney reported that the owners spoke to the Finance Committee on March 10, 2020 to discuss changes to the project and report that no benefits were used. SEQRA needs to be redone. The Company will send a new EAF in April which will address the proposed changes to the project.

Ms. Delaney reported that the assessor for the City of Syracuse reviewed the new project and provided updated PILOT figures which she put into a spreadsheet and distributed. The existing PILOT will need to be terminated and a new PILOT schedule will need to be approved. For purposes of the PILOT, the new project is valued at the purchase price of the property.

Ms. Katzoff reported that the issues that arose after the initial closing were not the fault of the Company. FEMA's re-designation of the flood zones made it too costly to build the new building. In addition, internal disruptions in the Nissan brand dealership required the Company to switch manufacturers.

Ms. Katzoff reported the Company received zero benefit from the PILOT and have paid 100% of property taxes on the value of the property since closing on the original transaction. They did not receive benefits on improvements because the project did not start. There is no harm to the City in terminating the PILOT and putting the properties back on the tax rolls. If approved, the new PILOT would be effective as of July 2021.

Ms. Murphy asked for a motion to approve the termination of the PILOT and to place the properties back on the tax rolls as of July 2020. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION APPROVING THE TERMINATION OF A CERTAIN PAYMENT IN LIEU OF TAX AGREEMENT; AND AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS.**

Steri-Pharma LLC

Ms. Katzoff requested the Board approve a motion authorizing Steri-Pharma LLC's (the "Company") request to terminate the project based on its inability to proceed at this time.

Ms. DeLaney reported that the Company never used the benefits granted, including PILOT benefits.

Ms. Murphy noted that the Company met with and reported to the board several times regarding issues it was encountering with an international client which lead to the project's delay.

Ms. Murphy asked for a motion to authorize the Company's request to terminate the project. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT**

UNANIMOUSLY APPROVED A MOTION APPROVING THE TERMINATION OF CERTAIN LEASE DOCUMENTS; AND AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS.

Hiawatha Boulevard Improvement Project

Ms. DeLaney reported a request by the City of Syracuse for the Agency to finance a portion of a project, in an amount not to exceed \$520,882.58, for improvements to a section of the Onondaga Creekwalk. The source of Agency funds for this purpose has been identified from funding restricted and designated to be used for projects in the lakefront redevelopment area. The Finance Committee reviewed this request at its meeting on March 10, 2020 and approved a motion to recommend approval by the Board.

There being no further discussion, Ms. Murphy asked for a motion to approve a resolution. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION AUTHORIZING THE AGENCY'S PARTICIPATION IN A COOPERATION OR SIMILAR AGREEMENT TO SUPPORT THE IMPROVEMENT OF CERTAIN SECTION OF THE ONONDAGA CREEKWALK ALONG HIAWATHA BOULEVARD IN THE CITY OF SYRACUSE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND THE EXPENDITURE OF FUNDS IN SUPPORT THEREOF.**

Syracuse Surge

Ms. DeLaney is recommending that the Agency enter into a two year contract with US Ignite and CenterState CEO, at a cost not to exceed \$40,000, to assist in the development of a program to provide increased internet connectivity across the City of Syracuse and identify new sources of investment in technology to advance economic development and the Syracuse Surge initiative for the benefit of residents of the City.

Ms. DeLaney reported that the contract has been reviewed by staff and is permissible under the Agency's Procurement Policy. The Finance Committee reviewed this request at its March 10, 2020 meeting and approved a motion to recommend that the Board approve the request as presented.

Ms. Murphy advised that counsel will work with US Ignite and Centerstate CEO on the contract and be as fully engaged as possible.

Ms. Murphy asked for a motion to approve a resolution. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGREEMENT TO DEVELOP A PROGRAM FOR INCREASED INTERNET CONNECTIVITY ACROSS THE CITY.**

VIII. Adjournment

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

At 8:50 a.m. Mr. Kinsey made a motion to adjourn. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ADJOURN THE MEETING AT 8:50 AM.**

City of Syracuse
Industrial Development Agency
201 East Washington Street
Syracuse, NY 13202
Tel (315) 473-3275

EXECUTIVE SUMMARY

Agenda Item: 4

Title: Dupli Associates, LLC

Requested By: Judith DeLaney

OBJECTIVE: Approval of resolutions authorizing the Agency to undertake the Project.

DESCRIPTION:

Direct expenditure of fund: Yes No

Type of financial assistance requested

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

SUMMARY

See attached.

ATTACHMENTS:

1. Memo.
2. Cost Benefit Analysis.
3. SEQRA Resolution.
4. Inducement Resolution (Amended).
5. PILOT Resolution. (Amended)
6. Final Resolution.

REVIEWED BY:

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

Meeting: April 21, 2020

Prepared By: J. A. Delaney

City of Syracuse
Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202
Tel (315) 473-3275

April 16, 2020

Memorandum To: Board of Directors

From: Judy DeLaney

Re: Dupli Associates, LLC

As the members of the Board are aware in February the Agency received an amended application to expand the current Project owned by the above referenced company. The application was reviewed by the Finance Committee at its February 5th meeting, a public hearing was authorized by the Board of Directors at its meeting of February 18th and a further review of the Project by the Finance Committee occurred at its March 10, 2020 meeting. At the March 10th meeting the Committee met with representatives of the Company to discuss a request to amend the Project to further facilitate a proposed Phase 2 & Phase 3 construction project. Amendments include a change in the membership, additional mortgage and sales tax abatement benefits and an amendment to the existing PILOT extending the term. The Committee also reviewed a cost benefit analysis. Based on the Company's new investment and its agreement to rent 20% of the residential units at affordable rent limit rates as outlined in the Agency's tax exemption policy, the Committee approved a motion to recommend the Board authorize the Agency to act as Lead Agency for purposes of SEQRA (approved at the March 17th Board meeting) and further approve the Company's request as submitted.

The Public Hearing scheduled for March 17th was postponed because of the COVID 19 emergency declaration and will be conducted at the Board of Directors meeting of April 21, 2020. The Board members will then be asked to consider resolutions approving the amended project as recommended by the Finance Committee.

Below is a brief recap of the Project:

In May of 2017 (closed 7/31/17) the Agency Board of Directors approved a project the Company proposed for the Dupli Graphics building and adjacent property located at 600 Franklin Street in the Franklin Square neighborhood. "**Phase 1**". The owners proposed a buildout of vacant space to house a 15,000 sq. ft. rock climbing gym and a 6,000 sq. ft. restaurant along with the acquisition of the adjacent former Syracuse Scale property for future development. The cost of the Project was estimated to be \$3,562,000.00 and the Company received mortgage (\$26,800) and sales tax exemption (\$31,300) benefits along with a 10 Year PILOT agreement from the Agency valued at \$259,688. While the acquisition of Syracuse Scale and the gym were completed the restaurant was not due to difficulty in locating a tenant and in February 2019 the owners were approved for an extension of the sales tax appointment through 1/31/20 for the purpose of completing said restaurant. The restaurant did not materialize, the gym however has been extremely successful with over a 1000 members. It should be

noted the Company never made use of the sales tax exemption for any portion of the Project to date.
Final cost of the Project: \$2,700,000.00.

The applicant is now requesting the consent of the Agency to assign membership interests of the Company to FS Development Associates who proposes a significant new Project in two phases for the buildings at a cost of **\$ 19,747,799.00**. **Phase 2 & 3** of the Project will be funded with a mortgage of \$15,300,000, a CFA grant of \$1,000,000 awarded by the REDC and equity of \$3,447,799 to include historic tax credit financing. **Phase 2** is proposed to be the complete renovation and rehab of the 160,000 sq. ft. Dupli building (Merrill Soule) - currently 110,000 sf is vacant - to include commercial office space (37,500 sf)) storage (25,000 sf), 39 residential units (45,000 sf) retail space (3500 sf) and an expansion of the popular climbing gym (8000 sf). **Cost: \$8,992,896. Start Date: June 2020. Completion Date: October 2021** **Phase 3** to include the full rehab of the long vacant Syracuse Scale building (Amphion Piano Player Building) to include 24,000 sf of residential space (20 units), 20,000 sf of commercial and 9,500 sf of retail space. **Cost: \$10,754.903.00 Completion Date: early 2022.**

The Company advises current FTE employment of 90 employees in the Dupli Building with a forecast of an additional 38 new FTEs at completion of both phases.

In addition to the assignment of membership interests, the Company further requests tax benefits from the Agency for Phase 2 & 3 of the Project to include a mortgage tax exemption valued at \$114,750 a sales tax exemption valued at \$897.912 and a PILOT utilizing a 15 year Priority Commercial & Residential schedule. The Company qualifies for the PILOT as it has agreed to incorporate and rent 20% of the Project's residential units at the annual 65% AMI rent limits for the City of Syracuse as designated by HUD and will be monitored for compliance over the life of the agreement.

As noted above the Project currently has a 10 Year PILOT with the Agency with seven years remaining as of July 1, 2020. As the Company is requesting a change in the assignment of membership interests, has agree to incorporate affordable rent limits into the Project and is committing a sizeable amount of investment to the two new phases, staff is recommending approval of the change in membership and the requested tax abatements to include in the case of the PILOT an amendment of the existing PILOT to a fifteen year schedule with twelve years remaining.

Project Summary

1. Project: Dupli Associates LLC **2. Project Number:** 0

3. Location: **4. School District:** SCSD

5. Tax Parcel(s): **6. Type of Project:** Commercial

7. Total Project Cost:	\$ 19,747,799
Land	
Site Work	\$ 1,625,489
Building	\$ 13,216,892
Furniture & Fixtures	\$ 22,282
Equipment	\$ 2,107,841
Equipment Subject to NYS Production Exemption	\$ -
Engineering/Architecture Fees	\$ 442,596
Financial Charges	\$ 1,335,221
Legal Fees	\$ 370,000
Other	\$ 627,478

8. Total Jobs	128
8A. Job Retention	90
8B: Job Creation (Next 5 Years)	38

Cost Benefit Analysis:	Dupli Associates LLC	
	Fiscal Impact (\$)	
Abatement Cost:		\$4,938,879
Sales Tax	\$897,912	
Mortgage Tax	\$114,750	
Property Tax Relief (PILOT)15yr	\$3,926,217.13	
New Investment:		\$31,071,669
PILOT Payments 15yrs	\$2,401,471.46	
Project Wages (10 yrs)	\$0	
Construction Wages	\$11,056,620	
Employee Benefits (10 years)	\$0	
Project Capital Investment	\$17,415,100	
New Sales Tax Generated	\$0	
Agency Fees	\$198,478	
Benefit:Cost Ratio	6.29	:1

SEQRA RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

**RESOLUTION DETERMINING THAT THE
UNDERTAKING OF A CERTAIN PROJECT AT THE
REQUEST OF DUPLI ASSOCIATES, LLC WILL NOT
HAVE A SIGNIFICANT EFFECT ON THE
ENVIRONMENT**

WHEREAS, the Agency is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, 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, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, Dupli Associates, LLC, or an entity to be formed (the "**Company**"), by application dated February 4, 2020 (the "**Application**"), requested the Agency undertake a project (the "**Project**") consisting of: (A)(i) the continuation of an interest in two parcels of improved real property located at 600 Franklin Street N. to Solar Street (a/k/a 1 Dupli Park Drive) improved by an approximately 149,000 sq.ft. building ("**Building 1**") (bearing tax parcel identification number 118.-06-08.0); and 156 Solar Street and Division Street W. improved by an approximately 62,800 sq.ft. building ("**Building 2**") (bearing tax parcel identification number 118.-06-01.0), each in the City of Syracuse (the foregoing collectively referred to as the "**Land**"); (ii) the reconstruction and renovation of Building 1 consisting of a 7,000 sq.ft. expansion of the climbing gym for an aggregate approximately 23,000 sq.ft. climbing gym and exercise/training

facility; approximately 37,500 sq.ft. of commercial office space; approximately 25,000 sq.ft. of commercial storage; approximately 45,000 sq.ft. of residential space containing approximately 39 apartment units; and approximately 3,500 sq.ft. of retail space; and the reconstruction and renovation of Building 2 consisting of 24,000 sq.ft. of residential space containing approximately 20 apartment units; approximately 20,000 sq.ft. of commercial office space and approximately 9,500 sq.ft. of retail space (collectively, the "**Facilities**"); and (iii) the acquisition and installation in and at the Land and Building 1 and Building 2 of furniture, fixtures and equipment (the "**Equipment**" and together with the Land and the Facilities, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the continuation of the lease of the Land and Facilities by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, pursuant to State Environmental Quality Review Act and the regulations promulgated thereunder ("**SEQRA**"), the Agency is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Agency and the approval of a project and grant of financial assistance constitute such an action; and

WHEREAS, to aid the Agency in determining whether undertaking the Project may have a significant impact upon the environment, the Company has prepared and submitted to the Agency Part 1 of an Environmental Assessment Form (the "**EAF**") with respect to the Project, a copy of which is attached here as **Exhibit "A"** and on file at the office of the Agency; and

WHEREAS, the Agency examined the EAF in order to classify the Project; and

WHEREAS, by resolution adopted March 17, 2020, the Agency classified the Project as a Type 1 Action and declared the intent of the Agency to be "lead agency" (as defined by SEQRA) for the purposes of a conducting a coordinated environmental review pursuant to SEQRA; and

WHEREAS, by letter dated March 18, 2020 notice was given to each "involved agency" (as defined by SEQRA) identified by the Company of the Agency's declaration to act as lead agency; and

WHEREAS, as a result of its careful review and examination of the Project, the Agency finds that, on balance, and after careful consideration of all relevant Project documentation, it has more than adequate information to evaluate as required by SEQRA all of the relevant benefits and potential impacts of the Project; and

WHEREAS, the Agency has prepared a negative declaration that summarizes its

consideration of potential impacts in accordance with SEQRA; and

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Based upon an examination of the EAF prepared and other information furnished by the Company, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency's knowledge of the area surrounding the Project Facility, all the representations made by the Company in connection with the Project, and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(a) The Project consists of the components described above in the second WHEREAS clause of this Resolution and constitutes a "project" as such term is defined in the Act;

(b) The Project constitutes a Type 1 Action;

(c) The Agency declared itself lead agency with respect to a coordinated review of the Project pursuant to SEQRA;

(d) The Project will not have a significant effect on the environment, and the Agency will not require the preparation of an Environmental Impact Statement with respect to the Project; and

(e) As a consequence of the foregoing, the Agency has prepared a Parts 2 and 3 of the Full EAF with respect to the Project, a copy of which is attached hereto as **Exhibit "B"**, which shall be filed in the office of the Agency in a file that is readily accessible to the public and the Executive Director of the Agency is hereby authorized to execute and cause publication of and distribution of this negative declaration in accordance with SEQRA.

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

(3) The Secretary of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ____ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey Brown, Secretary

(S E A L)

EXHIBIT "A"
PART 1 OF FULL EAF

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: Construction financing must be completed on each phase prior to the commencement of the ensuing phase.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: 700,000 kWh per year

 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Grid/Local Utility

 iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:
There is no hazardous waste at the site

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: <u>Dupli Building and Amphion Piano Player Company Building</u></p> <p>iii. Brief description of attributes on which listing is based: <u>historic buildings</u></p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify resource: _____</p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p>iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

EXHIBIT "B"

PARTS 2 AND 3 OF FULL EAF AND NARRATIVE

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans			
The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character			
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

City of Syracuse Industrial Development Agency
DUPLI Associates, LLC Project
FEAF Part 3 – Additional Information

By application dated February 4, 2020, DUPLI Associates, LLC (the “*Company*”) requested the Agency undertake a project (the “*Project*”) consisting of: (A)(i) the continuation of an interest in two parcels of improved real property located at 600 Franklin Street N. to Solar Street (a/k/a 1 Dupli Park Drive) improved by an approximately 149,000 sq.ft. building (“*Building 1*”) (bearing tax parcel identification number 118.-06-08.0); and 156 Solar Street and Division Street W. improved by an approximately 62,800 sq.ft. building (“*Building 2*”) (bearing tax parcel identification number 118.-06-01.0), each in the City of Syracuse (the foregoing collectively referred to as the “*Land*”); (ii) the reconstruction and renovation of Building 1 consisting of a 7,000 sq.ft. expansion of the climbing gym for an aggregate approximately 23,000 sq.ft. climbing gym and exercise/training facility; approximately 37,500 sq.ft. of commercial office space; approximately 25,000 sq.ft. of commercial storage; approximately 45,000 sq.ft. of residential space containing approximately 39 apartment units; and approximately 3,500 sq.ft. of retail space; and the reconstruction and renovation of Building 2 consisting of 24,000 sq.ft. of residential space containing approximately 20 apartment units; approximately 20,000 sq.ft. of commercial office space and approximately 9,500 sq.ft. of retail space (collectively, the “*Facilities*”); and (iii) the acquisition and installation in and at the Land and Building 1 and Building 2 of furniture, fixtures and equipment.

1.) *Impact on land* – The proposed Project will not have an impact on land. No excavation is expected. In the unforeseen event of excavation, excavated materials will remain onsite. In the event contaminated soils are encountered, these soils will be handled in accordance with federal, state, and local regulations.

The duration of the Project is estimated at 18-months. Construction activities typically result in potential impacts associated with traffic, dust, stormwater, and noise. These potential impacts are minimized as a result of the following measures:

- The Company will be required to implement a maintenance and protection of traffic plan for use during construction. The plan will be reviewed and approved by the City of Syracuse.
- The Company will be required to implement best management practices for dust control.
- Stormwater impacts will be addressed by implementation of erosion and sediment controls during construction.
- The proposed Project will cause a temporary increase in ambient noise levels from the operation of construction equipment. Measures to minimize noise impacts during construction will include adherence to local ordinances for working hours and inspection of equipment for proper muffling.

As such, the impact on land associated with the Project is not considered a significant environmental impact.

2.) *Impact on geological features* – The Project site does not contain known unique or unusual land forms (e.g. cliffs, dunes, minerals, fossils, caves). No impact to significant geological features will occur because of the proposed Project.

3.) *Impacts on surface water* – The Project will not involve impacts to surface waters. There are no surface waters within the Project footprint. Potential impacts to nearby surface waters from construction will be avoided by implementation of appropriate soil erosion and sediment controls.

4.) Impact on groundwater – The Project is not located within the footprint of a sole source, or primary aquifer.

The Project does not involve use or disposal of hazardous materials, or the bulk storage of petroleum or chemical products that could potentially contaminate local groundwater supplies. In addition, no change in drainage patterns, or increase in impervious surfaces is anticipated as a result of the Project. Therefore, no significant impact to the local aquifer is expected to occur as a result of the Project.

5.) Impact on flooding – The proposed Project is located within the regulated 500-year floodplain. Project activities will be coordinated with the City of Syracuse. The City of Syracuse is a member of the National Flood Insurance Program and structures located in the flood zone must comply with the local flood ordinance. In addition, the City of Syracuse is designated as the FEMA flood management agency for this area and regulates construction within the designated floodplains. City of Syracuse Ordinance 17 deals with flood damage prevention and includes design criteria aimed at preventing flood damage to structures. As part of the permitting process, the City will review building plans for the Project and require that the Company incorporate appropriate floodplain mitigation requirements into the design. Grade changes are not proposed. Given the City permitting process and that the Project involves a renovation of existing structures, no significant impacts to the floodplain are anticipated.

6.) Impacts on air – The U. S. Environmental Protection Act (USEPA), through the federal Clean Air Act (CAA), has established National Ambient Air Quality Standards (NAAQS) for six criteria pollutants: carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}), ozone, and lead. An area that violates a national primary or secondary NAAQS for one or more of the USEPA designated criteria pollutants is referred to as non-attainment. A maintenance area is one that has previously been in violation of the NAAQS but has since implemented an avoidance plan and has had no additional violations over an extended period of time.

The Project is located in Onondaga County. According to the USEPA Green Book (current as of February 28, 2019), Onondaga County is currently in attainment for all criteria pollutants, except CO, which is listed as “maintenance”. Based on a detailed review of the Green Book, Onondaga County was designated as a CO non-attainment area until 1992. Since 1993, the County has been in compliance (i.e., maintenance area) with the NAAQS for all criteria pollutants, including CO. An area that has remained in compliance with the NAAQS for an extended period of time is re-designated as “attainment”.

According to both the NYSDEC and USEPA, Onondaga County is in full attainment with the CO NAAQS. Specifically, Onondaga County was designated as a maintenance area in 1993 and has not had any violations of the NAAQS since that time. NYSDEC met the requirements specified in two Maintenance Plans, each lasting a period of ten years. Therefore, the 20-year maintenance period is over and NYSDEC has met its obligations; Onondaga County is in attainment with the CO NAAQS.

Air emission sources require consistency with State and federal air quality standards. The New York air permitting program regulates sources of air pollution. The program is required under provisions set forth in the CAA and New York State regulation (6 NYCRR Part 201). NYSDEC Division of Air Resources administers the air program. The proposed Project does not include equipment that requires registration or permitting from New York State’s air program.

7.) *Impacts on plants and animals* – The proposed Project is located in an urban environment. Habitat availability is limited; wildlife occupying the existing Project space are likely to re-occupy it after construction. No habitat exists for species considered rare, threatened, or endangered by federal or state regulations. No significant impact to plants and animals will occur as a result of the Project.

8.) *Impacts on agricultural resources* – The Project is not located in a New York State Agricultural District. No farmland soils occur within the proposed limits of disturbance. No significant impacts to agricultural resources will occur.

9.) *Impacts on aesthetic resources* – The Project site does not contain, and is not located adjacent to, identified scenic/aesthetic resources. There are no officially designated federal, state, or local scenic or aesthetic resources within the vicinity of the property.

10.) *Impacts on historical and archeological resources* – According to the State Historic Preservation Office (SHPO) Cultural Resource Information System (CRIS) website, the existing buildings are listed in the State or National Register for Historic Places. Coordination with the New York State Historic Preservation Office (SHPO) is complete for the project. The proposed renovation is not anticipated to result in adverse impacts to the listed buildings.

11.) *Impacts on open space and recreation* – The proposed action will not result in a loss of recreational opportunities, and/or open space. There are no existing recreational opportunities on-site, and the site is not located in a designated municipal open space plan.

12.) *Impacts on critical environmental areas* – No designated critical environmental areas occur within or immediately adjacent to the Project site. The current action will not involve impacts to designated critical environmental areas.

13.) *Impacts on transportation* – The proposed Project is not anticipated to involve a significant increase in existing traffic levels. The principal use of the existing buildings is changing from commercial and industrial to residential, therefore no or a minimal net increase in traffic is expected as a result of the Project. The Project is expected to generate fewer than 100 peak hour vehicle trips per hour. Based on the NYSDEC guidelines, it is assumed that projects generating fewer than 100 peak hour vehicle trips per hour will not result in significant increases in traffic.

14.) *Impacts on energy* – Electricity and natural gas in the Project location are supplied by National Grid. Water will be provided by the City of Syracuse's water system. Sewer service will be provided by the City of Syracuse and treated at the Metropolitan Syracuse Wastewater Treatment Plant.

Operation of the Project will result in increased use of electricity, natural gas, and/or water resources as well as increased discharge of wastewater into the sewer collection and treatment system. The Company has coordinated with the local utility providers regarding supply and availability of necessary services. Operation of the facility is not expected to exceed available natural resource or future energy supplies.

Additionally, renovation and/or operation of the facilities would not involve a need for unusual materials or those in short supply. As with any construction project, there will be short-term increases in electrical and gasoline usage to power construction equipment and for worker travel.

15.) Impacts on noise, odor, and light

Noise - The proposed Project will cause a temporary increase in ambient noise levels from the operation of construction equipment. Measures to minimize noise impacts during construction will include adherence to local ordinances for working hours and inspection of equipment for proper muffling. Noise levels will generally return to pre-construction levels following completion of the Project.

Odors - The proposed Project will not cause an increase in odors.

Light –No new lighting is proposed as part of the Project.

16.) Impact on Human Health – The proposed Project will not result in an impact to human health from exposure to new or existing sources of contaminants.

A Limited XRF Lead-Based Paint Inspection dated December 13, 2019 prepared by Envoy Environmental Consultants, Inc. and Asbestos Pre-Renovation Survey Report dated December 13, 2019 prepared by Paradigm Environmental, LLC for Building 1 (together, the "report") were furnished to the Agency and are attached hereto. The Building 1 contains asbestos-containing materials, and lead-based paint as identified in the report. The report indicates that the sampling was representative in nature, and additional sampling and analysis will be required based on the final scope of the Project. In addition, renovation activities, included necessary abatement, will be conducted consistent with New York State Code Rule 56, and additional local, state, and federal requirements. Consistency with applicable regulations limits the potential for construction workers and the public's exposure to harmful contaminants.

Four spills occurred on or adjacent to the Land, were reported to NYSDEC and have been closed.

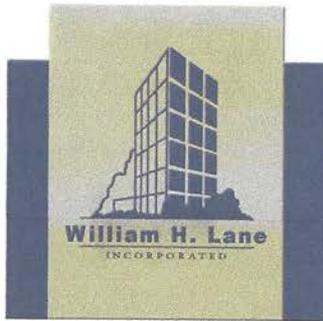
17.) Consistency with community plans – The action will not result in population growth in the City of Syracuse that exceeds 5%, or in increasing density that will impact existing infrastructure. The Project does not require a change in zoning or resubdivision.

In summary, the proposed Project will not result in the following:

- An increase in population within the City of Syracuse.
- A change in zoning or existing land use plans.
- A change in the density of development that would exceed the capacity of existing infrastructure.
- Induced socioeconomic impacts from residential or commercial development.

18.) Consistency with community character – The proposed action is consistent with the existing community character as described below:

- The Project is located in an area with buildings of similar size and function.
- The Project will not result in any impacts to historic structures.
- It will not significantly increase the need for schools, parks, roads, infrastructure.
- It will not result in a significant increase in the need for emergency services.
- It will not result in any displacement of housing will occur.



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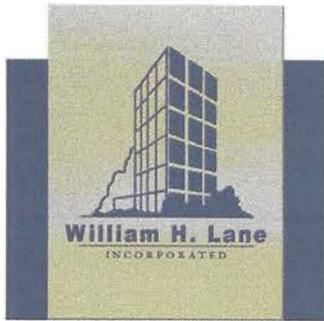
April 16, 2020

Jean S Everett
Bousquet Holstein PLLC
62 William Street
Third Floor
New York, New York 10005
212.381.4870
jeverett@bhlawpllc.com

Dear Ms. Everett,

Below please find the answers to the questions that were asked as part of the SIDA review regarding the Dupli project at 600 North Franklin Street. My answers will correspond to the list you sent in a prior email. I have attached that list for reference.

1. The State Historic Preservation Office as approved our submission and has passed it along to the National Park Service for part two approval. Karen Brant, Architect for the National Park Service had one question regarding the exiting flooring. MacKnight Architects (Project Architect) answered this question. I have attached the correspondence as Exhibit "A".
2. We have reached out to Neil Milcarek-Burke Transportation Planner for the City of Syracuse several times with no response. That said our interpretation of the requirements for the need of a traffic study will not apply to this project as we do not believe this project will add more than one hundred (100) daily trips to this property. I have attached the city requirements along with the existing and new parking drawings that show we will only be adding two (2) spaces. These documents are attached as Exhibit "B".
3. We have solicited National Grid for an official response regarding the impact this project will have on the their infrastructure. We have yet to get a response. However, it is the opinion of our Engineers that we will not exceed utility demand in comparison to the historical use of this existing building.
4. As this an existing building we do not anticipate excavation for the first phase of construction. If excavation is necessary, material will remain on-site.



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5. All material, hazardous or universal will be handled per applicable codes and procedures. I have attached the environmental reports as Exhibit "C".
6. See question 5
7. As we don't anticipate excavation for this project, contaminated soil should not be an issue. If contaminated material is encountered, we will address appropriately.
8. We have been in contact with Kim Kelchner from the Syracuse Water Authority. Kim provided us with a drawing of the exiting water lines and water pressure at the closest hydrant. Kim does not believe this project will have an ill effect on the city water supply. I have attached the drawing and correspondence as Exhibit "D".
9. After OCDWEP review it was concluded that the wastewater lines in this area are owned by the City of Syracuse. We have contacted John Kizlehan from the city and are waiting for his official response. Because this is an existing building, our engineers are confident that wastewater demands should not exceed wastewater capacity.
10. I have attached all "spill records" in relation to this property as Exhibit "E". All records are designated "closed"

If you have any other questions please don't hesitate to contact me.

Kind regards,

A handwritten signature in black ink, appearing to be "Rick Watson", written over a white background.

Rick

Rick Watson
Project Manager

From: Everett, Jean S. <jeverett@bhlawpllc.com>

Sent: Monday, March 30, 2020 2:30 PM

To: Timothy Lynn <tim@ldts-law.com>; Anthony D'Elia <anthony@ldts-law.com>

Cc: McRobbie, Lori L. <lmcrobbe@bhlawpllc.com>; Katzoff, Susan R. <skatzoff@bhlawpllc.com>; 'Judith A. DeLaney (jdelaney@syrgov.net)' <jdelaney@syrgov.net>

Subject: Dupli - Follow UP Questions on EAF

Tim and Tony,

We have the following requests of the Project Sponsor in order for us to determine the project's potential to have a significant environmental impact:

1. Please provide a copy of coordination with the State Historic Preservation Office. If coordination is not complete, please provide a summary of steps you have either taken, or will follow, to ensure consistency with SHPO requirements.
2. Have you obtained a Traffic Impact Study? If so please provide a copy.
3. Please provide correspondence with National Grid that this project should not significantly impact existing infrastructure (i.e. require upgrades to substations, etc.)
4. Confirm that all excavated material will remain on-site
5. Provide pre-demolition asbestos survey and action plan., and commitment to conduct demolition consistent with NYS Code Rule 56
6. Provide pre-demolition hazardous materials (or universal waste) survey, or discussion of how such materials will be managed during demolition
7. Provide description of due diligence associated with potential to encounter soil/groundwater contamination. Provide a plan (i.e. soil management plan), or commitment to such plan, to appropriately address contaminated materials in the event they are found during construction.
8. Provide confirmation from the City that it has capacity to meet your anticipated water supply demands
9. Provide confirmation from OCDWEP with regard to ability to meet project's wastewater demands
10. Complete response to E.1.h(iv). Information is available on NYSDEC databases.

Please provide the information to me on or before April 10.

Thanks

Jean

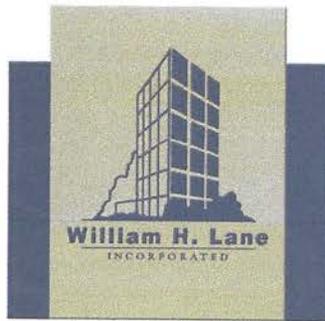
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EXHIBIT “A”

QUESTION 1

Watson, Rick

From: Bruce Macknight <bruce@macknightarchitects.com>
Sent: Wednesday, April 15, 2020 4:15 PM
To: KAREN_BRANT@nps.gov; Lane, Mark
Cc: STEVE MACKNIGHT; Watson, Rick; JOHN ANDERSON
Subject: Merrill Soule None Such Mince Meat Factory NPS 40443
Attachments: MERRILL SOULE FACTORY EXISITNG PLANS-NPS 40443.pdf; dupli flooring PHOTOS 1.pdf; dupli flooring PHOTOS 2.pdf

Hello Karen,

Hope all is well with you. I'm sending this response to your inquiry regarding the treatment of the existing floors in the Merrill Soule None Such MinceMeat Factory, their condition and how we intend to treat them.

The first floor is a painted poured in place concrete slab. The concrete is in fairly good condition but is very uneven due to the fact that this portion of the building was built in 3 phases and the floors were built to slope to interior floor drains for cleaning purposes.

The second floor is a combination of poured concrete floors to the east and a wood deck with plywood sheathing and a painted cement wear surface to the west. The concrete floors are in good condition but are sloped to floor drains. The cement covered floors are in fair condition but are uneven due to settlement over the years.

The third floor is a combination of poured concrete floors to the east and a heavy tongue & groove deck with diagonal strip flooring finish surface. The concrete floors slope to drains. The wood floors are in poor condition due to wear and tear and moisture over the last 100+ years. These floors are very uneven due to structural settlement.

The plan is to use a leveling substrate such as gypcrete on all of the floors. The finish surface will be carpet tile in the common areas and corridors, and a combination of luxury vinyl plank and carpet in the apartments. I've attached photographs with descriptions along with floor plans with the photographs keyed in.

Please review and let me know what comments or questions you have.

