

ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Resolution No. 09-04-22
April 28, 2009

AUTHORIZING SALE OF INDUSTRIAL BUILDING

WHEREAS, Op-Tech Environmental Services, Inc. has tendered an offer to purchase an Industrial Building owned by the St. Lawrence County Industrial Development Agency (the "Agency") and located at 63 Trade Road, Lot 20, Massena, New York, and

WHEREAS, Op-Tech Environmental Services, Inc. has requested benefits as outlined in their current lease to be applied to the purchase of said property,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Industrial Development Agency does hereby authorize its Chief Executive Officer to execute any and all documents, subject to Agency Counsel's advice, necessary to effectuate a sale agreement based on a sale price of \$600,000 with Op-Tech Environmental Services, Inc. under the following terms and conditions:

Term: 10 years
Price: \$600,000 with down payment of \$60,000 due at closing
Rate: One-half prime plus one (1) percent (fixed at time of closing)
Pilot: 0% through April 2014 with the school PILOT beginning September 2014;
50% through April 2019 with the school PILOT at 100% in September 2019;
100% thereafter (Based on standard pilot beginning April __, 2009)

WHEREAS, there has been enacted into law Article 8 of the New York Environmental Conservation Law, Chapter 612 of the 1975 Laws of the State of New York, as amended (the "Environmental Act"), which provides for the review of certain "actions" undertaken by State and local agencies for the purpose of regulating such activities in order that proper consideration be given to the prevention of environmental damage; and

WHEREAS, provision of economic assistance to industrial projects by the Agency is an "action" as that term is defined in the Environmental Act, which must be evaluated by the Agency to determine its environmental effect; and

WHEREAS, in accordance with the Environmental Act, Raymond H. Fountain conducted an environmental review of the project (attachments A); and

WHEREAS, the review has found that the project will not have a significant adverse impact on the environment;

NOW, THEREFORE, BE IT RESOLVED by the St. Lawrence County Industrial Development Agency as follows:

a. That the purchase of a general purpose industrial building on Lot #20 in the Massena Industrial Park, Village of Massena, St. Lawrence County, New York, to Op-Tech Environmental, Inc. will not have significant effect on the environment within the meaning of the Environmental Act and Regulations;

b. All proper officers of the Agency and their successors or designees are authorized and directed to file, report and publish this declaration in and with the offices and publications required by the Environmental Act.

Move:	McMahon			
Second:	LaBaff			
VOTE	AYE	NAY	ABSTAIN	ABSENT
Blevins	X			
Greenwood				X
LaBaff	X			
McMahon	X			
Morrill	X			
Staples	X			
Weekes	X			

I HEREBY CERTIFY that I have compared this copy of this Resolution with the original record in this office, and that the same is a correct transcript thereof and of the whole of said original record.

Is/ Natalie A. Sweatland

Natalie Sweatland
04/28/09

PROJECT ID NUMBER


SEQR

617.20
APPENDIX C

STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR St. Lawrence County IDA	2. PROJECT NAME OP-TECH Environmental Services, Inc.
3. PROJECT LOCATION: 63 Trade Rd Municipality	St. Lawrence County
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map Lot 20, Massena Industrial Park	
5. IS PROPOSED ACTION : <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: OP-TECH is entering into a Lease/Purchase Agreement with the IDA for the Lot 20 property. This will allow them to remain and expand in Massena. There will be no significant alterations to the site or building.	
7. AMOUNT OF LAND AFFECTED: Initially 1.5 acres Ultimately 1.5 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park / Forest / Open Space <input type="checkbox"/> Other (describe)	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal, State or Local) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit / approval: The IDA will be financing the purchase of the building	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant / Sponsor Name <u>St. Lawrence County Industrial Development Agency</u> Date: <u>04/28/09</u> Signature <u></u>	

If the action is a Coastal Area, and you are a state agency,
complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 No

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:
 None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:
 Yes No

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

St. Lawrence County Industrial Development Agency
 Name of Lead Agency

Raymond H. Fountain, Jr.
 Print or Type Name of Responsible Officer in Lead Agency

04/28/09
 Date

Chief Executive Officer
 Title of Responsible Officer

Raymond H. Fountain, Jr.
 Signature of Responsible Officer in Lead Agency

[Signature]
 Signature of Preparer (If different from responsible officer)

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number

Date:

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The St. Lawrence County IDA as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Op-Tech Lease/Purchases

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

OP-TECH is entering into a Lease/Purchase Agreement with the IDA for the Lot 20 property. This will allow them to remain and expand in Massena. There will be no significant alterations to the site or building.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

63 Trade Rd, Massena, New York - St. Lawrence County

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

There will be no significant alterations to the site or building.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Raymond H. Fountain

Address: 80 SH 310, Suite 6, Canton, NY 13617

Telephone Number: 315-379-9806

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

Chief Executive Officer , Town / City / Village of Massena

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany NY, 12233-1750 (Type One Actions only)