

WYOMING COUNTY IDA BOARD MEETING MINUTES

The WCIDA Board of Directors met on February 20, 2020 at 2:30p.m. at the Wyoming County Agriculture and Business Center, 36 Center Street Warsaw, New York 14569.

1. Roll call to establish quorum

Chairman, Mark Dadd, called the meeting to order at 2:30p.m., in attendance were: Mark Dadd, Chairman; Rebecca Ryan, Treasurer; Sandra Pirdy, Secretary; E. Joseph Gozelski, Director; Thomas McCormick, Director (Joined the meeting at 2:43p.m.); James Pierce, Executive Director; Robin Marschilok, Director of Operations; Jennifer Tyczka, Program Manager; William Daly, Special Projects Coordinator and Kevin Zanner, Hurwitz & Fine, Agency Counsel.

Attending by telephone: James Hardie, Director (joined at 2:39p.m.)
Absent: A. Douglas Berwanger, Vice-Chairman

Guests: Robert Charlebois, Duke Energy Renewables, Inc. (left the meeting at 2:44p.m.)
Barbara Dominesey, Hidden Valley Animal Adventure, (joined at 2:45p.m. and left at 3:11p.m.)

2. Administrative

A. Review/approve minutes from January 16, 2020 Board Meeting

The minutes from the January 16, 2020 Board Meeting were reviewed. A motion was made to accept the minutes by J. Gozelski. The motion was seconded by R. Ryan and unanimously carried.

B. Review and approve Financial Statements January 2020

R. Marschilok presented the financial reports from January 2020. After review the Board approved the financial report on a motion made by R. Ryan. The motion was seconded by S. Pirdy and unanimously carried.

3. Action Items

A. Consider Duke Energy's request for IDA assistance for Niagara Solar

Pierce presented the Duke Energy Renewable Solar Project to be constructed in the Town of Bennington. Pierce introduced Bob Charlebois, Project manager for Duke Energy to the Board to provide an overview of the project. Charlebois stated that it's been over a year that the project has been in the public domain and Duke Energy has been working to get permits for site plans, zoning change and final design. There has not been any real opposition but its been a long process. The project is a 20 MW Solar Energy Generation facility and is a couple years away from being completed with hopes to start construction next summer. Charlebois explained that the Company will be able to bid on a contract from NYSERDA when the bidding process opens up once or twice a year. In order to be awarded the bid for the project the Company needs to have all the local permitting and approvals in place and show NYSERDA that they are ready to move ahead once they win the bid. Charlebois noted that one local benefit associated with the project is a Host Community Agreement which has been approved with payment based on MW capacity of the project, getting all the regulatory items completed is huge step and of course the approval of the IDA application for incentives including the sales tax exemption and PILOT is a critical element for the project. Pierce added that the Company will invest \$23,799,507 to complete the project, incentives will include \$533,010 in sales tax savings on \$6,912,631 of materials that would otherwise

be subject to sales tax. Pierce continued to review the information provided in the packet including a memo from CGR, the company who provides the cost benefit analysis for our projects, showing the added revenue to the community from the PILOT payments over the life of the PILOT to be \$510,000. Pierce also informed the Board that the packet includes the full application and SEQR finding provided by the Town of Bennington in which there was a negative declaration on the project as there will be little to no environmental impact. Pierce reviewed the public hearing information and minutes and reported that there were 5 attendees at the public hearing and there were no objections or concerns for the project. Pierce reminded the Board that the project asked for a deviation to our UTEP schedule and deviation notices were sent to the affected taxing jurisdictions. The PILOT payment would be \$700/ MW with annual increments of 1.5% over 35 years. After review the Board resolved to consent and affirm the Bennington Town Board's status as lead agency, ratify and confirm the Town's proceedings to satisfy requirements of SEQR and determines that all provisions of SEQR contemplated by the Agency with respect to the project have been satisfied. The Board further resolved to provide financial assistance to the project including an exemption from sales and use tax for building materials, equipment and fixtures purchased for incorporation into the project with a total cost not to exceed \$6,912,631 and a 35-year abatement from real property taxes in accordance with a non-standard PILOT schedule. The resolution was passed a motion made by J. Gozelski. The motion was seconded by R. Ryan and unanimously carried. Robert Charlebois then left the meeting at 2:44p.m.