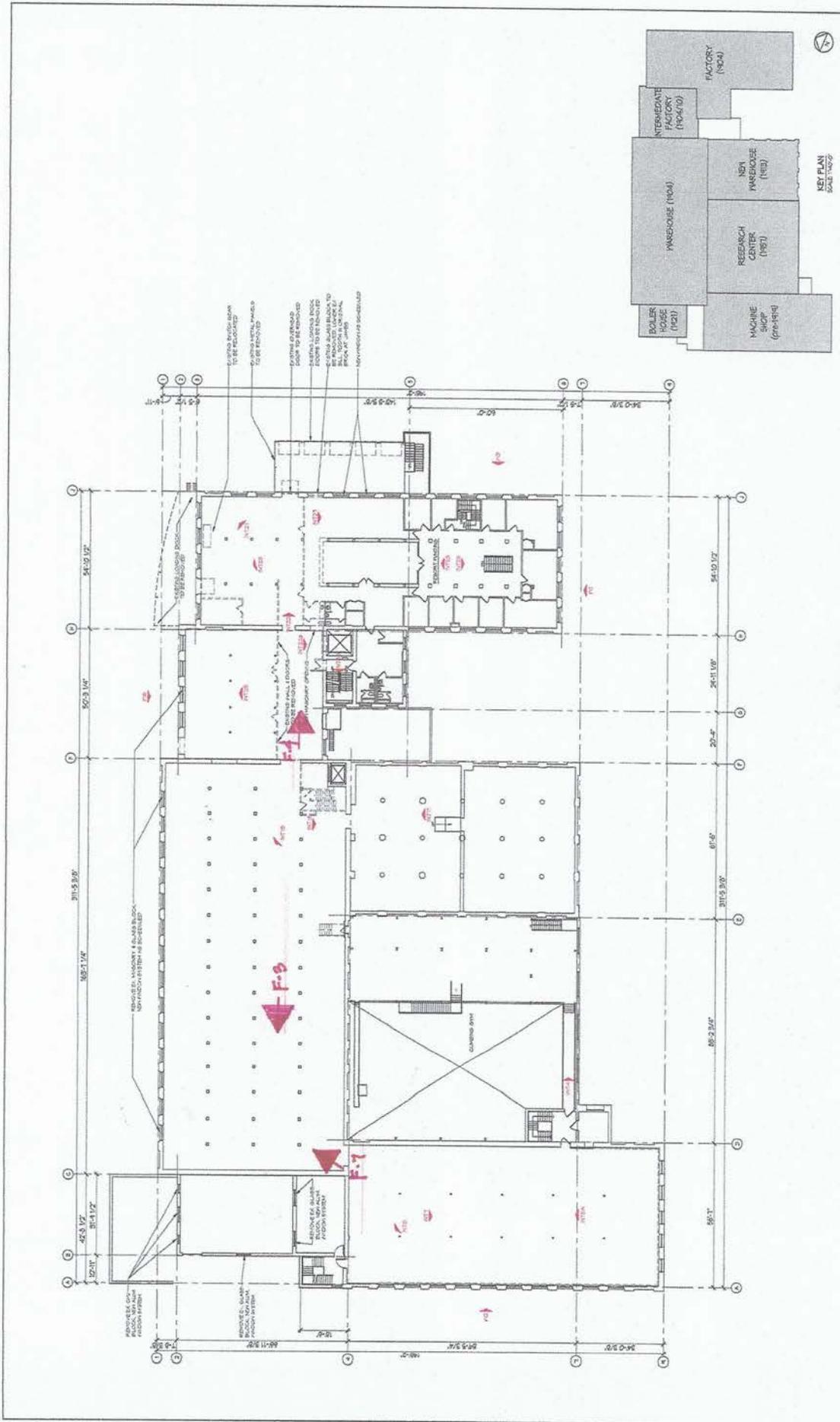
Thank you,

Bruce MacKnight, A.I.A.

macknight architects llp
212 north franklin street
syracuse, new york 13202

315.424.0018

www.macknightarchitects.com



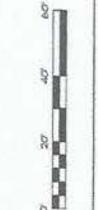
REVISIONS		DATE
1	BY	11/20/14
2	BY	
3	BY	
4	BY	
5	BY	
6	BY	
7	BY	
8	BY	
9	BY	
10	BY	

MERRELL SOULE BUILDING
 600 NORTH FRANKLIN STREET
 SYRACUSE, NEW YORK 13204

KEY PLAN
 SCALE 1/8"=1'-0"

IT IS A WARNING OF THE
 NEW YORK STATE
 PROFESSIONAL ENGINEERING
 BOARD THAT ANY
 ARCHITECTURAL DRAWING
 PREPARED WITHOUT THE
 SIGNATURE OF A REGISTERED
 ARCHITECT IS UNLAWFUL
 AND VOID.

mac/knight
 architects
 212 north Franklin St
 Syracuse, NY 13202
 Phone: 315.487.2222
 Fax: 315.487.2222



10 EXISTING SECOND FLOOR PLAN
 SCALE: 1/8"=1'-0"

A-002



F-7 3rd FLOOR— Detail of the original strip wood flooring with a plywood overlay and VAT and Painted Cementitious Traffic Surface



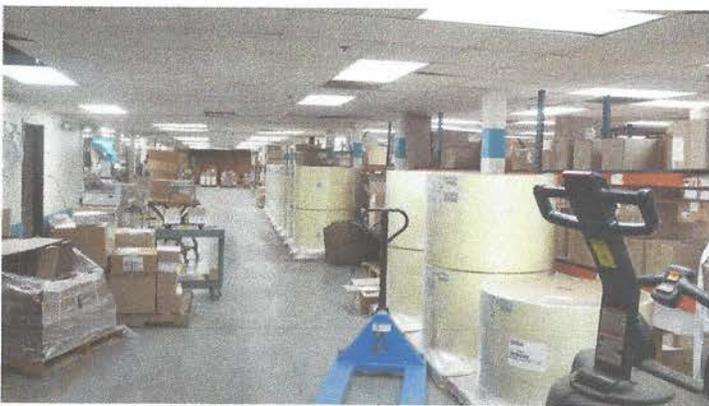
F-8 3rd FLOOR—Wood strip flooring with rubber traffic surface—Note: Wood strip flooring is in poor condition with warping and deterioration of the surface and along the joints.



F-1 1st FLOOR—PAINTED CONCRETE



F-2 1st FLOOR—PAINTED CONCRETE



F-3 2nd FLOOR—PAINTED CONCRETE



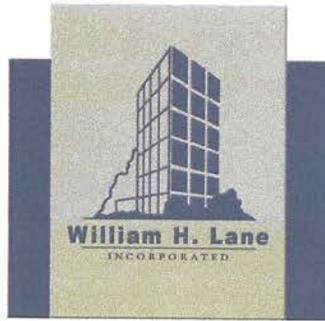
F-4 2nd FLOOR—PAINTED CONCRETE



F-5 3rd FLOOR—PAINTED CONCRETE



F-6 3rd FLOOR—WOOD STRIP FLOORING



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EXHIBIT "B"

QUESTION 2

Traffic Studies (Dept. of Public Works)

Transportation Impact Studies (TIS) may be required when changes in land use, new development, or site access are proposed. A TIS evaluates the effects that a change in traffic volumes or travel patterns will have on the transportation network.

A TIS may be required for a project that is expected to result in 100 or more added (new) trips during the adjacent roadways peak hour or the development's peak hour. The TIS should include a site plan and capacity analysis of existing, future no-build and future build conditions. The TIS must use the latest version of SYNCHRO, and must include all site access points and all signalized intersections that are expected to see an increase of 100+ vehicles per hour.

All traffic impact study (TIS) scopes should be reviewed and accepted by the City prior to start of study to determine study area and what specific analysis may need to be included (shown below).

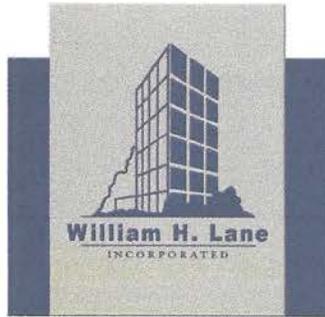
Depending on type of development or location, the TIS may include some or all of the following:

- > data used should be at the most 3 years old (maybe more recent depending upon location) and should be collected on Tuesday, Wednesday or Thursday during a typical week (no holidays/school is in session/no major construction in area) but this may change based on type of development
- > existing, future (design year) no-build and future analysis – all known development in area should be included in future analyses
- > gap analysis
- > queuing analysis
- > sight distance analysis for access points
- > accident analysis
- > inclusion of mode share/internal capture/pass-by credits
- > bike/pedestrian/transit considerations (counts at all intersections/accommodations)
- > parking considerations (gain/loss, assessment of access and control, etc.)
- > proposed on-street regulations noting loss of on-street parking, loading zones or relocation of bus stops
- > mitigation recommendations, if necessary
- > must submit electronic SYNCHRO files (signal timings/phasing should be requested if part of the City's interconnect system but should also be field verified)

Additional information can be found in the Transportation Impact Analyses for Site Development from the Institute of Transportation Engineers.

For questions please contact Neil Milcarek-Burke, Transportation Planner, at (315) 448-4742 or NMilcarek-Burke@syrgov.net.

- 2020 Syracuse Services Guide
- DPW FAQs
- F.O.G. - Residential Fat, Oil and Grease Disposal
- Handicapped Parking Permits / Metered Parking Waivers
- Permits and Forms
- Service Requests
- Sewer Department
- Sewer System DON'TS
- Sidewalk Maintenance
- Sharps Disposal Regulation
- Syracuse Bike Plan
- Syracuse LED Street Lights
- Traffic Studies
- Trash Pickup - Commercial
- Trash Pickup - Residential
- Quadrant Pickup Schedule for Yardwaste:
- >Northeast Quadrant Schedule
- >Southeast Quadrant Schedule
- >Southwest Quadrant Schedule
- >Northwest Quadrant Schedule



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EXHIBIT “D”

QUESTION 8

Syracuse Water Department



Watson, Rick

From: Kelchner, Kim R. <KKelchner@syr.gov.net>
Sent: Thursday, April 2, 2020 2:39 PM
To: Watson, Rick
Subject: RE: 600 N Franklin
Attachments: 600 north franklin.pdf

The general max system pressure at the hydrant in front of the building is 100psi. The domestic water is listed as 128 Solar Street and believe it is represented on the print.

From: Watson, Rick [mailto:rwatson@whlane.com]
Sent: Thursday, April 02, 2020 11:03 AM
To: Kelchner, Kim R.
Subject: 600 N Franklin

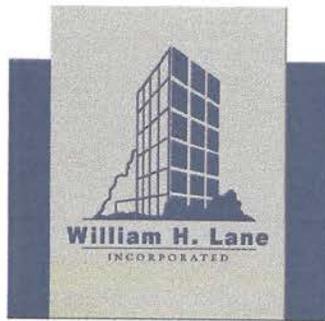
Kim,

I greatly appreciate your time this morning. As we talked about, I work for William H. Lane Incorporated who is in the process of buying the building at 600 N Franklin Street in Franklin Square, Syracuse. The building already has both a Domestic Water Service along with a full operating sprinkler service as it currently houses several commercial tenants including the Central Rock Gym, Power Engineers, Resort Funding and Northland. These tenants will remain. Our plan is to repurpose a portion of the building to house 46 new residential apartment units. The city has required us to reach out to make sure that repurposing a part of this existing building to apartment units will not have an ill effect on the city water system. I understand that you need a maximum water demand study. I've notified my MEP Engineer who is working on that now. We would ask that the water department provide Fire flow information along with a Fire Flow Test if necessary. I greatly appreciate your help on this project.

Kind regards,

Rick

Rick Watson
Project Manager
William H. Lane Incorporated
113 Court Street
Binghamton, NY 13901
O. 607-775-0600 Ext. 226
M. 607-422-0829
rwatson@whlane.com
whlane.com



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E-Mail: info@whlane.com <http://www.whlane.com>

EXHIBIT "E"

QUESTION 10



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 7

Spill Number: 1702616

Spill Date/Time

Spill Date: 06/16/2017 **Spill Time:** 08:30:00 AM

Call Received Date: 06/16/2017 **Call Received Time:** 10:05:00 AM

Location

Spill Name: WESTSIDE OF BUILDING

Address: 102 WEST DIVISION ST

City: SYRACUSE **County:** Onondaga

Spill Description

Material Spilled	Amount Spilled	Resource Affected
unknown petroleum	UNKNOWN	Soil

Cause: Unknown

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: 10/17/2017

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

[Refine This Search](#)

[Return To Results](#)



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 7

Spill Number: 1609292

Spill Date/Time

Spill Date: 10/27/2016 **Spill Time:** 03:00:00 PM

Call Received Date: 01/05/2017 **Call Received Time:** 03:14:00 PM

Location

Spill Name: SYRACUSE SCALE COMPANY

Address: 156 - 158 SOLAR ST

City: SYRACUSE **County:** Onondaga

Spill Description

Material Spilled	Amount Spilled	Resource Affected
unknown petroleum	UNKNOWN	Soil , Groundwater

Cause: Unknown

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: 01/06/2017

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

[Refine This Search](#)

[Return To Results](#)



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 7

Spill Number: 1510730

Spill Date/Time

Spill Date: 02/04/2016 **Spill Time:** 09:00:00 AM

Call Received Date: 02/04/2016 **Call Received Time:** 09:10:00 AM

Location

Spill Name: STORM SEWER

Address: SOLAR STREET

City: SYRACUSE **County:** Onondaga

Spill Description

Material Spilled	Amount Spilled	Resource Affected
unknown material	25 Gal.	Groundwater , Sewer

Cause: Unknown

Source: Unknown

Waterbody:

Record Close

Date Spill Closed: 05/16/2017

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

[Refine This Search](#)

[Return To Results](#)



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 7

Spill Number: 1700417

Spill Date/Time

Spill Date: 04/13/2017 **Spill Time:** 09:00:00 AM

Call Received Date: 04/13/2017 **Call Received Time:** 10:55:00 AM

Location

Spill Name: CONSTRUCTION SITE

Address: 102 WEST DIVISION STREET

City: SYRACUSE **County:** Onondaga

Spill Description

Material Spilled	Amount Spilled	Resource Affected
unknown petroleum	UNKNOWN	Soil

Cause: Unknown

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: 04/26/2017

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

[Refine This Search](#)

[Return To Results](#)

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

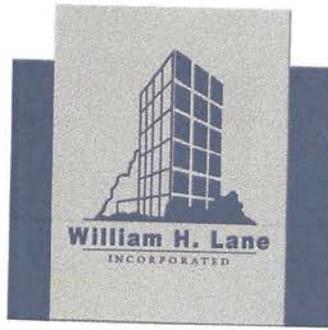
e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 1609292; 1700417; 1702616; 1510730;
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
1609292 - spill closed on 1/6/2017 - no further action; 1700417 - Spill closed on 04/26/2017 - no further action; 1702616 - spill closed on 10/17/2017 - no further action; 1510730 - spill closed on 05/16/2017 - no further action.



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EXHIBIT "C"

QUESTION 5 & 6

Limited XRF Lead-Based Paint Inspection

Performed at:

600 North Franklin Street
Syracuse, New York 13204

Performed for:

Paradigm, LLC
6950 East Genesee Street
Fayetteville, New York 13066

December 13, 2019

Envoy Project #: E19-1492



ENVOY

environmental consultants, inc.

57 Ambrose Street
Rochester, New York 14608

**Limited XRF Lead-Based Paint Inspection
600 North Franklin Street
Syracuse, New York 13204**

TABLE OF CONTENTS

1.0	Executive Summary	Page 2
2.0	Introduction	Page 3
3.0	Definitions	Page 5
4.0	Limitations	Page 7
5.0	Conclusions	Page 8

Appendix A.....	XRF Summary of Lead-Based Paint Readings
Appendix B.....	XRF Sequential Instrument Data
Appendix C.....	Drawings
Appendix D.....	Component Identification Sheets
Appendix E.....	Performance Characteristic Sheets
Appendix F.....	Certifications

1.0 Executive Summary

- A limited XRF lead-based paint inspection was performed at 600 North Franklin Street, Syracuse, New York. The inspection was conducted on December 13, 2019.
- Fifteen (15) applications of Lead-based paint were identified on the surfaces tested. These results can be found in Appendix A of this report.
- This inspection is not intended to conform to U.S. Department of Housing and Urban Development (USHUD) requirements since it does not meet the definition of a surface by surface inspection as described in Chapter 7 of the USHUD Guidelines.
- Testing is limited to the specific building components identified in this report and does not represent painting histories in other portions of the building.

2.0 Introduction

Envoy Environmental Consultants, Inc. (Envoy) was retained by Paradigm, LLC on December 13, 2019 to conduct an inspection for the presence of lead-based paint through XRF analysis at 600 North Franklin Street, Syracuse, New York. The predominant construction materials observed were drywall, wood, metal, ceramic and brick. The construction date of the building is unknown.

Envoy holds a New York State Department of Health Radioactive Materials License to own and operate an X-Ray Fluorescence (XRF) lead paint analyzer. We have been certified under the Toxic Substances Control Act, Section 402(a)(1), allowing the company to conduct LBP activities pursuant to 40 CFR Part 745.226. Certified Lead Inspector, Mr. Geoff Siebert, conducted this inspection with procedures and guidelines required by the U.S. Environmental Protection Agency (USEPA).

All lead-based paint inspections are performed in accordance with Chapter 7 of The U.S. Department of Housing and Urban Development Guidelines (USHUD), and the U.S. Environmental Protection Agency, since they are the only regulatory agencies defining procedures for conducting XRF lead-based paint inspections. Paint is categorized as lead-based if the XRF analyzer registers a reading of 1.0 mg/cm² or above, according to the USHUD standard. Envoy reports lead-based paint levels in mg/cm² because this unit of measurement does not depend on the number of layers of non-lead-based paint and can usually be obtained without damaging the painted surfaces. Positive, negative, and inconclusive XRF readings are determined in accordance with the XRF instruments Performance Characteristic Sheets as described by the HUD Guidelines.

Envoy owns and operates a RMD LPA-1 Lead Paint Analyzer. The serial number of this instrument is 2829 and was sourced on February 16, 2018. The LPA-1 Lead Paint Analyzer is an analytical radiation instrument used in quantitative analysis of lead in paint for various substrates. The LPA-1 is a spectrum analyzer that resolves the lead X-Ray intensity from interfering radiation. The XRF LPA-1 instrument has a ³/₈ inch penetration depth for the detection of lead. Anything beyond this depth will cause no reading and can go undetected. A radioactive material, Cobalt 57, is used as the radiation source in this device for nondestructive method of sample analysis.

For each room, hallway, or exterior site to be inspected, testing combinations are identified based on the inspectors training. A testing combination represents the room equivalent, the component type, and the substrate. A room equivalent is an identifiable part of a building (e.g., classroom, hallway, basement, etc.). Painted surfaces include any surface coated with paint, shellac, varnish, stain, paint covered by wallpaper, or any other coating.

USHUD Guidelines recommend classifying substrates into one of the six substrate types listed in Table 1. Additionally, certain substrates may register a reading on the XRF lead paint analyzer in the inconclusive range.



Table 1

Substrate	Inconclusive Range
Brick	None
Concrete	None
Drywall	None
Metal	0.9 to 1.3 mg/cm ²
Plaster	0.9 to 1.3 mg/cm ²
Wood	None

When the XRF lead paint analyzer registers a reading in the inconclusive range, or a substrate cannot be tested due to irregular size and shape, the Certified Lead Inspector is then required to collect a paint chip sample to determine the presence of lead. If paint chip samples are collected, lead-based paint is present when the concentration is 0.5 percent by weight or above. The inspection conducted at this location did not register any readings in the inconclusive range.

3.0 Definitions

Abatement: A measure or set of measures designed to permanently eliminate lead-based paint hazards or lead-based paint. Abatement strategies include the removal of lead-based paint, enclosure, encapsulation, replacement of building components coated with lead-based paint, removal of lead-contaminated dust, and removal of lead-contaminated soil or overlaying of soil with a durable covering such as asphalt (grass and sod are considered interim control measures). All of these strategies require preparation; cleanup; waste disposal; post abatement clearance testing; recordkeeping; and, if applicable, monitoring.

Deteriorated lead-based paint: Any lead-based paint coating on a damaged or deteriorated surface or fixture, or any interior or exterior lead-based paint that is peeling, chipping, blistering, flaking, worn, chalking, alligating, cracking, or otherwise becoming separated from the substrate.

Encapsulation: Any covering or coating that acts as a barrier between lead-based paint and the environment, the durability of which relies on adhesion and the integrity of the existing bonds between multiple layers of paint and between the paint and the substrate.

Friction surface: An interior or exterior surface that is subject to abrasion or friction, including, but not limited to, certain window, floor, and stair surfaces.

Impact surface: An interior or exterior surface that is subject to damage by repeated sudden force such as certain parts of door frames.

Interim controls: A set of measures designed to temporarily reduce human exposure or possible exposure to lead-based paint hazards. Such measures include specialized cleaning, repairs, maintenance, painting, temporary containment, and management and resident education programs. Monitoring, conducted by owners, and reevaluations, conducted by professionals, are integral elements of interim control. Interim controls include dust removal; paint film stabilization; treatment of friction and impact surfaces; installation of soil coverings, such as grass or sod; and land-use controls.

USHUD Guidelines: The USHUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (the Guidelines) provide detailed, comprehensive, technical information on how to identify lead-based paint hazards in housing and how to control such hazards safely and efficiently. The goal of the Guidelines is to help property owners, private contractors, and Government agencies sharply reduce children's exposure to lead without unnecessarily increasing the cost of housing.

Lead-based paint: Lead-based paint means paint or surface coatings that contain lead equal to or greater than 1.0 mg/cm² or 0.5 percent by weight. (Equivalent units are: 5,000 µg/g, 5,000 mg/kg, or 5,000 ppm by weight) Surface coatings include paint shellac, varnish, or any other coating, including wallpaper which covers painted surfaces.

Lead-based paint hazard: A condition in which exposure to lead from lead-contaminated dust, lead-contaminated soil, or deteriorated lead-based paint would have an adverse effect on human health (as established by the EPA Administrator under Title IV of the Toxic Substances Control Act). Lead-based paint hazards include for example, deteriorated lead-based paint, leaded dust levels above applicable standards, and bare leaded soil above applicable standards.

Monitoring: Surveillance to determine (1) that known or suspected lead-based paint is not deteriorating, (2) that lead-based paint hazard controls, such as paint stabilization, enclosure, or encapsulation have not failed, (3) that structural problems do not threaten the integrity of hazard controls or of known or suspected lead-based paint, and (4) that dust lead levels have not risen above applicable standards. There are two types of monitoring activities; visual surveys by property owners and reevaluations by certified risk assessors. Visual surveys are generally conducted annually for the purpose of making the first three determinations listed above.

OSHA: The occupational safety and health administration ensures safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance. Section 1926.62 targets employee lead exposure during construction activities. The full standard can be found at:

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10641

Paint film stabilization: The process of wet scraping, priming, and repainting surfaces coated with deteriorated lead-based paint; paint film stabilization includes cleanup and clearance.

Renovation Repair and Painting Law 40 CFR Part 745: Requires that renovations required for compensation, must be performed by certified firms, using certified renovators. Renovation firms that anticipate on working in pre-1978 homes and child occupied facilities must apply to the EPA and pay a fee in order to be certified. Firms certified in the RRP law must follow lead safe work practices including initial and final lead testing.

Substrate: The substrate is the material underneath the paint. Substrates should be classified into one of six types: brick, concrete, drywall, metal, plaster, or wood. These substrates cover almost all building materials that are painted and are linked to those used in the *XRF Performance Characteristic Sheets*.

Target Housing: Any residential unit constructed before 1978, except dwellings that do not contain bedrooms or dwellings that were developed specifically for the elderly or persons with disabilities—unless a child younger than 6 resides or is expected to reside in the dwelling.

XRF analyzer: An instrument that determines lead concentration in milligrams per square centimeter (mg/cm²) using the principle of x-ray fluorescence (XRF). Two types of XRF analyzers are used—direct readers and spectrum analyzers. In the *HUD Guidelines*, the term XRF analyzer only refers to portable instruments manufactured to analyze paint, and does not refer to laboratory-grade units or portable instruments designed to analyze soil.

Source: USHUD Guidelines

4.0 Limitations

The information provided in this report was compiled from field notes, instrument data, and visual assessment. Observations noted and recorded are intended to represent the conditions that existed at the subject site at the time and date that the observations were made. The results of this inspection are applicable to the specified buildings on the date(s) indicated in this report. Future activities at these buildings may alter the results of this report.

All surfaces tested have been assigned a paint condition. These designations are either intact, or deteriorated. Areas where deteriorated paint was observed (peeling, chipping, flaking and chalking) which may pose a lead hazard have been distinguished with the letter "D" in the Summary and Sequential Page of this report. Locations where lead-based paint has been considered intact by the inspector at the time of inspection have been distinguished with the letter "I".

Determinations of lead-based paint were subject to the accessibility of individual areas or spaces. Walls were assigned the letters A, B, C, or D for purposes of reading this report and understanding which wall in a particular room was sampled. The wall regarded as "A" wall will always be the address side wall of the school. Walls B, C, and D shall follow clockwise in succession.

Contractors shall be aware the XRF device is used for non-residential inspections as a screening tool only. According to OSHA, only personal air monitoring results can be used to clearly demonstrate that employees will not be exposed at, or above, the lead action level during any process, operation, or activity. For the purpose of the OSHA regulation, any paint chip or XRF result over zero must be considered lead-based paint.

5.0 Conclusions

A limited XRF lead-based paint inspection was performed by Envoy at 600 North Franklin Street, Syracuse New York. The inspection was conducted on December 13, 2019 in order to identify building components containing lead-based paint.

The limited XRF inspection identified fifteen (15) locations of lead-based paint (as defined by USHUD) on the surfaces tested.

The Summary page for XRF data is located in Appendix A. This summary includes all positive lead-based paint readings, which indicate the components that were determined to have instrument readings at or over the HUD abatement level of 1.0 mg/cm². The Sequential page for XRF data is located in Appendix B. This page represents each reading taken by the LPA-1 Lead Paint Analyzer.

A copy of this report will remain on file at Envoy's main office located at 57 Ambrose Street, Rochester, New York, 14608. EPA rules (40 CFR part 745) require all reports are maintained by the certified firm for no less than 3 years.

Envoy Environmental Services, Inc. appreciates this opportunity to provide these professional lead consulting services. For more information please contact our main office at (585) 454-1060.

Certified Lead Risk Assessor Ted Tronnes certifies the accuracy of this report on January 06, 2020.

 FOR:

Ted Tronnes
Lead Risk Assessor
Envoy Environmental Consultants, Inc.

Appendix A

Lead-Based Paint Summary Report

The Summary Report on the following page represents each positive reading taken by the LPA-1 Lead Based Paint Analyzer. Our investigation at the Sibley Corner project located at 600 North Franklin Street, Syracuse, New York resulted with fifteen (15) readings above the HUD/ EPA lead abatement standard of 1.0 mg/cm² in relation to the areas tested. These findings are based specifically on testing combinations selected by the inspector.

All parties shall be aware that any concentration of lead above zero, according to the OSHA standard, shall trigger the requirements set forth in 1926.62.

Interpreting the Summary of Lead Based Paint Inspection Report

EXAMPLE: Interior Room 001 6-1

- Interior Room - Interior room
- 001- Number of space/room/area tested. This does not correspond to room number.
- 6 - Refers to floor of building tested. In this case, the sixth floor.
- - 1 Refers to the room number where testing occurred on the specified floor. In this case, Room 1.

Lead Paint Standards

OSHA: >0.0 mg/cm², or >0.0% by weight

NYS/USHUD: >/= 1.0 mg/cm², or >/= 0.5% by weight

The following page consists of the Summary Report (lead-based paint readings) recorded by the LPA-1 Lead Based Paint Analyzer during the field inspection.

SUMMARY REPORT OF LEAD PAINT INSPECTION FOR: Paradigm, LLC

Inspection Date: 12/13/19
 Report Date: 1/6/2020
 Abatement Level: 1.0
 Report No. S#02829 - 12/13/19 09:45
 Total Readings: 88 Actionable: 15
 Job Started: 12/13/19 09:45
 Job Finished: 12/13/19 11:52

600 North Franklin Street
 Syracuse, New York 13204

Reading No.	Wall	Structure	Location	Member	Paint Cond	Substrate	Color	Lead (mg/cm ²)	Mode
Interior Room 002 1-Grafek									
011	C	Wall	U Ctr		I	Block	White	1.0	QM
Interior Room 005 1-hallway									
027	C	FireDoor	Ctr		I	Metal	White	>9.9	QM
030	C	FireDoor	Ctr		I	Metal	White	5.3	QM
Interior Room 006 1-Bindery									
033	A	Wall	U Ctr		I	Ceramic	Tan	3.3	QM
040	B	ClngrAirPpe	Ctr		I	Metal	White	5.9	QM
Interior Room 007 1-Storage									
042	B	Column	Ctr		I	Wood	White	2.4	QM
Interior Room 008 2-EnvelDept									
052	C	Stringer	Ctr		I	Metal	Green	1.0	QM
055	C	FireDoor	Ctr		I	Metal	White	7.2	QM
Interior Room 009 2-FreightEl									
059	C	InnerDoor	Ctr		I	Wood	Yellow	1.0	QM
Interior Room 010 2-Shipping									
060	A	Wall	U Ctr		I	Brick	White	3.1	QM
064	B	Wall	U Ctr		I	Brick	White	4.9	QM
063	B	Column	Ctr		I	Wood	White	2.2	QM
Interior Room 011 3-Warehouse									
071	C	FoorDire	Ctr		I	Metal	Green	5.9	QM
Interior Room 012 3-Stairwell									
080	A	Wall	U Ctr		I	Wood	White	2.2	QM
081	A	Wall	U Ctr		I	Wood	Green	2.3	QM
----- End of Readings -----									

Appendix B

XRF Sequential Instrument Data

The Sequential Report on the following pages represents each reading taken by the LPA-1 Lead Based Paint Analyzer. These findings illustrate all testing combinations selected by the inspector including readings above and below the HUD abatement level of 1.0 mg/cm².

Before XRF testing begins, the inspector must ensure the instrument is operating properly. This is performed by calibrating the instrument. Readings on the Sequential Page specified as CALIBRATION are the instruments calibration readings taken before and after each inspection. If an inspection takes longer than 4 hours, CALIBRATION is then performed mid-shift.

During calibration, three readings are taken on a painted portion of the standard reference material and three readings are taken on the non-painted portion of the standard reference material. The standard reference material used in this inspection is commonly referred to as a NIST (Nation Institute of Standards and Technology) block which is composed of lead paint in the value of 1.0 mg/cm². The last three readings are taken on the back of the NIST block which is composed on a non-painted wood surface providing readings below the HUD/EPA standard of 1.0 mg/cm². These readings typically range from -0.1 mg/cm² to 0.3 mg/cm².

Once all CALIBRATION readings have been averaged representing successful results using the instruments Performance Characteristic Sheets, the XRF Lead-based inspection can begin.

