

# TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY

## BOARD OF DIRECTORS

Meeting Minutes February 9<sup>th</sup>, 2017

8:00 AM - IDA Board Meeting Room

### **1.0 PUBLIC HEARING** – Chairman Tom Sy opened the Public Hearing of the DSGEIS Environmental Impact Statement on Lockport Industrial Park South at 8:02am Thursday February 9, 2017.

Roy Knapp the Environmental Manager at the GM Components Holdings, LLC.

“My name is Roy Knapp and I am the Environmental Manager at the manufacturing facility operated by GM Components Holdings, LLC here in Lockport. The property where GMCH is located is adjacent to both the existing IDA Industrial Park and the expansion site that the IDA plans to offer for development. That site is the subject of this draft SGEIS and it is also bisected by an Access Road from Lockport Junction Road that serves the GMCH manufacturing facility for both truck and employee traffic. As GMCH and the surrounding area will be affected by any development that occurs on the site, GMCH intends to submit comments on the draft SGEIS. To that end, we need to confirm that we are reviewing the correct draft of the SGEIS, have all the relevant reports and sufficient time to complete our review.

First, as to the version of the draft SGEIS presented for public review, is it the version found by clicking the link in the January 25, 2017 edition of the Environmental Notice Bulletin? Is there a paper copy of the draft SGEIS that we can obtain from the consultant that prepared the SGEIS?

Second, looking at the draft SGEIS that we have from the Environmental Notice Bulletin link, we noticed references to reports that are not included with the draft SGEIS. How can we obtain copies of these reports to review?

Third, Nancy Brooks, formerly the Town Clerk, is listed as the contact person in the ENB notice. However, we understand Ms. Brooks has since retired. Who is the new contact person that should receive our comment letter?

Fourth, finally, to provide us with adequate time to complete our review of the draft SGEIS, we would like an additional time to complete our review of the draft SGEIS, we would like an additional two weeks to submit our comments, that is, until Friday, March 17. We will follow up with a formal request for that extension of time.

Thank you for your consideration.”

**1.1** Need to confirm that they are reviewing the correct draft of the Environmental Impact Statement and requested a paper copy be made available to GM for further review.

**1.2** There is a reference within the document that refers to reports that are not attached.

**1.3** Nancy Brooks, formerly the Town Clerk is listed as the contact person. Mrs. Brooks has since retired. Who is the new contact person that should receive GM’s comment letter?

**1.4** GM would like an additional two weeks to review and submit comments until Friday March 17<sup>th</sup>, 2017.

There being no other individuals in attendance to speak at the Public Hearing, the hearing was closed by Chairman Tom Sy at 8:06am Thursday February 9, 2017.

## **2.0 GENERAL BUSINESS**

Chairman Thomas Sy convened the regular meeting of the Town of Lockport Industrial Development Agency at 8:07 AM.

## **3.0 Roll Call**

**Present** –Chairman Thomas Sy, Vice Chairman – Eric Connor, Treasurer - Sallie Reed and Board members Todd Fragale, Robert Runk and Legal Counsel – Brian Seaman, Daniel Seaman; Administrative Director – Marc Smith.

**Excused:** Harold Anderson, Dan Antkowiak

**Guest:** Roy Knapp – Environmental Manager for GM Component Holdings, LLC.

## **4.0 SECRETARYS REPORT**

On a motion by Mrs. Reed and seconded by Mr. Runk the Board voted to approve the Minutes from the January 12<sup>th</sup>, 2017 Board Meeting.

## **5.0 TREASURERS REPORT**

Mrs. Reed reviewed the financial reports for the period ending January 31<sup>st</sup>, 2017. On a motion by Mr. Fragale and seconded by Mr. Connor the Board voted to approve the January 31<sup>st</sup>, 2017 financial reports.

On a motion by Mrs. Reed and seconded by Mr. Runk the Board voted to approve the payment of all invoices and bills as presented with the January 31<sup>st</sup>, 2017 financial statement.