B. Consider Hidden Valley Animal Adventure 's request for IDA assistance

Pierce introduced Barb Dominesey from Hidden Valley Animal Adventure to present a request for IDA assistance in the construction and equipping of a new animal housing and viewing facility on its property in the Town of Orangeville. Dominesey described the project as a 224' x 80' building large enough to house 150 animals. The building will be divided into three compartments; one will be heated to house kangaroos, the tortoise and other animals which need a warmer winter environment. One area will house the exotic animals such as the zebra, ostrich and others that can tolerate or require a little cooler housing. The third will house llamas, sheep and animals that need or can handle cold temperatures and all areas will need good air circulation. Dominesey explained that currently there is not enough room to give the animals adequate housing in the winter and the facilities are not efficient or in some cases safe enough when working with the animals. They plan to layout the barn to accommodate proper separation when cleaning and feeding which will allow trained personnel the ability to do more animal care and free Dominesey up to concentrate more on the business. The new facility will also provide a viewing area for visitors to enjoy and learn about the animals which will be open year-round while the lodge and restaurant are open. Currently visitors can only enjoy the animals during the park season from May-October. Dominesey then answered questions from the Board regarding the park and the animals currently housed there. Dominesey explained that the new housing facility will be located to the left of the existing lodge and within walking distance so guests can visit the facility before or after enjoying a meal at the lodge. The outside of the new facility will be wood shiplap or board & baton to esthetically match the look of the lodge and other out buildings. Dominesey thanked the Board for their consideration of her request and then left the meeting at 3:11p.m.

Pierce then reviewed with the Board the project application and cost benefit provided in the packet. Pierce stated that the because the proposed incentives for the project were over \$100,000 a public hearing was required and held on February 13th, a copy of the minutes

from the public hearing were attached. The project qualifies under the IDA's Tourism Destination Project as described in the Agency's UTEP as they have provided reports to verify a large percentage of the visitors to the Park come from outside the county and region. Pierce concluded by stating that project will provide 1 fulltime and 12 part time positions over the next 3 years and there no environmental impacts identified on the completed Environmental Assessment Form. After review and discussion, the Board passed a resolution determining the project will not have any significant environmental impacts and adopting a negative declaration with regard to the project. The Board further resolved to grant the request for IDA Assistance for the project including exemption from sales and use tax for materials, equipment, furniture and fixtures to be incorporated into the project having a total cost not to exceed \$300,000, an exemption from mortgage recording tax with a total principal not to exceed \$475,000 and a 15-year real property abatement in accordance with the Agency's Tourism Destination PILOT schedule on a motion made by J. Gozelski. The motion was seconded by S. Piridy and unanimously carried.

C. Discuss the Annual Sub-lease with Wyoming County for building space at the Wyoming Ag and Business Center

Chairman Dadd explained to the Board that the County has agreed to our request to reduce the amount of space the WCIDA is responsible for under the Sub-lease Agreement. Starting February 19, 2020 the IDA is now responsible for 1950 sq. ft. with a monetary obligation of \$27,768 for the year. This is a reduction from the 5,121 sq. ft. of space and \$72,923 previously obligated by the original Sub-lease Agreement. The Board approved of the amended Sub-lease obligation and authorized Jim P. to sign it on a motion made by R. Ryan seconded by T. McCormick and unanimously carried.

D. Authorize Annual Renewal of Business Attraction Marketing Services Agreement with the Wyoming County Chamber of Commerce for \$17,500

Pierce asked the Board for authorization to renew the Business Attraction Marketing Agreement with the Chamber of Commerce for its marketing services for the year. The Board agreed and authorized Pierce to sign the renewal on a motion made by s. Piridy, seconded by J. Gozelski and unanimously carried.