LEAD PAINT INSPECTION REPORT

REPORT NUMBER: S#02829 - 12/13/19 09:45

INSPECTION FOR: Paradigm, LLC
6950 East Genesee Street
Fayetteville, New York 13066

PERFORMED AT: 600 North Franklin Street
Syracuse, New York 13204

INSPECTION DATE: 12/13/19

INSTRUMENT TYPE: R M D
MODEL LPA-1
XRF TYPE ANALYZER
Serial Number: 02829

ACTION LEVEL: 1.0 mg/cm²

OPERATOR LICENSE: LBP-R-166851-2

Envoy Environmental Consultants, Inc.
57 Ambrose Street
Rochester, New York 14608

SIGNED: 
Geoff Siebert

Date: 12.13.19

SEQUENTIAL REPORT OF LEAD PAINT INSPECTION FOR: Paradigm, LLC

Inspection Date: 12/13/19
 Report Date: 1/6/2020
 Abatement Level: 1.0
 Report No. S#02829 - 12/13/19 09:45
 Total Readings: 88
 Job Started: 12/13/19 09:45
 Job Finished: 12/13/19 11:52

600 North Franklin Street
 Syracuse, New York 13204

Read No.	Rm No.	Room Name	Wall Structure	Location	Member	Paint		Color	Lead (mg/cm ²)	Mode
						Cond	Substrate			
1		CALIBRATION							0.8	TC
2		CALIBRATION							0.7	TC
3		CALIBRATION							0.8	TC
4		CALIBRATION							-0.2	TC
5		CALIBRATION							-0.3	TC
6		CALIBRATION							-0.3	TC
7	001	1-Flat Dept	A Wall	U Ctr		I Drywall		White	-0.2	QM
8	001	1-Flat Dept	C Column	Ctr		I Wood		Blue	-0.1	QM
9	001	1-Flat Dept	C Column	Ctr		I Wood		White	-0.1	QM
10	002	1-Grafek	A Wall	U Ctr		I Ceramic		White	-0.5	QM
11	002	1-Grafek	C Wall	U Ctr		I Block		White	1.0	QM
12	002	1-Grafek	C Wall	U Ctr		I Wood		White	-0.4	QM
13	002	1-Grafek	C Wall	U Ctr		I Wood		White	-0.5	QM
14	002	1-Grafek	D Wall	U Ctr		I Wood		White	-0.3	QM
15	002	1-Grafek	A Column	Ctr		I Wood		White	0.1	QM
16	002	1-Grafek	A ClngrBeam	Ctr		I Wood		White	-0.1	QM
17	002	1-Grafek	A Column	Ctr		I Metal		White	-0.6	QM
18	002	1-Grafek	A ClngrDuct	Ctr		I Metal		White	-0.7	QM
19	002	1-Grafek	C SprnklrPip	Ctr		I Metal		Red	-0.5	QM
20	003	1-Art Dept	B Wall	U Ctr		I Drywall		White	-0.3	QM
21	003	1-Art Dept	C Wall	U Ctr		I Drywall		White	-0.2	QM
22	003	1-Art Dept	B Column	Ctr		I Drywall		White	-0.6	QM
23	003	1-Art Dept	B Door	Ctr		I Metal		White	-0.1	QM
24	003	1-Art Dept	B DoorCase	Ctr		I Metal		White	-0.3	QM
25	003	1-Art Dept	A Wall	U Ctr		I Brick		Cream	-0.3	QM
26	004	1-DvMarOffc	D Wall	U Ctr		I Drywall		Blue	-0.4	QM
27	005	1-hallway	C FireDoor	Ctr		I Metal		White	>9.9	QM
28	005	1-hallway	C Wall	U Ctr		I Brick		White	-0.3	QM
29	005	1-hallway	C Wall	U Ctr		I Brick		Blue	-0.3	QM
30	005	1-hallway	C FireDoor	Ctr		I Metal		White	5.3	QM
31	005	1-hallway	C ElevtrDoor	Ctr		I Metal		Green	0.0	QM
32	005	1-hallway	C ElvtrDrCase	Ctr		I Metal		Green	-0.4	QM
33	006	1-Bindery	A Wall	U Ctr		I Ceramic		Tan	3.3	QM
34	006	1-Bindery	A Wall	U Ctr		I Brick		White	-0.3	QM
35	006	1-Bindery	D Door	Ctr		I Wood		Brown	-0.1	QM
36	006	1-Bindery	D DoorCase	Ctr		I Wood		Brown	-0.3	QM
37	006	1-Bindery	D Wall	U Ctr		I Block		White	-0.4	QM
38	006	1-Bindery	B Column	Ctr		I Metal		White	-0.6	QM
39	006	1-Bindery	B ClngrBeam	Ctr		I Metal		White	-0.2	QM

SEQUENTIAL REPORT OF LEAD PAINT INSPECTION FOR: Paradigm, LLC

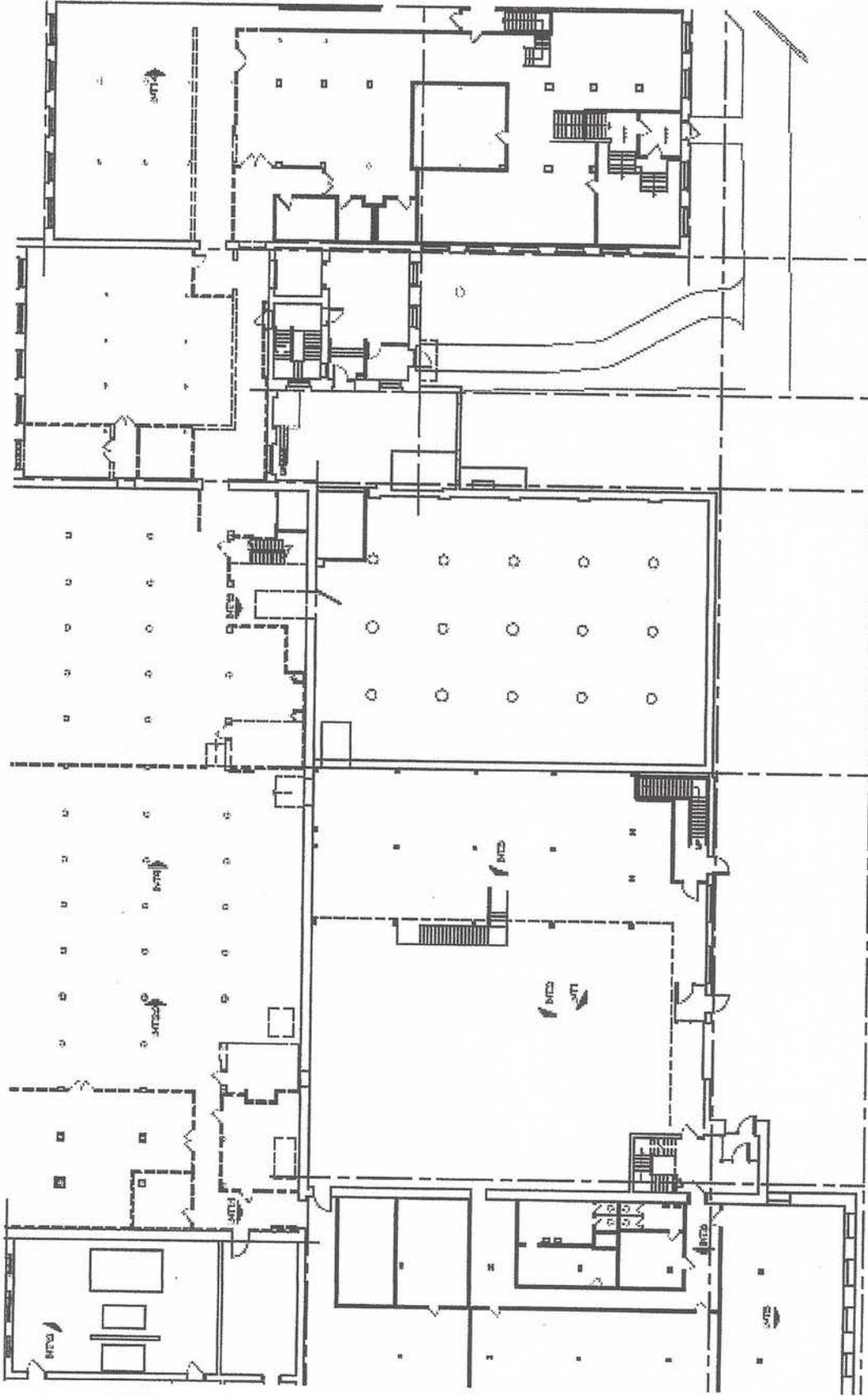
Read No.	Rm No.	Room Name	Wall Structure	Location	Member	Paint Cond	Substrate	Color	Lead (mg/cm ²)	Mode
40	006	1-Bindery	B ClngrAirPpe		Ctr	I Metal		White	5.9	QM
41	006	1-Bindery	B Floor		Ctr	I Concrete		Blue	-0.6	QM
42	007	1-Storage	B Column		Ctr	I Wood		White	2.4	QM
43	007	1-Storage	B Ceiling		Ctr	I Wood		White	-0.5	QM
44	008	2-EnvelDept	A Wall		U Ctr	I Drywall		White	-0.3	QM
45	008	2-EnvelDept	A Wall		U Ctr	I Drywall		Blue	-0.3	QM
46	008	2-EnvelDept	C #3DoorCase		Ctr	I Metal		Brown	-0.3	QM
47	008	2-EnvelDept	C Wall		U Ctr	I Brick		White	-0.4	QM
48	008	2-EnvelDept	C Wall		U Ctr	I Brick		Blue	-0.4	QM
49	008	2-EnvelDept	C #6Door		Ctr	I Metal		Brown	-0.4	QM
50	008	2-EnvelDept	C #6DoorCase		Ctr	I Metal		Brown	-0.4	QM
51	008	2-EnvelDept	C Handrail		Ctr	I Metal		Yellow	-0.1	QM
52	008	2-EnvelDept	C Stringer		Ctr	I Metal		Green	1.0	QM
53	008	2-EnvelDept	C Floor		Ctr	I Concrete		Gray	-0.7	QM
54	008	2-EnvelDept	A Column		Ctr	I Wood		White	-0.1	QM
55	008	2-EnvelDept	C FireDoor		Ctr	I Metal		White	7.2	QM
56	008	2-EnvelDept	C EleDoorCase		Ctr	I Metal		Brown	-0.4	QM
57	008	2-EnvelDept	C EleDoorCase		Ctr	I Metal		Brown	-0.6	QM
58	009	2-FreightEl	D Wall		U Ctr	I Wood		Blue	-0.5	QM
59	009	2-FreightEl	C InnerDoor		Ctr	I Wood		Yellow	1.0	QM
60	010	2-Shipping	A Wall		U Ctr	I Brick		White	3.1	QM
61	010	2-Shipping	C Wall		U Ctr	I Drywall		White	-0.3	QM
62	010	2-Shipping	C Floor		Ctr	I Wood		Gray	-0.2	QM
63	010	2-Shipping	B Column		Ctr	I Wood		White	2.2	QM
64	010	2-Shipping	B Wall		U Ctr	I Brick		White	4.9	QM
65	011	3-Warehouse	A Wall		U Ctr	I Brick		White	0.1	QM
66	011	3-Warehouse	B Wall		U Ctr	I Brick		White	-0.4	QM
67	011	3-Warehouse	C Wall		U Ctr	I Wood		White	0.3	QM
68	011	3-Warehouse	D Wall		U Ctr	I Wood		Green	0.1	QM
69	011	3-Warehouse	C FrghtELDR		Ctr	I Metal		Gray	0.1	QM
70	011	3-Warehouse	C FrgtELDrCse		Ctr	I Metal		Gray	-0.6	QM
71	011	3-Warehouse	C FoorDire		Ctr	I Metal		Green	5.9	QM
72	011	3-Warehouse	C ElectricBox		Ctr	I Metal		Yellow	-0.6	QM
73	011	3-Warehouse	C FloorStrip		Ctr	I Wood		Yellow	-0.3	QM
74	011	3-Warehouse	C FloorStrip		Ctr	I Wood		White	-0.3	QM
75	011	3-Warehouse	C Floor		Ctr	I Concrete		Red	-0.6	QM
76	012	3-Stairwell	B Handrail		Ctr	I Wood		Green	-0.4	QM
77	012	3-Stairwell	B StairTread		Ctr	I Wood		Brown	-0.4	QM
78	012	3-Stairwell	B StairRiser		Ctr	I Wood		Brown	0.0	QM
79	012	3-Stairwell	B Floor		Ctr	I Wood		Brown	-0.2	QM
80	012	3-Stairwell	A Wall		U Ctr	I Wood		White	2.2	QM
81	012	3-Stairwell	A Wall		U Ctr	I Wood		Green	2.3	QM
82	012	3-Stairwell	B SprnklrPipe		Ctr	I Metal		Red	-0.3	QM
83		CALIBRATION							0.8	TC
84		CALIBRATION							0.7	TC
85		CALIBRATION							0.7	TC
86		CALIBRATION							-0.2	TC

SEQUENTIAL REPORT OF LEAD PAINT INSPECTION FOR: Paradigm, LLC

Read No.	Rm No.	Room Name	Wall Structure	Location	Member	Paint Cond	Substrate	Color	Lead (mg/cm ²)	Mode
87		CALIBRATION							-0.3	TC
88		CALIBRATION							-0.3	TC
----- End of Readings -----										

A

B



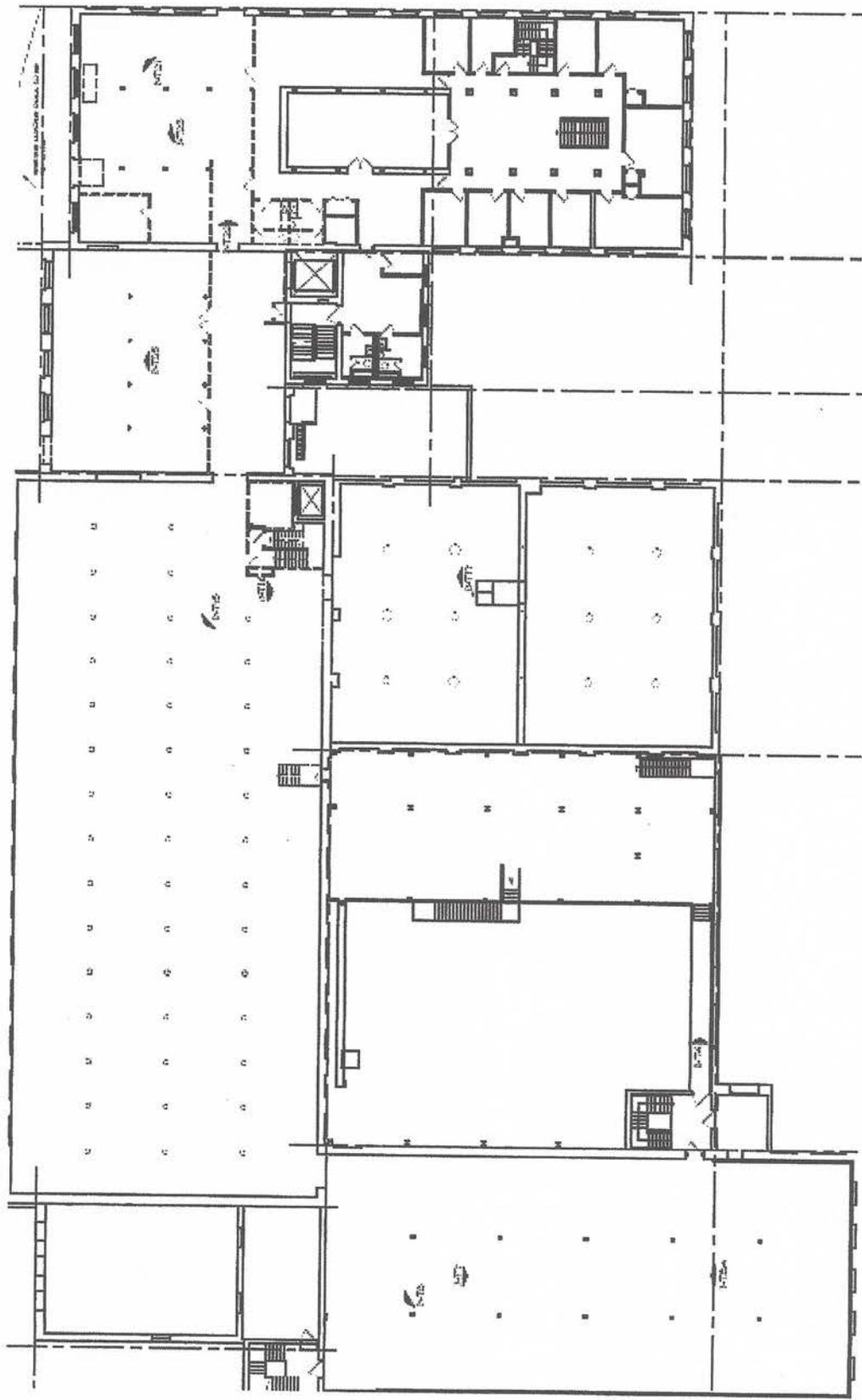
C

D

Client: Paradigm, LLC
 Location: 600 North Franklin Street, Syracuse, New York
 Work Area: 1st Floor
 Work Performed: Limited XRF-Paint Based Inspection
 Date: December 13, 2019
 Project #: E19-1492

ENVOY
environmental consultants, inc.

A



B

C

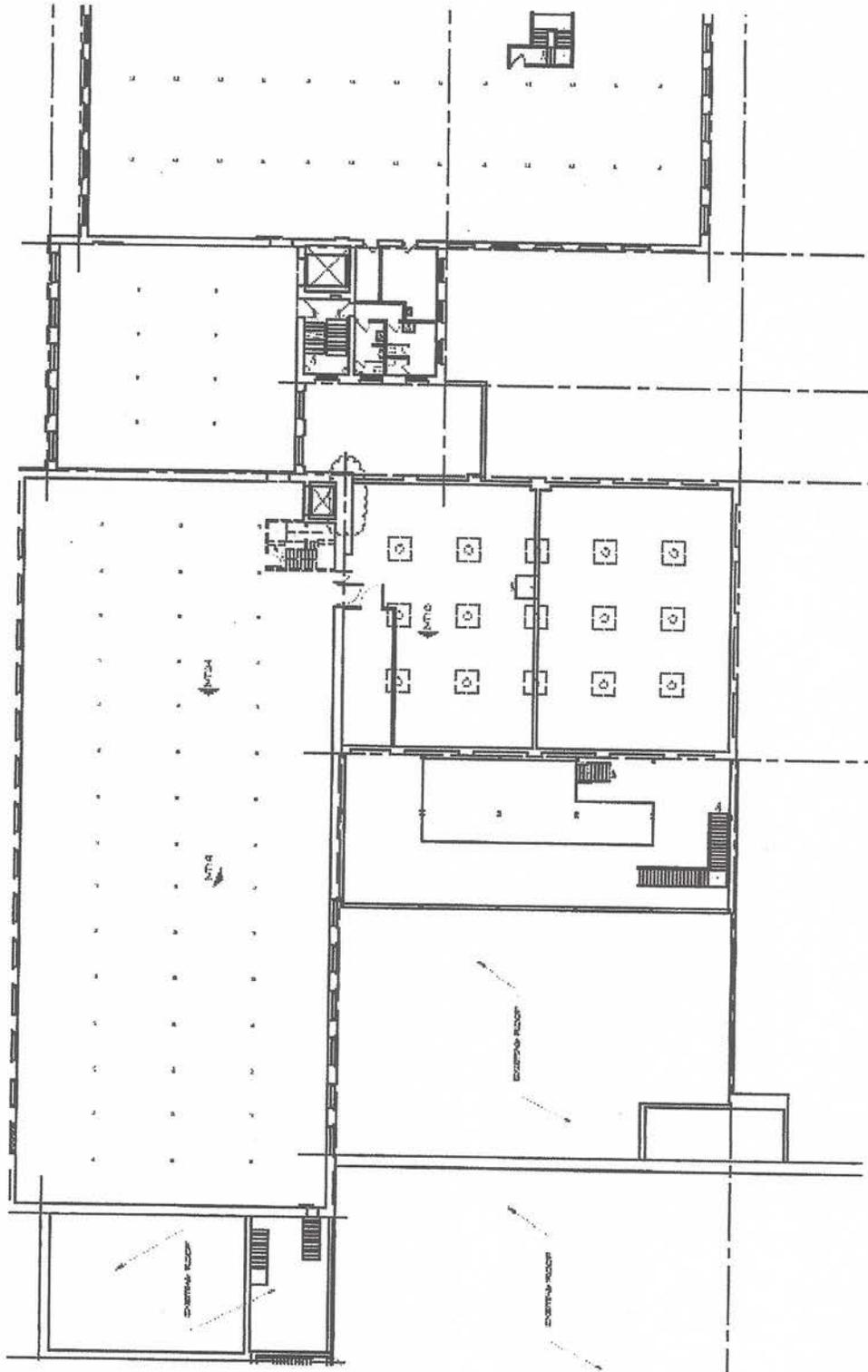
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Client: Paradigm, LLC
Location: 600 North Franklin Street, Syracuse, New York
Work Area: 2nd Floor
Work Performed: Limited XRF-Paint Based Inspection
Date: December 13, 2019
Project #: E19-1492

ENVOY
environmental consultants, inc.

A

B



C

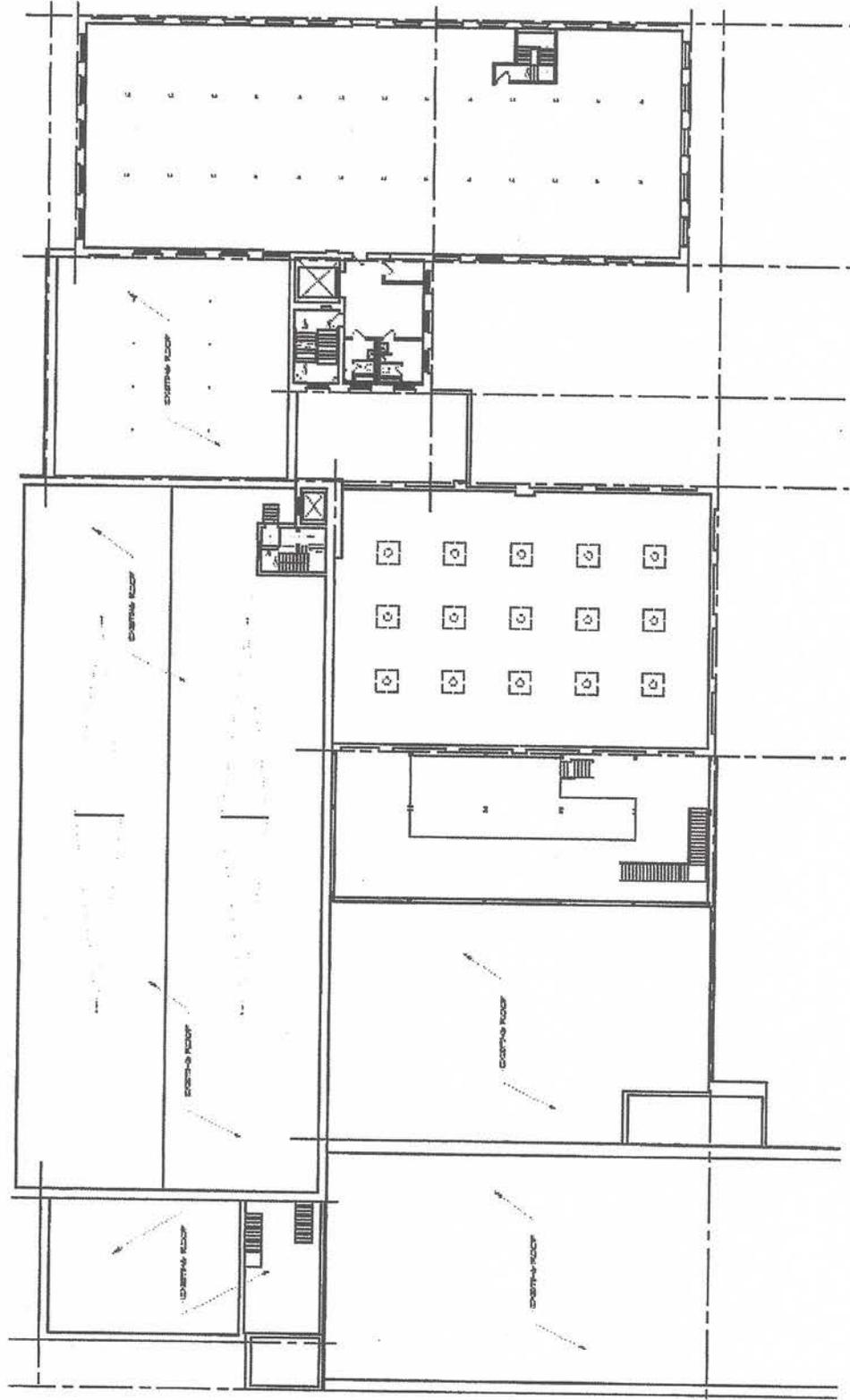
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Client: Paradigm, LLC
 Location: 600 North Franklin Street, Syracuse, New York
 Work Area: 3rd Floor
 Work Performed: Limited XRF-Paint Based Inspection
 Date: December 13, 2019
 Project #: E19-1492

ENVOY

environmental consultants, inc.

A



B

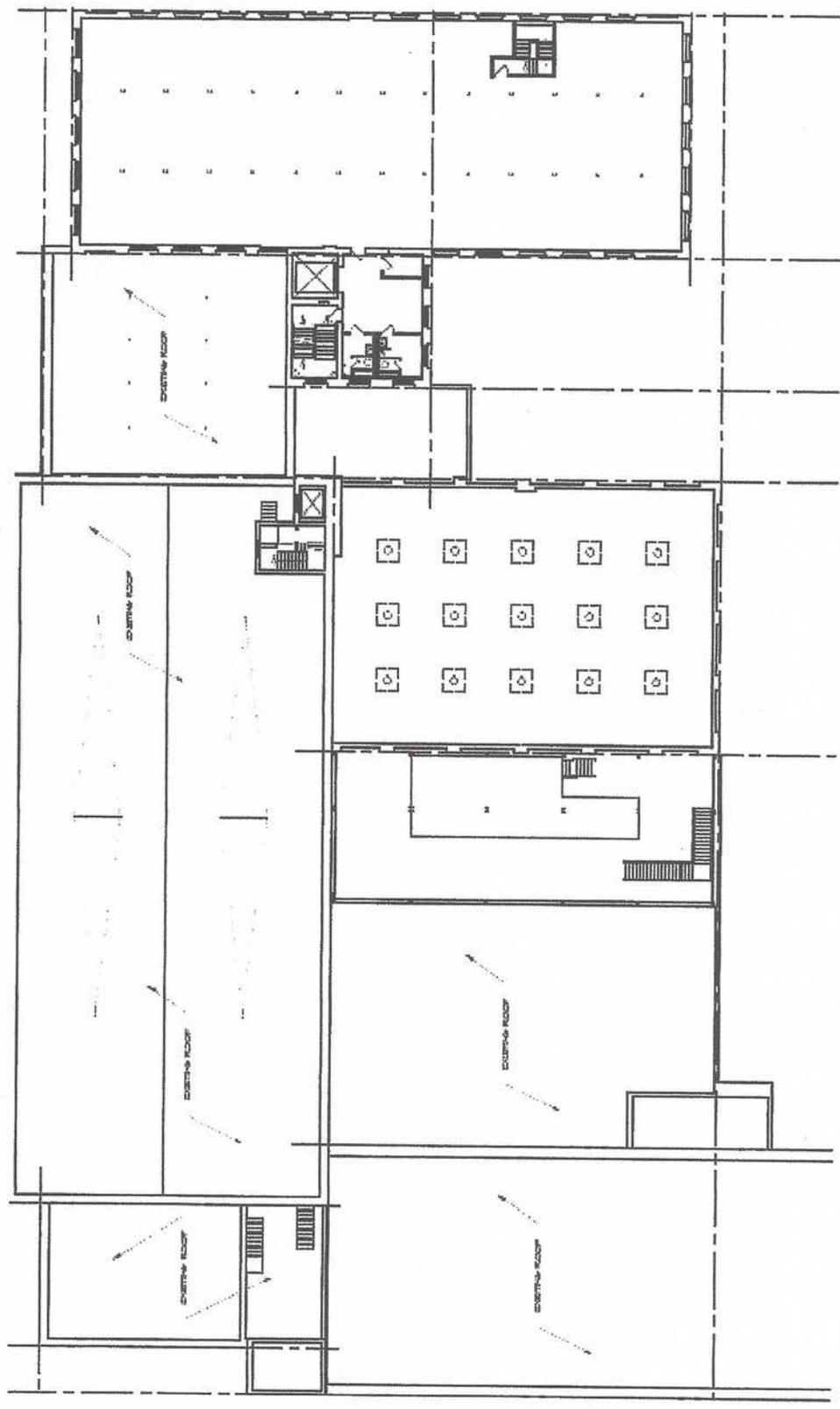
C

D

Client: Paradigm, LLC
 Location: 600 North Franklin Street, Syracuse, New York
 Work Area: 4th Floor
 Work Performed: Limited XRF-Paint Based Inspection
 Date: December 13, 2019
 Project #: E19-1492

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A



B

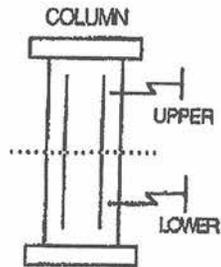
C

D

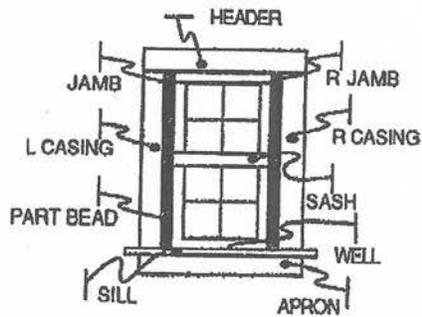
Client: Paradigm, LLC
 Location: 600 North Franklin Street, Syracuse, New York
 Work Area: 5th Floor
 Work Performed: Limited XRF-Paint Based Inspection
 Date: December 13, 2019
 Project #: E19-1492

ENVOY
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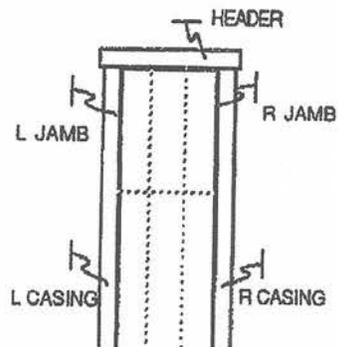
XRF Component Identification Sheet



Column Components

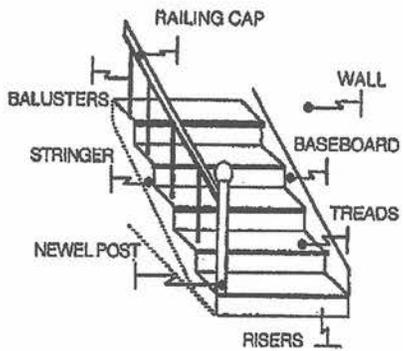


Window Components

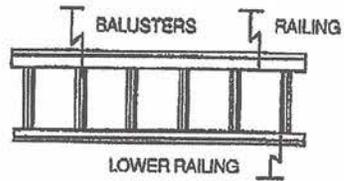


Door Components

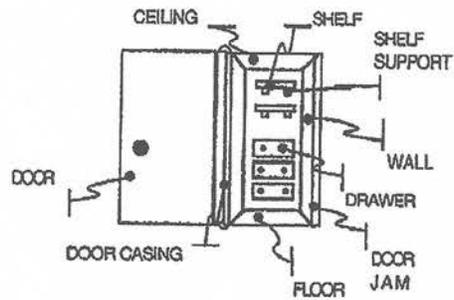
XRF Component Identification Sheet



Staircase Components



Railing Components



Closet Components

Performance Characteristic Sheet

EFFECTIVE DATE: December 1, 2006

EDITION NO.: 5

MANUFACTURER AND MODEL:

Make: *Radiation Monitoring Devices*Model: *LPA-1*Source: *⁵⁷Co*

Note: This sheet supersedes all previous sheets for the XRF instrument of the make, model, and source shown above for instruments sold or serviced after June 26, 1995. For other instruments, see prior editions.

FIELD OPERATION GUIDANCE

OPERATING PARAMETERS:

Quick mode or 30-second equivalent standard (Time Corrected) mode readings.

XRF CALIBRATION CHECK LIMITS:

0.7 to 1.3 mg/cm ² (inclusive)

SUBSTRATE CORRECTION:

For XRF results below 4.0 mg/cm², substrate correction is recommended for:

Metal using 30-second equivalent standard (Time Corrected) mode readings.
None using quick mode readings.

Substrate correction is not needed for:

Brick, Concrete, Drywall, Plaster, and Wood using 30-second equivalent standard (Time Corrected) mode readings
Brick, Concrete, Drywall, Metal, Plaster, and Wood using quick mode readings

THRESHOLDS:

30-SECOND EQUIVALENT STANDARD MODE READING DESCRIPTION	SUBSTRATE	THRESHOLD (mg/cm ²)
Results corrected for substrate bias on metal substrate only	Brick	1.0
	Concrete	1.0
	Drywall	1.0
	Metal	0.9
	Plaster	1.0
	Wood	1.0

QUICK MODE READING DESCRIPTION	SUBSTRATE	THRESHOLD (mg/cm ²)
Readings not corrected for substrate bias on any substrate	Brick	1.0
	Concrete	1.0
	Drywall	1.0
	Metal	1.0
	Plaster	1.0
	Wood	1.0

BACKGROUND INFORMATION

EVALUATION DATA SOURCE AND DATE:

This sheet is supplemental information to be used in conjunction with Chapter 7 of the HUD *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing* ("HUD Guidelines"). Performance parameters shown on this sheet are calculated from the EPA/HUD evaluation using archived building components. Testing was conducted on approximately 150 test locations in July 1995. The instrument that performed testing in September had a new source installed in June 1995 with 12 mCi initial strength.

OPERATING PARAMETERS:

Performance parameters shown in this sheet are applicable only when properly operating the instrument using the manufacturer's instructions and procedures described in Chapter 7 of the HUD Guidelines.

