



GCEDC Board Meeting
Thursday, December 1, 2022
Location: 99 MedTech Drive, Innovation Room
4:00 PM

GCEDC MINUTES

Attendance

Board Members: C. Yunker, P. Battaglia, P. Zeliff, M. Gray, T. Bender (Video Conference*), C. Kemp, M. Clattenburg

Staff: L. Farrell, M. Masse, S. Hyde, L. Casey, J. Krencik, C. Suozzi, P. Kennett

Guests: D. Cunningham (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), T. Felton (GGLDC Board Member), G. Torrey (GGLDC Board Member), R. Gaenzle (Harris Beach), Lauren Torretta (CH4 Gas), Sara Gilbert (Pinewoods Engineering), Tom. Iorizzo (North Atlantic States Regional Council of Carpenters), Reagan Kemp

Absent:

* Attending from physical location identified in meeting notice as open to the public.

1.0 Call to Order

P. Zeliff called the meeting to order at 4:00 p.m. in the Innovation Zone.

1.1 Enter Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:01 p.m. for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
2. Discussions regarding proposed, pending, or current litigation.

The motion was seconded by M. Clattenburg and approved by all members present.

L. Torretta, S. Gilbert & T. Iorizzo left the meeting at 4:01 p.m.

L. Torretta and S. Gilbert rejoined the meeting at 4:04 p.m.

R. Gaenzle joined the meeting at 4:06 p.m.

T. Felton joined the meeting at 4:07 p.m.

P. Kennett left the meeting at 4:15 p.m.

G. Torrey joined the meeting at 4:22 p.m.

L. Torretta and S. Gilbert left the meeting at 4:31 p.m.

1.2 Enter Public Session

P. Battaglia made a motion to enter back into public session at 5:05 p.m., seconded by C. Yunker and approved by all members present.

T. Iorizzo rejoined the meeting at 5:06 p.m.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, December 15th at 4:00 p.m.

Employment & Compensation Committee Meeting: Thursday, December 15th at 3:00 p.m.

Audit & Finance Committee Meeting: Tuesday, January 10th at 8:30 a.m.

STAMP Committee Meeting: Wednesday, January 11th at 8:00 a.m.

Board Meeting: Thursday, January 12th at 4 p.m.

2.2 Agenda Additions / Deletions / Other Business –

M. Gray made a motion to remove Agenda Item 4.2 – Insurance Renewal; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The agenda item was removed.

2.3 Minutes: November 1, 2022

C. Yunker made a motion to accept the minutes from November 1, 2022; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 NY CDG Genesee 4 LLC – Initial Resolution – NY CDG Genesee 4, LLC is proposing to construct a community solar farm project on Shepard Road in the Town of Pavilion. The solar project will be located on approximately 31 of 39 acres on the property to convert the sun's energy into 4.275 MW of AC power.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$6,000/MWAC + a 2% annual escalator in payments to Genesee County, Town of Pavilion and the Pavilion School District. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

The total capital investment of the project is approximately \$6.5M. The company will receive approximately \$515K in sales tax exemption, \$21K in mortgage tax exemption and \$463K in property tax exemption for a total of approximately \$999K in estimated tax incentives.

Resolution No. 12/2022 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF NY CDG GENESEE 4 LLC WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Initial Resolution #12/2022-01, authorizing the acceptance of the application and scheduling of a public hearing as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.2 RPNY Solar 6, LLC – Final Resolution - RPNY Solar 6, LLC is proposing to construct a community solar farm project on Alexander Road in the Town of Batavia. The project will utilize 8,346 solar panels and 24 string inverters on approximately 17 of 29 acres on the property to convert the sun's energy into 3 MW of AC power. The project will utilize single axis tracking technology to allow the modules to efficiently track the sun throughout the day to maximize the efficiency of solar collection.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to the Genesee County and Alexander Central School District in addition to revenue in a separate host benefit agreement with the town of Batavia. The PILOT is estimated to generate \$207,521 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

The total capital investment of the project is approximately \$5.98M. The company will receive approximately \$478K in sales tax exemption, \$57K in mortgage tax exemption and \$354K in property tax exemption for a total of approximately \$889K in estimated tax incentives.

A public hearing was held on November 21, 2022. No written or oral comments were received.

See the Statement of Compliance of Project Criteria listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details and Board approvals. The Board reviewed each criterion and concurred with the UTEP.

