

RESOLUTION

A special meeting of Seneca County Industrial Development Agency on August 6, 2020, at 12:00 p.m. (noon).

The following resolution was duly offered and seconded, to wit:
Resolution No. 2020 – 16

RESOLUTION (i) CONDITIONALLY APPROVING THE BID OF EARL MARTIN (“MARTIN”) TO PURCHASE THE PROPERTY CONSISTING OF THE FORMER HILLSIDE CHILDREN’S CENTER FACILITY (THE “PROPERTY”) FROM THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”), AND AUTHORIZING THE AGENCY TO NOTIFY MARTIN OF SUCH CONDITIONAL APPROVAL, AND (ii) NAMING THE AGENCY AS LEAD AGENCY FOR PURPOSES OF THE SEQRA REVIEW OF THE CONVEYANCE OF THE PROPERTY

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (hereinafter, the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, the Agency is the owner of approximately 172 acres of real property and the improvements thereon (collectively, the “Property”) consisting of a portion of the former Seneca Army Depot upon which the Hillside Children’s Center previously operated a facility; and

WHEREAS, the Agency desires to sell the Property, and for that purposes solicited proposals to purchase the Property; and

WHEREAS, the proposal solicitation format was designed to encourage the inclusion within the proposals of plans for putting the Property to economically productive re-use; and

WHEREAS, the Agency received only one formal bid to purchase the Property, from Earl Martin of Deer Haven Park (“Martin”); and

WHEREAS, the bid proposal submitted by Martin (the “Martin Bid”) included plans for redeveloping the Property with tourism and recreational amenities, and a \$65,000 purchase price; and

WHEREAS, the Agency’s Governance Committee (the “Committee”) reviewed the Martin Bid and also made efforts to investigate another informal proposal to purchase the Property, and has recommended the Martin Bid to the Agency for acceptance; and

WHEREAS, the Agency has reviewed the Martin Bid and the Committee's recommendation; and

WHEREAS, the Agency has received and reviewed the appraisal report of Midland Appraisal Associates, Inc. dated as of July 8, 2020, valuing the Property at \$350,000; and

WHEREAS, the conveyance of the Property is subject to review pursuant to the New York State Environmental Quality Review Act and its implementing regulations (collectively, "SEQRA"); and

WHEREAS, the Agency desires to adopt a resolution (i) approving the Martin bid, subject to any conditions as recommended by the Committee, and (ii) naming the Agency as "lead agency" for purposes of SEQRA review.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. Based upon the representations made by Martin to the Agency in the Martin Bid documents, the Committee's review of the bids and recommendation of the Martin Bid, the Agency hereby finds and determines that the Martin Bid is projected to ultimately result in the redevelopment of the Property, which is currently vacant and deteriorating, resulting in increased tax revenue to Seneca County, the Town of Varick and the Romulus school district, and other ancillary benefits to regional economy. As such, the Agency's conveyance of the Property to Martin will promote, develop, encourage and assist in the constructing, reconstructing, maintaining, improving and furnishing of commercial and recreational facilities in Seneca County, and will promote the job opportunities, general prosperity and economic welfare of the citizens of the County of Seneca and State of New York, improve their standard of living, and prevent economic deterioration in Seneca County. The Agency therefore determines that the purpose of the conveyance of the Property to Martin is within the purpose and mission of the Agency and within the Agency's purposes as provided by the Act.

Section 2. The Agency hereby approves the Martin Bid, subject to the following conditions:

All terms and conditions of the Invitation to Bid, as the same may have been modified or supplemented. Without limiting the foregoing, the Agency's conditional approval of the Martin Bid shall not bind the Agency in any fashion. The Agency shall not be obligated to proceed with respect to any particular course of action unless and until the a formal purchase and sale agreement has been fully executed and delivered, all terms and conditions therein have been satisfied or waived, and the action has been formally approved.

The Agency is authorized and directed to notify Martin of the approval of the Martin Bid, subject to the foregoing conditions.

Section 3. The Agency further finds and determines that:

- (a) The conveyance of the Property by the Agency will require SEQRA review.
- (b) The conveyance of the Property by the Agency is a “Type I” action under SEQRA.
- (c) The following have been identified as “involved agencies” under SEQRA: Seneca County, Town of Varick Planning Board.
- (d) The Agency shall assume “lead agency” status with respect to the SEQRA review of the conveyance of the Property by the Agency.

In consideration of these findings, the Agency directs that a lead agency coordination letter be circulated among the involved agencies together with such supplemental materials as shall be necessary or desirable.

Section 4. These Resolutions shall take effect immediately.

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

	Yea	Nay	Abstain	Absent
Steven Brusso	x			
Thomas L. Kime				x
Donald Trout				x
Menzo Case	x			
Jeffrey Shipley				x
Stephen Wadhams	x			
Valerie Bassett	x			
Erica Paolicelli	x			

The Resolutions were thereupon duly adopted.