

## PUBLIC HEARING SCRIPT

**Tecumseh Redevelopment Inc. and/or  
Individual(s) or Affiliate(s),  
Subsidiary(ies), or Entity(ies) formed or  
to be formed on its behalf Project**

Public Hearing to be held on March 28, 2017 at 9:00 a.m. at the City of Lackawanna City Hall,  
at 714 Ridge Road (Council Chambers), Lackawanna, New York 14218

### ATTENDANCE

Drew Shapiro, City of Lackawanna

Fran Lafferty, Retired

Bob Baker, Citizen

Paul Werthman, Turnkey Environmental

Frank E. Krakowski, City of Lackawanna

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#### ☒ **1. WELCOME:** Call to Order and Identity of Hearing Officer.

Hearing Officer: *Welcome. This public hearing is now open; it is 9:00 a.m. My name is Grant Lesswing. I am the Business Development Officer of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing.*

#### ☒ **2. PURPOSE:** Purpose of the Hearing.

Hearing Officer: *We are here to hold the public hearing on the Tecumseh Redevelopment Inc. and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Friday, March 17, 2017.*

☒ **3. PROJECT SUMMARY:** Description of Project and Contemplated Agency Benefits.

Hearing Officer: *The proposed project (the "Project") consists of: (i) a 105+/- acre portion of land located at 2303 Hamburg Turnpike, City of Lackawanna, Erie County, New York (the "Land"); (ii) the remediation of the Land under the NYSDEC Brownfield Cleanup Program for shovel-ready commercial and light industrial development (the "Improvements"), and (iii) the leasing, acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property to be utilized for the remediation of the Land (the "Equipment," and collectively with the Land and the Improvements, the "Facility").*

*The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits.*

☒ **4. FORMAT OF HEARING:** Review rules and manner in which the hearing will proceed.

Hearing Officer: *All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203 until the comment period closes on April 25, 2017. There are no limitations on written comments.*

☒ **5. PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: *If anyone is interested in making a comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep comments to 5 minutes, and if possible, 3 minutes.*

Paul Werthman, President of Benchmark Restoration/Turnkey Environmental Restoration – We are the consultants for the owners of the property Tecumseh Redevelopment, Inc. We have been involved with the project and the site since 2003 when Tecumseh acquired it out of bankruptcy from the bankrupt Bethlehem Steel company. This sales tax exemption is primarily for the slag materials that are going to be used for the cover for roughly half of the 105 acres and the purpose of the tax exemption which we fully endorse. I helped my client write the application to the ECIDA seeking the sales tax exemption basically because it will reduce the purchase price of the property. It will be reduced because the price of the property includes the cover system that's going to be installed by my company on behalf of Tecumseh as part of the sale to the Erie County IDA. We fully endorse the sales tax exemption as it will be for the benefit of the ECIDA, Erie County and for future developers of the property.

Bob Baker – I am a local resident. I grew up here and went to Canisius High School, went to college in LA and moved back here and worked for FedEx for ten years. When Mayor Griffin was around I think I still have the oldest plans here submitted for development on the outer harbor waterfront. My only interest was I went to school in LA and saw the waterfront done right as one main entity. It was not privately owned as it was developed as one theme and it is very nice with the public in mind. Buffalo was known as the boom town in the 1900s. Bethlehem Steel was a great contribution to our City. In a nutshell, we have inherited what is left over of the booming industrial complex and now we are in the phase of cleaning it up and redeveloping it. So, what I wanted to weigh in on today is the process and the brownfield clean up. My question is, what will be done to the rest of the outer part? I just spoke with the Commissioner and he said, basically we can't really do anything because no one is going to buy it. Tecumseh owns that property and I would like to see some future consideration to remediate it by either reclaiming it by dredging it out. Either to dump it in the barge, in the State dump site, in the lake or put the materials somewhere else and return it to the water. Let's not leave it as an eyesore. As you guys are aware, the rest of the public likes our waterfront and wonder Western New York needs another industrial park. We are going to have a nice industrial site with the ECIDA but, why not do something with the rest of it. Let's not leave it a mess. So, either reclaim it to water or take it away. This is where Tecumseh being the owners come in and would have to do this because they own the property. I just asked why can't we get federal funding to clean up that site and I was told it's not going to happen because I am not the owner. So, I would like to perhaps work with the owners and see if we could come up with ideas to move forward on remediation of that outer site. That was my main interest to keep the doors open here for the rest of that and if that inner part is going to be developed, the last 105 acres. Let's have something beyond that. Something nice that the public will give you credit for. Let's do it right and not leave a mess

