

WYOMING COUNTY IDA BOARD MEETING MINUTES

The Wyoming County IDA Board of Directors met on January 16, 2020 at 2:30 p.m. at the Wyoming County Agriculture and Business Center 36 Center Street, Warsaw, NY 14569.

1. Roll call to establish quorum

Chairman, Mark Dadd, called the meeting to order at 2:35 p.m., in attendance were: Mark Dadd, Chairman; A. Douglas Berwanger, Vice Chairman; Rebecca Ryan, Treasurer; Sandra Piridy, Secretary; E. Joseph Gozelski, Director; Thomas McCormick, Director; James Pierce, Executive Director; Robin Marschilok, Director of Operations; Jennifer Tyczka, Program Manager; and Kevin Zanner, Hurwitz & Fine, Agency Counsel.

Attending by telephone: James Hardie, Director and William Daly, Special Projects Coordinator
Guest: Ryan Hicks, Invenergy, LLC - left at 2:55 p.m.

2. Administrative

A. Review/approve minutes from December 12, 2019 Board Meeting

The minutes from the December 12, 2019 Board Meeting were reviewed. A motion was made to accept the minutes by J. Gozelski. The motion was seconded by T. McCormick and unanimously carried.

B. Review and approve Financial Statements December 2019

R. Marschilok presented the financial reports from December 2019. After review the Board approved the financial report on a motion made by R. Ryan. The motion was seconded by S. Piridy and unanimously carried.

C. Review /Approve WCIDA Investment Report

J. Pierce presented the WCIDA Investment Report for 2019. The report shows substantial earnings on funds invested in CD's and Treasury Stock over the year. The report is required to be posted on the Website and included in the Agency's PARIS reporting to the ABO. After review the Board approved the Investment Report for 2019 on a motion made by J. Gozelski. The motion was seconded by R. Ryan and unanimously carried.

3. Action Items

A. Invenergy's Proposed Orangeville Battery Storage Project PILOT

Pierce presented a summary of the Orangeville Battery Storage Project stating that the Community Host Agreement (CHA) has been finalized and approved by the Town of Orangeville. The Town approved a host payment from Invenergy of \$5,900/MW for the 20 MW Storage system with a 2.5% increase annually after the first year. Typically, the energy companies have paid a total community fee split 80% to the host town and 20% to the WCIDA PILOT. The Company has requested that the IDA accept a PILOT Payment equal to \$1,100/MW with an increase of 2.5% after the first year. This would make a total payment of \$7,000/MW and reflects an 84% host and 16% PILOT split of the total payment. Pierce then introduced Ryan Hicks from Invenergy who attended the meeting to answer any questions from the Board. Hicks stated that anything over \$7,000/MW for a project of this size puts a strain on the project financially. Chairman Dadd asked Hicks if Invenergy and

the Town were aware of the normal 80%/20% split of payment from the other energy projects. Hicks replied that they were aware and it was assumed the Town was also, however, it was never discussed with the Town. As they were negotiating the CHA with the Town and thought of it as a separate agreement, they knew when they came to the \$5,900/MW agreement with the Town that keeping with the typical 80/20 split would be a stretch for the Company and that is why they are requesting the lesser amount be accepted for the PILOT Agreement with the IDA. D. Berwanger stated that the Town of Arcade just approved the Alle-Catt Project with an 80/20 split. D. Berwanger added that although this project is not a wind project that has typically been settled on the 80/20 split of payment, it will set a precedence for these types of projects. Hicks added that these projects are different in that the revenue streams are vastly different and less than the wind projects and the impact from the project will be felt more locally in the Town area and minimal to the County and school district. Chairman Dadd added that the Town seemed to be overreaching and forcing us to accept a decision that we didn't have a part of negotiating. The Chairman concluded that the Board may want to table the decision on agreeing to the lesser amount for the PILOT until more conversation can be had with the Town and the Company over this issue. The Board agreed to table the request until the next meeting or until further discussion can be had on a motion made by J. Gozelski. The motion was seconded by R. Ryan and unanimously approved. Ryan Hicks then left the meeting at 2:55 p.m.