E. Request from Arcade & Attica Railroad to extend sales tax exemption.

The Chairman announced the decision to not take action on this item.

4. Executive Director's Report

Economic Development Updates

- Jim P. responded to a business prospect lead known as "project glide" from Invest Buffalo Niagara. The Steele Avenue Business Park Parcel A was submitted for a project looking for at least 20 acres and 7 MW of power.
- Jim P. also had several conversations with a site consultant from the Dennis Group that specializes in representing clients for the food and beverage industry. The consultant found the IDA's 28 acres site on our website and were very interested in the site but wanted 80 acres. Jim P. approached the neighboring property owner about their willingness to sell 50 acres that borders our 28 and the answer was no. At least now the site is on the radar screen for this site consultant group.
- The Wyoming Rail Transfer Station is running near capacity so plans are underway to add to more sidings this year, Marquart will be doing the project. In addition, there is a great deal of interest by the rail users to have on site storage of agricultural commodities. The IDA has started discussions with utility providers to get natural gas and electric to the site.

- The Orangeville Battery Storage project has agreed to make the 80/20 split on the Community Host Agreement (\$5,900 per MW) and the PILOT rate (\$1,475 per MW). A public hearing has been scheduled for February 27th at 3:00 p.m. at the Orangeville Town Hall.
- Jim P. met with the Village of Perry administrator and one of the owners of the former elementary school in Perry to discuss a project that would add more apartments to the facility. There is interest in seeking out grant assistance for the project.
- Work continues on the hotel project for Arcade. The hotel developer is still working on their financing and are finalizing the drawings. Jim P. gave them permission to access the site next week to do some borings to see if injection wells can be installed to deal with onsite water retention management, if that will not work, they will have to factor in more costly plans for a pump station to lift the water retained to the ditch. The land sale agreement and deposit are expected soon.
- 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). In addition to the CHA the IDA is waiting on the new tax parcel numbers and updated IDA application.
- Invenergy has updated the IDA application for the Alle-Catt wind project that will be in Arcade. There has been some discussion about moving forward with the project and leaving Cattaraugus County out for now, more specifically the Towns of Farmersville and Freedom. To address the short coming for overall MW output there is a concept being discussed to put in larger motors/generators in the ones being located in Centerville, Rushford and Arcade.
- Jim P. has been appointed Chairman of the Economic Development Advisory Committee for the Genesee Finger Lakes Regional Planning Council

Other Activities

- The Wyoming County Business Center Board of Directors has approved a loan for Max's Bakery to establish a retail bakery that will locate on Main Street in Perry.

5. Special Project Coordinator's Report

W. Daly update the Board on the following:

- There may only be about 25% of the \$70,400 in grant dollars promised to Wyoming County to help promote the Census and to be sure all people are accounted for locally
- Solarize Wyoming was part of the grant that allowed us to get the solar array at the Highway department in South Warsaw. Will be coming back to help promote solar in the community.
- 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 \$800,000. Armstrong Farm in Covington have also been awarded a \$2 million grant. Marquart is one of the first to apply for a crop farm application, part of the need is because of how the tariffs affected the crop farm trade.
- At the meeting attended recently in Albany the new bail reform came up during discussion as a negative for attracting businesses to stay or come to New York.
- There have been complaints about phone issues, calls being dropped in areas where they used to be good. This has something to do with 3g, 4g, and 5g frequencies.

- There is now a list for Broadband to show where the new services will be, it will take 2-3 years before the service is installed.
- Legislation to expand prevailing wage is again in the forefront. Unshackle Upstate has asked for support in efforts to reject the latest proposal.

6. Other Business/Communications - None

7. Next Meeting

The next regular scheduled meeting will be held March 19, 2020 at 2:30 p.m.

8. Adjournment

The meeting was adjourned at 3:49 p.m. on a motion made by R. Ryan, seconded by S. Pirdy and unanimously carried.

Minutes prepared by: R. Marschilok