Paul Werthman - The 105 acres is part of a 417 acre-site it is what we are calling a business park phase 1, 2, 3 and A1. All the 471 acres are in the brownfield cleanup program and most of it well all the sub surface has been cleaned up. What we are talking about here today is the 105 acres. A portion of it is going to get a cover system and will be sold to the Erie County IDA with a certificate of completion that it is clean, shovel ready and ready to build on for industrial and commercial purposes. The rest of the 417 acres is also zoned for light,

medium and heavy industrial and is earmarked for those kinds of uses. The remainder of the property roughly 600-acres does not need anything and is not subject to any cleanup. The rest of it is what we call the corrective measures study area and it is subject to cleanup under the RCRA corrective measures because there was hazardous waste. There are 40 different disposal areas on the site many of which we have cleaned up between Tecumseh and the DEC. Quite frankly the worst has already been cleaned up. A few remain and we are still in the process of negotiating with the DEC to clean up the rest of that 600-acre parcel.

Bob Baker – Is there any surface liquid ruminant remaining?

Paul Werthman – No there is not. Most of the ground water has been taken care of so, it will not migrate into Lake Erie. We have taken care of everything that was in the ground water that was basically getting away from the site.

Bob Baker – Oh ok

Paul Werthman – Now what we are left with are some residuals in the slag fill that are about to implement another remedy which we call OB4 which is the old coke gas bottle products. We did an intro remedial measure there and basically cleaned up the ground water. This is the final version of it and expansion of our ground water pump and treatment system. There was a very comprehensive investigation of the site. It took years and millions of dollars spent to investigate everything there. There is a corrective measures study that details all of that and a copy of it is at the public library. So, yes there is a plan to clean up the rest of the property and the rest of the property is not unusable but, until a final remedy has been selected for all those 42 different areas we really can't redevelop the area around them.

Bob Baker – So is it a work in progress

Paul Werthman – It's not like the whole 600 acres is contaminated because it is not. The contaminated portion probably represents 5% of it. Yes, it is a work in progress

Bob Baker – It was a steel mill and the ruminants aren't exactly liquid contaminant?

Paul Werthman - You got 600 acres of slag and you got little pockets of disposal within this

Bob Baker – Regarding this beyond what we are talking about today the section here the outer part to be exact. Are there any plans for that by Tecumseh?

Paul Werthman – Plans, no because again you must have a final remediation plan, implement the remedy and then develop the property. We will work with the City and come up with zoning and what could be developed out there. But, we really can't do that until this is complete.

Bob Baker – That was my main concern and I applaud your efforts

Paul Werthman – For the rest of it consider it a work in progress to be determined at a later date.

Fran Lafferty – On the 400 acres here that you are talking about. I used to work here and to me that whole area is contaminated.

Paul Werthman – It is and that is what I call OB4 the coke plant byproducts area. There is ground water contamination that we are pumping part of it and we are going to expand that, collect it and treat it.

Fran Lafferty – I worked in all of the coke ovens and blast furnaces. I pulled bricks in all of them. Thank you.

☒ **6. ADJOURNMENT.**

As there were no further comments, the Hearing Officer closed the public hearing at 9:15 a.m.

**SIGN IN SHEET  
PUBLIC HEARING**

March 28, 2017 at 9:00 a.m. at the City of Lackawanna City Hall,  
at 714 Ridge Road (Council Chambers), Lackawanna, New York 14218 regarding:

**Tecumseh Redevelopment Inc. and/or Individual(s) or Affiliate(s),  
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 2303 Hamburg Turnpike, City of Lackawanna, Erie County, New York

<b>Name</b>	<b>Company and/or Address</b>	<b>X box to speak/ comment</b>
Drew Shapiro	City of Lackawanna 714 Ridge Road Lackawanna, New York 14218	
Fran Lafferty		X
Bob Baker	6894 Creekview Drive Lockport, New York 14031	X
Paul Werthman	Turnkey Environmental	X
Frank E. Krakowski	City of Lackawanna 714 Ridge Road Lackawanna, New York 14218	