

WYOMING COUNTY IDA BOARD MEETING MINUTES

The WCIDA Board of Directors met on February 10, 2022 at 2:30 p.m. at the Wyoming County Business Center, 36 Center Street Warsaw, New York 14569.

1. Roll call to establish quorum

Vice-Chairman Berwanger, called the meeting to order at 2:40 p.m., in attendance were: A. Douglas Berwanger, Vice-Chairman; Rebecca Ryan, Treasurer; Niccole Hastings, Director; James Rutowski, Director; James Pierce, Executive Director; Robin Marschilok, Director of Operations; Jennifer Tyczka, Program Manager; Scott Gardner, Economic Development Specialist and Kevin Zanner, Hurwitz & Fine, Agency Counsel.

Absent: Mark Dadd, Chairman; Thomas McCormick, Secretary; and E. Joseph Gozelski, Director

2. Administrative

A. Review/approve minutes from January 13, 2022 Board Meeting

The minutes from the January 13, 2022 Board Meeting were reviewed. A motion was made to accept the minutes by J. Rutowski. The motion was seconded by N. Hastings and unanimously carried.

B. Review and approve Financial Statement January 2022

R. Marschilok presented the financial report from January 2022. After review the Board approved the financial reports on a motion made by R. Ryan. The motion was seconded by J. Rutowski and unanimously carried.

3. Action Items

A. Amendment to the PILOT Agreement for the Orangeville Energy Storage project. The recommendation is to remove the Consumer Price Index language as an alternative for adjusting the annual escalator for the PILOT Payments to the taxing jurisdictions.

Pierce explained to the Board that Project had been approved and documents are prepared for closing with the stipulation that a yearly escalator would be added to the PILOT payment at a rate of the higher of 2.5% or the Consumer Price Index (CPI). The current CPI is at 7%, the Company has determined that an increase at that rate would not make the project feasible and has asked the IDA Board to amend the escalation clause to be a set 2.5% and drop the CPI rate from the agreement. The Board agreed to the request on a motion made by R. Ryan. The motion was seconded by N. Hastings and unanimously carried.

B. Request for a one-year extension of the sales tax exemption until February 28, 2023 for the Niagara Solar project in the Town of Bennington.

Pierce updated the Board on the Niagara Solar Project stating that they haven't received any NYSERDA energy credits, they hope to resolve this issue soon and they need more time to complete the Project. They have asked for an extension to the sales tax exemption for an additional year. The Board agreed to extend the sales tax exemption for the Project until February 28, 2023 on a motion made by J. Rutowski. The motion was seconded by R. Ryan and unanimously approved.

C. Request for a one-year extension of the sales tax exemption until March 31, 2023 for the Java Energy Storage project in the Town of Java.

Pierce updated the Board on the Java Energy Project which was a 12 MW storage project planned to help with brown-outs at the end of the service line in Java. The Company plans to buy out NYSEG and take on the project on its own and has asked for an extension to the sales tax exemption for an additional year. The Board agreed to extend the sales tax exemption for the Project until March 31, 2023 on a motion made by R. Ryan. The motion was seconded by N. Hastings and unanimously approved.

D. Request for a one-year extension of the sales tax exemption until March 31, 2023 for Dream Lake Campground in Warsaw.

Pierce updated the Board on the Dream Lake Project stating that construction has been delayed because of weather back up on materials. They need more time to complete the Projects and have asked for an extension to the sales tax exemption for an additional year. The Board agreed to extend the sales tax exemption for the Project until March 31, 2023 on a motion made by J. Rutowski. The motion was seconded by R. Ryan and unanimously approved.

E. Request for IDA assistance from Letchworth Valley Campground and Resort project in Pike.

Pierce updated the Board on the Letchworth Valley Campground Project. Pierce stated that there is also a loan pending a closing with the WCBAC for this project along with the IDA PILOT and tax incentives for the conversion of a former church camp into a campground. In July of 2021 Bill Proietti provided a power point presentation which included the history of the campground, the overall scope of work to included additional cabins, tent sites, RV sites and upgrades to the bathhouse and existing buildings. Pierce reviewed the Cost Benefit Analysis for the project including sales tax, real property tax and mortgage tax exemptions with a total of \$256,000 in benefits. There was a public hearing held for the project on August 3, 2021 in the Town of Pike in which the Town Supervisor, Sandy King was the only attendee. The Town of Pike is the lead agent for the project and has declared a Negative Declaration regarding the SEQR review and has approved the Project to move forward. After review the Board passed the Resolution consenting

and affirming the Town Planning Board as lead agent, ratifying and confirming that SEQR was completed and satisfies all the Agency requirements and approving IDA Incentives for the Project on a motion made by R. Ryan. The motion was seconded by J. Rutowski and unanimously carried.

4. Executive Director's Report

Wyoming County IDA Economic Development Projects

- Work has been on-going with Morton Salt of Silver Springs who has plans to build a 30,000 sq. ft. warehouse in Silver Springs to centralize their warehousing operation of finished goods. We are waiting for the project to work its way through the local permitting process before bringing the project to the IDA Board for consideration which will likely be on the agenda on March 10, 2022.
- The Select Door expansion project in North Java is working through the local permitting process and we anticipate that the 7,000 sq. ft. expansion project will be presented to the IDA Board for their consideration at the April 14th Board meeting.
- Jim P. continues to work with Empire Distributing of Arcade on a major expansion project. The company is a distributor of wood and pellet stoves as well as outdoor living products. The company is planning to construct a 60,000 sq. ft. warehouse and office space building that will require \$5.5 million of capital investment and will create 10-15 new jobs adding to their current employee base of 40. The company is wrestling with putting in their own water well and tank for fire suppression or working with the Village of Arcade on gaining access to municipal water that is only 1,200 ft away. The company is also still working on the IDA application.
- Jim P. met with a developer who is interested in buying the former Hummingbird Yo-Yo factory building located on Water Street in Arcade, a building that has been vacant and decaying for many years. Initial plans call to convert the building into a multi-use facility that would include 20 market rate apartments and about 6,000 sq. ft. of commercial space. The project should be eligible as an IDA Adaptive Re-use project.
- The closing for Hillcrest Industry's warehouse project was completed on February 9th.
- It is also anticipated that project closings will take place with the Orangeville Energy Storage and Kelly's Garage projects before March 1st.

IDA Approved Renewable Energy Projects pending closings

- Alle-Catt Wind Project-Arcade. This project has asked for their sales tax exemption letter since the IDA Board last met.
- Duke Energy Renewables-Bennington
- SunEast Highview Solar, LLC-Castile

5. Other Business

6. Next Meeting: The Next WCIDA Board of Director's Meeting is scheduled for March 10, 2022 at the Wyoming County Business Center.

7. Adjournment

The meeting was adjourned at 2:58 p.m. on a motion made by N. Hastings. The motion was seconded by R. Ryan and unanimously approved.

Meeting recorded and posted on You-Tube at the following link:

<https://www.youtube.com/watch?v=R-qTunxjctc>

Minutes prepared by: Robin Marschilok