Resolution No. 12/2022 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 21, 2022, WITH RESPECT TO THE RPNY SOLAR 6, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Final Resolution #12/2022-02, accepting the incentives as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.3 RPNY Solar 7, LLC – Final Resolution- RPNY Solar 7, LLC is proposing to construct a community solar farm project on Alexander Road in the Town of Batavia. The project will utilize 6,214 solar panels and 20 string inverters on approximately 13 of 69 acres on the property to convert the sun's energy into 2.5 MW of AC power. The project will utilize single axis tracking technology to allow the modules to efficiently track the sun throughout the day to maximize the efficiency of solar collection.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to the Genesee County and Batavia City School District in addition to revenue in a separate host benefit agreement with the town of Batavia. The PILOT is estimated to generate \$172,934 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

The total capital investment of the project is approximately \$3.56M. The company will receive approximately \$284K in sales tax exemption, \$34K in mortgage tax exemption and \$306K in property tax exemption for a total of approximately \$624K in estimated tax incentives.

A public hearing was held on November 21, 2022. No written or oral comments were received.

See the Statement of Compliance of Project Criteria listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details and Board approvals. The Board reviewed each criterion and concurred with the UTEP.

Resolution No. 12/2022 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 21, 2022, WITH RESPECT TO THE RPNY SOLAR 7 LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to accept Final Resolution #12/2022-03, accepting the incentives as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.4 AES Rt. 5 Storage Solar- Final Resolution- AES Rt 5 Storage, LLC is proposing to construct a community solar farm project on West Main Road in the Town of Le Roy. The project will utilize ground-mounted solar panels to convert the sun's energy into 5 MW of AC power. The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to the Genesee County, Town of Le Roy, and Le Roy Central School District. The PILOT is estimated to generate

\$345,868 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

The total capital investment of the project is approximately \$11M. The company will receive approximately \$881K in sales tax exemption, \$83K in mortgage tax exemption and \$840K in property tax exemption for a total of approximately \$1.8M in estimated tax incentives.

A public hearing was held on November 22, 2022. No written or oral comments were received.

See the Statement of Compliance of Project Criteria listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details and Board approvals. The Board reviewed each criterion and concurred with the UTEP.

Resolution No. 12/2022 - 04

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 22, 2022, WITH RESPECT TO THE AES RT 5 STORAGE LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Final Resolution #12/2022-04, accepting the incentives as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

C. Yunker stated that he is a partner of CY Properties. CY Properties is under contract with Cider Solar. He stated that there is no direct conflict because of this relationship with Cider Solar, but to avoid the appearance of conflict he will recuse himself from discussions regarding the project. C. Yunker left the meeting at 5:16 p.m.

3.5 Cider Solar – Final Resolution - Hecate Energy Cider Solar LLC is proposing to construct a utility scale solar farm project at various properties in the towns of Elba and Oakfield.

The project will be located on 2,455 acres and utilize solar panels mounted on tracking panel racks to convert the sun's energy into 500 MW of AC power and will be interconnected with the electric grid.

The project will provide enhance property tax-type payments to the host municipalities through 30-year PILOT and Host Community Agreements that will contribute fiscally at a significantly greater level (\$35.23 million PILOT payments, \$38.35 million Host Community Agreement Payments) than the current agricultural-vacant land property tax payments generated by the project's properties.

This project has an estimated \$87.9 million fiscal economic impact (PILOT payments, Host Community Agreement payments, fire district payments, elimination of ag-exemptions on acreage used for solar panels, and Residential Utility Bill Credits) and results in an estimated return of \$23 in economic impacts vs the tax impacts of the land's prior use.

The total capital investment of the project is approximately \$550M. The company will receive approximately \$44M in sales tax exemption, \$5.5M in mortgage tax exemption and \$92M in property tax exemption.

A public hearing was held on November 28, 2022 in the Town of Elba and the Town of Oakfield. Both public hearings were well attended by the town officials from Elba and Oakfield, however we received only two comments. The comments we received were both clarifying questions - one asked if the payment schedules to the schools would continue if the school districts merged in the future, and another asked how the local labor policy reporting is undertaken.

See the Statement of Compliance of Project Criteria listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details and Board approvals. The Board reviewed each criterion and concurred with the UTEP.