XRF CALIBRATION CHECK:

The calibration of the XRF instrument should be checked using the paint film nearest 1.0 mg/cm² in the NIST Standard Reference Material (SRM) used (e.g., for NIST SRM 2579, use the 1.02 mg/cm² film).

If readings are outside the acceptable calibration check range, follow the manufacturer's instructions to bring the instruments into control before XRF testing proceeds.

SUBSTRATE CORRECTION VALUE COMPUTATION :

Chapter 7 of the HUD Guidelines provides guidance on correcting XRF results for substrate bias. Supplemental guidance for using the paint film nearest 1.0 mg/cm² for substrate correction is provided:

XRF results are corrected for substrate bias by subtracting from each XRF result a correction value determined separately in each house for single-family housing or in each development for multifamily housing, for each substrate. The correction value is an average of XRF readings taken over the NIST SRM paint film nearest to 1.0 mg/cm² at test locations that have been scraped bare of their paint covering. Compute the correction values as follows:

Using the same XRF instrument, take three readings on a bare substrate area covered with the NIST SRM paint film nearest 1 mg/cm². Repeat this procedure by taking three more readings on a second bare substrate area of the same substrate covered with the NIST SRM.

Compute the correction value for each substrate type where XRF readings indicate substrate correction is needed by computing the average of all six readings as shown below.

For each substrate type (the 1.02 mg/cm² NIST SRM is shown in this example; use the actual lead loading of the NIST SRM used for substrate correction):

$$\text{Correction value} = (1^{\text{st}} + 2^{\text{nd}} + 3^{\text{rd}} + 4^{\text{th}} + 5^{\text{th}} + 6^{\text{th}} \text{ Reading}) / 6 - 1.02 \text{ mg/cm}^2$$

Repeat this procedure for each substrate requiring substrate correction in the house or housing development.

EVALUATING THE QUALITY OF XRF TESTING:

Randomly select ten testing combinations for retesting from each house or from two randomly selected units in multifamily housing. Use either the Quick Mode or 30-second equivalent standard (Time Corrected) Mode readings.

Conduct XRF re-testing at the ten testing combinations selected for retesting.

Determine if the XRF testing in the units or house passed or failed the test by applying the steps below.

Compute the Retest Tolerance Limit by the following steps:

Determine XRF results for the original and retest XRF readings. Do not correct the original or retest results for substrate bias. In single-family and multi-family housing, a result is defined as a single reading. Therefore, there will be ten original and ten retest XRF results for each house or for the two selected units.

Calculate the average of the original XRF result and retest XRF result for each testing combination.

Square the average for each testing combination.

Add the ten squared averages together. Call this quantity C.

Multiply the number C by 0.0072. Call this quantity D.

Add the number 0.032 to D. Call this quantity E.

Take the square root of E. Call this quantity F.

Multiply F by 1.645. The result is the Retest Tolerance Limit.

Compute the average of all ten original XRF results.

Compute the average of all ten re-test XRF results.

Find the absolute difference of the two averages.

If the difference is less than the Retest Tolerance Limit, the inspection has passed the retest. If the difference of the overall averages equals or exceeds the Retest Tolerance Limit, this procedure should be repeated with ten new testing combinations. If the difference of the overall averages is equal to or greater than the Retest Tolerance Limit a second time, then the inspection should be considered deficient.

Use of this procedure is estimated to produce a spurious result approximately 1% of the time. That is, results of this procedure will call for further examination when no examination is warranted in approximately 1 out of 100 dwelling units tested.

BIAS AND PRECISION:

Do not use these bias and precision data to correct for substrate bias. These bias and precision data were computed without substrate correction from samples with reported laboratory results less than 4.0 mg/cm² lead. The data which were used to determine the bias and precision estimates given in the table below have the following properties. During the July 1995 testing, there were 15 test locations with a laboratory-reported result equal to or greater than 4.0 mg/cm² lead. Of these, one 30-second standard mode reading was less than 1.0 mg/cm² and none of the quick mode readings were less than 1.0 mg/cm². The instrument that tested in July is representative of instruments sold or serviced after June 26, 1995. These data are for illustrative purposes only. Actual bias must be determined on the site. Results provided above already account for bias and precision. Bias and precision ranges are provided to show the variability found between machines of the same model.

30-SECOND STANDARD MODE READING MEASURED AT	SUBSTRATE	BIAS (mg/cm ²)	PRECISION* (mg/cm ²)
0.0 mg/cm ²	Brick	0.0	0.1
	Concrete	0.0	0.1
	Drywall	0.1	0.1
	Metal	0.3	0.1
	Plaster	0.1	0.1
	Wood	0.0	0.1
0.5 mg/cm ²	Brick	0.0	0.2
	Concrete	0.0	0.2
	Drywall	0.0	0.2
	Metal	0.2	0.2
	Plaster	0.0	0.2
	Wood	0.0	0.2
1.0 mg/cm ²	Brick	0.0	0.3
	Concrete	0.0	0.3
	Drywall	0.0	0.3
	Metal	0.2	0.3
	Plaster	0.0	0.3
	Wood	0.0	0.3
2.0 mg/cm ²	Brick	-0.1	0.4
	Concrete	-0.1	0.4
	Drywall	-0.1	0.4
	Metal	0.1	0.4
	Plaster	-0.1	0.4
	Wood	-0.1	0.4

*Precision at 1 standard deviation.

CLASSIFICATION RESULTS:

XRF results are classified as positive if they are greater than the upper boundary of the inconclusive range, and negative if they are less than the lower boundary of the inconclusive range, or inconclusive if in between. The inconclusive range includes both its upper and lower bounds. Earlier editions of this *XRF Performance Characteristic Sheet* did not include both bounds of the inconclusive range as "inconclusive." While this edition of the Performance Characteristics Sheet uses a different system, the specific XRF readings that are considered positive, negative, or inconclusive for a given XRF model and substrate remain unchanged, so previous inspection results are not affected.

DOCUMENTATION:

An EPA document titled *Methodology for XRF Performance Characteristic Sheets* provides an explanation of the statistical methodology used to construct the data in the sheets, and provides empirical results from using the recommended inconclusive ranges or thresholds for specific XRF instruments. For a copy of this document call the National Lead Information Center Clearinghouse at 1-800-424-LEAD. A HUD document titled *A Nonparametric Method for Estimating the 5th and 95th Percentile Curves of Variable-Time XRF Readings Based on Monotone Regression* provides supplemental information on the methodology for variable-time XRF instruments. A copy of this document can be obtained from the HUD lead web site, www.hud.gov/offices/lead.

This XRF Performance Characteristic Sheet was developed by QuanTech, Inc., under a contract from the U.S. Department of Housing and Urban Development (HUD). HUD has determined that the information provided here is acceptable when used as guidance in conjunction with Chapter 7, Lead-Based Paint Inspection, of HUD's *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing*.

United States Environmental Protection Agency

This is to certify that

Envoy Environmental Consultants, Inc.

has fulfilled the requirements of the Toxic Substances Control Act (TSCA) Section 402, and has received certification to conduct lead-based paint activities pursuant to 40 CFR Part 745.226

In the Jurisdiction of:

All EPA Administered Lead-based Paint Activities Program States, Tribes and Territories

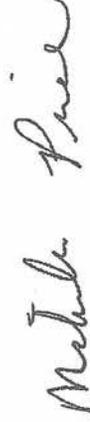
This certification is valid from the date of issuance and expires May 03, 2021

LBP-2017-1

Certification #

March 13, 2018

Issued On

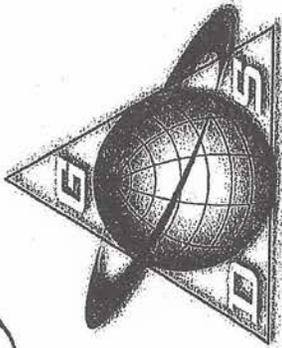


Michelle Price, Chief

Lead, Heavy Metals, and Inorganics Branch



Certificate of Commendation



For Radiation Safety

ENVOY ENVIRONMENTAL

CONSULTANTS INC
460 STATE ST STE 205
ROCHESTER, NY 14608

*Has shown exceptional concern for the health and well-being of its employees and visitors.
Global Dosimetry Solutions, Inc. certifies that since 05/25/2003, occupational radiation
dosimeters have been provided for those employees and areas monitored at this facility.
Management is to be commended for maintaining a radiation safe working environment.*

Radiation monitoring services provided by:

GLOBAL DOSIMETRY SOLUTIONS, INC.
(Formerly ICN Dosimetry Service)
3300 Hyland Avenue
Costa Mesa, CA 92626 USA

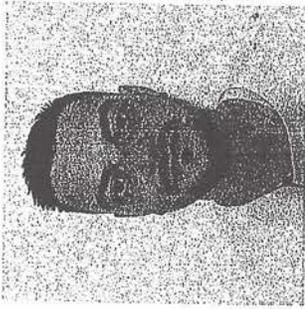
Authorized by: _____

A stylized, handwritten signature in black ink, appearing to read 'SN'.

Sandi Nemecek
President

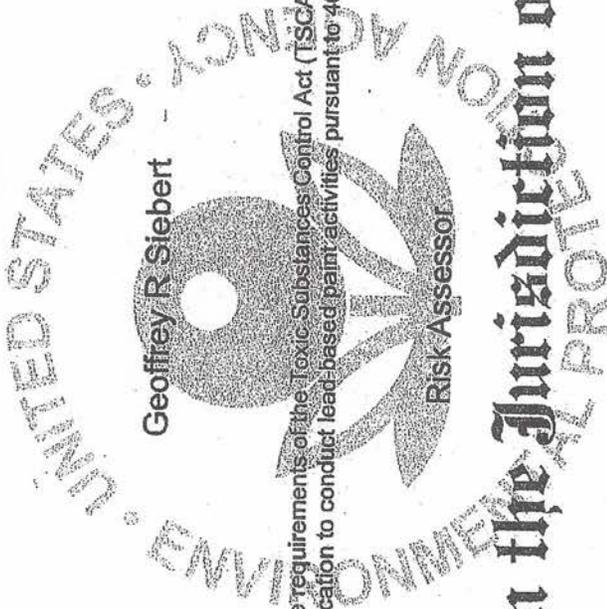
United States Environmental Protection Agency

This is to certify that



Geoffrey R Siebert

has fulfilled the requirements of the Toxic Substances Control Act (TSCA) Section 402, and has received certification to conduct lead-based paint activities pursuant to 40 CFR Part 745.226 as:



Risk Assessor

In the Jurisdiction of:

All EPA Administered Lead-based Paint Activities Program States, Tribes and Territories

This certification is valid from the date of issuance and expires August 31, 2022

LBP-R-1166851-2

Certification #

August 27, 2019

Issued On

A handwritten signature in black ink, appearing to read "John Gorman".

John Gorman, Chief

Pesticides & Toxic Substances Branch



PARADIGM
ENVIRONMENTAL, LLC.

Asbestos Pre-Renovation Survey Report

prepared for:

WH Lane Construction
113 Court Street
Binghamton, New York 13901

performed by:

Paradigm Environmental, LLC
6950 East Genesee Street
Fayetteville, New York 13066

performed at:

600 North Franklin Street
Syracuse, New York 13204

December 13, 2019



Table of Contents

Section	Topic	Page
1	Project Information	3
2	Project Overview	4
3	Methodologies	5
4	Summary of Findings	6
5	Tables	7
	Asbestos Table	10
6	Recommendations	11
7	Definitions	14
8	Final Notes	16
9	Disclaimer	17
Appendix		18



PARADIGM
ENVIRONMENTAL, LLC.

Section #1: Project Information

Project Description:	Asbestos Pre-Renovation Survey 600 North Franklin Street Syracuse, New York 13204
Client:	WH Lane Construction 113 Court Street Binghamton, New York 13901 Mr. Mark Lane mlane@whlane.com
Survey Performed by:	Paradigm Environmental, LLC. 6950 East Genesee Street Fayetteville, New York 13066 315.455.2714 (phone) 315.455.3022 (fax) NYS DOL Asbestos Handling License 130569
Bulk Sampling Performed by:	Mitchell Blackwell NYSDOL Certificate AH17.25242
Dates Performed:	November 26 & December 3, 2019
PLM Friable Bulk Sample Analysis Performed by:	Paradigm Environmental, LLC. 6950 East Genesee Street Fayetteville, New York 13066 NYS DOH ELAP #11555
PLM/TEM NOB Bulk Sample Analysis Performed by:	Paradigm Environmental Services, Inc. 1815 Love Road Grand Island, New York 14072 NYS DOH ELAP #11955



Section #2: Project Overview

At your request, Paradigm Environmental, LLC. (**PARADIGM**) conducted a pre-renovation asbestos survey at 600 North Franklin Street, Syracuse, New York 13204. The survey was conducted in accordance with the requirements outlined in the New York State Department of Labor's (NYSDOL) asbestos standard (12 NYCRR Part 56) as specified in Subpart 56-5.1 "Asbestos Survey Requirements for Building/Structure Demolition, Renovation, Remodeling and Repair".

NYSDOL Certified Asbestos Inspector Mitchell Blackwell (NYSDOL Certificate AH17.25242) performed the asbestos survey.

Project services provided by **PARADIGM** included the following:

1. Inspection of the subject structure by NYSDOL certified asbestos inspectors;
2. Collection of bulk samples of suspect asbestos-containing materials (ACM) and subsequent analysis by New York State Department of Health (NYSDOH) approved laboratories;
3. Preparation of this report.



Section #3: Methodologies

Inspection Procedures:

The inspection done in accordance with the requirements outlined in the NYSDOL asbestos standard (12 NYCRR Part 56) as specified in subpart 56-5.1 “Asbestos Survey Requirements for Building/Structure Demolition, Renovation, Remodeling and Repair”.

This section of the regulation states that in the absence of applicable building plans or records, the identification of asbestos or asbestos material shall be by the sampling and analysis of suspect material with analysis by a NYSDOH certified laboratory (see 56-4.2).

Each area was inspected by visual means to identify potential ACM. Inspection personnel assessed each suspect material to determine whether it represented a friable, non-friable or non-friable organically bound (NOB) material. The materials were identified, quantified and sampled for subsequent laboratory analysis.

ACM quantities were obtained using measurements made in the field by inspection personnel. Quantities are estimates and should be field verified.

Analytical Services:

Paradigm Environmental, LLC. (NYSDOH ELAP #11555) performed Polarized Light Microscopy (PLM) on all friable samples. Paradigm Environmental Services, Inc. (NYSDOH ELAP #11955) performed PLM and Transmission Electron Microscopy (TEM) on all NOB samples.

Friable bulk samples were analyzed using the Stratified Point Count Method with Polarized Light Microscopy and Dispersion Staining (PLM/DS) techniques. Samples were examined for homogeneity and preliminary fiber identification using a low powered stereoscopic binocular microscope. Positive identification of any asbestos fibers present was made using the Polarized Light Microscope.

NYSDOH regulations require that Non-Friable Organically Bound (NOB) materials (i.e. roofing membranes and adhesives) that are found to be non-asbestos containing by the PLM/DS method must be re-analyzed by the TEM method to confirm the PLM/DS results or be assumed ACM. Non-friable Organically Bound materials were analyzed using Polarized Light Microscopy with Gravimetric Matrix Reduction (GMR). If no asbestos was detected utilizing PLM/GMR, the sample was then analyzed by TEM methods. TEM analysis was performed in accordance with ELAP “TEM Method for Identifying and Quantitating Asbestos in Non-Friable Organically Bound Bulk Samples”, Revision 198.4, 8/3/92.

The EPA defines ACM as any material that contains greater than 1% by weight of asbestos.



Section #4: Summary of Findings

All ACM identified by PARADIGM are listed in the tables below.

Invasive core sampling was performed to ensure all suspect materials were sampled, however, in the event that suspect materials are discovered during demolition, which were not recognized in this survey, additional samples should be collected and analyzed for asbestos content or should be assumed ACM.

Asbestos Containing Material

Ninety-four (94) samples were collected and analyzed for asbestos content. Suspect materials and analytical results are in Table I below. ACM is listed in Table II. If any suspect materials are found during demolition (TSI, flooring, etc.) that were not identified in this survey, those materials should be tested or assumed to be ACM.

As per NYSDOL ICR 56-2.1 (p), an Asbestos Containing Material (ACM) is defined as any material containing greater than one percent (1%) of asbestos, also known as Asbestos Material. Samples determined to be as ACM are identified by **bold type and are highlighted in yellow**.



Section #5: Tables

Table 1 – ACM Analysis Results & Quantities						
Material	Location	Condition	Field ID Number	Lab Result	Quantity of ACM	Sample Type
9"x9" Floor Tiles & Black Mastic	2 nd Floor Vacant Space Bottom Flooring Layer	Intact	1-4	ACM	7,200 square feet	NOB
Yellow Floor Tile Mastic	2 nd Floor Vacant Space on Top of ACM Floor Tiles	Intact	5, 6	ACM		NOB
12"x12" Floor Tiles	2 nd Floor Vacant Space on Top of ACM Floor Tiles	NA	7, 8	No Asbestos Detected	0	NOB
Grout	2 nd Floor Vacant Space	NA	9, 10	No Asbestos Detected	0	Friable
Various Cove Base & Adhesive	Throughout	NA	11-14, 61-64	No Asbestos Detected	0	NOB
Yellow Cove Base Mastic	2 nd Floor Printing Area/Storage	Intact	77	ACM	15 square feet	NOB
Skim Coat & Plaster	Throughout	NA	15-28	No Asbestos Detected	0	Friable
Black Caulk	2 nd Floor Vacant Space on Walls	NA	29, 30	No Asbestos Detected	0	NOB


Table 1 – ACM Analysis Results & Quantities

Material	Location	Condition	Field ID Number	Lab Result	Quantity of ACM	Sample Type
TSI & Elbows	1 st Floor, 2 nd Floor Vacant Space, West End of 3 rd Floor (Between 2 nd & 3 rd Floor)	Intact	31-36, 84-86	ACM	150 linear feet	Friable
Drywall & Joint Compound	1 st Floor Storage Area, 2 nd Floor Vacant Space, Printing - Storage Area	NA	37-42, 56-60, 67-73	No Asbestos Detected	0	Friable
White Plaster/Patching Debris	Boiler Room Ceiling & Floor	NA	43-45	No Asbestos Detected	0	Friable
Olive Green 12"x12" Floor Tiles & Black Mastic	1 st Floor Storage Area	Intact	46-49	ACM	6,000 square feet	NOB
Gray, White 12"x12" Floor Tiles w/Yellow & Gray Mastic	1 st Floor Storage Area	NA	50-55	Trace	0	NOB
2'x4' Ceiling Tiles	1 st & 2 nd Floor	NA	65, 66, 78, 79	No Asbestos Detected	0	Friable
White 12"x12" Floor Tiles	2 nd Floor Printing Area	NA	80, 81	No Asbestos Detected	0	NOB
Tan/Black Fiberglass Insulation Backing	2 nd Floor Above Suspended Ceiling on Fiberglass Insulated Pipes	Intact	82, 83	No Asbestos Detected	1,000 linear feet	NOB



Table 1 - ACM Analysis Results & Quantities						
Material	Location	Condition	Field ID Number	Lab Result	Quantity of ACM	Sample Type
Black Cork Mastic	West Side of 3 rd Floor-Storage Area	NA	87, 88	No Asbestos Detected	0	NOB
Brown Fiberglass Insulation	5 th Floor Storage Area Walls	NA	89, 90	No Asbestos Detected	0	Friable
Black Tar Coating	5th Floor Storage Area Walls-Coating on Brown Fiberglass Insulation	Intact	93, 94	ACM	8,000 square feet	NOB
Silver Coat	5 th Floor Storage Area Walls-on Black Tar Coating	NA	91, 92	No Asbestos Detected	0	NOB



Table II – Asbestos Table

Material	Location	Condition	Field ID Number	Lab Result	Quantity of ACM	Sample Type
9"x9" Floor Tiles & Black Mastic	2 nd Floor Vacant Space-Bottom Flooring Layer	Intact	1-4	ACM	7,200 square feet	NOB
Yellow Floor Tile Mastic	2 nd Floor Vacant Space on Top of ACM Floor Tiles	Intact	5, 6	ACM		NOB
Yellow Cove Base Mastic	2 nd Floor Printing Area/Storage	Intact	77	ACM	15 square feet	NOB
TSI & Elbows	1 st Floor, 2 nd Floor Vacant Space, West End of 3 rd Floor (Between 2 nd & 3 rd Floor)	Intact	31-36, 84-86	ACM	150 linear feet	Friable
Olive Green 12"x12" Floor Tiles & Black Mastic	1 st Floor Storage Area	Intact	46-49	ACM	6,000 square feet	NOB
Tan/Black Fiberglass Insulation Backing	2 nd Floor Above Suspended Ceiling on Fiberglass Insulated Pipes	Intact	82, 83	No Asbestos Detected	1,000 linear feet	NOB
Black Tar Coating	5 th Floor Storage Area Walls-Coating on Brown Fiberglass Insulation	Intact	93, 94	ACM	8,000 square feet	NOB



Section #6: Recommendations

Introduction:

The Environmental Protection Agency (EPA) under the Asbestos Hazard Emergency Response Act (AHERA) divides ACM into three (3) categories. Although this legislation pertains to primary and secondary schools, it is widely referenced when organizing a management plan for the maintenance of ACM in buildings. The three categories of ACM used in buildings are as follows:

Thermal System Insulation

As the name suggests, these materials are limited to thermal applications. Examples of these materials include pipe insulation, pipe fitting insulation, boiler or furnace insulation and various gasket materials.

Surfacing Materials

Surfacing materials are sprayed or troweled onto a surface. Examples of surfacing materials include wall or ceiling plaster and fireproofing insulation.

Miscellaneous

All asbestos-containing materials found in buildings, which do not fall into the categories above, are considered to be miscellaneous materials. These materials include, but are not limited to, floor covering, adhesives, ceiling tiles and certain types of paneling (i.e. transite or galbestos panels). In addition, ACM can also be divided into two other classifications based on the likelihood of fiber release into the surrounding atmosphere (Friable vs. Non-Friable).

Friable Materials:

The materials that pose the greatest risk of airborne fiber release are friable materials. Friable materials are those materials, which can be crushed or pulverized, when dry, by hand pressure. These materials include, but are not limited to, pipe and pipe fitting insulation, boiler and hot water insulation, sprayed-on insulation (such as fireproofing) and troweled-on materials (such as decorative ceiling plaster). Particular attention should be paid to those materials that have been identified as in fair or poor condition. Since these materials are most likely to generate fiber release, and therefore pose the greatest risk of worker contamination, it is highly recommended that remedial action be implemented.



Non-friable Materials:

Non-friable materials are those materials that do not readily release fibers into the atmosphere since the fibers are locked within the matrix of the material. Examples of non-friable materials include floor tiles, linoleum, and adhesive-like materials such as mastics and roofing materials. Although these materials pose less of a risk to worker safety, they should still be taken seriously and properly maintained. It is important to realize that any ACM, when improperly or carelessly treated, poses a potential health risk.

Typical Remedial Measures:

Listed below are the four most common remedial actions generally available to prevent or limit the release of asbestos fibers from ACM.

- 1) **Implementation of an Operations & Maintenance (O&M) Program (12 NYCRR Part 56-3.2(d)(5) & OSHA Regulations):** A set of standard operating procedures is developed for use by in-house maintenance personnel. These procedures are developed to assist designated personnel in the cleanup of fibers previously released and to limit the potential for future asbestos exposure by instituting preventative measures (i.e. personnel training, material repairs, special clean-up procedures, etc.).
- 2) **Encapsulation (12 NYCRR Part 56-8.7):** Utilization of this remedial action is intended to limit potential fiber release by chemical means. This is accomplished by creating an impermeable barrier between the material and the environment with a bridging encapsulant, or by using a penetrating encapsulant that binds the material and its fibers together in a hard matrix.
- 3) **Encasement/Enclosure (12 NYCRR Part 56-8.8):** Enclosure of asbestos consists of constructing a permanent, physical, airtight impermeable barrier between the ACM and the environment. This is accomplished using material such as cement block, gypsum board, tongue and groove or spline jointed plywood, etc.
- 4) **Removal (12 NYCRR Part 56-1.1 to 56-12.4):** Removal of asbestos is the process by which ACM is stripped from its underlying substrate. Removal must be completed in a controlled manner to prevent building contamination. When completed properly, removal of ACM offers a permanent solution to the ACM problem by eliminating the material. However, removal can be very costly and time consuming. When done improperly, removal can result in significant contamination of a building or area and dramatically increase the potential for building occupant's exposure to airborne asbestos fibers.



Determining an appropriate remedial action is typically based on a hazard assessment that is prepared for ACM identified as a result of a completed building survey. These hazard assessments are generally based on several factors including the following:

- a. Whether or not the material is friable.
- b. The condition of the material (e.g. poor, fair, good).
- c. The potential for disturbance of the material.
- d. Activity in the area of the material (e.g. manufacturing processes, air current, etc.).
- e. Whether or not the area where the material is located is occupied.

A NYSDOL Licensed Asbestos Abatement Contractor must perform remedial activities in accordance with applicable local, state and federal regulations.



Section #7: Definitions

The following terms are used throughout this report. These definitions were derived from NYS DOL ICR 56-2.

Asbestos. Any naturally occurring hydrated mineral silicate separable into commercially usable fibers, including chrysotile (serpentine), Amosite (cumingtonite-grunerite), crocidolite (riebeckite), tremolite, anthophyllite and actinolite.

Asbestos Containing Material (ACM). Any material containing greater than one percent (1%) of asbestos, also known as **Asbestos Material**.

Asbestos Survey. A thorough inspection for and identification of all PACM, suspect ACM, or asbestos material throughout the building/structure or portion thereof to be demolished, renovated, remodeled, or repaired. (See Subpart 56-5)

Bulk Sampling. Accepted methods for collecting samples of suspect materials for appropriate analyses by NYS ELAP approved laboratories, to determine asbestos content.

Category I Non-Friable ACM. NESHAP classification - Asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products, containing more than one percent (1%) asbestos, that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Category II Non-Friable ACM. NESHAP classification - Any material, excluding Category I Non-Friable ACM, containing more than one percent (1%) asbestos, that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure

Demolition. The wrecking or removal of any load-supporting structural member of a building or structure.

Friable. Any material that when dry, can be crumbled, pulverized, or reduced to powder by hand pressure, or is capable of being released into the air by hand pressure.

Non-Asbestos Material. Any material documented to contain one percent (1%) or less of asbestos.

Non-Friable. Any material that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure, and is not capable of being released into the air by hand pressure.

Non-Friable Organically Bound (NOB) Asbestos Material. Non-friable asbestos materials embedded in flexible-to-rigid asphalt or vinyl matrices, including but not limited to flooring materials, adhesives, mastics, asphalt shingles, roofing materials and caulks.

Presumed Asbestos Containing Material (PACM). All Thermal System Insulations and Surfacing Materials found in buildings constructed no later than 1980. PACM is considered to be ACM unless proven otherwise by appropriate bulk sampling and laboratory analyses.



Regulated Asbestos-Containing Material (RACM). Friable ACM or PACM, Category I Non-friable ACM that has become friable or has been or will be subjected to sanding, grinding, cutting or abrading, or Category II Non-friable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations.

Remodel. For purposes of this code, remodel shall mean the same as renovation.

Removal. Abatement, consisting of operations where ACM, PACM or asbestos material is removed or stripped from structures or substrates. This includes demolition operations.

Renovation. The altering of an existing building/structure, or a portion of building/structure components or systems, including the stripping, removal or abatement of ACM from a building or structure. Operations in which load supporting structural members are wrecked or taken out are demolitions.

Repair (Asbestos). Abatement, consisting of corrective action for a Minor Asbestos Project using required work practices to control fiber release from damaged ACM, PACM or asbestos material.

Repair. The replacement, overhaul, rebuilding, reconstructing or reconditioning of any part of a building/structure component or system with like or similar material or parts, due to damage or excessive wear.

Suspect Miscellaneous ACM. Any suspect asbestos-containing material that is not PACM, such as floor tiles, ceiling tiles, mastics/adhesives, sealants, roofing materials, cementitious materials, etc. A listing of typical suspect miscellaneous ACM can be found in NYSDOL ICR 56-5. All suspect miscellaneous ACM must be assumed to be ACM, unless proven otherwise by appropriate bulk sampling and laboratory analyses.

Surfacing Material. Material that is sprayed-on, troweled-on, or otherwise applied to surfaces (such as acoustical or finish plaster on ceilings and walls, and fireproofing materials on structural members, or other materials on surfaces for acoustical, fireproofing, or other purposes).

Thermal System Insulation. Insulation material applied to pipes, fittings, boilers, breeching, tanks, ducts or other structural components to prevent heat gain or loss.



Section #8: Final Notes

If the building/structure asbestos survey finds that the portion of the building/structure to be demolished, renovated, remodeled, or have repair work contains ACM, PACM, suspect miscellaneous ACM assumed to be ACM, or asbestos material, the owner or the owner's agent shall conduct, or cause to have conducted, asbestos removal performed by a licensed asbestos abatement contractor in conformance with all standards set forth in ICR-56.

All ACM, PACM, suspect miscellaneous ACM assumed to be ACM, or asbestos material impacted by the demolition, renovation, remodeling or repair project shall be removed as per ICR-56, prior to access or disturbance by other uncertified trades or personnel. No demolition, renovation, remodeling or repair work shall be commenced by any owner or the owner's agent prior to the completion of the asbestos abatement in accordance with the notification requirements of ICR-56. For multi-phased work, the access restriction for uncertified trades or personnel applies to each intermediate portion of the entire project.

Upon completion of the intermediate portion of the asbestos project, other trades or personnel may access that portion of the work site.

Unidentified and Unassessed Asbestos:

When any construction activity, such as demolition, remodeling, renovation or repair work, reveals PACM or suspect miscellaneous ACM that has not been identified by the asbestos survey, or has not been identified by other inspections as per current OSHA or EPA requirements, all activities shall cease in the area where the PACM or suspect miscellaneous ACM is found and the Asbestos Control Bureau shall be notified by telephone followed with a written notice in accordance with the notification requirements of ICR-56. Unassessed PACM or suspect miscellaneous ACM shall be treated and handled as ACM and assumed to be ACM, unless proven otherwise by standard EPA and OSHA accepted methods, including multilayered systems sampling protocols; subsequent analyses performed by a laboratory that meets the requirements ICR-56; and the analyses satisfies both NYS ELAP and federal requirements, including multilayered sample analyses, to document non-asbestos containing material.

The report represents the opinion of the reporting inspector at the time of the asbestos survey and accurately reflects Federal, State, and Local guidelines.

Due to know dangers and health effects of human exposure to airborne asbestos fibers, there exist both Federal and State regulations and recommendations which must be followed in the asbestos removal process.



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Section #9: Disclaimer

This report is for your exclusive use and is only to be used as a guide in determining the presence and condition of Asbestos-Containing Materials in the subject premises at the time of the inspection.

All quantities of asbestos containing material are approximations. All quantities of asbestos containing materials should be field verified by prospective asbestos abatement contractors prior to providing asbestos abatement costs for the aforementioned materials.

This report is based solely upon a visual inspection and sampling of the premises where accessible at the time inspection was performed and makes no determinations with respect to portions of the premises that were not tested.

PARADIGM assumes no liability with respect to your compliance with local, state, or federal statutes, regulations or rules. This report sets forth relevant excerpts from manuals published by the EPA; however, PARADIGM assumes no responsibility for the credibility and completeness of the said excerpted material or future modifications of the same.

PARADIGM assumes no liability for the use of this report by any other person or entity than the customer for whom it has been prepared. Any and all liability on the part of PARADIGM shall be limited solely to the cost of this survey report. PARADIGM shall have no liability for any other damages, whether consequential, compensatory, punitive, or special, arising out of, incidental to, or as a result of this report.

Prepared by:

A handwritten signature in black ink, appearing to read "Peter Koslowsky", written over a horizontal line.

Peter Koslowsky
Paradigm Environmental, LLC.



PARADIGM
ENVIRONMENTAL, LLC.

APPENDIX



PARADIGM
ENVIRONMENTAL, LLC.

