

**SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
MEETING MINUTES**

Regular Meeting
Thursday September 5, 2019
12:00 Noon
Heroes Conference Room
Seneca County Office Bldg.
Waterloo, New York

Attendance:

Board Members Present: Steven Brusso, Chair; Thomas Macinski; Jeff Shipley; Valerie Bassett; Don Trout, Thomas Kime (arrived at 1:00 pm) and Menzo Case

Board Members Absent: Erica Paolicelli and Steve Wadhams

Staff Attending: Robert Aronson, Executive Director; Patricia Jones, Deputy Director; Kelly Kline, Office Manager

Others Attending: Robert Kernan, CFO; Frank Armento, Fisher Associates; Dave Cook, Phillips Lytle; Rob Halpin, The Halpin Law Firm; Bill Anterline, Fisher Associates; Jaime Boothby, GZA; Kimberly Nason, Phillips Lytle; Earl Martin, Seneca Dairy Systems; Mary Ann Kowalski; Tom Bouchard and Bill Karlsen, Town of Romulus and Dave Shaw, FL Times

Call to Order:

Chairman Brusso called the meeting to order at 12:00 p.m. A quorum of the Agency's members was present.

Approval of IDA Meeting Minutes of August 1, 2019:

The minutes of the Agency's meeting of August 1, 2019 had been sent to Board members prior to the meeting. A motion was made by Mr. Trout to approve the minutes. Seconded by Mr. Case. Motion carried.

Approval of IDA Special Meeting Minutes of August 16, 2019:

The minutes of the Agency's Special meeting of August 16, 2019 had been sent to Board members prior to the meeting. A motion was made by Ms. Bassett to approve the minutes. Seconded by Mr. Case. Motion carried.

Approval of IDA Financial Statements thru July 2019:

The July 2019 financial statements had been mailed to board members prior to the meeting. Mr. Aronson summarized the financial statements for the board. A motion was made by Mr. Macinski to approve the July 2019 financial statements. Seconded by Ms. Bassett. Motion carried.

Appointment to Revolving Loan Fund Committee:

Mr. Aronson noted that the IDA currently has a five-member Loan committee that reviews loan applications to the Revolving Loan Fund “RLF”. The RLF is aligned with Seneca County’s RLF Loan committee, which is managed by the Planning Department. Mr. Aronson advised board members that long-time member of the RLF Committee, Larry Ledgerwood has retired from his position at Community Bank and has submitted his resignation. Mr. Aronson noted that he has discussed Mr. Ledgerwood’s resignation with the County’s planning department and they are in agreement that the best replacement would be another banker; therefore, we would like to nominate James Vedora of Community Bank to replace Mr. Ledgerwood. Mr. Vedora is Vice President and Commercial Team Leader at Community Bank where he has been employed since 2003. He has much experience with our RLF as he has facilitated several of our loans made partnership with Community Bank. He also serves the loan committee for the City of Geneva. A motion was made by Ms. Bassett to approve the appointment of Mr. Vedora to the Committee of the IDA Revolving Loan Fund. Seconded by Mr. Case. Motion carried.

Seneca Dairy Systems: SEQRA review and discussion regarding identification of potential project impacts and evaluation of the magnitude and importance of Project Impacts:

Parts 1 and 2 of the Full Environmental Assessment Form (FEAF) along with Fisher Associates’ analysis of all Part 2 elements were provided to board members prior to the meeting for review and are attached to these minutes and made a part hereof. Fisher Associates also provided to the board a memorandum explaining its proposed responses to Part 2, which memorandum is also attached hereto and made a part hereof. Mr. Aronson noted Part 1 of the FEAF is the responsibility of the applicant and provides the information on the project and setting, forming the basis for completion of Parts 2 and 3. The FEAF Part 2 (Identification of Potential Project Impacts) and Part 3 (Evaluation of the Magnitude and Importance of Project Impacts) are required to be completed by the SCIDA as lead agency prior to making a Determination of Significance pursuant to SEQRA.

Mr. Frank Armento and Mr. Bill Anterline of Fisher Associates then reviewed the proposed responses to Part 2 of the FEAF section by section with the board, explaining and/or elaborating on the proposed response to each question. Additional discussion applicable to each Part 2 question is summarized below.

Note: *For explanations regarding the responses below please refer to the attached memo from Fisher Associates.