Resolution No. 12/2022 - 05

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARINGS HELD BY THE AGENCY ON NOVEMBER 28, 2022, WITH RESPECT TO THE HECATE ENERGY CIDER SOLAR LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) ACKNOWLEDGING A CERTAIN PERMIT ISSUED BY THE OFFICE OF RENEWABLE ENERGY SITING; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Final Resolution #12/2022-05, accepting the incentives as presented contingent upon project approval from the Town of Elba and Oakfield; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

C. Yunker rejoined the meeting at 5:23 p.m.

4.0 Audit & Finance Committee

4.1 October 2022 Financial Statements - L. Farrell reviewed the October 2022 financial statements with the Board. The following was noted:

- There was significant activity related to grant income and real estate development. Two GURFS were submitted to ESD in October. The GURFS were approved, and funds were expended.
- There is normal monthly activity on the balance sheet and P&L.

The financial statements were reviewed in detail by the Committee and are recommended for approval.

M. Gray made a motion to approve the October 2022 Financial Statements as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.2 Insurance Renewal – Removed from the agenda.

4.3 Audit Services – The GCEDC and its affiliated corporations issued a joint Request for Proposals (RFP) for Professional Auditing Services on October 17, 2022. The RFP requested services for three audit years from January 1, 2022 to December 31, 2024, with an option of contracting for an additional two years (2025-2026). Requesting for this length of time is customary.

The RFP was submitted directly to five accounting firms. These firms were chosen based on research and consultation with Laura Landers, former Freed Maxick government services director. A notice was also published in the Batavia Daily News stating that the GCEDC and affiliated corporations issued an RFP for these services. The RFP responses were due by November 16th. Three proposals were received.

Proposals were reviewed and evaluated by:

Lezlie Farrell, CFO

Mark Masse, Sr. VP of Operations

Penny Kennett, Operations Manager

The proposals were evaluated based on:

- 1) Qualifications and experience of the audit firm
- 2) Qualifications and experience of the partners and staff.
- 3) Quoted fee rates for each year of the potential five-year engagement.
- 4) Compliance with local, state, and federal statutes and regulations.
- 5) Anticipated potential audit problems (if any).

Mostert, Manzanero & Scott, LLP is the firm being recommended by staff. Along with the firm's experience with the GCEDC and affiliated entities, they have listed references including three other Industrial Development Agencies and a Local Development Corporation. The proposed fee schedule from Mostert, Manzanero & Scott, LLC was included with the meeting materials.

This was recommended for approval by the Committee.

M. Gray made a motion to approve a 3-year engagement with Mostert, Manzanero & Scott, LLC for the 2022-2024 audits as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.4 Apple Tree Acres PSA & Authorizing Resolution - The GCEDC has received a Purchase and Sale Agreement from a potential project to acquire approximately 32.08 acres of tax parcel 13.-1-65 for \$850,000.

Fund Commitment: Legal fees to Harris Beach for the transaction as listed in the resolution.

Resolution No. 12/2022 - 06

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i) THE SALE OF CERTAIN AGENCY OWNED REAL PROPERTY TO JACOB BERARDI ON BEHALF OF AN ENTITY TO BE FORMED, AND (ii) THE EXECUTION OF A PURCHASE AND SALE AGREEMENT, A DEED, AN EASEMENT AGREEMENT, AND RELATED DOCUMENTS IN CONNECTION THEREWITH.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the PSA, Authorizing Resolution, and payment of legal fees not to exceed \$8,000 in connection with the closing; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.5 LeRoy PSA, Authorizing Resolution, & Commission Agreement - The GCEDC has received a Purchase and Sale Agreement from a potential project to acquire approximately 20 acres out of tax parcel 25.-1-75 for \$1,107,150.

Fund Commitment: Legal fees to Harris Beach for the transaction as listed in the resolution.

There is a discrepancy in the deposit amount between the long hand form number (Twenty Thousand and No/100 Dollars) and the numerical value (\$50,000) included. Staff confirmed that the deposit amount is \$50,000.