## **6.0 DSGEIS Draft Proposal**

Wendel Planner Drew Reilly updated the IDA Board on the comments received from NYSDEC, NYSDOT, NYS Historic Preservation and the US Army Corp. All of these items will be referenced in the final copy of the Environmental Impact Statement.

**6.1** Wetlands – need further review by NYSDEC to see if they will have jurisdiction over the area.

**6.2** Rapture/endangered species review.

**6.3** Historic Preservation – further review of several areas within the proposed site.

**6.4** NYSDOT will issue their written findings soon.

## **7.0 ADMINISTRATIVE DIRECTORS REPORT**

**7.1** Administrative Director Smith reviewed his report dated January 31<sup>st</sup>, 2017.

**7.2** Lockport Development News Sample document was shown to the Board of Directors. The IDA will begin distribution of the newsletter via Constant Contact as soon as the email list has been reviewed. Currently over 1300 names are on the distribution list.

**7.3** Authority Programs, Finances and Reporting – review was tabled until the March meeting when more time could be devoted to the topic.

**8.0 Executive Session:** On a motion by Mrs. Reed and seconded by Mr. Runk the Board voted to enter into executive session at 8:32am to consult with the Attorney. On a motion by Mr. Fragale and seconded by Mr. Runk the Board voted to come out of executive session at 8:55am.

**9.0 ATTORNEY REPORT**

**9.1 Resolutions:**

**WHEREAS**, the Town of Lockport entered into a Sidetrack Agreement with ConRail (now CSX Corporation) for a siderail which services only PolyOne Corporation, on or about 1986, and

**WHEREAS**, PolyOne has been notified that the IDA would not any longer maintain a sidetrack solely for the benefit of PolyOne Corporation,

**NOW THEREFORE**, the Administrative Director is hereby authorized and directed to notify CSX and PolyOne that it terminates said Sidetrack Agreement pursuant to its right to terminate said Agreement on 30 days' notice. On a motion by Mrs. Reed and seconded by Mr. Connor the Board voted to approve the resolution.

**9.2 Resolution:**

**WHEREAS**, by License Agreement with General Motors Corporation, dated May 29, 1986, the Town of Lockport was authorized to erect a rail spur over and across General Motors' property, and

**WHEREAS**, said line was erected, and

**WHEREAS**, pursuant to the terms of said License, the rail spur could solely benefit PolyOne Corporation, and

**WHEREAS**, the IDA cannot be responsible for maintenance of a rail spur which has existed for over 30 years and which benefits only one company, and the Agreement is terminable on 90 day notice by either party, and

**WHEREAS**, General Motors and PolyOne Corporation have, on several occasions, been advised that the IDA intended to exercise its right to terminate said License Agreement, and that the two corporations should make separate arrangements if they desire to continue the line,

**NOW THEREFORE**, be it resolved that the Administrative Director be authorized and directed to immediately notify General Motors and PolyOne Corporation and CSX of its termination of said License. On a motion by Mrs. Reed and seconded by Mr. Fragale the Board voted to approve the resolution

**9.3 Resolution:**

Authorizing the Administrative Director to send a letter to Praxair, Inc. notifying them of their purchase agreement terms and requesting an update for the IDA on future development in the IDA Park. On a motion by Mr. Runk and seconded by Mr. Connor the Board voted to approve of the Administrative directly signing and sending the letter to Praxair.

**10.0 OLD BUSINESS:**

**10.1 DuPont** – No update on drainage and shoulder widening

**11.0 Next Meeting:** Our next scheduled meeting will be March 9<sup>th</sup>, 2017 at 8:00AM.

**12.0 SPECIAL Meeting:** March 30<sup>th</sup>, 2017 for the purpose of issuing the findings of the FSGEIS IDA Park South Environmental Impact Study.

**13.0**      **Adjournment**

On a motion by Mr. Connor and seconded by Mrs. Reed the Board voted to adjourn at 9:07am.

Respectfully submitted,  
Eric Connor – Vice Chairman