QUESTION 1: IMPACT OF LAND:

***DISCUSSION:**

Question: Mr. Brusso asked, *“Does the SPDES General Permit for Stormwater Discharges refer to construction activities or post construction?”*

Fisher Associates’ Response: The SPDES permit applies to stormwater discharges from construction activity so when preparing the Stormwater Pollution Prevention Plan (SWPPP), construction activities are addressed. In addition, post construction stormwater management practices are addressed in the SWPPP which for this project include bio retention areas and a detention pond that will continually allow for sediment to settle out in the ponds before stormwater is discharged to Reeder Creek.

Question: Mr. Shipley asked, *“What is the life span of the polyliner in the bio retention area?”*

Fisher Associates’ Response: Bio retention areas represent a green infrastructure practice encouraged by the state. Due to the possible shallow water table, a polyliner is proposed which is typically not a standard practice. However, polyliners can be used for this application but we don’t particularly know their life span. There is always maintenance associated with green infrastructure practices but it is not burdensome. A maintenance plan is included in the preliminary stormwater management plan provided by the applicant, and the final SWPPP will specify when the polyliner needs to be replaced and how often. It is noted that a geotechnical investigation may determine that the water table is deeper than what is indicated in the soil survey, thus obviating the need for a polyliner.

QUESTION 3: IMPACT ON SURFACE WATER:

***DISCUSSION:**

Question: Ms. Bassett asked, "I heard someone say there would be less runoff into Reeder Creek as a result of this project, is that true?"

Fisher Associates' Response: Correct. The SPDES Stormwater General permit does not allow an increase in the amount of runoff going into the creek so the same rate or less as existing conditions must be achieved. From our review of the preliminary stormwater management plan, the design proposed by the applicant will meet the SPDES permit requirements.

QUESTION 5: IMPACT ON FLOODING:

***DISCUSSION:**

Mr. Bill Anterline explained the design of the detention pond to accommodate a 100-year storm per NYSDEC requirements and the possible need for a dam permit (1M gallon threshold). He indicated that the 100-year storm has a 1% chance in a given year of occurring but if such event were to occur, the pond would have the capacity to hold 1M gallons. Over a two-day period during that rare event, the water would be slowly discharged through an outlet to the on-site swale which eventually discharges to Reeder Creek.

QUESTION 6: IMPACT ON AIR:

***DISCUSSION:**

Mr. Jaime Boothby of GZA explained the state and federal air emission permitting process, the work his firm completed for Fisher Associates in reviewing air emission data provided by the applicant, review standards for the type of operations proposed by the applicant, and the potential air emission impact from those operations. Mr. Aronson noted that one important point that came out along the way is that the facility will not have a smoke stack. Very well controlled source from an air emissions standpoint.

Question: Mr. Shipley asked, *"how are the air emissions monitored by the state?"*

GZA's Response: The air permit registration process is based on the assumption of potential to emit (i.e., emission calculations are based on potential to emit). Threshold limits established by the state cannot be exceeded by the applicant. Also, the DEC has the authority to inspect any facility at any time.

Question: Mr. Case asked, *"From an air emission standpoint what kind of impact will this facility have?"*

GZA's Response: The proposed project's emissions will be very small and thus there will be a very small impact on air quality. The whole purpose of the state registration process is to ensure facilities qualifying for the reduced permitting requirements are below the state's registration air emissions thresholds.

QUESTION 13: IMPACT ON TRANSPORTATION:

***DISCUSSION:**

Question: Mr. Kime asked, *"How many trucks a day do you anticipate and also the weight of the trucks and their impact on the road?"*

Fisher Associates' Response: The trip generation and distribution analysis prepared by the applicant's traffic consultant evaluated truck traffic during peak periods (determined to be 5 trucks during each of the two peak periods). The weight of the trucks, however, was not evaluated as part of the analysis as the roads immediately surrounding the site are privately owned by the applicant and public roads outside the Depot property are designed to handle trucks and associated loads traveling to and from the proposed facility. Also, Mr. Martin noted that a typical truck carrying product weighs about 80,000 Lbs., which is a standard loaded tractor-trailer combination.

Mr. Shipley noted that he had read numerous comments from the public regarding the traffic and thought Fisher Associates and Philips Lytle did a terrific job explaining the no impact reasoning. One item to note is that there will be less traffic than when the Army Depot was in operation. Mr. Shipley also noted that it's the State's responsibility to maintain state roads.