Resolution No. 12/2022 - 07

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i) THE SALE OF CERTAIN AGENCY OWNED REAL PROPERTY TO WALDEN DEVELOPMENT GROUP, LLC, AND (ii) THE EXECUTION OF A PURCHASE AND SALE AGREEMENT, A DEED, AN EASEMENT AGREEMENT, AND RELATED DOCUMENTS IN CONNECTION THEREWITH.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the PSA, Authorizing Resolution, including payment of legal fees not to exceed \$13,000 in connection with the closing, and the commission agreement with Pyramid Brokerage as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.6 Consulting Assistance on Local Labor Policy Reporting (Hecate/Cider Solar) - Loewke Brill Consulting Group, Inc. has been the GCEDC's consultant who assists with the monitoring and reporting of company's compliance with the local labor policy. The Board has determined that companies need to provide the GCEDC with a deposit that will cover the costs of these services. Any amount not utilized will be returned to the company.

The following fee is based on the company's project description and timeline as provided in the application for incentives.

Project: Hecate (Cider Solar)

Fund Commitment: \$19,980.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the contract with Loewke Brill for the Hecate Cider Solar LLC project not to exceed \$19,980 contingent upon receipt of the deposit from the project; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.7 e3communications Contract – e3communications, a professional media and public relations firm/consultant, has submitted a proposal for 2023 services related to public relations and social media marketing for the Genesee County Economic Development Center (GCEDC).

In 2022, e3communications supported GCEDC staff with GCEDC planning, sales and marketing, and government/stakeholder relations; including support of the GLOW With Your Hands, Genesee CARES and events/groundbreakings for Ellicott Station, New York Buss Sales, Brickhouse Commons, and related activities. e3communications also maintains an expanded social media presence to audiences in project development and the greater public.

Fund Commitment: \$24,000 fund commitment. Funding is available and budgeted in the GCEDC Marketing – Operations budget for the full contract.

J. Krencik confirmed that this contract is an increase of \$2,400 over last year's contract.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the 2023 e3Communications contract not to exceed \$24,000; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.8 Greater Rochester Enterprise Contract – Greater Rochester Enterprise (GRE) is our non-profit regional economic development organization supported by a team of private and public-sector leaders in the Finger Lakes Region to grow the economy in Genesee County and our eastern neighbors.

This funding request supports GRE staff partnerships with the GCEDC's business development, sales and marketing efforts, site development, and talent attraction efforts. The GCEDC also receives an active role on Greater Rochester Enterprise's board of directors.

GRE staff directly enhance the GCEDC's active sales funnel at STAMP and our shovel-ready sites. Notably, GRE has provided critical regional connections that further company due diligence, including work that lead to Edwards Vacuum's \$319 million, 600-job project announced in November.

Included with the meeting materials was a memo from GRE President and CEO Matt Hurlbutt for a full report of his organization's support to the GCEDC.

Fund Commitment: An investment renewal of \$52,000 for continued marketing and business development support for one year. This is an increase of \$2,000 over last year's commitment.

This was recommended for approval by the Committee.

M. Clattenburg made a motion to approve the 2023 Greater Rochester Enterprise Contract, not to exceed \$52,000; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.9 Invest Buffalo Niagara Contract – Invest Buffalo Niagara (InBN) is our non-profit regional economic development organization supported by a team of private and public-sector leaders in the Western New York region to grow the economy in Genesee County and our western neighbors.

This funding request supports InBN staff partnerships with the GCEDC's business development, sales and marketing efforts, site development, and talent attraction efforts. The GCEDC also receives an active role on InBN's board of directors.

InBN staff directly enhance the GCEDC's active sales funnel at stamp and our shovel-ready sites. Notably, InBN has provided critical data analysis that further company due diligence, including work that lead to Edwards Vacuum's \$319 million, 600-job project announced in November.

Included with the meeting materials was a memo from Invest Buffalo Niagara Chief Operating Officer Jenna Kavanaugh for a full report of her organization's support to the GCEDC.

Fund Commitment: An investment renewal of \$25,000 for continued marketing and business development support for one year. This investment cost was anticipated and contained in the 2023 budget.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the 2023 Invest Buffalo Niagara Contract not to exceed \$25,000; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.10 Workforce Consulting Agreement – Included with the meeting materials was a consulting agreement for the period of January 1, 2023 through December 31, 2023. This agreement is between Sheila Eigenbrod, retired Pavilion High School Principal / current Interim Principal, and the GCEDC. This is the same agreement that was used for John Jakubowski. Services to be provided by Sheila Eigenbrod include the following:

1. Perform consulting services to assist in the development and implementation of workforce development programs and training initiatives relative to the goals of the Company and its affiliates.
2. Consult with the VP of Business Development of the GCEDC and staff relative to the application, development and deployment of its workforce programs.
3. Consult with educational institutions who may serve as partners in the development, implementation and delivery of training programs. Specifically, interface with Genesee Community College and its BEST Center, other institutions of higher learning, the Genesee Valley Educational Partnership and local secondary schools as appropriate.
4. Provide consulting services as requested by the GCEDC / GGLDC.