Asbestos Bulk Sampling Analysis Report

prepared for:

WH Lane Construction
113 Court Street
Binghamton, New York 13901

performed by:

Paradigm Environmental, LLC.
6950 East Genesee Street
Fayetteville, New York 13066

performed at:

600 North Franklin Street
Syracuse, New York 13204

Tuesday, November 26, 2019

Job #2213-19S



Friday, December 6, 2019

WH Lane Construction
 113 Court Street
 Binghamton, New York 13901
 Mr. Mark Lane
 (607) 775-0600
mlane@whlane.com

Re: 600 North Franklin Street, Syracuse, New York 13204: Asbestos Bulk Sampling & Analytical Services

Job Number: 2213-19S

The purpose of this letter is to explain the results of the Polarized Light Microscopy (PLM) and/or Transmission Electron Microscopy (TEM) Asbestos Bulk Sample Analysis that was performed on 12/3/2019, 12/4/2019 & 12/5/2019. A total of thirty-nine (39) Friable and twenty-eight (28) Non-friable Organically Bound (NOB) Bulk Sample(s) were analyzed.

Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
1	18027	Black Mastic (2 nd Floor - Vacant Space - 1 st Layer Bottom)	Yes	3.6% Chrysotile	NOB PLM
2	18025	Black Mastic (2 nd Floor - Vacant Space - 1 st Layer Bottom)	SAFP	Sample Not Analyzed	NOB Prep
3	18029	White 9x9 Tile (2 nd Floor - Vacant Space - 1 st Layer Bottom)	Yes	3.4% Chrysotile	NOB PLM
4	18030	White 9x9 Tile (2 nd Floor - Vacant Space - 1 st Layer Bottom)	SAFP	Sample Not Analyzed	NOB Prep



Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
5	18031	Yellow Adhesive (2 nd Floor - Vacant Space - 2 nd Layer Top)	Yes	1.3% Chrysotile	NOB PLM/TEM
6	18032	Yellow Adhesive (2 nd Floor - Vacant Space - 2 nd Layer Top)	SAFP	Stop Positive No TEM	NOB PLM
7	18033	White 12x12 Tile (2 nd Floor - Vacant Space - 2 nd Layer Top)	No	No Asbestos Detected	NOB PLM/TEM
8	18034	White 12x12 Tile (2 nd Floor - Vacant Space - 2 nd Layer Top)	No	No Asbestos Detected	NOB PLM/TEM
9	18035	Gray Grout (2 nd Floor - Vacant Space)	No	No Asbestos Detected	Friable PLM
10	18036	Gray Grout (2 nd Floor - Vacant Space)	No	No Asbestos Detected	Friable PLM
11	18037	Yellow Cove Base Adhesive (2 nd Floor - Vacant Area)	No	No Asbestos Detected	NOB PLM/TEM
12	18038	Yellow Cove Base Adhesive (2 nd Floor - Vacant Area)	No	No Asbestos Detected	NOB PLM/TEM
13	18039	Black Cove Base (2 nd Floor - Vacant Area)	No	No Asbestos Detected	NOB PLM/TEM



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Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
14	18040	Black Cove Base (2 nd Floor - Vacant Area)	No	No Asbestos Detected	NOB PLM/TEM
15	1801	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
16	18042	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
17	18043	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
18	18044	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
19	18045	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
20	18046	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
21	18047	Gray Plaster (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
22	18048	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM



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Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
23	18049	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
24	18050	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
25	18051	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
26	18052	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
27	18053	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
28	18054	White Skim Coat (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
29	18055	Black Caulk (2 nd Floor - Vacant Area - Walls)	No	No Asbestos Detected	NOB PLM/TEM
30	18056	Black Caulk (2 nd Floor - Vacant Area - Walls)	No	No Asbestos Detected	NOB PLM/TEM
31	18057	Gray TSI (2 nd Floor - Vacant Area)	Yes	57.14% Chrysotile	Friable PLM



Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
32	18058	Gray TSI (2 nd Floor - Vacant Area)	SAFP		
33	18059	Gray TSI (2 nd Floor - Vacant Area)	SAFP		
34	18060	Gray Mud Elbows (2 nd Floor - Vacant Area)	Yes	36.36% Chrysotile	Friable PLM
35	18061	Gray Mud Elbows (2 nd Floor - Vacant Area)	SAFP		
36	18062	Gray Mud Elbows (2 nd Floor - Vacant Area)	SAFP		
37	18063	White Drywall (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
38	18064	White Drywall (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
39	18065	White Drywall (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
40	18066	White Joint Compound (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM



Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
41	18067	White Joint Compound (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
42	18068	White Joint Compound (2 nd Floor - Vacant Area)	No	No Asbestos Detected	Friable PLM
43	18069	White Plaster/Patching (Boiler Room Ceiling - Incidental All Over Floor)	No	No Asbestos Detected	Friable PLM
44	18070	White Plaster/Patching (Boiler Room Ceiling - Incidental All Over Floor)	No	No Asbestos Detected	Friable PLM
45	18071	White Plaster/Patching (Boiler Room Ceiling - Incidental All Over Floor)	No	No Asbestos Detected	Friable PLM
46	18072	<i>Black Mastic (1st Floor - Storage Area)</i>	<i>Yes</i>	<i>3.5% Chrysotile</i>	<i>NOB PLM</i>
47	18073	<i>Black Mastic (1st Floor - Storage Area)</i>	<i>SAFP</i>	<i>Sample Not Analyzed</i>	<i>NOB Prep</i>
48	18074	Olive 12x12 Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
49	18075	<i>Olive 12x12 Tile (1st Floor - Storage Area)</i>	<i>Yes</i>	<i>27% Chrysotile</i>	<i>NOB PLM/TEM</i>



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Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
50	18076	Yellow/Gray Floor Tile Adhesive (1 st Floor - Storage Area)	Trace	<1.0% Chrysotile	NOB PLM/TEM
51	18077	Yellow/Gray Floor Tile Adhesive (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
52	18078	Gray 12x12 Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
53	18079	Gray 12x12 Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
54	18080	White 12x12 Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
55	18081	White 12x12 Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
56	18082	White/Gray Drywall (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM
57	18083	White/Gray Drywall (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM
58	18084	White/Gray Drywall (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM



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Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
59	18085	White Joint Compound (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM
60	18086	White Joint Compound (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM
61	18087	Blue Cove Base (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
62	18088	Blue Cove Base (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
63	18089	Brown Cove Base Adhesive (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
64	18090	Brown Cove Base Adhesive (1 st Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
65	18091	Gray/White 2x4 Ceiling Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM/TEM
66	18092	Gray/White 2x4 Ceiling Tile (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM/TEM
67	18093	White Joint Compound (1 st Floor - Storage Area)	No	No Asbestos Detected	Friable PLM



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Analysis Notes:

1. As per NYSDOL ICR 56-2.1 (p), an Asbestos Containing Material (ACM) is defined as any material containing greater than one percent (1%) of asbestos, also known as Asbestos Material. Samples determined to be ACM are identified by ***bold/italicized type and are highlighted in yellow***.
2. PLM Friable Analysis performed by Paradigm Environmental LLC. (NYSDOH ELAP #11555). PLM/TEM NOB Analysis performed by Paradigm Environmental, Inc. (NYSDOH ELAP #10958).

If you have any additional questions concerning this report, please do not hesitate to call me at 315.455.2714 or email me at kjoyce@paradigmenvllc.com. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Joyce", written over a light blue horizontal line.

Katie Joyce
Paradigm Environmental, LLC.



Polarized Light Microscopy (PLM) Asbestos Bulk Analysis Report
analyzed in accordance with NYSDOH ELAP Method 198.1

Client: WH Lane Construction		Project Number:	Sampled by: Mitchell Blackwell/Paradigm
Project Description: 600 North Franklin Street		Report Number: 2213-19S	Certificate Number:
Project Location: Syracuse, New York 13204		Date Sampled: Tuesday, November 26, 2019	Date Received at Lab: Tuesday, November 26, 2019
Client Name: Mr. Mark Lane	Client Contact: mlane@whlane.com	Date Analyzed: Tuesday, December 3, 2019	Date Reported: Tuesday, December 3, 2019

Sample Number	LAB ID Number	Sample Description/Location	Asbestos Type	Asbestos Percentage	Total Asbestos Percentage	Fibrous Material	Percentage	Non-fibrous Material Percentage	Color
9	18035	Gray Grout - 2nd Floor Vacant Space	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
10	18036	Gray Grout - 2nd Floor Vacant Space	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
15	18041	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
16	18042	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
17	18043	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
18	18044	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
19	18045	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
20	18046	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
21	18047	Gray Plaster - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
22	18048	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White

Analyzed by: Ms. Krista Davis - Analyst	Date: 12/3/2019	Approved by: 	Date: 12/4/19
Analyzed by NYSDOH ELAP #11555		Ms. Katie Joyce - Technical Laboratory Director	

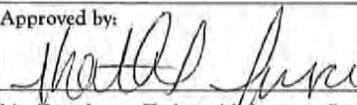
Disclaimer: EPA NYS Friable 198.1 Polarized Light Microscope Methods for Identifying and Quantitating Asbestos in Bulk Samples. Polarized Light Microscopy is not reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy (TEM) is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. Abbreviations: "NAD" - No Asbestos Detected; "ND" - Not Detected. This report may not be duplicated without the approval of Paradigm Environmental, LLC. (PARADIGM), and then only in full. PARADIGM's liability is limited to the cost of the analysis.



Polarized Light Microscopy (PLM) Asbestos Bulk Analysis Report
analyzed in accordance with NYSDOH ELAP Method 198.1

Client: WH Lane Construction		Project Number:	Sampled by: Mitchell Blackwell/Paradigm
Project Description: 600 North Franklin Street		Report Number: 2213-19S	Certificate Number:
Project Location: Syracuse, New York 13204		Date Sampled: Tuesday, November 26, 2019	Date Received at Lab: Tuesday, November 26, 2019
Client Name: Mr. Mark Lane	Client Contact: mlane@whlane.com	Date Analyzed: Tuesday, December 3, 2019	Date Reported: Tuesday, December 3, 2019

Sample Number	LAB ID Number	Sample Description/Location	Asbestos Type	Asbestos Percentage	Total Asbestos Percentage	Fibrous Material	Percentage	Non-fibrous Material Percentage	Color
23	18049	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
24	18050	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
25	18051	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
26	18052	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
27	18053	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
28	18054	White Skim Coat - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
31	18057	Gray TSI - 2nd Floor Vacant Area	Chrysotile	57.14%	57.14%	Fibrous Material	ND	42.86%	White
32	18058	Gray TSI - 2nd Floor Vacant Area	SAFP						
33	18059	Gray TSI - 2nd Floor Vacant Area	SAFP						
34	18060	Gray Mud Elbows - 2nd Floor Vacant Area	Chrysotile	36.36%	36.36%	Fibrous Material	ND	63.64%	Gray

Analyzed by: Ms. Krista Davis - Analyst	Date: 12/3/2019	Approved by: 	Date: 12/4/19
Analyzed by NYSDOH ELAP #11555		Ms. Katie Joyce - Technical Laboratory Director	

Disclaimer: EPA NYS Friable 198.1 Polarized Light Microscope Methods for Identifying and Quantitating Asbestos in Bulk Samples. Polarized Light Microscopy is not reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy (TEM) is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. Abbreviations: 'NAD' - No Asbestos Detected; 'ND' - Not Detected. This report may not be duplicated without the approval of Paradigm Environmental, LLC. (PARADIGM), and then only in full. PARADIGM's liability is limited to the cost of the analysis.



Polarized Light Microscopy (PLM) Asbestos Bulk Analysis Report
analyzed in accordance with NYSDOH ELAP Method 198.1

Client: WH Lane Construction		Project Number:	Sampled by: Mitchell Blackwell/Paradigm
Project Description: 600 North Franklin Street		Report Number: 2213-19S	Certificate Number:
Project Location: Syracuse, New York 13204		Date Sampled: Tuesday, November 26, 2019	Date Received at Lab: Tuesday, November 26, 2019
Client Name: Mr. Mark Lane	Client Contact: mlane@whlane.com	Date Analyzed: Tuesday, December 3, 2019	Date Reported: Tuesday, December 3, 2019

Sample Number	LAB ID Number	Sample Description/Location	Asbestos Type	Asbestos Percentage	Total Asbestos Percentage	Fibrous Material	Percentage	Non-fibrous Material Percentage	Color
35	18061	Gray Mud Elbows - 2nd Floor Vacant Area	SAFP						
36	18062	Gray Mud Elbows - 2nd Floor Vacant Area	SAFP						
37	18063	White Drywall - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
38	18064	White Drywall - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
39	18065	White Drywall - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
40	18066	Joint Compound - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
41	18067	Joint Compound - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
42	18068	Joint Compound - 2nd Floor Vacant Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
43	18069	White Plaster/Patching - Boiler Room Ceiling, Incidental All Over Floor	NAD	NAD	NAD	Fibrous Material	ND	100%	Tan
44	18070	White Plaster/Patching - Boiler Room Ceiling, Incidental All Over Floor	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray

Analyzed by: Ms. Krista Davis - Analyst	Date: 12/3/2019	Approved by: <i>Katie Joyce</i>	Date: 12/4/19
Analyzed by NYSDOH ELAP #11555		Ms. Katie Joyce - Technical Laboratory Director	

Disclaimer: EPA NYS Friable 198.1 Polarized Light Microscope Methods for Identifying and Quantitating Asbestos in Bulk Samples. Polarized Light Microscopy is not reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy (TEM) is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. Abbreviations: 'NAD' = No Asbestos Detected; 'ND' = Not Detected. This report may not be duplicated without the approval of Paradigm Environmental, LLC. (PARADIGM), and then only in full. PARADIGM's liability is limited to the cost of the analysis.



Polarized Light Microscopy (PLM) Asbestos Bulk Analysis Report
analyzed in accordance with NYSDOH ELAP Method 198.1

Client: WH Lane Construction		Project Number:	Sampled by: Mitchell Blackwell/Paradigm
Project Description: 600 North Franklin Street		Report Number: 2213-19S	Certificate Number:
Project Location: Syracuse, New York 13204		Date Sampled: Tuesday, November 26, 2019	Date Received at Lab: Tuesday, November 26, 2019
Client Name: Mr. Mark Lane	Client Contact: mlane@whlane.com	Date Analyzed: Tuesday, December 3, 2019	Date Reported: Tuesday, December 3, 2019

Sample Number	LAB ID Number	Sample Description/Location	Asbestos Type	Asbestos Percentage	Total Asbestos Percentage	Fibrous Material	Percentage	Non-fibrous Material Percentage	Color
45	18071	White Plaster/Patching - Boiler Room Ceiling, Incidental All Over Floor	NAD	NAD	NAD	Fibrous Material	ND	100%	White
56	18082	White/Gray Drywall - 1st Floor Storage Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Tan
57	18083	White/Gray Drywall - 1st Floor Storage Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
58	18084	White/Gray Drywall - 1st Floor Storage Area	NAD	NAD	NAD	Fibrous Material	ND	100%	Tan
59	18085	White Joint Compound - 1st Floor Storage Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
60	18086	White Joint Compound - 1st Floor Storage Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White
67	18093	White Joint Compound - 1st Floor Storage Area	NAD	NAD	NAD	Fibrous Material	ND	100%	White

Analyzed by: Ms. Krista Davis - Analyst	Date: 12/3/2019	Approved by: 	Date: 12/4/19
Analyzed by NYSDOH ELAP #11555		Ms. Katie Joyce - Technical Laboratory Director	

Disclaimer: EPA NYS Friable 198.1 Polarized Light Microscope Methods for Identifying and Quantitating Asbestos in Bulk Samples. Polarized Light Microscopy is not reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy (TEM) is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. Abbreviations: "NAD" - No Asbestos Detected; "ND" - Not Detected. This report may not be duplicated without the approval of Paradigm Environmental, LLC. (PARADIGM), and then only in full. PARADIGM's liability is limited to the cost of the analysis.

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



PARADIGM
ENVIRONMENTAL, LLC.

179 Lake Avenue, Rochester, New York 14608
1815 Love Road, Grand Island, New York 14072
6950 East Genesee Street, Fayetteville, New York 13066

Office: 585-647-2530
Office: 716-775-5777
Office: 315-455-2714

6950 East Genesee Street Fayetteville, New York 13066 315.455.2714 (phone) 315.455.3022 (fax)	Client: WH Lane Construction Phone Number: 607.775.0600	Contact: Mark Lane Email Address for Data: mlane@whlane.com	OFFICE USE ONLY Lab Job #: 2213-19S Page 1 of 7 Date Logged In: 11/26/19 Logged In By: KMD
Client Mailing Address 113 Court Street Binghamton, NY 13901	Results To: kjoyce@paradigmenvllc.com kdavis@paradigmenvllc.com Date Sampled: 11-26-19	Turn Around Time: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> Other <input type="checkbox"/> Paradigm Project Number: 2213-19S	
Project Location: 600 North Franklin Street, Syracuse, NY			

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
1		18027	2nd floor vacant space Bottom	Black	Resitic	7000sf
2		18028	1st layer	L	L	
3		18029	Bottom	white	9 x 9 tile	
4		18030	L	L	L	
5		18031	2nd top	Yellow	adhes.ve	
6		18032	layer L	L	L	
7		18033	top	white	12 x 12 tile	
8		18034	L	L	L	
9	X	18035	2nd floor vacant space	grey	spot	440 SF
10	X	18036	L	L	L	440 SF

Sampled By: <i>M. Davis</i>	Date: 11-26-19	All samples will be analyzed by the appropriate New York State Department of Health methods (198.1,198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.
Transported to Paradigm By: <i>M. Davis</i>	Date: 11-26-19	
Received By & Relinquished By: <i>Kristen M. Davis</i>	Date: 11/26/19	
Received By:	Date:	
Analytical Comments:		TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 07

By signing this form, client agrees to Paradigm Terms and Conditions (reverse) *S Samples analyzed by Syracuse Lab

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



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179 Lake Avenue, Rochester, New York 14608
1815 Love Road, Grand Island, New York 14072
6950 East Genesee Street, Fayetteville, New York 13066

Office: 585-647-2530
Office: 716-775-5777
Office: 315-455-2714

OFFICE USE ONLY

Lab Job #: 2213-19S

Page 2 of 7

Date Logged In: 11/26/19

Logged In By: *kmnd*

Client: **WH Lane Construction** Mark Lane

Phone Number: 607.775.0600

Email Address for Data: mlane@whlane.com

Results To: kjoyce@paradigmenvllc.com

Date Sampled: 11-26-19

Turn Around Time: 1 2 3 5 Other

Paradigm Project Number: 2213-19S

Project Location: 600 North Franklin Street, Syracuse, NY

113 Court Street

Binghamton, NY 13901

6950 East Genesee Street
Fayetteville, New York 13066
315.455.2714 (phone)
315.455.3022 (fax)

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
1		18037	2nd floor vacant	Yellow	cover base adhesive	#3607N
2		18038				
3		18039		Black	cover base	
4		18040				
5	X	18041		Plaster	gley	3600SF
6	X	18042				
7	X	18043				
8	X	18044				
9	X	18045				
10	X	18046				

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1, 198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.

Sampled By: *MTLV* Date: 11-26-19

Transported to Paradigm By: *MTLV* Date: 11-26-19

Received By & Relinquished By: *Krista M. Davis* Date: 11/26/19 1500

Received By: Date: 1527

Analytical Comments:

TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 67

*S Samples analyzed by Syracuse Lab

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CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



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 6950 East Genesee Street, Fayetteville, New York 13066
 Office: 585-647-2530
 Office: 716-775-5777
 Office: 315-455-2714

OFFICE USE ONLY
 Lab Job #: 2213-19S
 Page 3 of 7
 Date Logged In: 11/26/19
 Logged In By: Kmd

Client: WH Lane Construction
 Contact: Mark Lane
 Email Address for Data: mlane@whlane.com
 Turn Around Time: 1 2 3 5 Other
 Results To: kjoyce@paradigmenvllc.com
 kdavis@paradigmenvllc.com
 Date Sampled: 11-26-19
 Paradigm Project Number: 2213-19S
 Project Location: 600 North Franklin Street, Syracuse, NY

6950 East Genesee Street
 Fayetteville, New York 13066
 315-455-2714 (phone)
 315-455-3022 (fax)
 Client Mailing Address
 113 Court Street
 Binghamton, NY 13901

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
21	X	18047	2nd floor vacant area	grey	Plester	3600sf
22	X	18048		white	sk: Mcoat	3600sf
23	X	18049				
24	X	18050				
25	X	18051				
26	X	18052				
27	X	18053				
28	X	18054				
29		18055	walls	Black	clay	2560
30		18056				

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1, 198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.

Sampled By: *MATHEW* **Date:** 11-26-19
Transported to Paradigm By: *MATHEW* **Date:** 11-26-19
Received By & Relinquished By: *Cristina M. Davis* **Date:** 11/26/19 1522
Received By: **Date:**

Analytical Comments:
TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 67

*S Samples analyzed by Syracuse Lab

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CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



PARADIGM
ENVIRONMENTAL, LLC.

179 Lake Avenue, Rochester, New York 14608
1815 Love Road, Grand Island, New York 14072
6950 East Genesee Street, Fayetteville, New York 13066

Office: 585-647-2530
Office: 716-775-5777
Office: 315-455-2714

6950 East Genesee Street
Fayetteville, New York 13066
315.455.2714 (phone)
315.455.3022 (fax)

Client: WH Lane Construction
Phone Number: 607.775.0600
Results To: kjoyce@paradigmenvllc.com
Date Sampled: 11-26-19

Contact: Mark Lane
Email Address for Data: mlane@whlane.com
Turn Around Time: 1 2 3 4 5 Other
Paradigm Project Number: 2213-195

Project Location: 600 North Franklin Street, Syracuse, NY

OFFICE USE ONLY

Lab Job #: 2213-195
Page 4 **of** 7
Date Logged In: 11/26/19
Logged In By: Knd

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
31	X	18057	2nd floor vacant area	grey	TSI	GOLF
32	X	18058	---	---	---	---
33	X	18059	---	---	---	---
34	X	18060	---	grey	Mud elbows	---
35	X	18061	---	---	---	---
36	X	18062	---	---	---	---
37	X	18063	2nd floor vacant area	white	Drywall	gasp
38	X	18064	---	---	---	---
39	X	18065	---	---	---	---
40	X	18066	---	---	Joint to 1st floor	---

Sampled By: [Signature] **Date:** 11-26-19

Transported to Paradigm By: [Signature] **Date:** 11-26-19

Received By & Relinquished By: Krista M. Davis **Date:** 11/26/19 1500

Received By: [Signature] **Date:** 11/26/19 1522

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1.198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.

Analytical Comments:

TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 67

By signing this form, client agrees to Paradigm Terms and Conditions (reverse).

*S Samples analyzed by Syracuse Lab

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



179 Lake Avenue, Rochester, New York 14608 Office: 585-647-2530
 1815 Love Road, Grand Island, New York 14072 Office: 716-775-5777
 6950 East Genesee Street, Fayetteville, New York 13066 Office: 315-455-2714

Client: WH Lane Construction **Contact:** Mark Lane
Phone Number: 607.775.0600 **Email Address for Data:** mlane@whlane.com
Results To: kjoyce@paradigmenvllc.com **Turn Around Time:** 1 2 3 5 Other
Date Sampled: 11-26-19 **Paradigm Project Number:** 2213-19S
Project Location: 600 North Franklin Street, Syracuse, NY

OFFICE USE ONLY
Lab Job #: 2213-19S
Page 5 **of** 7
Date Logged In: 11/26/19
Logged In By: KMD

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
1	X	18067	2nd story vac. area	White	Joint compound	950 sf
2	X	18068	↓	↓	↓	↓
3	X	18069	Boiler Room ceiling	White	Plaster/Patching	500 sf
4	X	18070	↓	↓	↓	↓
5	X	18071	Inc. Joints 1st floor	↓	↓	↓
6		18072	1st floor stairs area	Black	Mastic	4500 sf
7		18073	↓	↓	↓	↓
8		18074	↓	Olive	Tile	3000 sf
9		18075	↓	↓	↓	↓
10		18076	↓	Yellow Grey	adhesive tile	1500 sf

Sampled By: [Signature] **Date:** 11-26-19
Transported to Paradigm By: [Signature] **Date:** 11-26-19
Received By & Relinquished By: Krista M. Davis **Date:** 11/26/19 1522
Received By: [Signature] **Date:** [Signature] 1500
Analytical Comments:
TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 67

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1, 198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.
 *S Samples analyzed by Syracuse Lab

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



PARADIGM
ENVIRONMENTAL, LLC.

179 Lake Avenue, Rochester, New York 14608 Office: 585-647-2530
 1815 Love Road, Grand Island, New York 14072 Office: 716-775-5777
 6950 East Genesee Street, Fayetteville, New York 13066 Office: 315-455-2714

OFFICE USE ONLY
 Lab Job #: 2213-19S
 Page 6 of 7
 Date Logged In: 11/26/19
 Logged In By: KMD

Client: WH Lane Construction Mark Lane
 Phone Number: 607.775.0600 Email Address for Data: mlane@whlane.com
 Results To: kjoyce@paradigmenvllc.com Turn Around Time: 1 2 3 5X Other
 Date Sampled: 11-26-19 Paradigm Project Number: 2213-19S

Project Location: 600 North Franklin Street, Syracuse, NY
 113 Court Street
 Binghamton, NY 13901

6950 East Genesee Street
 Fayetteville, New York 13066
 315.455.2714 (phone)
 315.455.3022 (fax)

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
51		18077	Storage area 15 ft floor	Yellow/grey	floor tile adhesive	150sf
52		18078		grey	12x12 tile	150sf
53		18079		White		
54		18080		White	12x12 tile	300sf
55		18081				
56	X	18082		White/grey	Drywall	f
57	X	18083				f
58	X	18084				f
59	X	18085		White	Joint compound	f
60	X	18086				f

Sampled By: [Signature] Date: 11-26-19
Transported to Paradigm By: [Signature] Date: 11-20-19
Received By & Relinquished By: [Signature] Date: 11/26/19 1500
 Kristina M. Davis
Received By: [Signature] Date: 11/26/19 1522

Analytical Comments:
 All samples will be analyzed by the appropriate New York State Department of Health methods (198.1, 198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.
TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 67

By signing this form, client agrees to Paradigm Terms and Conditions (reverse).
 *S Samples analyzed by Syracuse Lab

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



PARADIGM
ENVIRONMENTAL, LLC

179 Lake Avenue, Rochester, New York 14608
 1815 Love Road, Grand Island, New York 14072
 6950 East Genesee Street, Fayetteville, New York 13066

Office: 585-647-2530
 Office: 716-775-5777
 Office: 315-455-2714

6950 East Genesee Street Fayetteville, New York 13066 315.455.2714 (phone) 315.455.3022 (fax)	Client:	WH Lane Construction	Contact:	Mark Lane
Client Mailing Address	Phone Number:	607.775.0600	Email Address for Data:	mlane@whlane.com
113 Court Street	Results To	kjoyce@paradigmenvllc.com kdavis@paradigmenvllc.com	Turn Around Time:	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 5 <input type="checkbox"/> X Other <input type="checkbox"/>
Binghamton, NY 13901	Date Sampled:	11-26-19	Paradigm Project Number:	2213-195
	Project Location:	600 North Franklin Street, Syracuse, NY		

OFFICE USE ONLY
Lab Job #: 2213-195
Page 7 of 7
Date Logged In: 11/26/19
Logged In By: KMD

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
61		18087	Storage area bsd floor	Blue	cover Base	Soal f
62		18088		L	L	L
63		18089		Brown	cover Base adhesive	L
64		18090		L	L	L
65		18091		Grey white	2x4 ceiling tile	100ast
66		18092		L	L	L
67	X	18093		Tan to Brown	White	L
8						\$
9						
10						

Sampled By: <i>M. Taylor</i>	Date: 11-26-19
Transported to Paradigm By: <i>M. Taylor</i>	Date: 11-26-19
Received By & Relinquished By: <i>Christina M. Kavin</i>	Date: 11/26/19 1522
Received By:	Date:
Analytical Comments:	
TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 67	

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1,198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.

*S Samples analyzed by Syracuse Lab

By signing this form, client agrees to Paradigm Terms and Conditions (reverse).



PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC.
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 11/26/2019

Job No: 13276-19
Page: 1 of 12

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix %
1	100850	2nd Floor Vacant Space 1st Layer Bottom	Black Mastic	Chrysotile 3.6%	3.6%	✓	Not Required	N/A	None Detected	96.4%
2	100851	2nd Floor Vacant Space 1st Layer Bottom	Black Mastic	STOP	POSITIVE	X	SAMPLE	NOT	ANALYZED	N/A
3	100852	2nd Floor Vacant Space 1st Layer Bottom	White Fibrous 9"x9" Floor Tile	Chrysotile 34%	34%	✓	Not Required	N/A	None Detected	66%
4	100853	2nd Floor Vacant Space 1st Layer Bottom	White 9"x9" Floor Tile	STOP	POSITIVE	X	SAMPLE	NOT	ANALYZED	N/A
5	100854	2nd Floor Vacant Space 2nd Layer Top	Yellow Adhesive	Inconclusive No Asbestos Detected	0%	✓	Chrysotile 1.3%	1.3%	None Detected	98.7%
6	100855	2nd Floor Vacant Space 2nd Layer Top	Yellow Adhesive	Inconclusive No Asbestos Detected	0%	✓	Stop Positive ** No TEM	N/A	None Detected	100%
7	100856	2nd Floor Vacant Space 2nd Layer Top	White 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
8	100857	2nd Floor Vacant Space 2nd Layer Top	White 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%

KEY TO NOB COLUMN SYMBOLS
 No Symbol in the NOB column denotes sample analyzed by ELAP Method 198.1 (PLM).
 ✓ NOB (non-friable organically bound) denotes material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 √ denotes material analyzed by ELAP Method 198.6 (PLM) per NYSDOH. This Method does not remove vermiculite and may underestimate the level of asbestos present in a sample containing greater than 10% vermiculite.
 # denotes friable material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 X denotes sample prepped only by ELAP Method 198.6.
 ** Polarized-light microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials.
 Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and in Non-Friable Organically Bound Bulk Samples.") or EPA 600/M4-B2-020 per 40 CFR 763 (NVLAP Lab Code 200530-0).



Lab Code 200530-0 for PLM Analysis
 Microscope: Olympus BH-2 #232953
 PLM Analyst: T. Bush
 PLM Date Analyzed: 12/3/2019

Microscope: JOEL-100CX-II #EM-156094-87
 TEM Analyst: M. Lochner
 TEM Date Analyzed: 12/5/2019

ELAP ID No.: 10958

Laboratory Results Approved By:
Asbestos Technical Director or Designer **Fernanda Weinman**

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PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 11/26/2019

Job No: 13276-19

Page: 4 of 12

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix Material %
46	100864	1st Floor Storage Area	Black Mastic	Chrysotile 3.5%	3.5%	✓	Not Required	N/A	None Detected	96.5%
47	100865	1st Floor Storage Area	Black Mastic	STOP	POSITIVE	X	SAMPLE	NOT	ANALYZED	N/A
48	100866	1st Floor Storage Area	Olive 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
49	100867	1st Floor Storage Area	Olive Fibrous 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	Chrysotile 27%	27%	None Detected	73%
50	100868	1st Floor Storage Area	Yellow/Gray Floor Tile Adhesive	Inconclusive No Asbestos Detected	0%	✓	Trace Chrysotile <1.0%	<1.0%	None Detected	100%

KEY TO NOB COLUMN SYMBOLS
 No Symbol in the NOB column denotes sample analyzed by ELAP Method 198.1 (PLM).
 ✓ NOB (non-friable organically bound) denotes material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 ✓ denotes material analyzed by ELAP Method 198.6 (PLM) per NYSDOH. This Method does not remove vermiculite and may underestimate the level of asbestos present in a sample containing greater than 10% vermiculite.
 # denotes friable material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 X denotes sample prepped only by ELAP Method 198.6.
 ** Polarized-light microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and in Non-Friable Organically Bound Bulk Samples.") or EPA 600/M4-B2-020 per 40 CFR 763 (NVLAP Lab Code 200530-0).



ELAP ID No.: 10958

Lab Code 200530-0 for PLM Analysis
 Microscope: Olympus BH-2 #232953
 PLM Analyst: T. Bush
 PLM Date Analyzed: 12/3/2019

Microscope: JOEL-100CX-II #EM-156094-B7
 TEM Analyst: M. Lochner
 TEM Date Analyzed: 12/5/2019

Laboratory Results Approved By:
Asbestos Technical Director or Designee Fernanda Weinman

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PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC.
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 11/26/2019

Job No: 13276-19
Page: 5 of 12

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix Material %
51	100869	Storage Area 1st Floor	Yellow/Gray Floor Tile Adhesive	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
52	100870	Storage Area 1st Floor	Gray 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
53	100871	Storage Area 1st Floor	Gray 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
54	100872	Storage Area 1st Floor	White 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
55	100873	Storage Area 1st Floor	White 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%

KEY TO NOB COLUMN SYMBOLS
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 V NOB (non-friable organically bound) denotes material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
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PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and in Non-Friable Organically Bound Bulk Samples;" or EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 200530-0).