B. Request to Extend Sales Tax Exemption by Silverlaken

Pierce presented the Board with a request from Mike Bellamy, owner of Silverlaken in Perry for an additional extension of the sales tax exemption for the project. Bellamy has requested an extension for an additional year to end December 31, 2020 in order to complete the purchase of materials and installation of the 8 glamping cabin units. After review the Board approved the request for an extension of the sales tax exemption through December 31, 2020 on a motion made by J. Gozelski. The motion was seconded by R. Ryan and unanimously carried.

C. Authorize MOU with the Wyoming County Business Center, Inc. for Administrative services.

Pierce asked the Board to authorize the annual MOU with the Business Center for continued Administrative services provided by the WCIDA at \$20,000/year. The Board authorized Pierce to sign the MOU on a motion made by R. Ryan. The motion was seconded by S. Piridy, and unanimously carried.

4. Executive Director's Report

Economic Development Updates

- The hotel project for Arcade is moving forward. The hotel developer is still working on their financing and are finalizing the drawings they will need for the appraisal. We expect to get signed land purchase agreement by Friday along with a deposit. They still intend to put the project on the street to bid in January and hope to break ground in April / May of 2020.
- Jim P. met with a Town of Sheldon business that is making plans for an expansion project. The business is currently putting together their cost projections before it can be determined if it is and IDA eligible project.
- The Town of Bennington and Duke Energy have executed the Community Host Agreement (CHA) for the 20MW Niagara Solar project. The deal is per \$3,500 MW with \$2800 per MW going for CHA and \$700 for the PILOT (80/20 split) for a 35 year. We are now in the process of preparing the deviation notices to the taxing jurisdictions and preparing the public hearing notice. We will let the Board know when the Hearing date is set.

- The Town of Pike and Delaware River Solar are close to finalizing the CHA for the 12.8 MW project. It appears it will be \$5,000 per MW with \$4,000 going to the CHA and \$1,000 for the PILOT (80/20 split) with the PILOT term TBD.
- Jim P. also expects that 20 MW project located in the Town of Castile known as the Silver Lake Solar to be coming in soon. No application has been submitted but there has been communication from the developer's attorney.
- It's Jim P. understanding that Alle-Catt and Town of Arcade have verbally reached a CHA for the proposed turbines in Arcade that had previously been identified as 14 turbines. Jim P. also attended an informational meeting in Cattaraugus County concerning the proposed project in which some of the attendees had strong opposing views. D. Berwanger added that there has been a series of information meeting in which the Town of Arcade's attorney has attended and the meeting in Arcade concerning the towers to be placed in Wyoming County has been the most civil.
- Jim P. sent and the Lease/Lease Back application to the attorney for Enel Green Power North America, the new owner of the Wethersfield Wind Farm. Only 1 out of the 10 turbines are functional and the new owner would like to get them all operational so they would last for another 10 years at a proposed cost of \$1.5 million. They are seeking a PILOT for the project.
- The IDA partnered with GCC to recruit Wyoming County businesses to participate in a collaborative application for some of the \$175 million that was set aside in the State budget for workforce development a couple of years ago. The Governor announced today \$3.4 million was awarded today across the state, local benefactors of those grant funds will be Prestolite Electric, Markin Tubing and Creative Food Ingredients.

5. Special Project Coordinator's Report

W. Daly update the Board on the following:

- Daly updated the Board on the Farmland Protection Board involving the farms which have participated in the Purchase of Development Rights program. Emerling Farms in Perry have been approved for two grants; One at the maximum per grant of \$2 million and the second one for \$898,000. Armstrong Farm in Covington have also been awarded a \$2 million grant.
- The 2020 Census is of utmost importance. NYS is at a risk of losing at least one representative in Congress due to the outflow of NYS residents. There has been \$70,400 in grant dollars promised to Wyoming County to help promote the Census and to be sure all people are accounted for especially in areas that are hard to count.

6. Other Business/Communications - None

7. Next Meeting

The next regular scheduled meeting will be held February 20, 2020 at 2:30 p.m.

8. Adjournment

The meeting was adjourned at 3:11 p.m. on a motion made by D. Berwanger, seconded by R. Ryan and unanimously carried.