This contract is not to exceed \$29,800 and was included in the 2023 GCEDC budget. The County increased their funding amount in 2022 by \$25,000 to support administration of a workforce development program. These funds will be used for this contract.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the Workforce Development Agreement with Sheila Eigenbrod, not to exceed \$29,800; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Nothing at this time.

6.0 STAMP Committee – P. Zelif

6.1 NYISO Deposit Increase from \$5,000 to \$10,000 – In 2017 the GCEDC applied to the NYSIO with an interconnection request to draw down 500 MW from the 345 kV lines to the north of the STAMP site. Upon completion of the Systems Impact Study (SIS) and the facility study, the NYISO determined that the GCEDC could draw down 300 MW without having to pay for any improvement to the overall electrical grid. Upon conversations with NYPA, if the GCEDC would like to draw down 600 MW we need to submit another interconnection request to get in the interconnection queue. This is a four- step process:

Step 1: The GCEDC submits an interconnection request. The project description is to increase the load at the STAMP location. NYPA believes that there is a deposit required of \$5,000.

Step 2: NYISO holds a meeting with all affected parties to confirm the request as well as to discuss the scope.

Step 3: System Impact Reliability Study. NYISO performs this study and provides recommendations for any needed upgrade.

Step 4: Facility Study: The transmission Owner develops detailed scope and cost estimate for the scope. After this point, the project can be considered firm if you decide to move forward.

Potential future costs: The total cost of the SRIS may be between \$30,000 to \$100,000, depending on the scope. They require a \$150,000 deposit but you pay the actual study cost.

Fund Commitment: \$10,000 to be covered under the \$8 million grant. The Board previously approved up to \$5,000.

This was recommended for approval by the Committee.

P. Zelif made a motion to approve the interconnection request to NYISO and to increase the deposit from \$5,000 to a not to exceed amount of \$10,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.2 CPL Final Design & Bid Packet for WWTF Contract – The GCEDC is currently looking at sizing the WWTF appropriately for the current tenants locating at STAMP. The GCEDC had previously worked with the DEC for the better part of a year and half to get the 1 MGD plant approved. We are still awaiting final

DEC comments on that design. We need to look at options and flows for construction since we have tenant commitments that would require the construction of the WWTF. CPL recommends to design and permit a 150,000 GPD Onsite SBR WWTF base project that will be expandable at treatment capacity levels of 150,000, 300,000 and 450,000 GPD. The upstream and downstream infrastructure will be designed to accommodate a full build out capacity of 450,000 GPD. A low flow 25,000 GPD treatment option will be included for budgetary flexibility. The phased solution will provide significant bidding flexibility to right size the WWTF to meet STAMP's operational needs and budget.

Fund Commitment: Not to exceed \$225,000 to be covered under the \$33 million grant.

This was recommended for approval by the Committee.

P. Zelif made a motion to approve the CPL contract for the final design and engineering of the WWTF not to exceed \$225,000 as presented; the motion was seconded by **M. Gray**. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.3 STAMP Maintenance of Common Space Areas – We have been working with Phillips Lytle on the best structure to ensure that the common areas are maintained at the STAMP site. Phillips Lytle has prepared a memo, included with the meeting materials, outlining our findings and conclusions. Staff believes that the best option is for the GCEDC to transfer the undevelopable land at STAMP to an existing 501(c)(3), such as NY Green, of which the GCEDC maintains a Board position. The GCEDC would not transfer the protected areas to NY Green, however. STAMP tenants, as part of the business park association, would be charged a common area fee based on the developable acreage at the STAMP site that would be paid to NY Green. In turn, NY Green would be responsible for the contractible obligations for mowing, etc. of common areas at the STAMP site.

Fund Commitment: None.

This was recommended for approval by the Committee.