Lab Code 200530-0 for PLM Analysis
Microscope: Olympus BH-2 #232953
PLM Analyst: T. Bush
PLM Date Analyzed: 12/4/2019

Microscope: JOEL-100CX-II #EM-156094-B7
TEM Analyst: M. Lochner
TEM Date Analyzed: 12/5/2019

ELAP ID No.: 10958

Laboratory Results Approved By:
Asbestos Technical Director or Designee **Fernanda Weinman**

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PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC.
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 11/26/2019

Job No: 13276-19
Page: 6 of 12

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix Material %
61	100874	Storage Area 1st Floor	Blue Cove Base	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
62	100875	Storage Area 1st Floor	Blue Cove Base	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
63	100876	Storage Area 1st Floor	Brown Cove Base Adhesive	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
64	100877	Storage Area 1st Floor	Brown Cove Base Adhesive	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
65	100878	Storage Area 1st Floor	Gray/White 2'x4' Ceiling Tile	Inconclusive No Asbestos Detected	0%	#	None Detected	<1.0%	Mineral Wool 5%	95%
66	100879	Storage Area 1st Floor	Gray/White 2'x4' Ceiling Tile	Inconclusive No Asbestos Detected	0%	#	None Detected	<1.0%	Mineral Wool 5%	95%

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PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and in Non-Friable Organically Bound Bulk Samples." for EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 200530-0).



Lab Code 200530-0 for PLM Analysis
 Microscope: Olympus BH-2 #232953
 PLM Analyst: T. Bush
 PLM Date Analyzed: 12/4/2019

Microscope: JOEL-100CX-II #EM-156094-B7
 TEM Analyst: M. Lochner
 TEM Date Analyzed: 12/5/2019

ELAP ID No.: 10958

Laboratory Results Approved By: 
Asbestos Technical Director or Designee **Fernanda Weinman**

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PARADIGM
ENVIRONMENTAL, LLC.

Asbestos Bulk Sampling Analysis Report

prepared for:

WH Lane Construction
113 Court Street
Binghamton, New York 13901

performed by:

Paradigm Environmental, LLC.
6950 East Genesee Street
Fayetteville, New York 13066

performed at:

600 North Franklin Street
Syracuse, New York 13204

Monday, December 3, 2019

Job #2246-19S



PARADIGM
ENVIRONMENTAL, LLC.

Thursday, December 12, 2019

WH Lane Construction

113 Court Street

Binghamton, New York 13901

Mr. Mark Lane

(607) 775-0600

mlane@whlane.com

Re: 600 North Franklin Street, Syracuse, New York 13204: Asbestos Bulk Sampling & Analytical Services

Job Number: 2246-19S

The purpose of this letter is to explain the results of the Polarized Light Microscopy (PLM) and/or Transmission Electron Microscopy (TEM) Asbestos Bulk Sample Analysis that was performed on 12/5/2019, 12/10/2019 & 12/11/2019. A total of thirteen (13) Friable and eighteen (18) Non-friable Organically Bound (NOB) Bulk Sample(s) were analyzed.

Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
68	18366	Gray Drywall (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	Friable PLM
69	18367	Gray Drywall (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	Friable PLM
70	18368	Gray Drywall (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	Friable PLM
71	18369	White Joint Compound (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	Friable PLM



Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
72	18370	White Joint Compound (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	Friable PLM
73	18371	White Joint Compound (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	Friable PLM
74	18372	Blue/Brown Cove Base (2 nd Floor - By Small Stairs)	NA	<1.0% Residue Remaining, PLM & TEM Not Required	NOB Prep
75	18373	Yellow Cove Base Adhesive (2 nd Floor - By Small Stairs)	No	No Asbestos Detected	NOB PLM/TEM
76	18374	White/Brown Cove Base (2 nd Floor - Printing Area/Storage)	No	No Asbestos Detected	NOB PLM/TEM
77	18375	Yellow Cove Base Adhesive (2nd Floor - Printing Area/Storage)	Yes	9.1% Actinolite/ Tremolite	NOB PLM/TEM
78	18376	Gray 2x4 Ceiling Tile (2 nd Floor - Printing Area)	No	No Asbestos Detected	Friable PLM/TEM
79	18377	Gray 2x4 Ceiling Tile (2 nd Floor - Printing Area)	No	No Asbestos Detected	Friable PLM/TEM
80	18378	White 12x12 Floor Tile (2 nd Floor - Printing Area)	No	No Asbestos Detected	NOB PLM/TEM



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ENVIRONMENTAL, LLC.

Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
81	18379	White 12x12 Floor Tile (2 nd Floor – Printing Area)	No	No Asbestos Detected	NOB PLM/TEM
82	18380	Tan/Black Insulation Backing (2 nd Floor – Above Drop Ceiling on Pipes)	Yes	4.3% Chrysotile	NOB PLM/TEM
83	18381	Tan/Black Insulation Backing (2 nd Floor – Above Drop Ceiling on Pipes)	SAFP	Not Analyzed by TEM	NOB PLM
84	18382	Tan/Gray TSI (3 rd Floor – Storage Area)	Yes	44.44% Chrysotile	Friable PLM
85	18383	Tan/Gray TSI (3 rd Floor – Storage Area)	SAFP		
86	18384	Tan/Gray TSI (3 rd Floor – Storage Area)	SAFP		
87	18385	Black Mastic/Cork (3 rd Floor – Storage Area)	NA	<1.0% Residue Remaining, PLM & TEM Not Required	NOB Prep
88	18386	Black Mastic/Cork (3 rd Floor – Storage Area)	NA	<1.0% Residue Remaining, PLM & TEM Not Required	NOB Prep
89	18387	Brown Insulation (5 th Floor – Storage Area)	No	No Asbestos Detected	Friable PLM



PARADIGM

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Field ID	Lab ID	Sample Description	Asbestos Present?	Analytical Result	Analysis Performed
90	18388	Brown Insulation (5 th Floor - Storage Area)	No	No Asbestos Detected	Friable PLM
91	18389	Silvercoat (5 th Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
92	18390	Silvercoat (5 th Floor - Storage Area)	No	No Asbestos Detected	NOB PLM/TEM
93	18391	Black Tar (5th Floor - Storage Area)	Yes	14% Chrysotile	NOB PLM
94	18392	Black Tar (5th Floor - Storage Area)	SAFP	Not Analyzed	NOB Prep

Analysis Notes:

- As per NYSDOL ICR 56-2.1 (p), an Asbestos Containing Material (ACM) is defined as any material containing greater than one percent (1%) of asbestos, also known as Asbestos Material. Samples determined to be ACM are identified by ***bold/italicized type and are highlighted in yellow***.
- PLM Friable Analysis performed by Paradigm Environmental LLC. (NYSDOH ELAP #11555). PLM/TEM NOB Analysis performed by Paradigm Environmental, Inc. (NYSDOH ELAP #10958).

If you have any additional questions concerning this report, please do not hesitate to call me at 315.455.2714 or email me at kjoyce@paradigmenvllc.com. Thank you.

Sincerely,

Katie Joyce

Paradigm Environmental, LLC.



Polarized Light Microscopy (PLM) Asbestos Bulk Analysis Report
analyzed in accordance with NYSDOH ELAP Method 198.1

Client: WH Lane Construction		Project Number:	Sampled by: Mitchell Blackwell/Paradigm
Project Description: 600 North Franklin Street		Report Number: 2246-19S	Certificate Number:
Project Location: Syracuse, New York 13204		Date Sampled: Tuesday, December 3, 2019	Date Received at Lab: Tuesday, December 3, 2019
Client Name: Mr. Mark Lane	Client Contact: mlane@whlane.com	Date Analyzed: Thursday, December 5, 2019	Date Reported: Thursday, December 5, 2019

Sample Number	LAB ID Number	Sample Description/Location	Asbestos Type	Asbestos Percentage	Total Asbestos Percentage	Fibrous Material	Percentage	Non-fibrous Material Percentage	Color
68	18366	Gray Drywall - 2nd Floor, Printing Area/Storage	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
69	18367	Gray Drywall - 2nd Floor, Printing Area/Storage	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
70	18368	Gray Drywall - 2nd Floor, Printing Area/Storage	NAD	NAD	NAD	Fibrous Material	ND	100%	Gray
71	18369	White Joint Compound - 2nd Floor, Printing Area/Storage	NAD	NAD	NAD	Fibrous Material	ND	100%	White
72	18370	White Joint Compound - 2nd Floor, Printing Area/Storage	NAD	NAD	NAD	Fibrous Material	ND	100%	White
73	18371	White Joint Compound - 2nd Floor, Printing Area/Storage	NAD	NAD	NAD	Fibrous Material	ND	100%	White
84	18382	Tan/Gray TSI - 3rd Floor, Storage Area	Chrysotile	44.44%	44.44%	Fibrous Material	ND	55.56%	Tan
85	18383	Tan/Gray TSI - 3rd Floor, Storage Area	SAFP						
86	18384	Tan/Gray TSI - 3rd Floor, Storage Area	SAFP						

Analyzed by: Ms. Krista Davis - Analyst	Date: 12/5/2019	Approved by: 	Date: 12/5/19
Analyzed by NYSDOH ELAP #11555		Ms. Katie Joyce - Technical Laboratory Director	

Disclaimer: EPA NYS Friable 198.1 Polarized Light Microscope Methods for Identifying and Quantitating Asbestos in Bulk Samples. Polarized Light Microscopy is not reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy (TEM) is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. Abbreviations: "NAD" = No Asbestos Detected; "ND" = Not Detected. This report may not be duplicated without the approval of Paradigm Environmental, LLC. (PARADIGM), and then only in full. PARADIGM's liability is limited to the cost of the analysis.

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



6950 East Genesee Street
 Fayetteville, New York 13066
 315.455.2714 (phone)
 315.455.3022 (fax)

Client: WH Lane Construction
 179 Lake Avenue, Rochester, New York 14608
 1815 Love Road, Grand Island, New York 14072
 X 6950 East Genesee Street, Fayetteville, New York 13066

Office: 585-647-2530
 Office: 716-775-5777
 Office: 315-455-2714

Contact: Mark Lane
 Email Address for Data: mlane@whlane.com
 Turn Around Time: 1 2 3 5 Other
 Results To: kjoyce@paradigmenvllc.com
kdavis@paradigmenvllc.com
 Phone Number: 607.775.0600
 Date Sampled: 12-3-19
 Paradigm Project Number: 2240-195
 Project Location: 600 North Franklin Street, Syracuse, NY

OFFICE USE ONLY
 Lab Job #: 2240-195
 Page 1 of 3
 Date Logged In: 12/3/19
 Logged In By: SL

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
1	X	183664	2nd floor Printingres/stage	grey	Dry wall	f
2	X	183667				f
3	X	183668		White	Joint compound	f
4	X	183669				f
5	X	18370				f
6	X	18371	Basement			f
7		18372	Drywall studs	Black Brown	cover Base	4000LN
8		18373		Yellow	cover Base	f
9		18374		White/Brown	cover Base	f
10		18375		Yellow	cover Base	f

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1, 198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.

Sampled By: *[Signature]* Date: 12-3-19
 Transported to Paradigm By: *[Signature]* Date: 12-3-19
 Received By & Relinquished By: *[Signature]* Date: 12/3/19 12:30
 Received By: *[Signature]* Date: *[Signature]*

Analytical Comments:

TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 27

By signing this form, client agrees to Paradigm Terms and Conditions (reverse). *S Samples analyzed by Syracuse Lab

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



6950 East Genesee Street
Fayetteville, New York 13066
315.455.2714 (phone)
315.455.3022 (fax)

Client: WH Lane Construction
Phone Number: 607.775.0600
Results To: kjoyce@paradigmenvllc.com
kdavis@paradigmenvllc.com
Date Sampled: 12-3-19
Project Location: 600 North Franklin Street, Syracuse, NY

Contact: Mark Lane
Email Address for Data: mlane@whlane.com
Turn Around Time: 1 2 3 5 Other
Paradigm Project Number: 2246-195

179 Lake Avenue, Rochester, New York 14608
1815 Love Road, Grand Island, New York 14072
6950 East Genesee Street, Fayetteville, New York 13066
Office: 585-647-2530
Office: 716-775-5777
Office: 315-455-2714

OFFICE USE ONLY
Lab Job #: 2246-195
Page 2 of 3
Date Logged In: 12/3/19
Logged In By: [Signature]

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
78		18374	2nd floor printing press	grey	2x4 ceiling tile	500sf
79		18377		white	floor tile	500sf
80		18378		white	floor tile	20sf
81		18380		white	floor tile	1
82		18381	2nd floor above drop ceiling	tan/black	Insulation Backing	500sf
83		18382	1st floor	white	floor tile	500sf
84	X	18383	3rd story storage area	tan/grey	TST	10LN
85	X	18384		white	floor tile	1
86	X	18384		white	floor tile	1
87		18385	3rd story storage area	Black	Mastic/coat	20sf

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1.198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.

Sampled By: [Signature] Date: 12-3-19

Transported to Paradigm By: [Signature] Date: 12-3-19

Received By & Relinquished By: [Signature] Date: 12/3/19 12:30

Received By: [Signature] Date:

Analytical Comments:

TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY: 27

*S Samples analyzed by Syracuse Lab

By signing this form, client agrees to Paradigm Terms and Conditions (reverse).

CHAIN OF CUSTODY FOR BULK ASBESTOS ANALYSIS



PARADIGM
ENVIRONMENTAL, LLC.

179 Lake Avenue, Rochester, New York 14608
Office: 585-647-2530
1815 Love Road, Grand Island, New York 14072
Office: 716-775-5777
6950 East Genesee Street, Fayetteville, New York 13066
Office: 315-455-2714

6950 East Genesee Street
Fayetteville, New York 13066
315.455.2714 (phone)
315.455.3022 (fax)

Client:		Contact:
Phone Number:	Email Address for Data:	
Results To	Turn Around Time:	
kjoyce@paradigmenvllc.com	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 5 <input type="checkbox"/> Other <input type="checkbox"/>	
kDavis@paradigmenvllc.com	Paradigm Project Number:	
Date Sampled:	12-3-19	
Project Location:	600 N. Franking	

OFFICE USE ONLY	
Lab Job #:	246-195
Page	3 of 3
Date Logged In:	12/3/19
Logged In By:	[Signature]

Client ID	*S	Lab ID	Sampling Location	Color	Type of Material	Material (SF/LF)
1	88	18386	3rd story storage area	Black	Misc/cork	20 SF
2	89	18387	5th floor storage area	Brown	Insulation	550 SF
3	90	18388		L	L	
4	91	18389		Silver	Silver coat	L
5	92	18390		L	L	
6	93	18391		Black	Fat	150 SF
7	94	18392		L	L	150 SF
8	95					
9						
10						

Sampled By:	[Signature]	Date:	12-3-19
Transported to Paradigm By:	[Signature]	Date:	12-3-19
Received By & Relinquished By:	[Signature]	Date:	12/3/19 12:37
Received By:	[Signature]	Date:	

All samples will be analyzed by the appropriate New York State Department of Health methods (198.1, 198.4 and 198.6) unless EPA 600/M4/82/020 per 40 CFR 763 and/or EPA 600/R-93/116 methods are requested.	
Analytical Comments:	
TOTAL NUMBER OF SAMPLES ON ALL CHAINS OF CUSTODY:	28

By signing this form, client agrees to Paradigm Terms and Conditions (reverse).

*S Samples analyzed by Syracuse Lab



PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC.
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 12/3/2019

Job No: 13420-19
Page: 1 of 6

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix Material %
74	102347	2nd Floor by Small Stairs	Blue/Brown Cove Base	<1.0% Residue Remaining, PLM and TEM Not Required.	N/A	X	N/A	N/A	N/A	N/A
75	102348	2nd Floor by Small Stairs	Yellow Cove Base Adhesive	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
76	102349	2nd Floor by Small Stairs	White/Brown Cove Base	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
77	102350	2nd Floor by Small Stairs	Yellow Cove Base Adhesive	Inconclusive No Asbestos Detected	0%	✓	Actinolite/Tremolite 9.1%	9.1%	None Detected	90.9%

KEY TO NOB COLUMN SYMBOLS
 No Symbol in the NOB column denotes sample analyzed by ELAP Method 198.1 (PLM).
 ✓ NOB (non-friable organically bound) denotes material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 √ denotes material analyzed by ELAP Method 198.6 (PLM) per NYSDOH. This Method does not remove vermiculite and may underestimate the level of asbestos present in a sample containing greater than 10% vermiculite.
 # denotes friable material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 X denotes sample prepped only by ELAP Method 198.6.
 ** Polarized-light microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials.
 Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and in Non-Friable Organically Bound Bulk Samples.") or EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 200530-0).

NVLAP
 Lab Code 200530-0 for PLM Analysis
 Microscope: Olympus BH-2 #232953
 PLM Analyst: T. Bush
 PLM Date Analyzed: 12/10/2019

ELAP ID No.: 10958
 Microscope: JOEL-100CX-II #EM-156094-07
 TEM Analyst: M. Lochner
 TEM Date Analyzed: 12/11/2019

Laboratory Results Approved By:
Asbestos Technical Director or Designee **Fernanda Weinman**

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PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC.
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 12/3/2019

Job No: 13420-19
Page: 2 of 6

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix Material %
78	102351	2nd Floor Printing Area	Gray Fibrous 2'x4' Ceiling Tile	Inconclusive No Asbestos Detected	0%	#	None Detected	<1.0%	Mineral Wool 20%	80%
79	102352	2nd Floor Printing Area	Gray Fibrous 2'x4' Ceiling Tile	Inconclusive No Asbestos Detected	0%	#	None Detected	<1.0%	Mineral Wool 25%	75%
80	102353	2nd Floor Printing Area	White 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
81	102354	2nd Floor Printing Area	White 12"x12" Floor Tile	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
82	102355	2nd Floor Above Drop Ceiling on Pipes	Tan/Black Insulation Backing	Inconclusive No Asbestos Detected	0%	✓	Chrysotile 4.3%	4.3%	Mineral Wool 1%	94.7%
83	102356	2nd Floor Above Drop Ceiling on Pipes	Tan/Black Insulation Backing	Inconclusive Trace Chrysotile Detected	<1.0%	✓	Stop Positive ** No TEM	N/A	None Detected	100%
87	102360	3rd Story Storage Area	Black Mastic/Cork	<1.0% Residue Remaining, PLM and TEM Not Required.	N/A	X	N/A	N/A	N/A	N/A

KEY TO NOB COLUMN SYMBOLS
 No Symbol in the NOB column denotes sample analyzed by ELAP Method 198.1 (PLM).
 ✓ NOB (non-friable organically bound) denotes material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 √ denotes material analyzed by ELAP Method 198.6 (PLM) per NYSDOH. This Method does not remove vermiculite and may underestimate the level of asbestos present in a sample containing greater than 10% vermiculite.
 # denotes friable material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 X denotes sample prepped only by ELAP Method 198.6.
 ** Polarized-light microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials.
 Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and in Non-Friable Organically Bound Bulk Samples.") or EPA 600/M4-82-020 per 40 CFR 763 (NVIAP Lab Code 200530-0).



Lab Code 200530-0 for PLM Analysis

Microscope: Olympus BH-2 #221797
PLM Analyst: T. Ma

PLM Date Analyzed: 12/10/2019

ELAP ID No.: 10958

Microscope: JOEL-100CX-II #EM-156094-87
TEM Analyst: M. Lochner

TEM Date Analyzed: 12/11/2019

Laboratory Results Approved By:
Asbestos Technical Director or Designee

(Signature)
Fernanda Weinman

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PLM & TEM BULK ASBESTOS ANALYSIS REPORT
via NYSDOH ELAP Method 198.1, 198.4 and 198.6

Client: Paradigm Environmental, LLC.
Location: WH Lane Construction
600 North Franklin Street, Syracuse, New York
Sample Date: 12/3/2019

Job No: 13420-19
Page: 3 of 6

Client ID	Lab ID	Sampling Location	Description	PLM Asbestos Fibers Type & Percentage	PLM Total Asbestos	NOB	TEM Asbestos Fibers Type & Percentage	TEM Total Asbestos	PLM Non-Asbestos Fibers Type & Percentage	Non-Fibrous Matrix Material %
88	102361	3rd Story Storage Area	Black Mastic/Cork	<1.0% Residue Remaining. PLM and TEM Not Required.	N/A	X	N/A	N/A	N/A	N/A
89	102362	5th Floor Storage Area	Brown Fibrous Insulation	None Detected	0%		Not Required	N/A	Mineral Wool 50% Cellulose 40%	10%
90	102363	5th Floor Storage Area	Brown Fibrous Insulation	None Detected	0%		Not Required	N/A	Mineral Wool 50% Cellulose 40%	10%
91	102364	5th Floor Storage Area	Silver Coat	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
92	102365	5th Floor Storage Area	Silver Coat	Inconclusive No Asbestos Detected	0%	✓	None Detected	<1.0%	None Detected	100%
93	102366	5th Floor Storage Area	Black Fibrous Tar	Chrysotile 14%	14%	✓	Not Required	N/A	None Detected	86%
94	102367	5th Floor Storage Area	Black Tar	STOP	POSITIVE	X	SAMPLE	NOT	ANALYZED	N/A

KEY TO NOB COLUMN SYMBOLS
 No Symbol in the NOB column denotes sample analyzed by ELAP Method 198.1 (PLM).
 ✓ NOB (non-friable organically bound) denotes material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 √ denotes material analyzed by ELAP Method 198.6 (PLM) per NYSDOH. This Method does not remove vermiculite and may underestimate the level of asbestos present in a sample containing greater than 10% vermiculite.
 // denotes friable material analyzed by ELAP Method 198.6 (PLM) and 198.4 (TEM) as noted.
 X denotes sample prepped only by ELAP Method 198.6.
 ** Polarized-light microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials.
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PLM Bulk Asbestos Analysis by New York State Department of Health, ELAP Method 198.1, 198.4 and 198.6 ("Polarized Light Microscopy and Transmission Electron Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples and In Non-Friable Organically Bound Bulk Samples." per EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 200530-0),



Lab Code 200530-0 for PLM Analysis

Microscope: Olympus BH-2 #221797

PLM Analyst: T. Ma

PLM Date Analyzed: 12/10/2019

Microscope: JOEL-100CX-II #EM-156094-87

TEM Analyst: M. Lochner

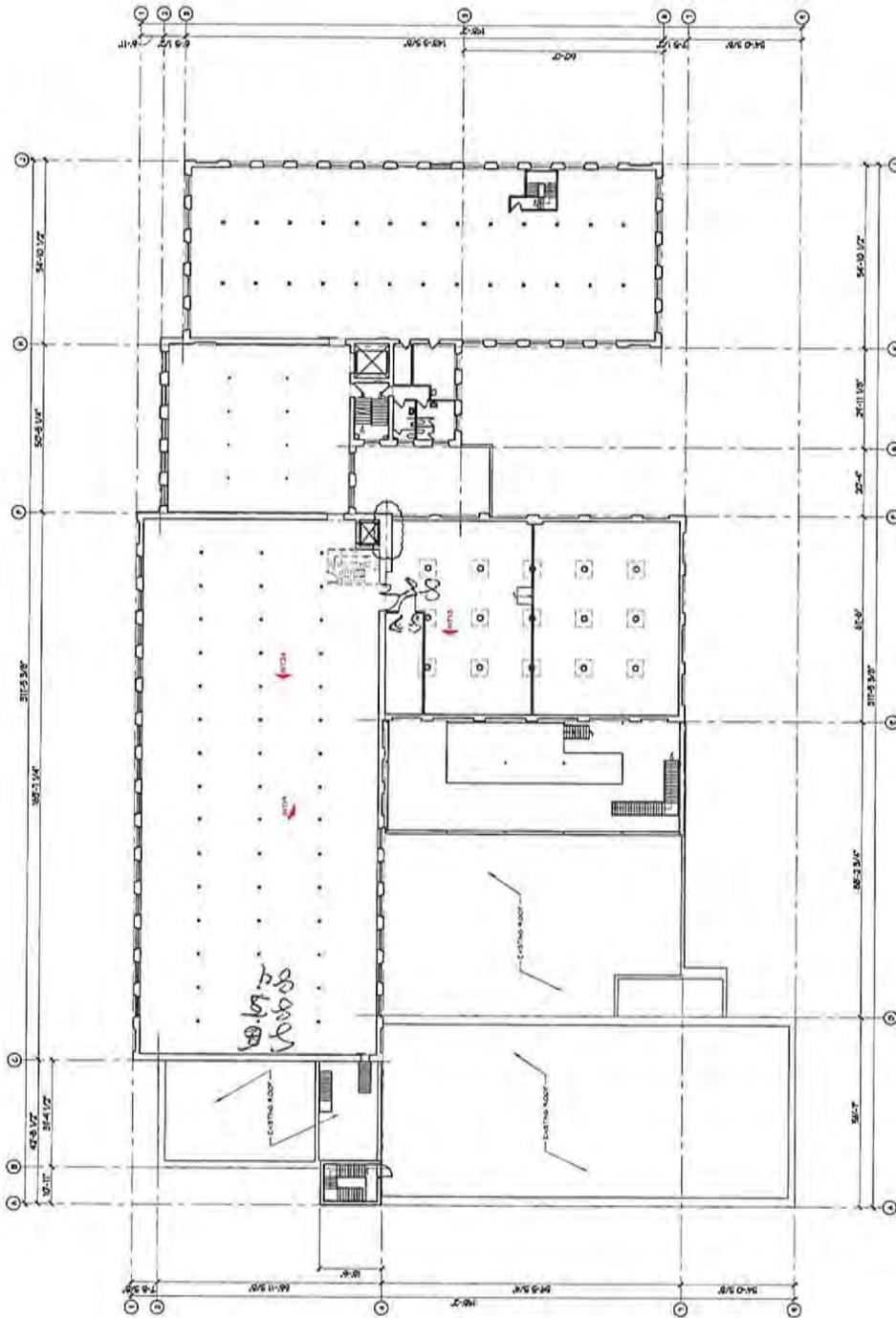
TEM Date Analyzed: 12/11/2019

ELAP ID No.: 10958

Laboratory Results Approved By:
Asbestos Technical Director or Designee

Fernanda Weinman

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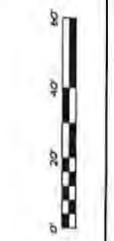


REVISIONS		DATE	10/25/14
NO.	DATE	BY	DRAWN

MERRELL SOULE BUILDING
 600 NORTH FRANKLIN STREET
 SYRACUSE, NEW YORK 13204

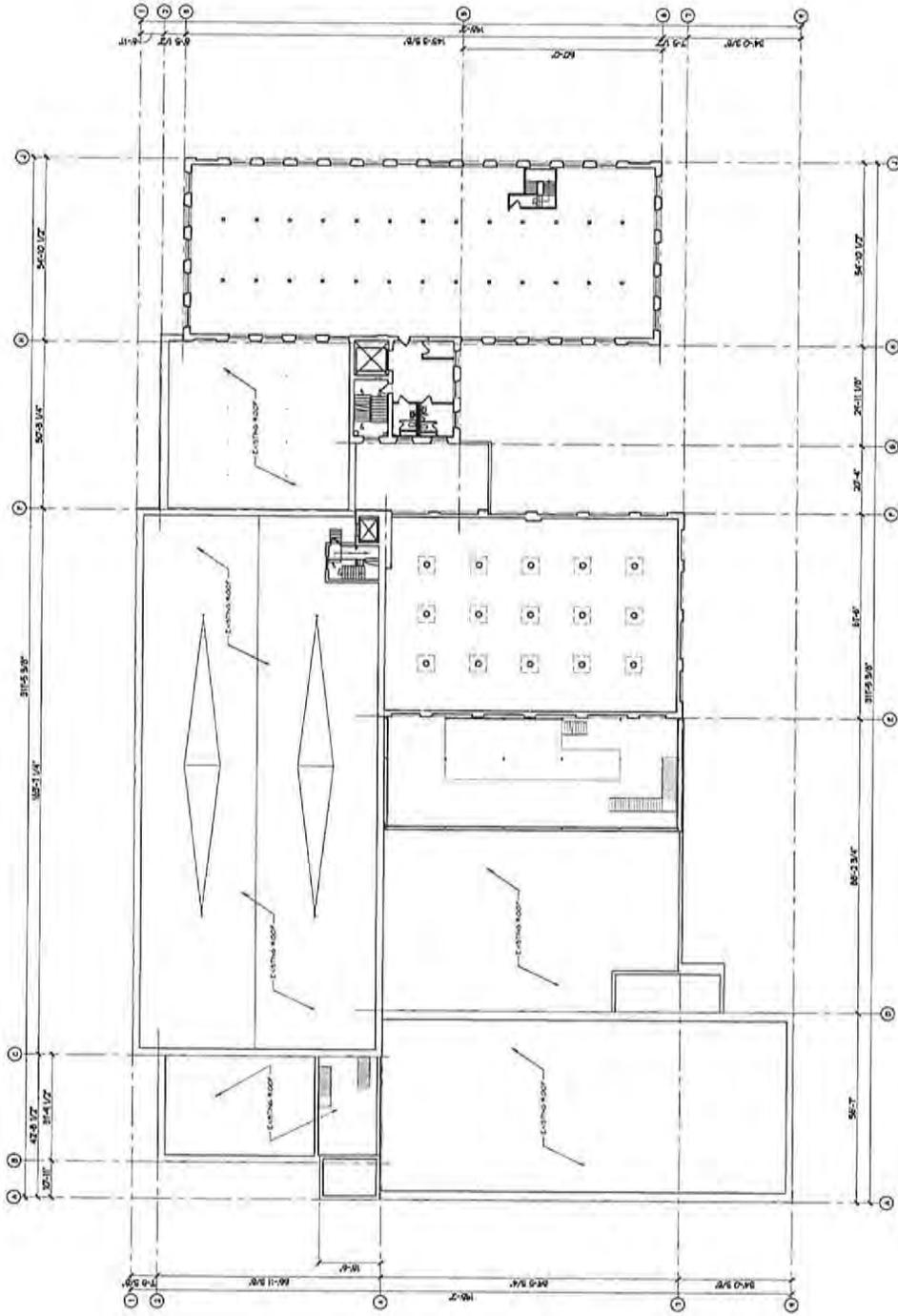
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macknight architects
 212 NORTH FRANKLIN ST
 SYRACUSE, NY 13204
 P: 315.422.0018
 MACKNIGHTARCHITECTS.COM



10 EXISTING THIRD FLOOR PLAN
 SCALE 1/8"=1'-0"

A-003



REVISIONS		DATE	BY
NO.	DATE	BY	

MERRELL SOULE BUILDING
 600 NORTH FRANKLIN STREET
 STRAOUSSE, NEW YORK 13204

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macknight architects
 212 North Franklin St
 Syracuse, NY 13204
 P: 315.462.0018
 macknightarch.com



10 EXISTING FOURTH FLOOR PLAN
 SCALE 1/8"=1'-0"

10/31/14
 JZA
 EXISTING FOURTH FLOOR PLAN
 A-004

New York State – Department of Labor

Division of Safety and Health
License and Certificate Unit
State Campus, Building 12
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Paradigm Environmental LLC
Suite A18E
3 Neptune Road

Poughkeepsie, NY 12601

FILE NUMBER: 19-130569
LICENSE NUMBER: 130569
LICENSE CLASS: RESTRICTED
DATE OF ISSUE: 02/08/2019
EXPIRATION DATE: 02/29/2020

Duly Authorized Representative – Jack Kunicki:

This license has been issued in accordance with applicable provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.



Eileen M. Franko, Director
For the Commissioner of Labor

NEW YORK STATE DEPARTMENT OF HEALTH
WADSWORTH CENTER



Expires 12:01 AM April 01, 2020
Issued April 01, 2019

CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE

Issued in accordance with and pursuant to section 502 Public Health Law of New York State

MS. KATHLEEN JOYCE
PARADIGM ENVIRONMENTAL, LLC
6950 EAST GENESEE ST SUITE L1
FAYETTEVILLE, NY 13066

NY Lab Id No: 11555

*is hereby APPROVED as an Environmental Laboratory for the category
ENVIRONMENTAL ANALYSES SOLID AND HAZARDOUS WASTE
All approved subcategories and/or analytes are listed below:*

Miscellaneous

Asbestos in Friable Material

Item 198.1 of Manual

EPA 600/M4/82/020



Department
of Health

Serial No.: 59703

Property of the New York State Department of Health. Certificates are valid only at the address shown, must be conspicuously posted, and are printed on secure paper. Continued accreditation depends on successful ongoing participation in the Program. Consumers are urged to call (518) 485-5570 to verify the laboratory's accreditation status.

NEW YORK STATE DEPARTMENT OF HEALTH
WADSWORTH CENTER



Expires 12:01 AM April 01, 2020
Issued April 01, 2019

CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE

Issued in accordance with and pursuant to section 502 Public Health Law of New York State

MR. STEVE DEVITO
PARADIGM ENVIRONMENTAL SERVICES INC
179 LAKE AVENUE
ROCHESTER, NY 14608

NY Lab Id No: 10958

*is hereby APPROVED as an Environmental Laboratory for the category
ENVIRONMENTAL ANALYSES SOLID AND HAZARDOUS WASTE
All approved subcategories and/or analytes are listed below:*

Miscellaneous

Asbestos in Friable Material	Item 198.1 of Manual EPA 600/M4/82/020
Asbestos in Non-Friable Material-PLM	Item 198.6 of Manual (NOB by PLM)
Asbestos in Non-Friable Material-TEM	Item 198.4 of Manual
Lead in Dust Wipes	EPA 6010C
Lead in Paint	EPA 6010C

Sample Preparation Methods

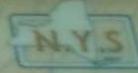
EPA 3050B

NEW YORK STATE Department of Health

Serial No.: 59505

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STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE



MITCHELL A BLACKWELL
CLASS(EXPIRES)
C ATEC(01/20) D INSP(01/20)
H PM (01/20)

CERT# 17-25242
DMV# 368546268

MUST BE CARRIED ON ASBESTOS PROJECTS

AMENDED INDUCMENT RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

**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**

WHEREAS, the Agency is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**") to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, 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, and to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, lease and sell real property and grant financial assistance in connection with one or more "projects" (as defined in the Act); and

WHEREAS, at the request of Dupli Associates, LLC (the "**Company**"), by resolution dated May 16, 2017 (the "**Inducement Resolution**") the Agency undertook a project (the "**Original Project**") consisting of: (A)(i) the acquisition of an interest in approximately 5 acres of

improved real property located at 600 Franklin Street N. to Solar Street (a/k/a 1 Dupli Park Drive) improved by an approximate 149,000 square foot building ("**Building 1**") (bearing tax parcel identification number 118.-06-08.0); and 156 Solar Street and Division Street W. improved by an approximate 62,800 square foot building ("**Building 2**") (bearing tax parcel identification number 118.-06-01.0), each in the City of Syracuse, New York (the "**City**") (the foregoing collectively referred to as the "**Land**"); (ii) the reconstruction and renovation of approximately 21,000 square feet of Building 1 consisting of an approximately 15,000 square foot climbing gym and an approximately 6,000 square foot restaurant in the northwest corner of Building 1 (collectively, the "**Original Facility**"); (iii) the acquisition and installation in and at Building 1 of furniture, fixtures and equipment (the "**Original Equipment**" and together with the Land and the Original Facility, the "**Original Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Original Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the lease of the Land and Original Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Original Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Original Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in July 2017, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Original Project and the conference of the approved Financial Assistance (the "**Original Lease Transaction**"). As part of the Original Lease Transaction, the Company and the Agency executed and delivered numerous documents, including but not limited to, an agency agreement, a company lease, and agency lease, a bill of sale, and environmental compliance and indemnification agreement, a project agreement and a payment in lieu of taxes agreement (collectively, the "**Lease Documents**"); and

WHEREAS, by supplemental application dated February 4, 2020 (the "**Application**"), the Company requested the Agency revise the Original Project (the "**Project**") as follows: (A)(i) the continuation of an interest in the Land; (ii) the reconstruction and renovation of Building 1 consisting of a 7,000 sq.ft. expansion of the climbing gym for an aggregate approximately 23,000 sq.ft. climbing gym and exercise/training facility; approximately 37,500 sq.ft. of commercial office space; approximately 25,000 sq.ft. of commercial storage; approximately 45,000 sq.ft of residential space containing approximately 39 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the annual 65% area median income rent limits for the City¹ (the "**AMI**"); and approximately 3,500 sq.ft. of retail space; and the reconstruction and renovation of Building 2 consisting of 24,000 sq.ft. of residential space containing approximately 20 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the AMI; approximately 20,000 sq.ft. of commercial office space and approximately 9,500 sq.ft. of retail space (collectively, the "**Facilities**"); and (iii) the acquisition and installation in and at the Land and Building 1 and Building 2 of furniture, fixtures and equipment (the "**Equipment**" and

¹ As defined in the City of Syracuse Department of Neighborhood and Business Development [Syracuse Consolidated Plan](http://www.syr.gov/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf)
http://www.syr.gov/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf

together with the Land and the Facilities, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the continuation of the lease of the Land and Facilities by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Company has requested the Agency approve the Project, as set forth above, and amend the necessary Lease Documents to effectuate same; and

WHEREAS, as part of the Financial Assistance, the Company requested the Agency consider an amended payment in lieu of tax schedule, which schedule conforms with the Agency's UTEP and accounts for the additional parcels and amendments to the Project included in the Application, and in particular, the commitment to incorporate residential units at AMI; and

WHEREAS, the Company further requested approval of the transfer of some or all of the membership interests in the Company to FS Development Associates LLC whose members are Mark Lane, Joseph Gehm and Timothy Lynn; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "**SEQRA**"), the Agency is required to make a determination whether the "action" (as said quoted term is defined in SEQRA) to be taken by the Agency may have a "significant impact on the environment" (as said quoted term is utilized in SEQRA), and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, by resolution adopted March 17, 2020 (the "**SEQRA Lead Agency Resolution**"), the Agency 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 SEQRA; and

WHEREAS, the Agency adopted a resolution on February 18, 2020 describing the Project and the proposed financial assistance and authorizing a public hearing with respect thereto ("**Public Hearing Resolution**"); and

WHEREAS, the Agency scheduled a public hearing with respect to the Project and the proposed Financial Assistance to be held on March 17, 2020, pursuant to Section 859-a of the Act, notice of which was published on March 5, 2020, in the Post-Standard, a newspaper of general circulation in the City and given to the chief executive officers of the affected tax jurisdictions by letters dated March 4, 2020; however, the public hearing was postponed in order to comply with the restrictions on public gatherings/meetings pursuant to one or more executive orders issued by the Governor; and

WHEREAS, the Agency conducted a public hearing with respect to the Project and the proposed Financial Assistance on April 21, 2020 pursuant to Section 859-a of the Act and executive order 220.1 issued by the Governor on March 12, 2020, as amended from time to time, notice of which was published on April 9, 2020, in the Post-Standard, a newspaper of general circulation in the City and given to the chief executive officers of the affected tax jurisdictions by letters dated April 10, 2020; and

WHEREAS, by resolution adopted April 21, 2020 (the “*SEQRA Resolution*”), the Agency determined that the Project will not have a significant adverse effect on the environment and issued a negative declaration; and

WHEREAS, the Agency has considered the policy, purposes and requirements of the Act in making its determinations with respect to taking official action regarding the Project; and

WHEREAS, the Agency has given due consideration to the Application and to representations by the Company that the provision of Financial Assistance: (i) will induce the Company to develop the Project Facility in the City; (ii) will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act; and (iii) the Project will serve the purposes of the Act by advancing job opportunities and the economic welfare of the people of the State and the City and improve their standard of living.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

Section 1. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

Section 2. Based upon the representations and projections made by the Company to the Agency, the Agency hereby and makes the following determinations:

- (A) Ratifies the findings in its SEQRA Resolution;
- (B) The Project constitutes a “*project*” within the meaning of the Act;
- (C) The acquisition or continuation of a controlling interest in the Project Facility by the Agency and the continued or extended designation of the Company as the

Agency's agent for completion of the Project will be an inducement to the Company to construct, reconstruct, renovate, equip and complete the Project Facility in the City, and will serve the purposes of the Act by, among other things, advancing job opportunities, the standard of living and economic welfare of the inhabitants of the City;

(D) The Project will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act;

(E) The Financial Assistance approved hereby includes an exemption from State and local sales and use taxes and mortgage recording taxes, and the appointment of the Company as agent of the Agency as further set forth herein.

Section 3. As a condition of the appointment or continuation of the Company as agent of the Agency, and the conference of any approved Financial Assistance, the Company and the Agency shall first execute and deliver amended, or amended and restated, Lease Documents and any and all other documents or certificates as the Agency may deem necessary to carry out the intent of this Resolution (collectively, the "*Amended Lease Documents*"). The Chair, Vice Chair or Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Amended Lease Documents, with changes in terms and form as shall be consistent with this Resolution and as the Chair or Vice Chair shall approve. The execution thereof by the Chair, Vice Chair and/or Executive Director shall constitute conclusive evidence of such approval. Subject to the due execution and delivery by the Company of the Amended Lease Documents, the satisfaction of the conditions of this Resolution, the Amended Lease Documents and the payment by the Company of any attendant fees owed to the Agency for its administration or legal fees, the Company and its designees, are appointed the true and lawful agent of the Agency to proceed with the reconstruction, renovation, equipping and completion of the Project, all with the same powers and the same validity as if the Agency were acting in its own behalf. The amount of State and local sales and use tax exemption benefits comprising the Financial Assistance approved herein shall not exceed **\$897,912**.

Section 4. Subject to the terms of this Resolution, the Agency authorizes the execution and delivery of the Amended Lease Documents and the Agency authorizes the undertaking of the Project and will: (i) continue its interest in the Land and Facility; accept an interest in the Equipment; (ii) sublease the Project Facility to the Company pursuant to the Amended Lease Documents to be entered into between the Agency and the Company; (iii) grant the approved Financial Assistance; and (iv) provided that no default shall have occurred and be continuing under the Lease Documents, and provided the Company has executed and delivered all documents and certificates required by the Agency in conjunction with the Agency's undertaking of the Project, execute and deliver all other certificates and documents necessary or appropriate for the grant of the approved Financial Assistance, in form and substance acceptable to the Agency.

Section 5. The Agency hereby authorizes the assignment of some or all of the

membership interests in the Company to FS Development Associates LLC, whose members are Mark Lane, Joseph Gehm and Timothy Lynn provided that to the satisfaction of the Agency and its counsel, the new members assume the obligations and terms of the Amended Lease Documents.

Section 6. The terms and conditions of subdivision 3 of Section 875 of the Act are herein incorporated by reference and the Company shall agree to such terms as a condition precedent to receiving or benefiting from an exemption from State and local sales and use tax exemptions benefits.

Section 7. The Company may utilize, and subject to the terms of this Resolution, the Agreement and the Project Agreement (as defined in the Inducement Resolution and as such documents may be amended as part of the Amended Lease Documents) , is hereby authorized to appoint, a Project operator, contractors, agents, subagents, subcontractors, contractors and subcontractors of such agents and subagents (collectively, “***Additional Agents***”) to proceed with the reconstruction, renovation, equipping and completion of the Project, all with the same powers and the same validity as if the Agency were acting in its own behalf, provided the Company execute, deliver and comply with the Agreement. The Company shall provide, or cause its Additional Agents to provide, and the Agency shall maintain, records of the amount of State and local sales and use tax exemption benefits provided to the Project and the Company shall, and cause each Additional Agent, to make such records available to the State Commissioner of Taxation and Finance (the “***Commissioner***”) upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company or Project’s receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its Additional Agents to make, all records and information regarding State and local sales and use tax exemption benefits realized by the Project available to the Agency or its designee upon request. for purposes of exemption from New York State (the “***State***”) sales and use taxation as part of the Financial Assistance requested, “sales and use taxation” shall mean sales and compensating use taxes and fees imposed by article twenty-eight or twenty-eight-A of the New York State tax law but excluding such taxes imposed in a city by section eleven hundred seven or eleven hundred eight of such article twenty-eight.

Section 8. The Chair, Vice Chair and/or the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified herein and any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred herein as the (Vice) Chair deems appropriate, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution and/or the Amended Lease Documents.

Section 9. The obligation of the Agency to consummate any transaction

contemplated herein or hereby is subject to and conditioned upon the Company's execution and delivery of the Amended Lease Documents and any other documents necessary to carry out the intent of this Resolution.

Section 10. No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

Section 11. Should the Agency's participation in the Project, or the appointments made in accordance herewith, be challenged by any party, in the courts or otherwise, the Company shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from any such challenge including, but not limited to, the fees and disbursement of the Agency's counsel. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to participate in the Project, this Resolution shall automatically become null, void and of no further force and effect, and the Agency shall have no liability to the Company hereunder or otherwise.

Section 12. Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare for submission to the Agency, all documents necessary to effect the grant of Financial Assistance and consummate the Lease Documents.

Section 13. The Secretary and/or the Executive Director of the Agency are hereby authorized and may distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 14. This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

AMENDED PILOT RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

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

WHEREAS, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, 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, railroad facilities and certain horse racing facilities, 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, to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, at the request of Dupli Associates, LLC (the "**Company**"), by resolution dated May 16, 2017 (the "**Inducement Resolution**"), the Agency undertook a project (the "**Original Project**") consisting of: (A)(i) the acquisition of an interest in approximately 5 acres of improved real property located at 600 Franklin Street N. to Solar Street (a/k/a 1 Dupli Park Drive) improved by an approximate 149,000 square foot building ("**Building 1**") (bearing tax parcel identification number 118.-06-08.0); and 156 Solar Street and Division Street W. improved by an approximate 62,800 square foot building ("**Building 2**") (bearing tax parcel

identification number 118.-06-01.0), each in the City of Syracuse, New York (the "**City**") (the foregoing collectively referred to as the "**Land**"); (ii) the reconstruction and renovation of approximately 21,000 square feet of Building 1 consisting of an approximately 15,000 square foot climbing gym and an approximately 6,000 square foot restaurant in the northwest corner of Building 1 (collectively, the "**Facility**"); (iii) the acquisition and installation in and at Building 1 of furniture, fixtures and equipment (the "**Original Equipment**" and together with the Property and the Facility, the "**Original Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Original Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the lease of the Land and Original Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Original Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Original Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in July 2017, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Original Project and the conference of the approved Financial Assistance (the "**Original Lease Transaction**"). As part of the Original Lease Transaction, the Company and the Agency executed and delivered numerous documents, including but not limited to, an agency agreement, a company lease, an agency lease, a bill of sale, an environmental compliance and indemnification agreement, a project agreement and a payment in lieu of taxes agreement (collectively, the "**Lease Documents**"); and

WHEREAS, by supplemental application dated February 4, 2020 (the "**Application**"), the Company requested the Agency revise the Original Project (the "**Project**") as follows: (A)(i) the continuation of an interest in the Land; (ii) the reconstruction and renovation of Building 1 consisting of a 7,000 sq.ft. expansion of the climbing gym for an aggregate approximately 23,000 sq.ft. climbing gym and exercise/training facility; approximately 37,500 sq.ft. of commercial office space; approximately 25,000 sq.ft. of commercial storage; approximately 45,000 sq.ft of residential space containing approximately 39 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the annual 65% area median income rent limits for the City¹ (the "**AMI**"); and approximately 3,500 sq.ft. of retail space; and the reconstruction and renovation of Building 2 consisting of 24,000 sq.ft. of residential space containing approximately 20 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the AMI; approximately 20,000 sq.ft. of commercial office space and approximately 9,500 sq.ft. of retail space (collectively, the "**Facilities**"); and (iii) the acquisition and installation in and at the Land and Building 1 and Building 2 of furniture, fixtures and equipment (the "**Equipment**" and together with the Land and the Facilities, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction,

¹ As defined in the City of Syracuse Department of Neighborhood and Business Development [Syracuse Consolidated Plan](http://www.syr.gov/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf)
http://www.syr.gov/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf

reconstruction, equipping and completion of the Project Facility; and (D) the continuation of the lease of the Land and Facilities by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Company has requested that the Agency undertake the Project, as set forth above, and amend the necessary Lease Documents to effectuate same; and

WHEREAS, as part of the Financial Assistance, the Company requested the Agency consider an amended payment in lieu of tax schedule (the “**PILOT Schedule**”), as more fully described on **Exhibit “A”** attached hereto, which schedule conforms with the Agency’s UTEP and accounts for the additional parcels and amendments to the Project included in the Application, and in particular, the commitment to incorporate residential units at AMI; and

WHEREAS, the Company further requested approval of the transfer of some or all of the membership interests in the Company to FS Development Associates LLC whose members are Mark Lane, Joseph Gehm and Timothy Lynn; and

WHEREAS, the Agency scheduled a public hearing with respect to the Project and the proposed Financial Assistance to be held on March 17, 2020, pursuant to Section 859-a of the Act, notice of which was published on March 5, 2020, in the Post-Standard, a newspaper of general circulation in the City and given to the chief executive officers of the affected tax jurisdictions by letters dated March 4, 2020; however, the public hearing was postponed in order to comply with the restrictions on public gatherings/meetings pursuant to one or more executive orders issued by the Governor; and

WHEREAS, the Agency conducted a public hearing with respect to the Project and the proposed Financial Assistance on April 21, 2020 pursuant to Section 859-a of the Act and executive order 220.1 issued by the Governor on March 12, 2020, as amended from time to time, notice of which was published on April 9, 2020, in the Post-Standard, a newspaper of general circulation in the City and given to the chief executive officers of the affected tax jurisdictions by letters dated April 10, 2020; and

WHEREAS, on April 21, 2020, the Agency resolved to classify the Project as a Type 1 Action pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”) and determined that the action will not have a significant effect on the environment (the “**SEQRA Resolution**”); and

WHEREAS, by resolution adopted April 21, 2020 (the “**Amended Inducement Resolution**”), the Agency approved the Project and the Financial Assistance; and

WHEREAS, the Agency has given due consideration to the Application and to representations by the Company that the proposed PILOT Schedule, as part of the Financial Assistance: (i) will induce the Company to develop the Project Facility in the City; (ii) will not

result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act; and (iii) undertaking the Project will advance job opportunities in the State and promote the general prosperity and economic welfare of the inhabitants of the City in furtherance of the purposes of the Act.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Based upon the representations made by the Company to the Agency, and the reasons presented by the Company in support of its request for the PILOT Schedule, the Agency hereby approves the amended PILOT Schedule and the (Vice) Chair and Executive Director, acting individually, are each authorized to execute and deliver an amended payment in lieu of taxes agreement (the “*PILOT Agreement*”) providing for the PILOT Schedule attached as **Exhibit “A”** hereto, all in such form and substance as shall be substantially the same as approved by the Agency for other similar transactions and consistent with this Resolution and as approved by the Chair or Vice Chair of the Agency upon the advice of counsel to the Agency.

(2) The (Vice) Chair and/or Executive Director, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified herein and any and all such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein as the (Vice) Chair shall approve, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

(3) No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to above shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(4) Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare for submission to the Agency, all documents necessary to effect the grant of Financial Assistance and consummate the Lease Documents.

(5) The Secretary and/or the Executive Director of the Agency are hereby authorized to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(6) This Resolution shall take effect immediately, but is subject to execution by the Company of the PILOT Agreement and the Amended Lease Documents (as defined in the

Amended Inducement Resolution) and compliance with all other resolutions and other related documents adopted and/or approved by the Agency in conjunction with the Project and/or as set forth herein.

(7) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “*Agency*”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including any and all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“*EO 202.1*”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

EXHIBIT "A"

PROPOSED PILOT SCHEDULE

**Total Annual
Payment**

<i>Year</i>	<i>Amount</i>	
1	\$73,706.22	7/1/2018
2	\$75,180.34	7/1/2019
3	\$76,683.95	7/1/2020
4	\$78,217.63	7/1/2021
5	\$79,781.98	7/1/2022
6	\$81,377.62	7/1/2023
7	\$83,005.18	7/1/2024
8	\$84,665.28	7/1/2025
9	\$86,358.58	7/1/2026
10	\$88,085.76	7/1/2027
11	\$161,084.37	7/1/2028
12	\$236,967.70	7/1/2029
13	\$315,821.93	7/1/2030
14	\$397,735.54	7/1/2031
15	\$482,799.37	7/1/2032
Total	\$2,401,471.46	-

AMENDED FINAL APPROVING RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

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

WHEREAS, the Agency is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**") to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, 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, and to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, lease and sell real property and grant financial assistance in connection with one or more "projects" (as defined in the Act); and

WHEREAS, at the request of Dupli Associates, LLC (the "**Company**"), by resolution dated May 16, 2017 (the "**Inducement Resolution**"), the Agency undertook a project (the "**Original Project**") consisting of: (A)(i) the acquisition of an interest in approximately 5 acres of improved real property located at 600 Franklin Street N. to Solar Street (a/k/a 1 Dupli Park Drive) improved by an approximate 149,000 square foot building ("**Building 1**") (bearing tax

parcel identification number 118.-06-08.0); and 156 Solar Street and Division Street W. improved by an approximate 62,800 square foot building ("**Building 2**") (bearing tax parcel identification number 118.-06-01.0), each in the City of Syracuse, New York (the "**City**") (the foregoing collectively referred to as the "**Land**"); (ii) the reconstruction and renovation of approximately 21,000 square feet of Building 1 consisting of an approximately 15,000 square foot climbing gym and an approximately 6,000 square foot restaurant in the northwest corner of Building 1 (collectively, the "**Facility**"); (iii) the acquisition and installation in and at Building 1 of furniture, fixtures and equipment (the "**Original Equipment**" and together with the Property and the Facility, the "**Original Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Original Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the lease of the Land and Original Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Original Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Original Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in July 2017, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Original Project and the conference of the approved Financial Assistance (the "**Original Lease Transaction**"). As part of the Original Lease Transaction, the Company and the Agency executed and delivered numerous documents, including but not limited to, an agency agreement, a company lease, an agency lease, a bill of sale, an environmental compliance and indemnification agreement, a project agreement and a payment in lieu of taxes agreement (collectively, the "**Lease Documents**"); and

WHEREAS, by supplemental application dated February 4, 2020 (the "**Application**"), the Company requested the Agency revise the Original Project (the "**Project**") as follows: (A)(i) the continuation of an interest in the Land; (ii) the reconstruction and renovation of Building 1 consisting of a 7,000 sq.ft. expansion of the climbing gym for an aggregate approximately 23,000 sq.ft. climbing gym and exercise/training facility; approximately 37,500 sq.ft. of commercial office space; approximately 25,000 sq.ft. of commercial storage; approximately 45,000 sq.ft of residential space containing approximately 39 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the annual 65% area median income rent limits for the City¹ (the "**AMI**"); and approximately 3,500 sq.ft. of retail space; and the reconstruction and renovation of Building 2 consisting of 24,000 sq.ft. of residential space containing approximately 20 apartment units, twenty percent (20%) of such units shall be reserved for tenants at the AMI; approximately 20,000 sq.ft. of commercial office space and approximately 9,500 sq.ft. of retail space (collectively, the "**Facilities**"); and (iii) the acquisition and installation in and at the Land and Building 1 and Building 2 of furniture, fixtures and equipment (the "**Equipment**" and together with the Land and the Facilities, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal

¹ As defined in the City of Syracuse Department of Neighborhood and Business Development [Syracuse Consolidated Plan](http://www.syr.gov/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf) http://www.syr.gov/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf

Law) (collectively the "*Financial Assistance*"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, equipping and completion of the Project Facility; and (D) the continuation of the lease of the Land and Facilities by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Company has requested the Agency approve the Project, as set forth above, and amend the necessary Lease Documents to effectuate same; and

WHEREAS, as part of the Financial Assistance, the Company requested the Agency consider an amended payment in lieu of tax schedule which schedule conforms with the Agency's UTEP and accounts for the additional parcels and amendments to the Project included in the Application, and in particular, the commitment to incorporate residential units at AMI; and

WHEREAS, the Company further requested approval of the transfer of some or all of the membership interests in the Company to FS Development Associates LLC whose members are Mark Lane, Joseph Gehm and Timothy Lynn; and

WHEREAS, the Agency scheduled a public hearing with respect to the Project and the proposed Financial Assistance to be held on March 17, 2020, pursuant to Section 859-a of the Act, notice of which was published on March 5, 2020, in the Post-Standard, a newspaper of general circulation in the City and given to the chief executive officers of the affected tax jurisdictions by letters dated March 4, 2020; however, the public hearing was postponed in order to comply with the restrictions on public gatherings/meetings pursuant to one or more executive orders issued by the Governor; and

WHEREAS, the Agency conducted a public hearing with respect to the Project and the proposed Financial Assistance on April 21, 2020 pursuant to Section 859-a of the Act and executive order 220.1 issued by the Governor on March 12, 2020, as amended from time to time, notice of which was published on April 9, 2020, in the Post-Standard, a newspaper of general circulation in the City and given to the chief executive officers of the affected tax jurisdictions by letters dated April 10, 2020; and

WHEREAS, the Agency adopted a resolution on February 18, 2020 (the "*SEQRA Lead Agency Resolution*") entitled:

**RESOLUTION 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**

which resolution is in full force and effect and has not been amended or modified; and

WHEREAS, the Agency adopted a resolution on April 21, 2020 (the “*SEQRA Resolution*”) entitled:

RESOLUTION DETERMINING THAT THE UNDERTAKING OF A CERTAIN PROJECT AT THE REQUEST OF DUPLI ASSOCIATES, LLC WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

which resolution is in full force and effect and has not been amended or modified; and

WHEREAS, the Agency adopted a resolution on April 21, 2020 (the “*Amended Inducement Resolution*”) entitled:

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

which resolution is in full force and effect and has not been amended or modified; and

WHEREAS, the Agency adopted a resolution on April 21, 2020 (the “*Amended PILOT Resolution*”) entitled:

RESOLUTION APPROVING A PAYMENT IN LIEU OF TAX ("PILOT") SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH THE PILOT SCHEDULE

which resolution is in full force and effect and has not been amended or modified.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

Section 1. Based upon the representations made by the Company to the Agency and after consideration of the comments received at the public hearing, if any, the Agency hereby ratifies the SEQRA Resolution, the Amended Inducement Resolution, the Amended PILOT Resolution and all other action with respect to the Project and Financial Assistance taken by the Agency, and makes the following findings and determinations:

(a) The acquisition or continuation of a controlling interest in the Project Facility by the Agency, the granting of the approved Financial Assistance in accordance with the

Inducement Resolution and the Amended PILOT Resolution and the continued or extended designation of the Company as the Agency's agent for completion of the Project will be an inducement to, and permit, the Company to develop and operate the Project Facility in the City of Syracuse, thus serving the public purposes of Article 18-A of the General Municipal Law of New York State by promoting and preserving the job opportunities, general prosperity, health and economic welfare of the inhabitants of the City in furtherance of the purposes of the Act;

(b) The Project will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act;

(c) The commitment of the Agency to provide the approved Financial Assistance in accordance with the Inducement Resolution to the Company will enable and induce the Company to acquire, construct, equip and complete the Project Facility;

(d) The acquisition, construction, equipping and completion of the Project Facility and the attendant promotion of the local economy will advance the job opportunities, health, prosperity and economic welfare of the people of the City and the granting of the Financial Assistance is a necessary component to the financing of the Project;

(e) The Project Facility constitutes a "project" within the meaning of the Act;
and

(f) It is desirable and in the public interest for the Agency to grant Financial Assistance in connection with the Project.

Section 2. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. The Project will serve the public purposes of Article 18-A of the General Municipal Law of the State of New York by advancing job opportunities and promoting economic development.

Section 3. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, reconstructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

Section 4. Subject to the terms of this Resolution, the Amended Inducement Resolution and the Amended PILOT Resolution, the Agency authorizes the execution and delivery of the Amended Lease Documents and the Agency authorizes the undertaking of the Project and will: (i) continue its interest in the Land and Facility; accept an interest in the Equipment; (ii) sublease the Project Facility to the Company pursuant to the Amended Lease

Documents to be entered into between the Agency and the Company; (iii) grant the approved Financial Assistance; and (iv) provided that no default shall have occurred and be continuing under the Lease Documents, and provided the Company has executed and delivered all documents and certificates required by the Agency in conjunction with the Agency's undertaking of the Project, execute and deliver all other certificates and documents necessary or appropriate for the grant of the approved Financial Assistance, in form and substance acceptable to the Agency.

Section 5. The (Vice) Chair and the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the Amended Lease Documents (as defined in the Amended Inducement Resolution) and any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

Section 6. No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

Section 7. Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare, for submission to the (Vice)Chair and/or the Executive Director, all documents necessary to effect the undertaking of the Project and the grant of Financial Assistance in connection with the Project.

Section 8. The approvals provided for herein are contingent upon the Company's payment of all of the Agency's fees and costs, including but not limited to attorneys fees.

Section 9. The Secretary and/or Executive Director of the Agency is hereby authorized to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 10. This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

EXECUTIVE SUMMARY

Agenda Item: 4

Title: Addis Building LLC

Requested By: Sue Katzoff

OBJECTIVE: Approval of a resolution authorizing the Agency's participation in mortgage financing.

DESCRIPTION:

Direct expenditure of fund: Yes No

Type of financial assistance requested

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

SUMMARY: The Board of Directors approved resolutions to undertake the Project in late 2016. Mortgage and sales tax exemptions valued at \$32,500.00 and \$222,890.00 respectively were approved for the gut renovation of the former Addis Company Dept Store at 449-453 S. Salina St. The conversion slated to be a mixed commercial/residential use facility containing two floors of commercial/retail space with the upper three floors to contain 18 one bedroom residential units at an estimated cost of \$5,572,246.00. The Project closed with the Agency in March of 2018 and is now estimated to be completed by December 31, 2020. \$15,000.00 of the approved mortgage tax exemption has been used to date. The Agency has received a request from the Company to participate in further financing for the Project and is further requesting approval to use the unexpended portion of the original mortgage tax exemption (\$17500.00) for the current mortgage borrowing.

ATTACHMENTS:

1. Correspondence.
2. Resolution.

REVIEWED BY:

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

Meeting: April 21, 2020

Prepared By: J. A. DeLaney



LYNN D'ELIA
TEMES &
STANCZYK

100 MADISON STREET
SUITE 1905
SYRACUSE, NY 13202
(315) 476-1010

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FIFTH FLOOR
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March 26, 2020

Via Email and Regular Mail
JDelaney@syrgov.net

Judith DeLaney, Executive Director
SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY
City Hall Commons, 6th Floor
201 East Washington Street
Syracuse, New York 13202

**RE: Syracuse Industrial Development Agency ("SIDA")/Addis Building Project
at 449-53 South Salina Street; Tax Map Number 101.-08-05.0**

Dear Judith;

I am representing Addis Building, LLC with respect to the above SIDA Project, which closed on March 27, 2018. The Lease/Leaseback is set to expire on December 31, 2020 and the Project is currently on schedule to be completed on or before that date. In March 2018, we closed interim or partial construction financing and entered into all the final SIDA transaction documents. At that time, we borrowed only \$2 Million from Chemung Canal Trust Company to pay for some interim construction invoices. We are now ready to finalize the remaining balance of the construction loan with Community Preservation Corporation, in partnership with Berkshire Bank, as the historic tax credit investor.

We respectfully request that SIDA join in and sign the construction mortgage and assignment of leases and rents, and any other real property collateral related items as needed for the construction lender to proceed with the Addis Building Project. Further, in the initial SIDA application, we requested and were granted a Mortgage Recording Tax Exemption, but we only used a small portion of that exemption in connection with the March 2018 interim financing. I respectfully request permission to use the remaining balance of the mortgage recording tax exemption.

Please consider this correspondence an application to SIDA to join in and sign the construction mortgage, assignment of leases and rents and any other real property collateral related items needed by the Community Preservation Corporation to finalize the construction financing and permit Addis Building to utilize the balance of its mortgage recording tax exemption.

Thank you so much for all of your assistance. If you require any further information, please contact me at (315) 766-2122. Thanks again.

Very truly yours,

LYNN D'ELIA TEMES & STANCZYK LLC



Anthony J. D'Elia, Esq.
Direct dial (315) 766 - 2122
Email anthony@ldts-law.com
AJD/cem

CC: Susan Katzoff, Esq
Bousquet Holstein PLLC

APPROVING RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

RESOLUTION APPROVING THE AGENCY'S PARTICIPATION IN THE REFINANCING OF THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the Agency is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, 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, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, at the request of Addis Building LLC (the "**Company**"), by resolution dated December 20, 2016 (the "**Inducement Resolution**") the Agency undertook a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in approximately 7,500 square feet of real property improved by an existing approximately 37,500 square foot building (the "**Building**") located at 449-53 South Salina Street, in the City of Syracuse, New York (the "**Land**"); (ii) the renovation of the Building as follows: (a) approximately 22,500 square feet containing approximately 18 one-bedroom apartment units on floors 3-5; (b) approximately 7,500 square feet of commercial space on the second floor; and (c) approximately 7,500 square feet of retail space on the first floor, all located on the Land (collectively, the "**Facility**"); (iii) the

acquisition and installation in and at the Land and Facility of furniture, fixtures and equipment (the "**Equipment**") and together with the Land and the Facility, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from State and local sales and use tax and mortgage recording tax (except as limited by Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in March 2018, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Project and the conference of the approved Financial Assistance (the "**Lease Transaction**"). As part of the Project approval, based upon the application, the Agency approved the Company's request for an exemption from mortgage recording tax in an amount not to exceed \$32,500; and

WHEREAS, in conjunction with the Project, on or about August 3, 2018, the Company and the Agency entered into a partial construction loan secured by a mortgage in the amount of \$2,000,000 (the "**Initial Mortgage**") in favor of the Chemung Canal Trust Company to secure the Company's obligation under a corresponding note in a like amount (the "**Initial Note**"); and

WHEREAS, at the time of closing on the Initial Mortgage, the Project received $\frac{3}{4}$ of 1% of the mortgage amount; or \$15,000 leaving \$17,500 in remaining approved exemption (the "**Unused Exemption**"); and

WHEREAS, by letter dated March 26, 2020, the Company requested the Agency participate in additional construction financing on the Project through Community Preservation Corporation, in partnership with Berkshire Bank, as the historic tax credit investor (the "**Additional Financing**") consisting of the: (a) execution and delivery of an additional construction loan mortgage and any and all related and additional documents in favor of Community Preservation Corporation in an amount not to exceed Seven Million Two Hundred Fifteen Thousand Dollars (\$7,215,000) to secure the balance of the construction financing (collectively, the "**Mortgage Documents**"); (b) confirmation to use the Unused Exemption to cover, as permitted by the Act, some or all of the associated mortgage recording tax incurred with respect to the Mortgage Documents; and (c) execution and delivery of all other documents reasonably necessary, upon advice of Agency's counsel, to effectuate the Additional Financing and confirm and grant so much of the Unused Exemption as necessary to cover, as permitted by the Act, some or all of the associated mortgage recording tax incurred with respect to the Mortgage Documents (collectively with (a) and (b) above, the "**Financing Documents**"); and

WHEREAS, the Agency Lease, executed by the Company and the Agency in connection with the Project in March, 2018 (the "**Agency Lease**"), anticipated the Agency's participation in such Additional Financing; and

WHEREAS, the Additional Financing is in furtherance of the Financial Assistance that was previously approved for the Project, which underwent an environmental review by the Agency pursuant to the State Environmental Quality Review Act (“**SEQRA**”), and the present request for additional financing is insubstantial and does not require reconsideration or further review by the Agency under SEQRA.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

(1) Based upon the representations made by the Company to the Agency, the Agency hereby makes the following findings and determinations:

(a) The Agency's participation in the Additional Financing, the confirmation of the use of the Unused Exemption and the execution and delivery of the Financing Documents will not result in a change to the Project as originally considered and therefore no further SEQRA review or action is required; and

(b) The Agency has the authority to, and hereby does, approve its participation in the Additional Financing, the execution and delivery of the Financing Documents and the use of the Unused Exemption. The Chair, Vice Chair and/or Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the Financing Documents and to execute and deliver any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution. The execution thereof by the Chair, Vice Chair or Executive Director constitutes conclusive evidence of such approval.

(c) As conditions precedent to the Agency's participation in the Additional Financing and the execution and delivery of the Financing Documents, all as set forth herein: (i) the Company shall be current with all required reporting obligations under the Agency Lease and any other documents executed in conjunction with the Lease Transaction; (ii) there shall be no event of default under the Agency Lease or any other documents executed in conjunction with the Lease Transaction; (iii) the Company shall submit to the Agency the appropriate fee, including the Agency's legal fees associated with the approval of the Permanent Financing and/or the execution and delivery of the Permanent Documents; and (iv) the Company shall provide proof of insurance as required under the Agency Lease as well as any additional required certificates, documents or reporting information, in exchange for the Agency's participation therein and the execution and delivery of the Financing Documents.

(2) Should the Agency's participation in the Financing Documents be challenged by any party, in the courts or otherwise, the Company shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from any such challenge including, but not limited to, the fees and disbursement of the Agency's counsel.

Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to participate in the Financing Documents this Resolution shall automatically become null, void and of no further force and effect, and the Agency shall have no liability to the Company hereunder or otherwise.

(3) No covenant, stipulation, obligation or agreement contained in this Resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(4) Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare, for submission to the (Vice)Chair and/or the Executive Director, all documents necessary to effect the Additional Financing and the Financing Documents.

(5) The Secretary and/or the Executive Director of the Agency is hereby authorized to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(6) This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

EXECUTIVE SUMMARY

Agenda Item: 6

Title: Maguire Family Limited Partnership

Requested By: Sue Katzoff

OBJECTIVE: Approval of a resolution authorizing the Agency to act as Lead Agency for purposes of SEQRA.

DESCRIPTION:

Direct expenditure of fund: Yes No

Type of financial assistance requested

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

SUMMARY: The Agency has 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 the Board of Directors consider approval of the request. Prior to consideration of resolutions approving the Project a new environmental review is required to be completed. Staff is requesting the Board approve a resolution to act as Lead Agency for the SEQRA review.

ATTACHMENTS:

1. SEQRA Resolution.

REVIEWED BY:

Executive Director

Audit Committee

Governance Committee

Finance Committee

Meeting: April 21, 2020

Prepared By: J.A. DeLaney

LEAD AGENCY RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

**RESOLUTION 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**

WHEREAS, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, 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, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to grant "financial assistance" (as defined in the Act) in connection with the acquisition, construction, renovation, reconstruction and equipping of one or more "projects" (as defined in the Act); and

WHEREAS, by application dated June 13, 2016 as supplemented by supplemental application dated March 3, 2020 (together, the "**Application**"), Maguire Family Limited Partnership (the "**Company**") requested the Agency undertake a project (the "**Project**")

consisting of: (A)(i) the acquisition of an interest in approximately 13.312 acres of real property located at 406-10 State Fair Boulevard and 959 Hiawatha Boulevard West (“**959 Hiawatha**”), which is improved by two (2) existing buildings, and approximately 3.825 acres of vacant land located at 1027 Hiawatha Boulevard West, 401 and 403 State Fair Boulevard and 101 and 103 Rusin Avenue and Harbor Street, each located in the City of Syracuse, New York (collectively, the “**Land**”); (ii) the renovation of the existing 7,152 square foot building located on 959 Hiawatha to include an approximately 1,641 sq. ft. addition and renovations to the existing approximately 37,958 sq. ft building located at 959 Hiawatha to include an approximately 9,500 sq. ft. addition, each to house some or all of the following: car dealership and show rooms, service and/or body shop(s) and related office space; and (iii) site improvements, including, but not limited to, landscaping, greenspace, "green" bio-retention and permeable stormwater treatment areas and new vehicle parking areas, all located on the Land ((i)-(iii) collectively, the “**Facility**”); (iv) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from State and local sales and use tax, mortgage recording tax (except as limited by Section 874 of the General Municipal Law) and real property taxes (on some or all of the Land) (collectively the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company, or Company’s affiliate, to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”), the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a “significant impact on the environment” (as said quoted term is utilized in SEQRA) and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, to aid the Agency in determining whether undertaking the Project may have a significant impact upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form (the “**EAF**”) with respect to the Project, a copy of which is attached here as **Exhibit A**, with a copy of the EAF on file at the office of the Agency; and

WHEREAS, the Agency has examined the EAF in order to classify the Project; and

WHEREAS, the Agency has not approved the Project or the grant of Financial Assistance to the Project; and

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

(1) Based upon an internal review of the EAF prepared by the Company and the criteria contained in 6 NYCRR §617.4 the Agency makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(A) The Project consists of the components described above in the third WHEREAS clause of this resolution; and

(B) The Project constitutes a “Type I Action” (as said quoted term is defined in SEQRA); and

(C) As a consequence of the foregoing, the Agency hereby declares its intent to act as Lead Agency (as said term is defined in SEQRA) with respect to a coordinated review of the Project pursuant to SEQRA; and

(D) The Agency’s counsel shall arrange for distribution of its notice of intent to be “Lead Agency” and is hereby authorized to take such actions as are necessary and appropriate to assist the Agency in fulfilling the requirements under SEQRA for the Project and to work with the Company in connection therewith.

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

(3) This Resolution shall take effect immediately. The Secretary and/or Executive Director of the Agency is hereby authorized to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “*Agency*”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“*EO 202.1*”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

EXHIBIT A

ENVIRONMENTAL ASSESSMENT FORM

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Maguire Syracuse Project		
Project Location (describe, and attach a general location map): 959 Hiawatha Boulevard West, Syracuse, NY		
Brief Description of Proposed Action (include purpose or need): The Project includes approximately 9,550 sf of additions to the existing approximately 37,958 sf building at the Project Location with a new modern exterior meeting corporate branding requirements for Chrysler, Dodge, Ram and Jeep. Key elements of the renovated building will include: customer service drive-through; new vehicle showrooms for Chrysler, Dodge, Ram and Jeep vehicles; interior finishes and modest renovations to the existing service areas; new second floor parts storage mezzanine; new office, break rooms, toilet rooms and employee areas; new Collision Center office and customer waiting area; mechanical, plumbing upgrades; electrical renovations and rework of the existing main switchgear; and a Vehicle Display Tower addition. The Project also includes approximately 1,641 sf of additions to the existing approximately 7,152 sf building at the Project Location for vehicle reconditioning. The site design further includes new vehicle parking areas, landscaping, greenspace, "green" bio-retention and permeable stormwater treatment areas.		
Name of Applicant/Sponsor: Maguire Family Limited Partnership	Telephone: 607-216-1268	
	E-Mail: pmaguire@maguirecars.com	
Address: 504 South Meadow Street		
City/PO: Ithaca	State: NY	Zip Code: 14850
Project Contact (if not same as sponsor; give name and title/role): Philip J. Maguire, Limited Partner	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council - Payment in Lieu of Taxes Schedule pre-approved by SIDA	Spring 2020
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Syracuse Planning Commission - Site Plan Approval and local permits	Spring 2020
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Syracuse Zoning Board of Appeals - Variance (if necessary)	Spring 2020
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SIDA - Sales Tax and Mortgage Tax Abatements Syracuse DPW - Curb Cut Permit	Spring 2020
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC - Stormwater General Permit	Spring 2020
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
IA - Industrial
- b. Is the use permitted or allowed by a special or conditional use permit? Yes No
- c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Syracuse
- b. What police or other public protection forces serve the project site?
City of Syracuse Police, New York State Police
- c. Which fire protection and emergency medical services serve the project site?
City of Syracuse
- d. What parks serve the project site?
None

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial building improvement
- b. a. Total acreage of the site of the proposed action? _____ 15.72 acres
b. Total acreage to be physically disturbed? _____ 15.72 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 17.13 acres
- c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 25 Units: Square Feet
- d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____
- e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 2 Expansion of 2 existing structures
 ii. Dimensions (in feet) of largest proposed structure: 2 story height; 52' width; and 60' length
 iii. Approximate extent of building space to be heated or cooled: 10,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: Stormwater Management
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Stormwater Runoff
 iii. If other than water, identify the type of impounded/contained liquids and their source.
 iv. Approximate size of the proposed impoundment. Volume: .04 million gallons; surface area: .037 acres
 v. Dimensions of the proposed dam or impounding structure: 4'-0" height; 85'-0" length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Underground stormwater chambers - Approximately 19' wide by 85' long by 4'-0" high

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? The existing site is developed and perimeter natural barriers are retained.
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): 869 cubic yards of cut
 • Over what duration of time? 12 months
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Excavated on-site materials that will be disposed of in an approved landfill for such materials
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? 15.74 acres
 vi. What is the maximum area to be worked at any one time? 5 acres
 vii. What would be the maximum depth of excavation or dredging? 8.5 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: Reuse existing topsoil and balance cut and fills.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: X employees x 25 gpd = X,XXX gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
Service laterals
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: 3,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
Sanitary sewer laterals _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 12.8 acres (impervious surface)

_____ Square feet or 17.13 acres (parcel size)

ii. Describe types of new point sources. Pavements, pipes, and curbs

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On-site stormwater management facilities, bioretention basins

- If to surface waters, identify receiving water bodies or wetlands: _____
Harbor Brook

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Delivery vehicles

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 AM - 7:00 PM • Saturday: _____ 8:00 AM - 5:00 PM • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:30 AM - 5:30 PM • Saturday: _____ 7:30 AM - 4:00 PM • Sunday: _____ • Holidays: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
Construction noise only, construction equipment, 7am-7pm M-F, 8am-5pm Sat

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: The existing site is developed and perimeter natural barriers are retained.

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Building and parking lot lighting. Locations, height, direction/aim to meet City standards. Site lighting 25' poles LED lighting on 2' base - 27' Tall

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: The existing site is developed and perimeter natural barriers are retained.

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: TBD tons per _____ (unit of time)
 • Operation : TBD tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Recycle concrete and asphalt materials.

 • Operation: Recycling and composting.

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Onondaga County Resource Recovery Agency

 • Operation: Onondaga County Resource Recovery Agency

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	9.81	12.82	+ 3.01
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5.93	0	-5.93
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Lawns and Landscaping</u>	0	2.9	+ 2.9

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
The facility has generated hazardous waste in the past (paint-related waste) that has generally been associated with the autobody repair area. This waste has been properly stored and then disposed of off-site utilizing the services of a licensed hazardous waste handling service.

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): 9011029, 8601704, 8710049, 8707254
 Yes – Environmental Site Remediation database Provide DEC ID number(s): 9311575, 8904240, 1702299
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 734083, 734075, V00222, 734039, C734083, 734030
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >10 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Sand, gravel and silt mix	_____	100 %
_____	_____	_____ %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ 5 feet

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____	% of site
<input checked="" type="checkbox"/> Moderately Well Drained:	_____	100 % of site
<input type="checkbox"/> Poorly Drained	_____	% of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	_____	100 % of site
<input type="checkbox"/> 10-15%:	_____	% of site
<input type="checkbox"/> 15% or greater:	_____	% of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 895-70 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:
 i. Name of aquifer: Principal Aquifer, Primary Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: _____
 None _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Lake Sturgeon, Bald Eagle

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

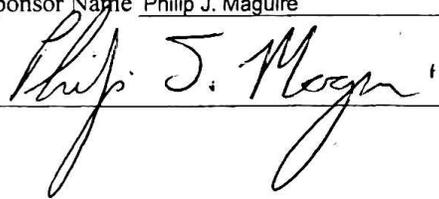
Attach any additional information which may be needed to clarify your project.

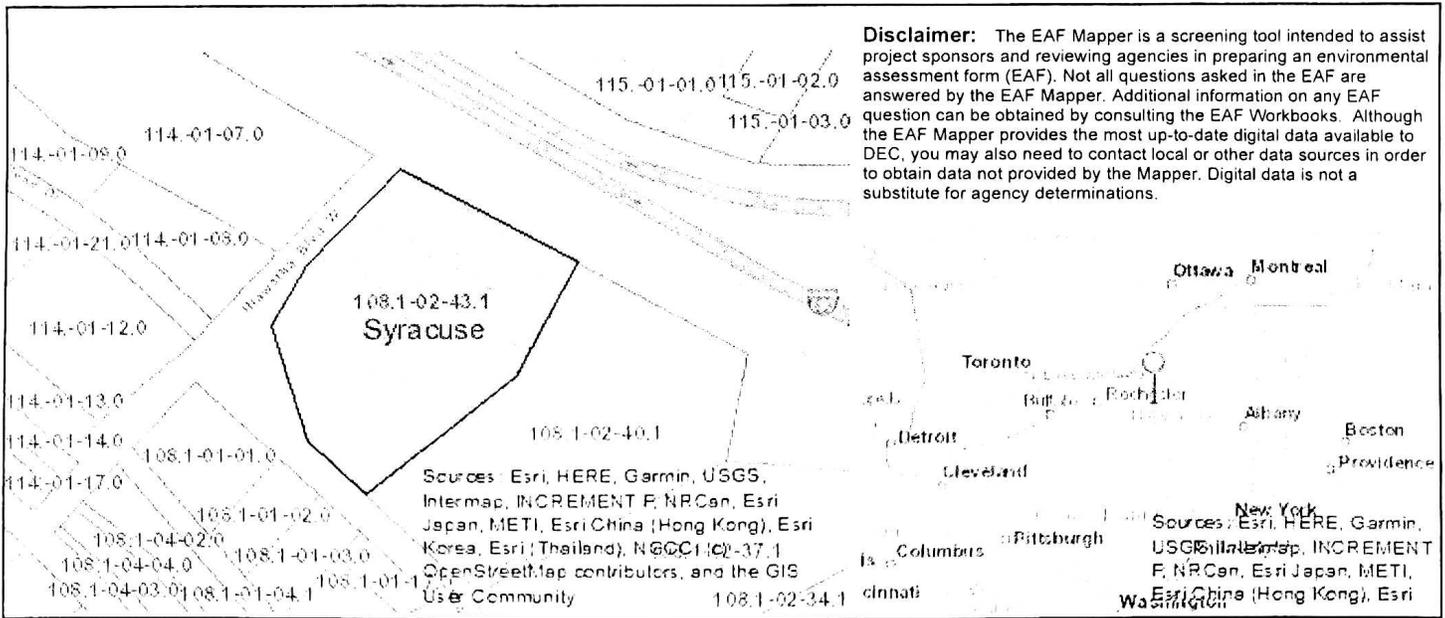
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Philip J. Maguire Date 4/15/20

Signature  Title Authorized Representative



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	734083, 734075, V00222, 734039, C734083, 734030
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	895-70
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No

E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Lake Sturgeon, Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

EXECUTIVE SUMMARY

Agenda Item: 7

Title: 360 Warren Associates, LLC

Requested By: Sue Katzoff

OBJECTIVE: Approval of a resolution authorizing the Agency to participate in mortgage refinancing for the Project.

DESCRIPTION:

Direct expenditure of fund: Yes No

Type of financial assistance requested

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

SUMMARY:

A request has been received by the Agency from the Company to participate in a mortgage refinance of the Project. 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.

ATTACHMENTS:

1. Correspondence.
2. Resolution.

REVIEWED BY:

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

Meeting: April 21, 2020

Prepared By: J. A. DeLaney

360 Warren Associates LLC
c/o CBD Management
100 Madison Street, Suite 1200
Syracuse, NY 13202

April 15, 2020

Ms. Judith DeLaney
Executive Director
Syracuse Industrial Development Agency
City of Syracuse
201 East Washington Street, 6th Floor
Syracuse, NY 13202

Re: SIDA/Onondaga Tower Project
Applicant: 360 Warren Associates, LLC

Dear Ms. DeLaney:

I am writing on behalf of 360 Warren Associates, LLC (the "Applicant"). The Applicant is the owner of 125 East Jefferson Street (corner of Jefferson and Warren Streets), Syracuse, New York (the "Property"). The Applicant applied to Syracuse Industrial Development Agency ("SIDA") for financial assistance pursuant to an original application on July 5, 2011, as amended. The Applicant received assistance in the form of a Sales Tax Appointment Letter (expired); a Payment-in-Lieu-of Taxes (PILOT) Agreement and a mortgage tax exemption. No additional financial assistance is being requested by the Applicant.

The Applicant and SIDA are parties to a certain Mortgage in favor of M&T Bank (the "Bank") encumbering the Property in the original principal amount of \$3,500,000, which Mortgage was modified to reflect an increase in principal in the amount of \$9,900,000 (as modified, the "Amended Mortgage"). The Amended Mortgage currently secures a debt to the Bank in the amount of approximately \$12,328,000 as of January 24, 2020. The Applicant and SIDA also entered into an Agency Lease Agreement (the "Agency Lease") and certain other agreements on or about December 2, 2012 with respect to the Property.

The Applicant is refinancing the underlying debt through the Bank to increase the credit facility secured by the Amended Mortgage by approximately \$4,772,000. Accordingly, the Amended Mortgage will be further modified to secure a new permanent loan in the total amount of approximately \$17,100,000. The refinancing is expected to close by April 30, 2020.

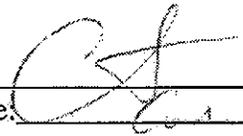
In addition to the modification to the Amended Mortgage, the Applicant must execute: (i) a General Assignment of Rents with respect to the Property; and (ii) certain other customary documents as may be required by the Bank. Pursuant to Section 4.5 of the Agency Lease, I am hereby requesting on behalf of the Applicant that SIDA execute and deliver such instruments and

documents as shall be approved by counsel to SIDA and as may be required by the Bank in connection with the refinancing, including without limitation, those described above. Please place this matter on the SIDA Board agenda for the meeting on April 21, 2020 for consideration of our request.

If you require any further information, please do not hesitate to contact the our attorney handling this matter, John Appler, at 315-382-4609. Thank you for your consideration.

Very truly yours,

360 Warren Associates, LLC

By: 
Name: John D. Wolk
Title: Member

cc: Susan Katzoff, Esq. (SIDA Attorney)

APPROVING RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

RESOLUTION APPROVING THE AGENCY'S PARTICIPATION IN THE REFINANCING OF THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the Agency is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, 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, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, at the request of 360 Warren Associates, LLC (the "**Company**"), by resolution adopted August 16, 2011 (the "**Inducement Resolution**"), the Agency undertook a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in approximately 130,000 square feet of improved real property located at 125 East Jefferson Street, also known as 352-68 South Warren Street and Jefferson Street in the City of Syracuse, New York (the "**Land**"); (ii) the renovation of approximately 98,000 square feet of existing building for use as Class A commercial office space (the "**Facility**"); (iii) the acquisition and installation in or on the Facility of furniture, fixtures and equipment, including but not limited to a new roof and HVAC system (the "**Equipment**", and together with the Land and the Facility, the "**Project Facility**");

(B) the granting of certain financial assistance in the form of exemptions from real property tax, mortgage recording tax and sales and use taxation (collectively, the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, renovation, improvement and equipping of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in December 2012, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Project and the conference of the approved Financial Assistance (the "**Lease Transaction**"); and

WHEREAS, the Company and the Agency previously entered into a mortgage (the "**Prior Mortgage**") in favor of M&T Bank (the "**Bank**") to secure the Company's obligation under a corresponding note in the amount of \$13,400,000 to secure construction financing for the Project (collectively, the "**Initial Note**"); and

WHEREAS, in conjunction with the Initial Note and Prior Mortgage, and as part of the Project approval, the Agency provided the Company with an exemption from the mortgage recording tax otherwise due on the Prior Mortgage. The Company is not seeking any additional exemption in this regard; and

WHEREAS, as of January 24, 2020, the then current outstanding principal balance on the Initial Note secured by the Prior Mortgage was \$12,328,000; and

WHEREAS, by letter dated April 15, 2020, the Company requested the Agency participate in the refinancing and/or consolidation of the debt (the "**Permanent Financing**") and to increase the credit facility secured by the mortgage by approximately \$4,772,000 for a total consolidated amount of approximately \$17,100,000 (the "**New Mortgage**"); and (ii) executing and delivering all other documents reasonably necessary, upon advice of Agency's counsel, to effectuate the Permanent Financing (collectively with the New Mortgage and the Exemption Affidavit, the "**Permanent Documents**"); and

WHEREAS, the Agency Lease dated as of December 1, 2012, executed by the Company and the Agency in connection with the Project (the "**Agency Lease**"), anticipated the Agency's participation in such Permanent Financing; and

WHEREAS, the Permanent Financing is in furtherance of the Financial Assistance that was previously approved for the Project, which underwent an environmental review by the Agency pursuant to the State Environmental Quality Review Act ("**SEQRA**"), and the present request for permanent financing is insubstantial and does not require reconsideration or further review by the Agency under SEQRA.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

(1) Based upon the representations made by the Company to the Agency, the Agency hereby makes the following findings and determinations:

(a) The Agency's participation in the Permanent Financing and the execution and delivery of the Permanent Documents will not result in a change to the Project as originally considered and therefore no further SEQRA review or action is required; and

(b) The Agency has the authority to, and hereby does, approve its participation in the Permanent Financing and the execution and delivery of the Permanent Documents. The Chair, Vice Chair and/or Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the Permanent Documents, or required to carry out the intent of, this Resolution upon the advice of counsel, and to execute and deliver any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein and to do and cause to be done any such other acts and things, as the (Vice)Chair determines, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution. The execution thereof by the Chair, Vice Chair or Executive Director constitutes conclusive evidence of such approval.

(2) As conditions precedent to the Agency's participation in the Permanent Financing and the execution and delivery of the Permanent Documents, all as set forth herein: (i) the Company shall be current with all required reporting obligations under the Agency Lease and any other documents executed in conjunction with the Lease Transaction; (ii) there shall be no event of default under the Agency Lease or any other documents executed in conjunction with the Lease Transaction; (iii) the Company shall submit to the Agency the appropriate fee, including the Agency's legal fees associated with the approval of the Permanent Financing and/or the execution and delivery of the Permanent Documents; and (iv) the Company shall provide proof of insurance as required under the Agency Lease as well as any additional required certificates or documents or reporting information, in exchange for the Agency's participation therein and the execution and delivery of the Financing Documents.

(3) Should the Agency's participation in the New Mortgage or the other Permanent Documents be challenged by any party, in the courts or otherwise, the Company shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from any such challenge including, but not limited to, the fees and disbursement of the Agency's counsel. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to participate in the New Mortgage or the other Permanent Documents, this Resolution shall automatically become null, void and of no further force and effect, and the Agency shall have no liability to the Company hereunder or otherwise.

(4) No covenant, stipulation, obligation or agreement contained in this Resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(5) Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare, for submission to the (Vice)Chair and/or the Executive Director, all documents necessary to effect the Permanent Financing and the Permanent Documents.

(6) The Secretary and/or the Executive Director of the Agency is hereby authorized to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(7) This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of April, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

EXECUTIVE SUMMARY

Agenda Item: 8

Title: COVID 19 Relief

Requested By: Sue Katzoff

OBJECTIVE: Approval of a resolution authorizing certain relief to Projects previously undertaken by the Agency during the COVID-19 health crisis declared in New York State.

DESCRIPTION:

Direct expenditure of fund: Yes No

Type of financial assistance requested

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

SUMMARY: 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 as outlined in the attached resolution. Section 3 (Pages 3&4)

ATTACHMENTS:

1. Resolution.

REVIEWED BY:

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

Meeting: April 21, 2020

Prepared By: J. A. DeLaney

RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21st day of April, 2020, at 8:00 a.m., local time, electronically which was available via Webex at: <https://bit.ly/syrsida-04082020> (or by accessing the link on the Agency's website) and using meeting number 713 934 932 and password SIDA; or via telephone at (408) 418-9388 with access code: 713 934 932, in conjunction with the matter set forth below.

The meeting was called to order by the _____ and upon the roll being duly called, the following members were:

PRESENT VIA TELE/VIDEOCONFERENCE: _____

The following resolution was offered by _____ and seconded by _____:

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

WHEREAS, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**") to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, 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, to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, on January 30, 2020, the World Health Organization ("**WHO**") designated the novel coronavirus ("**COVID-19**"), outbreak as a public health emergency of international concern; and

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary (the "**U.S.**") declared a public health emergency for the entire United States; and

WHEREAS, on or about March 11, 2020, the WHO formally declared the COVID-19

virus as a pandemic; and

WHEREAS, on March 7, 2020, by executive order 202, Governor Cuomo (the "**Governor**") declared a disaster emergency for the entire State of New York through September 7, 2020 (unless further extended by order) (the "**State of Emergency**"); and

WHEREAS, by executive order 202.8, dated March 20, 2020, as amended, Governor Cuomo ordered all non-essential businesses to reduce their in-office workforce by 100% effective as of March 22, 2020; and

WHEREAS, by executive order 202.6, dated March 18, 2020, as amended, Governor Cuomo ordered the halting of all non-essential construction in the State of New York; and

WHEREAS, each of these executive orders and declarations have negatively impacted economic development in the City of Syracuse and have or could directly impact projects undertaken by the Agency; and

WHEREAS, on June 21, 2016, pursuant to the Act, the Agency adopted a recapture policy (the "**Policy**") which sets forth the circumstances under which the Agency will seek to recover some or all of the Financial Assistance (as that term is defined in the Act) bestowed upon projects undertaken by the Agency in accordance with the Act; and

WHEREAS, recapture under the Policy is available to the Agency in the event any project has a Job Deficit or an Investment Deficit, each as defined therein; and

WHEREAS, the referenced deficits are based on representations made in a project's application as to the number of jobs to be retained and/or created as a result of the project ("**Job Creation**") and the amount of capital to be invested into the project ("**Capital Investment**"); and

WHEREAS, each project has a certain amount of time to demonstrate initial satisfaction of the Job Creation and Capital Investment and is thereafter required to maintain and report on Job Creation before the Agency would be entitled to recapture benefits under the Policy. These time frames are tied to construction and completion of the project (the "**Completion Date**") which is addressed in the application and the transactional documents entered by the project applicant and the Agency when conferring some or all of the requested Financial Assistance (collectively, the "**Transactional Documents**"); and

WHEREAS, the Agency recognizes that the events associated with the COVID-19 virus and the declarations made by the Governor, the U.S. and the WHO have the potential to, or have, negatively impacted projects, previously undertaken by the Agency, to satisfy their Job Creation and Capital Investment obligations; and

WHEREAS, the Agency wishes to take steps to mitigate the impacts of the COVID-19 virus and the declarations, to the greatest extent possible, on these projects; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State

of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “*SEQRA*”) and has determined that such action constitutes a “Type II” action as that term is defined under SEQRA, and therefore no further review is required.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

Section 1. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

Section 2. The actions taken hereunder constitute a “Type II” action under SEQRA and therefore, no further review is required; and

Section 3. Based upon the current health crisis facing the Nation, the State, the County of Onondaga and the City of Syracuse, the Agency hereby and makes the following determinations:

(A) For any project previously undertaken by the Agency and for which the project company executed Transactional Documents for any part of its Financial Assistance, the Agency shall, automatically, provide the following additional time frames for purposes of measuring Job Creation and Capital Investment under its Policy:

i. For a project that was completed (as defined or provided for in the Transactional Documents) as of March 7, 2020, the time frame associated with Job Creation shall be extended by the number of days equal to the number of days the State of Emergency so declared by the Governor remains in effect plus 60 days. This one-time extension shall be added to the first year of reporting following the cessation of the State of Emergency;

ii. For a project that was not completed (as defined or provided for in the Transactional Documents) as of March 7, 2020, the time frame associated with both Job Creation and Capital Investment shall be extended by the number of days equal to the number of days the State of Emergency so declared by the Governor remains in effect plus 60 days. This one-time extension shall be added to the first year of reporting following the cessation of the State of Emergency.

(B) For any project previously undertaken by the Agency and for which the project company executed Transactional Documents, but which project had not reached completion (as defined or provided for in the Transactional Documents) as of March 7, 2020, the Transactional Documents shall be amended to extend the completion date of the project, as

provided for therein, to a date that is equal to the number of days the State of Emergency so declared by the Governor remains in effect plus 60 days.

(C) For any project previously undertaken by the Agency and for which the project company executed Transactional Documents for any part of its Financial Assistance constituting an exemption from State and local sales and use taxation and the appointment of the project applicant (and/or its designee) as agent of the Agency for purposes of undertaking and completing the project, but which project had not reached completion (as defined or provided for in the Transactional Documents) as of March 7, 2020; the Agency shall extend such appointment, by filing an amended ST-60 form with the State of New York and amending, as necessary any other Transactional Document to extend, by a period of time that is equal to the number of days the State of Emergency so declared by the Governor remains in effect plus 60 days, the appointment of the project company and/or designee, provided the agent(s) is in compliance with all requirements under the applicable documents for such appointment.

(D) For any project previously undertaken by the Agency and for which the project company executed Transactional Documents, but for which the Financial Assistance awarded does not include an exemption from real property taxes, and if the project was not completed as of March 7, 2020, the term of the applicable Transactional Documents shall be extended for a period equal to the number of days the State of Emergency so declared by the Governor remains in effect plus 60 days, provided there are no existing and ongoing events of default.

Section 4. The Chair, Vice Chair and/or the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute, deliver and file, as applicable, any and all necessary documents and agreements to achieve the intent of this Resolution and to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

Section 5. The obligation of the Agency to consummate the relief intended by this Resolution is subject to and conditioned upon the Company's execution and delivery of, any necessary documents and to provide the Agency any and all documents or evidence of compliance with all reporting requirements otherwise required under the Transactional Documents and compliance with other provisions thereof including but not limited to proof of insurance and compliance with reporting requirements to date.

Section 6. No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

Section 7. The Secretary and/or the Executive Director of the Agency are hereby authorized and may distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 8. This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on April 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this ___ day of _____, 2020.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)