QUESTION 16: IMPACT ON HUMAN HEALTH:

***DISCUSSION:**

Question: Mr. Macinski asked, *"Will the facility will be in compliance with the waste treatment storage regulations from the state?"*

Fisher Associates' Response: If at the time it's determined that the site has generated hazardous waste that needs to be disposed of or it's determined that the process tanks need to be replaced, such waste would need to be properly characterized, stored, disposed of and transferred off site. At that point in time, the hazardous waste generator regulations would apply, and the applicant would be required to follow the applicable State regulatory requirements.

QUESTION 17: CONSISTENCY WITH COMMUNITY PLANS:

***DISCUSSION:** Mr. Armento emphasized that the one reason this question was answered affirmatively is that a variance is required for part of the project property.

Consideration of Resolution regarding SEQRA Findings and Determination of Significance:

A copy of the proposed resolution was provided to the board prior to the meeting. Mr. Halpin advised board members that the IDA, as lead agency under SEQR for project, is required to do an environmental review and the tool for doing that is the Environmental Assessment Form "EAF" which the board just reviewed. As the end result of the environmental review, the IDA must make a determination as to whether there will be a significant adverse impact on the environment as a result of the project. Per Fisher Associates' review, they have determined that it would be appropriate for the board to find in this case that this project would not result in a significant adverse environmental impact or what is referred to as a negative declaration under SEQR. The purpose of the resolution is to adopt the findings of Fisher Associates; approve Part 2 of the EAF; set forth a set of findings that constitute the IDA's written elaboration for its conclusion that there will be no significant adverse environmental impact; and make a formal finding that the project will not result in a significant adverse environmental impact, or "negative declaration." Mr. Halpin noted one change that is recommended regarding Section VI part A referencing the depth of the water table suggesting that the reference to the depth of the water table be stricken for reasons discussed in the review of Part 2, as it is not substantive and does bear on the ultimate finding. A motion was made by Mr. Trout approving IDA Resolution No. 2019-19 / Seneca Dairy Systems LLC Project / SEQRA Determination with the recommended amendment to Section IV part 2. Seconded by Mr. Macinski. Members Brusso, Macinski, Bassett, Kime, Shipley, Trout, Case voted "yea". Mr. Wadhams and Mrs. Paolicelli were absent. Motion carried.

Approval of Enhanced Scope of work with Fisher Associates regarding Seneca Dairy Systems LLC Project:

Mr. Aronson advised the board that while Fisher Associates has completed their scope of work regarding the SEQR process, their knowledge of the project would be very helpful to the Town of Romulus in their next step regarding site plan review and zoning. The Romulus Town Board at their August 21st agreed. Therefore, staff is requesting to enhance the scope of the contract with Fisher Associates to continue to help the town board for purposes of rezoning and to help the planning board for their needs regarding site plan review. The enhanced scope of work would be paid for by Seneca Dairy Systems. A motion to approve the enhanced scope of work with Fisher Associates regarding Seneca Dairy Systems LLC was made by Mr. Case. Seconded by Mr. Macinski. Motion carried.

Other Business:

Approval of Contract with Fisher Associates regarding Hillside Closure:

Mr. Aronson advised board members that staff has been working with Fisher Associates to develop a scope of services pertaining to the Hillside closure utilizing the agency's annual discretionary contract with them. Staff has been waiting for the children to vacate the premises before sending anyone in to evaluate the assets at Hillside. As of August 26th, they have vacated, all but for facilities personnel. Mr. Aronson noted that Hillside has agreed to maintain the property thru the end of March 2020; however, staff is anxious to get in there and evaluate the property while the weather is still good so that we can market the property accurately. The board was provided with a copy of the proposed contract from Fisher for these services, totaling \$69,850. It was also noted that these services were

approved by the state for reimbursement under the agency's working capital grant. A motion was made by Mr. Kime approving the contract with Fishers Associates. Seconded by Ms. Bassett. Motion carried.

Executive Session:

None

Adjournment:

A motion to adjourn the meeting was made by Mr. Case. Seconded by Mr. Macinski. Motion carried. The meeting adjourned at 2:06 p.m. The next regular scheduled meeting will be held on **October 3, 2019, 12:00 Noon** Rodman Lott and Sons Farms, 2973 RT 414, Seneca Falls NY.

Respectfully submitted,



Stephen Wadhams
Secretary

pc: Margret Li, Clerk to the Board of Supervisors