P. Zelif made a motion to approve the form and function of the maintenance of the common areas as outlined above; the motion was seconded by **P. Battaglia**. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.4 Access License Agreement for Edwards Vacuum and/or affiliates for due diligence work - Phillips Lytle has prepared for the GCEDC an Access License Agreement to allow Edwards Vacuum and

their agents to enable their due diligence on GCEDC owned property for their proposed manufacturing facility until that work is complete or a Purchase and Sale Agreement is executed. Any contractors would be required to sign indemnity agreements, provide proof of insurance and list the GCEDC as an additional insured on their policy with the applicable coverage limits as set forth by the GCEDC.

Fund Commitment: None.

This was recommended for approval by the Committee.

P. Zelifff made a motion to approve the Access License Agreement as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelifff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.5 CPL Proposal for SEQR Preparation for Infrastructure at STAMP - The GCEDC is currently preparing to complete a SEQR review of a couple of projects that are looking at the STAMP site. As a part of this review, the GCEDC has decided to include as much of the short-term and long-term infrastructure that is being contemplated at STAMP. This will enable less delays in permitting in the future when this infrastructure becomes necessary. To ensure that the SEQR analysis takes a hard look at the potential environmental impacts of this infrastructure, there is some design and engineering that needs to be completed. Clark Patterson Lee has prepared a proposal to reflect that work to support the SEQR analysis.

Fund Commitment: Not to exceed \$25,000 to be covered under the \$33 million grant.

This was recommended for approval by the Committee.

P. Zelifff made a motion to approve the CPL proposal for SEQR preparation for infrastructure at STAMP not to exceed \$25,000.00 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelifff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.6 e3communications STAMP Contract – e3communications, a professional media and public relations firm/ consultant, has submitted a proposal for 2023 services related to public relations and social

media marketing for the Western New York Science and Technology Advanced Manufacturing Park (STAMP).

In 2022, e3communications supported GCEDC staff with STAMP planning, sales and marketing, and government/stakeholder relations; including support of the Edwards Vacuum project announcement, Plug Power's construction, and related activities. e3communications also maintains an expanded social media presence to audiences in project development and the greater public.

Fund Commitment: \$24,000 fund commitment. Funding is available and budgeted in the 2023 GCEDC Operations/Marketing budget for the full contract.

This was recommended for approval by the Committee.

P. Zelif made a motion to approve the 2023 e3communications STAMP Contract not to exceed \$24,000; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

7.0 Employment & Compensation – T. Bender

7.1 CEO Merit / COLA – T. Bender stated that a thorough review process has been completed. He also commended the staff for the success realized by the Agency this year.

T. Bender made a motion to approve a CEO Merit /COLA Adjustment of 3.4%; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

8.0 Housing Committee – P. Battaglia

8.1 Nothing at this time.

9.0 Other Business

9.1 Nothing at this time.

10.0 Adjournment

As there was no further business, T. Bender made a motion to adjourn at 5:37 p.m., which was seconded by P. Battaglia and passed unanimously.



Project Name: RPNY Solar 6, LLC

Board Meeting Date: November 1, 2022

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

RPNY Solar 6, LLC is proposing to construct a community solar farm project on Alexander Road in the Town of Batavia. The project will utilize 8,346 solar panels and 24 string inverters on approximately 17 of 29 acres on the property to convert the sun's energy into 3 MW of AC power. The project will utilize single axis tracking technology to allow the modules to efficiently track the sun throughout the day to maximize the efficiency of solar collection.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to the Genesee County and Alexander Central School District in addition to revenue in a separate host benefit agreement with the town of Batavia. The PILOT is estimated to generate \$207,521 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: N/A

Board Discussion: None.

Criteria #2- Completion of the Project will enhance the long -term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base with a planned new community solar farm and \$5,975,019 in capital investment. A fixed 15-year pilot with a 2% annual escalator priced at \$4,000/MWAC is proposed which is above the top end of the NYSERDA recommended range for projects located in National Grid territory in Western NY. The 3 MW solar farm will generate in excess of \$207,521 in PILOT payments over the 15-year term which is far greater than current assessed value of this Ag/Vacant land.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #2; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes (Video Conference*)
M. Clattenburg - Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a "livable community" by providing a valuable product or service that is underserved in Genesee County.

