

RESOLUTION OF THE ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY DETERMINING THAT ACTION TO PROVIDE FINANCIAL ASSISTANCE RELATING TO A PROJECT FOR THE BENEFIT OF ECONOMIC DEVELOPMENT GROWTH ENTERPRISES CORPORATION (FLEX SPACE FACILITY) WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

WHEREAS, Economic Development Growth Enterprises Corporation, on behalf of itself and its principals (collectively, the "Company" and sometimes referred to as "EDGE"), or an entity to be formed on behalf of any of the foregoing, has applied to the Agency to enter into a transaction in which the Agency will assist in construction of a 60,261± square foot single story Flex Space building including loading docks and all utilities and infrastructure to support the same (collectively, the "Improvements") on a 17± acre portion of a parcel of land situate at 2049 Wafer Loop Road in the Town of Marcy, Oneida County, New York (the "Land"); and acquisition and installation of furniture, fixtures and equipment in the Improvements (the "Equipment"), to provide light manufacturing, office, labs/technology and logistics/warehousing space for supply chain companies for the purpose of supporting the semiconductor and advanced electronics industry and in furtherance of the master plan for the Marcy Nanocenter site (the Land, the Improvements and the Equipment is referred to collectively as the "Facility" and the construction and equipping of the Improvements is referred to as the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Agency desires to determine whether the construction and equipping of the Facility may have a "significant effect on the environment" (as said quoted term is defined in the SEQR Act and the Regulations) and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the Agency in determining whether the acquisition, construction, and equipping of the Facility may have a significant effect upon the environment, the Agency has reviewed documentation including (1) the Draft Generic Environmental Impact Statement (DGEIS), Volume I and II, dated October 2000, which was accepted by the Town of Marcy Town Board ("Town Board") on October 16, 2000; (2) the Final Generic Environmental Impact Statement (FGEIS), dated March 2001, which was accepted by the Town Board on March 22, 2001; (3) the NYS Office of Parks, Recreation and Historic Preservation letter dated February 16, 2001; (4) the NYS Office of Parks, Recreation and Historic Preservation letter dated December 4, 2012; (5) a Resolution of the Town Board adopted December 5, 2013; (6) a Resolution of the Town Board adopted November 19, 2015; (7) a Part 1 EAF prepared by the Company dated February 8, 2021 and submitted to the Town of Marcy Planning Board (the

“Planning Board”) in support of the Company’s request for Site Plan Approval; (8) a letter from the Planning Board dated June 2, 2021 confirming Site Plan Approval; (9) a letter from the Planning Board dated November 17, 2023 regarding its supplemental review of the change in scope of the Project as it pertained to Site Plan approval; and (10) a Part 1 EAF submitted by the Company to the Agency dated December 4, 2023 relating to the Project, all of which are on file at the office of the Agency, and such other documentation as the Agency deemed appropriate; and

WHEREAS, pursuant to the Regulations, the Agency has examined such documentation in order to make a determination as to the potential environmental significance of the Facility.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based on an examination of the Application, the documentation referenced above, including the DGEIS and the FGEIS, and based further upon the Agency's knowledge of the area surrounding the Facility and such further investigation of the Facility and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Facility:

- (A) The Facility is as described in the Application;
- (B) The Facility constitutes a “Type I Action” (as defined in the Regulations);
- (C) No potentially significant impacts on the environment are noted in the documents pertaining to the Facility, including the DGEIS and the FGEIS, and none are known to the Agency;
- (D) The Facility will not result in (i) substantial adverse change in existing air quality; ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems; (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of a resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such species; or (iii) other significant adverse impacts to natural resources;
- (E) The Facility will not affect a critical environmental area as designated pursuant to 6 NYCRR 617.14(g);

(F) The Facility will not conflict with the community's current plans or goals as officially approved or adopted;

(G) The Facility will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

(H) The Facility will not result in a major change in the use of either the quantity or type of energy;

(I) The Facility will not result in the creation of a hazard to human health;

(J) The Facility will not result in a substantial change in the use, or intensity of use, of land including architectural, open space or recreational resources, or in its capacity to support existing uses;

(K) The Facility will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

(L) The Facility will not result in the creation of a material demand for other actions that would result in one or more of the above consequences;

(M) The Facility will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and

(N) The Facility will not result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR Section 617.7(c).

Section 2. The Agency hereby determines that the Facility will not have a significant impact on the environment and the Agency will not require the preparation of an environmental impact statement with respect to the Facility. The Agency has prepared a negative declaration with respect to the Facility which describes the basis for its decision that the Facility will not have a significant impact on the environment.

Section 3. The Executive Director of the Agency is hereby directed to file in the Agency's records the negative declaration with respect to the Facility and to file and distribute the negative declaration in accordance with the Regulations..

Section 4. This resolution shall take effect immediately.

[Remainder of page left blank intentionally]

STATE OF NEW YORK)
 : SS.:
 COUNTY OF ONEIDA)

I, the undersigned Secretary of the Oneida County Industrial Development Agency, DO HEREBY CERTIFY THAT:

I have compared the foregoing copy of a resolution of the Oneida County Industrial Development Agency (the "Agency") with the original thereof on file in the office of the Agency, and the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

Such resolution was passed at a meeting of the Board of Directors of the Agency duly convened in public session on December 8, 2023 at 8:00 a.m. local time, at 584 Phoenix Drive, Rome, New York at which the following members were:

- Members Present:** David Grow, Steve Zogby, Kirk Hinman, Eugene Quadraro, Mary Faith Messenger, Mike Fitzgerald.
- Members Present Webex:** Ferris Betrus.
- EDGE Staff Present:** Shawna Papale, Steven DiMeo, Maureen Carney, Mark Kaucher, Laura Cohen, Hannah Phillips
- Others Present:** Rome Mayor Jackie Izzo; Mark Levitt and Jenna Peppenelli, Levitt & Gordon; Milan Tyler, Phillips-Lytle; Mike Lennon, ICA Holdings III, LLC/Indium; Camille Kahler, Saunders-Kahler; Lloyd Ploof, SQ1 Holdings.
- Others Present Webex/Teleconference:** Laura Ruberto and Linda Romano, Bond, Schoeneck & King

The question of the adoption of the foregoing resolution was duly put to vote, with the members voting as follows:

	Aye	Nay	Abstain
Ferris Betrus	___X___	_____	_____
Michael Fitzgerald	___X___	_____	_____
David Grow	___X___	_____	_____
Mary Faith Messenger	___X___	_____	_____
Kirk Hinman	___X___	_____	_____
Eugene Quadraro	___X___	_____	_____

Steve Zogby

___ x ___ ___ ___

and, therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all directors of the Agency had due notice of said meeting, (ii) pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 20th day of December 2024.



Shawna Papale, Secretary