Project details: The company is assisting with a \$25,000 payment for STEM oriented workforce training/county economic development programming to support STEM 2 STAMP workforce development programs/local economic development programming. Residents will be offered a 10% discount to average local market rates for solar energy.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #3; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes (Video Conference*)
M. Clattenburg - Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency's Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

The 3 MW solar farm will generate \$447,748 in PILOT payments, host payments, and real property taxes over the 15-year term, which is far greater than the current assessed value of this ag/vacant land. This calculates to a rate of return based on the original property taxes of \$15.47 to 1.

Project details: For every \$1 of public benefit the company is investing \$15.47 into the local economy

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #4; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes (Video Conference*)

C. Yunker - Yes
P. Zelif - Yes

M. Clattenburg – Yes

M. Gray - Yes

C. Kemp - Yes

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: : The company is a "downstream" developer/installer of Photovoltaic (solar) energy generation systems which is a target industry cluster / strategic industry focused on by the Agency to attract Photovoltaic (solar) manufacturing at STAMP.

Board Discussion: None.

M. Gray made a motion to concur with Criteria #5; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes

C. Yunker - Yes

T. Bender - Yes (Video Conference*)

P. Zelif - Yes

M. Clattenburg – Yes

M. Gray - Yes

C. Kemp - Yes

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in 12/2022 and be operational within 10 months

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #6; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia - Yes

C. Yunker - Yes

T. Bender - Yes (Video Conference*)

P. Zelif - Yes

M. Clattenburg – Yes

M. Gray - Yes

C. Kemp - Yes

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**



Project Name: RPNY Solar 7, LLC

Board Meeting Date: November 1, 2022

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

RPNY Solar 7, LLC is proposing to construct a community solar farm project on Alexander Road in the Town of Batavia. The project will utilize 6,214 solar panels and 20 string inverters on approximately 13 of 69 acres on the property to convert the sun's energy into 2.5 MW of AC power. The project will utilize single axis tracking technology to allow the modules to efficiently track the sun throughout the day to maximize the efficiency of solar collection.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to the Genesee County and Batavia City School District in addition to revenue in a separate host benefit agreement with the town of Batavia. The PILOT is estimated to generate \$172,934 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: N/A

Board Discussion: None.

Criteria #2- Completion of the Project will enhance the long -term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base with a planned new community solar farm and \$3,552,186 in capital investment. A fixed 15-year pilot with a 2% annual escalator priced at \$4,000/MWAC is proposed which is above the top end of the NYSERDA recommended range for projects located in National Grid territory in Western NY. The 2.5 MW solar farm will generate in excess of \$172,934 in PILOT payments over the 15-year term which is far greater than current assessed value of this Ag/Vacant land.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #2; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes (Video Conference*)
M. Clattenburg - Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a "livable community" by providing a valuable product or service that is underserved in Genesee County.

Project details: The company is assisting with a \$25,000 payment for STEM oriented workforce training/county economic development programming to support STEM 2 STAMP workforce development programs/local economic development programming. Residents will be offered a 10% discount to average local market rates for solar energy.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #3; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes (Video Conference*)
M. Clattenburg - Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency's Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

The 2.5 MW solar farm will generate \$373,124 in PILOT payments, host payments, and real property taxes over the 15-year term, which is far greater than the current assessed value of this ag/vacant land. This calculates to a rate of return based on the original property taxes of \$28.91 to 1.

Project details: For every \$1 of public benefit the company is investing \$29 into the local economy

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #4; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes (Video Conference*)

C. Yunker - Yes
P. Zelif - Yes

M. Clattenburg – Yes
C. Kemp - Yes

M. Gray - Yes

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: : The company is a "downstream" developer/installer of Photovoltaic (solar) energy generation systems which is a target industry cluster / strategic industry focused on by the Agency to attract Photovoltaic (solar) manufacturing at STAMP.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #5; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in 12/2022 and be operational within 10 months

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #6; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**



Project Name: AES Rt 5 Storage, LLC

Board Meeting Date: November 1, 2022

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

AES Rt 5 Storage, LLC is proposing to construct a community solar farm project on West Main Road in the Town of Le Roy. The project will utilize ground-mounted solar panels to convert the sun's energy into 5 MW of AC power. The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to the Genesee County, Town of Le Roy, and Le Roy Central School District. The PILOT is estimated to generate \$345,868 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: N/A

Board Discussion: None.

Criteria #2- Completion of the Project will enhance the long-term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base with a planned new community solar farm and \$11,017,119 in capital investment. A fixed 15-year pilot with a 2% annual escalator priced at \$4,000/MWAC is proposed which is above the top end of the NYSERDA recommended range for projects located in National Grid territory in Western NY. The 5 MW solar farm will generate \$345,868 in PILOT payments over the 15-year term which is far greater than current assessed value of this Ag/Vacant land.

T. Bender made a motion to concur with Criteria #2; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: **YES** NO If no, state justification:

Criteria #3- The Project will contribute towards creating a "livable community" by providing a valuable product or service that is underserved in Genesee County.

Project details: The company is assisting with a \$25,000 payment for STEM oriented workforce training/county economic development programming to support STEM 2 STAMP workforce development programs/local economic development programming. Residents will be offered a 10% discount to average local market rates for solar energy.

T. Bender made a motion to concur with Criteria #3; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: **YES** NO If no, state justification:

Criteria #4: The Board will review the Agency's Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

The 5 MW solar farm will generate \$597,180 in PILOT payments, host payments and real property taxes over the 15-year term, which is far greater than the current assessed value of this ag/vacant land. This calculates to a rate of return based on the original property taxes of \$6.43 to 1.

Project details: For every \$1 of public benefit the company is investing \$6.43 into the local economy

T. Bender made a motion to concur with Criteria #4; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: **YES** NO If no, state justification:

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: : The company is a "downstream" developer/installer of Photovoltaic (solar) energy generation systems which is a target industry cluster / strategic industry focused on by the Agency to attract Photovoltaic (solar) manufacturing at STAMP.

T. Bender made a motion to concur with Criteria #5; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in early 2023 and be operational within 12 months

T. Bender made a motion to concur with Criteria #6; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:



Project Name: Hecate Energy Cider Solar LLC

Board Meeting Date: December 1, 2022

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

Hecate Energy Cider Solar LLC is proposing to construct a utility scale solar farm project at various properties in the towns of Elba and Oakfield.

The \$550 million project will be located on 2,455 acres. The project will utilize solar panels mounted on tracking panel racks to convert the sun's energy into 500 MW of AC power, and will be interconnected with the electric grid.

The company is requesting assistance from the GCEDC with a property tax abatement estimated at \$92,091,309, a sales tax exemption estimated at \$44,000,000, and a mortgage tax exemption estimated at \$5,500,000.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: In addition to requiring a significant construction workforce, the project estimates that operation and maintenance will create approximately 9 FTE jobs with an average annual compensation of approximately \$60,000. These jobs will be through direct employment by the project or through operations and maintenance contractors.

Board Discussion: None.

M. Clattenburg made a motion to concur with Criteria #1; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #2- Completion of the Project will enhance the long-term tax base and/or make a significant capital investment.

Project details: The project will provide enhanced property tax-type payments to the host municipalities through 30-year PILOT and Host Community Agreements that will contribute fiscally at a significantly greater level (\$35.23 million PILOT payments, \$38.35 Host Community Agreement Payments) than the current agricultural-vacant land property tax payments generated by the project's properties.

Board Discussion: None.

M. Clattenburg made a motion to concur with Criteria #2; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #3- The Project will contribute towards creating a "livable community" by providing a valuable product or service that is underserved in Genesee County.

Project details: N/A

Board Discussion: None.

Criteria #4: The Board will review the Agency's Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: The project has an estimated \$87.9 million fiscal impact (PILOT payments, Host Community Agreement payments, fire district payments, elimination of ag-exemptions on acreage used for solar panels, and Residential Utility Bill Credits). This results in an estimated return of \$22 in fiscal impacts vs \$1 of existing fiscal impacts from the land's prior use.

Board Discussion: None.

M. Clattenburg made a motion to concur with Criteria #4; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: The project is a "downstream" developer/installer of photovoltaic (solar) energy generation systems, which is a target industry cluster / strategic industry focused on by the Agency to attract photovoltaic (solar) manufacturing at STAMP.

Board Discussion: None.

M. Clattenburg made a motion to concur with Criteria #5; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin procurement in December 2022, with construction commencing in 2023 and commercial operations in mid-2024.

Board Discussion: None.

M. Clattenburg made a motion to concur with Criteria #6; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Yes (Video Conference*)	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification: