

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES

March 23, 2021
CCIDA Offices
Ellicottville, New York
11:15 a.m.

** Please note this Board Meeting was conducted via Teleconference due to the Covid-19 Restrictions placed by N.Y.S. **

Roll Call: -Taken-

Members

Present:

Mr. Thomas Buffamante - Chairman
Mr. Joseph Higgins
Mr. Michael Wimer
Mr. James Snyder
Mr. Brent Driscoll
Mr. John Stahley

Excused:

Ms. Ginger Schroder

CCIDA Staff/Counsel:

Mr. Corey R. Wiktor, Executive Director CCIDA

Mr. George Cregg, Jr. – Legal Counsel, Hodgson Russ
Mr. Christopher Canada - Legal Counsel, Hodgson Russ
Ms. Nadene Zeigler, Esq. - Legal Counsel, Hodgson Russ

Presenters/Guests (Teleconference):

Ms. Crystal Abers – *Catt. County Economic Dev. Planning & Tourism*
Ms. Shelby Toth – *The Villager*
Mr. Rick Miller – *Olean Times Herald*

Ms. Denise Veloski – *Johnson, Mackowiak & Assoc. LLP*
Mr. John Perry – *Johnson, Mackowiak & Assoc. LLP*
Mr. James Bedrin II – *Dimension Renewable Energy & General Counsel for Developer*
Ms. Cory McCandless – *Omni Navitas – Project Manager*

Chairman, Thomas Buffamante called the meeting to order at 11:18 a.m.

A roll call of the Board of Directors of the CCIDA was taken Mr. Buffamante, Mr. Higgins, Mr. Wimer and Mr. Driscoll, Mr. Stahley and Mr. Snyder were present. Ms. Schroder was excused.

APPROVAL OF MINUTES:

A Motion was made by Brent Driscoll with a second by Joseph Higgins to accept the February 2, 2021 CCIDA Board Minutes as prepared. **Motion Carried**

Mr. Wiktor advised the CCIDA Board that an Audit Committee Meeting was held on March 18th to discuss the 2020 CCIDA/CCCRC Audit to be performed by Johnson, Mackowiak Associates, LLP. Copies of the minutes from this meeting were included in the Board Packets. A copy of the 2020 Audit was emailed to the full CCIDA Board prior to today's meeting. The Audit Committee made a recommendation to accept the minutes and proceed with the Audit Presentation.

Mr. Wiktor next introduced Ms. Denise Veloski and John Perry from Johnson, Mackowiak & Assoc. LLP to go over the 2020 Audit Report. Mr. Wiktor stated that 19 Projects were induced and 5 Projects closed in 2020. Mr. Wiktor also advised that the CCIDA finished the year in the black and allows the IDA to begin 2021 with a backlog of projects to be closed.

Denise Veloski stated that the Agencies net position has increased by \$154,369 with the Revenue for the year at \$509,397 which is an increase from the previous year. Expenses increased by \$59,295 which was mainly due to Covid 19 Expenses. Both the cash balances and also the investment balances have increased. The Net Position at the End of the Year increased from \$1,189,914 to \$1,344,283. The net assets increased from \$192,780 in 2019 to \$428,945 in 2020 which is a very significant increase. Denise mentioned that the Pension liability under deferred outflows increased in 2020 as per the figures that are given by New York State Retirement. The amount billed to the CCCRC for services performed by the CCIDA for the year 2020 was \$3,000.00, this amount changes each year based on the amount of work that is performed by the IDA for the CCCRC.

Denise also mentioned the \$40,000 that was transferred in 2019 from the CRC to the IDA that was reversed when the \$40,000 was put back into the CRC account. This was a cash flow item that has caught up with itself and completed in 2020. Denise stated that the IDA had an increase in cash of \$198,886 for the year which is positive position for the IDA to be in.

Denise reviewed with the IDA Board the Notes to the Financial Statements in regards to the Organization, accounting policies, financial reporting, Governmentwide Financials, cash and investments, accounts receivable and prepaid expenses.

Denise mentioned that all of the new accounting standards that were to be placed into effect in 2020 have been pushed into 2021 due to Covid 19. Next Denise reviewed the Net Pension Liability which has increased slightly over the past five (5) years which shows the Agency's proportionate share of the net pension liability as being \$175,874.

Denise next reviewed the Supplemental Information in regards to the Schedule of Bonds noting that nothing new was reported during the year, this schedule will show the amount of payments during the year and the balance due as of 12/31/20. The Schedule of leases shows only one new Sale/Leaseback project was reported for 2020 and a total of four PILOTS reported for the year.

In reviewing the Internal Controls and Compliance Denise reported no findings or issues performing the 2020 Audit.

Mr. Buffamante asked Denise if any problems were encountered during the Audit. Denise said that most of the Audit was performed remotely with the information being scanned and sent to them. Denise also stated that two people from her staff was on site for a half day to look over any information that was unable to be scanned and sent via email.

Mr. Wiktor wanted to thank Sandy Andrews and Denise Veloski and her staff for their part in making the remote audit run as smoothly as possible. Mr. Wiktor also mentioned that social distancing was practiced when staff from Johnson, Mackowiak & Associates were on site and the offices were cleaned and sanitized prior to the Auditors being site.

Mr. Buffamante asked for a Motion to Approve the 2020 CCIDA/CCCRC Audit as Prepared. Mr. Buffamante stated that the Audit Committee has recommended that the Board Approve the 2020 Audit as presented by Johnson, Mackowiak & Associates LLP.

A Motion was made by Brent Driscoll seconded by Michael Wimer to Approve the 2020 Audit as prepared by Johnson, Mackowiak & Associates LLP for the CCIDA/CCCRC. **Motion Carried**

Town of Machias Active Solar Projects SEQR Lead Agency discussion:

Brent Driscoll wanted to congratulate Corey Wiktor for another successful year leading the CCIDA. Mr. Wiktor thanked Mr. Driscoll and stated that he would not have been able to have a successful year if it wasn't for the Board Members and their leadership. Mr. Wiktor explained that 2020 was a very stressful year with learning to navigate the virtual world during the Pandemic, however we are very happy to be able to come away from 2020 with a profitable year and with our carry over backlog we anticipate 2021 to be another profitable year.

Mr. Wiktor next discussed the Solar Projects being considered in the Town of Machias. The Town of Machias and Omni Navitas has asked the CCIDA to act as Lead Agency for the SEQR Process to be performed for the Solar Projects in the Town of Machias. The Town has submitted two (2) letters of support requesting a one-time exception with respect to a proposed solar Farm that the CCIDA had accepted the application for in mid-2020.

The Public Hearings for both of these projects were held on October 6, 2020 at 9:30 a.m. and 10:00 a.m. at the Machias Town Hall in the Town of Machias. The Board has asked that the CCIDA get a letter of support from the Town that the Project will be constructed in. We have received a letter from both the Town Board of Machias and the Town Supervisor of the Town of Machias. The CCIDA has requested that whenever feasible they would like to have the Towns to act as Lead Agency for the SEQR Process. The Town of Machias has asked that the CCIDA act as Lead Agency for the SEQR Process. Mr. Wiktor stated that in Cory McCandless defense she has worked very diligently trying to locate another party that would legally be able to perform the SEQR process for Omni Navitas to no avail. Corey Wiktor stated that he had a discussion with NYCERDA and they have passed in regards to performing the SEQR process for these projects. The County is not eligible to according to George Cregg, Jr because they issue the permits. Omni Navitas has agreed to pay any legal costs associates with the IDA performing the SEQR Process and also indemnify the IDA from any Environmental Issues that may arise in the future.

Mr. Wiktor has asked for the exception for these projects as the IDA did change the Policy after the application was accepted. Mr. Wiktor also stated that he feels we have enough supporting paperwork to justify taking over the Lead Agency roll in this SEQR Process.

Mr. Buffamante asked why the Town of Machias was not performing the SEQR Process as that is what the IDA was lead to believe when we first received the application. Cory McCandless stated that the Town of Machias is currently going through the review process with their Attorney and the County in regards to adopting a Solar Law in the Town of Machias. This is still in the review process when they receive it back from the County it will have to go to New York State so this is not a simple process and will take more time to get back to the Town of Machias in order for them to act on the new Law before it can take effect. Omni Navitas would like to get started as soon as possible on these two (2) solar farms and the time frame for the Law to be in effect in the Town of Machias will be another 2-3 months.

Mr. Wimer asked if there are any other outstanding Projects that are in the process phase that would fall under this same dilemma? Mr. Wiktor stated that he has check our listing of outstanding projects and we do not have any other applications that are in the works prior to our changing our requirements.

Mr. Buffamante has asked Corey Wiktor to draft a letter to all Towns in Cattaraugus County to advise each of the Towns our current Policy is in regards to Solar Projects. This letter should also suggest that the Towns adopt a local law specifically for Solar Projects before the Developers submit an application to the CCIDA.

A Motion was made by James Snyder and seconded by Thomas Buffamante to go ahead and act as the Lead Agency for the SEQR Process with no risk to the CCIDA for the two (2) Projects by Omni Navitas in the Town of Machias. A Roll Call vote was taken, Mr. Buffamante, Mr. Higgins, Mr. Wimer, Mr. Driscoll, Mr. Snyder and Mr. Stahley voted yes. Ms. Schroder was excused. **Motion Carried**

Resolutions from Prior Application/Project that are in Process

(#1.) Otto CSG 1, LLC.

Dimension Energy submitted an application to the CCIDA at the February 2, 2021 Board Meeting regarding their proposed Solar Project. The Project name is Otto CSG 1, LLC and a Public Hearing was held at the Otto Town Hall at 8842 Otto-East Otto Road, Cattaraugus, NY and also via conference call on February 11 at 5:00 p.m.

The Minutes from the Public Hearing were included in the Board of Directors packets for the Board Members review. A Letter of Support was received from the Otto Town Board for the CCIDA to proceed with issuing a PILOT in regards to this Project.

Resolution:

A Motion was made by James Snyder seconded by Michael Wimer, **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION**

FOR A PROECT FOR OTTO CSG 1 LLC (THE “COMPANY”) A Roll Call vote was taken, Mr. Buffamante, Mr. Higgins, Mr. Wimer, Mr. Driscoll, Mr. Snyder and Mr. Stahley voted yes. Ms. Schroder was excused. **Motion Carried**

FINANCIAL REPORT:

Mr. Wiktor reported that \$82,647.00 was received from Portville CSG 2, LLC Project Closing and \$9,101.26 was received from Win Sum Ski Corp. for Sales Tax Letters from their 2020 Project.

Mr. Higgins had a question in regards to column E of the Operating Statement, 2021 Balance Remaining corrected Net Difference should be -\$19,438, this was an excel error in a formula computation. This will be corrected before inserting into the Book of Minutes.

A **Motion** was made by Joseph Higgins, seconded by Brent Driscoll to approve the February 2021 Financial Statement with correction. A Roll Call vote was taken, Mr. Buffamante, Mr. Higgins, Mr. Wimer, Mr. Driscoll, Mr. Snyder and Mr. Stahley voted yes. Ms. Schroder was excused. **Motion Carried**

The Agency is also working on closing documents relating to eighteen (17) active projects at this time. *Furthermore, we should have 3 of these 17 projects close within the First/Early Second Quarter of 2021; as these projects are in “Final Document” stage.*

***Executive Directors Reports:**

-Internal (IDA Meetings/Discussions):

- ✓ General update relating to the recent announcement of the layoffs and changes at Siemen’s in Olean. I will give a full update to date to the Board.
- ✓ Had a meeting with Mike John, from MJ Painting relating to a business update and possible project in 2021 that the IDA would be part of. This is great news!
- ✓ Zoom meeting with Invest Buffalo Niagara to discuss a few 2021 initiatives and a few marketing ideas that we are planning jointly on a few existing properties and buildings in Cattaraugus County. Planning a late Spring event.
- ✓ A third meeting with a WNY real estate developer who is considering a Workforce Housing Project in the Ellicottville area. Future meetings have been set up, as the developer is working on purchasing the land for this proposed development. More to follow.
- ✓ Zoom meeting with Congressmen Reed and his Staff to discuss the newly passed Covid 19 Stimulus package.
- ✓ Discussed and met with a local merchant in Ellicottville who is planning on purchasing a new building in Ellicottville and how the IDA may be able to assist the project and investment.
- ✓ Met WNY developer who is considering an Adaptive Reuse project on two (2) buildings in Randolph. Project will be dependent on if the developer can purchase them at a price that he deems reasonable.

- ✓ Attended the monthly CCBDC Board meetings relating to small business loans within Cattaraugus County.
- ✓ Had a second with Paul Leone, Sean Doyle and David Mingioa (WNY IDA Director's) to review and discuss ways and policies that our IDA is assisting PILOT's related to commercial solar projects, reviewing the IDA's newly adopted Policy.
- ✓ Attended the monthly Olean Business Development Board meetings, via Zoom.
- ✓ Met with Michael Giardini with Kinley Construction to discuss various potential projects that they are working on in 2021.
- ✓ Teleconference with a local construction Company who is working on a sizeable project with an out of state developer on a project in the Olean-Allegany area.
- ✓ Met with a local Veterinarian who is considering a great project in the Olean area. We have discussed this project a few times and she is currently working with a few real estate owners on finalizing a location for the project.
- ✓ Met with Richard Zink from Southern Tier West to discuss a variety of topics related to economic development, ideas for 2021 and the WRC & STEDO Loan Funds and possible projects within the County.
- ✓ Zoom meeting with WGRZ-Channel 2 Ron Plants relating to various economic development projects and happenings within Cattaraugus County.
- ✓ Attended the weekly Olean General Hospital Covbid-19 Calls for various updates.
- ✓ Met with John Stahley from Siemens Energy to discuss and updates along with IDA updates as well.
- ✓ Discussed a project with an Olean based manufacturer relating to a proposed development on a cleaned-up Brownfield site in Olean. We could see an application to the IDA in 2021 relating to this proposed project!
- ✓ Met with a local couple that is considering a project in Ellicottville. This would be a family themed type project, in fact we have met twice relating to this, as well as had Richard Zink from STEDO on a call as well.
- ✓ Met with Olean Mayor Aiello and Keri Kerper from the City of Olean Community Development to discuss several proposed projects that are be talked about taking shape in 2021. Fingers crossed on these projects!
- ✓ Teleconference with a local area manufacturer who is considering an investment at their location. We are working with the County and State with putting together some incentive proposals.
- ✓ Attended the Western Region Loan Corp. Board meeting, via Zoom. A Cattaraugus County based business was on the Agenda. Good news!

- ✓ Teleconference with a local (large) commercial real estate broker is seeking land and a building in WNY. I was able to offer up a few sites that could be a suitable option. Manufacturing type use. More to follow.
- ✓ Meeting with Matthew J. Keller, Cattaraugus County Treasurer to discuss various PILOT's, projects and updates etc.
- ✓ Took part in the Zoom meeting for the newly established Erick Laine Start-up Business Fund.
- ✓ Attended the Invest Buffalo Niagara (IBN) Board of Director's meeting via Zoom in February.
- ✓ Met with Robert Murray from Harris Beach relating to various business updates and policies.
- ✓ Attended via Zoom Buffalo Niagara Partnership annual Legislative Luncheon and Talk. A very well attended, was able to talk to several New York State Elected Officials relating to key topics that are proposed in the Budget.
- ✓ Met with an Olean Manufacture to discuss a sizable investment/project that they are considering. We should have an April Application from this Company. This would be great news!
- ✓ Lunch meeting with OBD employee John Bartilmoe.
- ✓ Meeting with John Crawford from the Small Business Admin. Based at JCC in Olean to discuss two (2) small business projects.
- ✓ Attended Congressman Tom Reed's meeting at JCC with respect to updates from key management from Siemen's in Olean.
- ✓ Attended the bi-weekly Cattaraugus County Economic Development Team meetings (every other Tuesday at 9:00 AM).
- ✓ Met with Larry Sorokes from Intandem Olean for a general business update meeting.
- ✓ Met with Greg Sehr from Upstate Consultants to discuss a wide variety of topics that could be part of the NYS Budget and development projects within the County.
- ✓ Zoom meeting with Dottie Gallagher to discuss ways the Buffalo Niagara Partnership can help and assist various Companies with the County. We also discussed a possible CanAm Event to be held in Ellicottville late this year, assuming the US-Canadian Boarder reopens.
- ✓ WNYSCAR Event to discuss key buildings and sites in Cattaraugus County.
- ✓ Met with a local Hotel owner who is considering a sizeable investment and expansion into their Hotel in Cattaraugus County. More to follow.
- ✓ Zoom meeting with the Owner of Impact Internet who recently opened up an office/division in Olean to discuss ways the IDA can help with their anticipated growth and customer outreach. We had 2 meetings.

- ✓ Meeting with Richard Schechter from Cushman Wakefield to discuss a project in the Olean area as well as some existing sites that are currently on the market.
- ✓ Discussed Brownfield Tax credits with Mike Lesakowski from Benchmark Turnkey relating to a site in Olean.
- ✓ Conference call with NYSERDA with respect to the commercial solar projects that are occurring within Cattaraugus County and the overall financial impact of the projects on whole.
- ✓ Met with Sean Doyle from the Hamburg IDA to discuss various CCIDA policies and procedures relating to commercial and solar development.
- ✓ Met with a local business owner who is considering doing a specialty retail project in the Ellicottville area.
- ✓ Met with Ed Arnold, a local real estate investor to discuss a project in Cattaraugus County.
- ✓ Met with Tom Sweeney who owns several commercial properties in WNY, who also just started a \$12 M Adaptive reuse project in Lancaster, who is considering a project in the Ellicottville area. More to come on this.
- ✓ Phone conference with Kody Sprague from Sprague Development.
- ✓ Meeting with JCC to discuss various economic development and workforce topics within the County with Keith Kranick.
- ✓ Took part in Leadership Cattaraugus Speaker Series/presentation event.
- ✓ Zoom meeting with Congressmen Tom Reed.
- ✓ Breakfast meeting with Jeff belt from SolEpoxy.
- ✓ Meeting with John Stahley from Siemens.
- ✓ Three County Economic Development Zoom meeting.
- ✓ Cross Border Zoom meeting with US and Canadian Officials to discuss the border closure and economic impact of such, and hopefully details on reopening the border.

-External (Points of Interest relating to the CCIDA):

- ✓ **City Milno News:** *"Ellicottville, NY A Ski Town to Enjoy in every season"*. A recent article highlighting the impact of the ski industry.
- ✓ **Olean Times Herald Article:** *"2 Firms Express Interest in Siemen's Olean Plant"*. More to follow on this.
- ✓ **Congressman Tom Reed:** *"Olean area employment meeting with Congressman Tom Reed"*. Relating to area employers in a roundtable discussion that was held at JCC in mid-February. Area

employers have the need for over 400 employees at various firms within the County and Southern Tier as a whole.

- ✓ **Buffalo Niagara Partnership:** – COVID19 Bulletin “*American Rescue Plan Passes*”. News on the newly passed stimulus Bill.
- ✓ **COVID19:** Covid19 Stimulus Programs being offered.
- ✓ **Olean Revitalization:** “*Olean Downtown Revitalization Initiative*”. Downtown, Vision, Goals and strategies were confirmed by local Planning Committee on Jan. 3, 2018.
- ✓ **Cross Boarder Sales:** “*Cross Boarder Sales Post Pandemic*”. Registration confirmed for March 23, 2021 at 10:00 a.m.
- ✓ **Top Five Site Selection:** Site Selection predictions for 2021
- ✓ **CRE Insights:** Insights from an Economist and an invitation provided by Cushman & Wakefield.
- ✓ **CBRE:** Buffalo releases annual Market View Reports. A recent report relating to the commercial real estate market in WNY.
- ✓ **Olean General Hospital:** “*Sustaining care in our Community*”. An update piece on OGH.
- ✓ **Leadership Cattaraugus:** Presented to Leadership Cattaraugus in their Speaker Series on March 16th.
- ✓ **Office of the New York State Comptroller:** “*Local Sales Tax Collections Decline by 10 Percent in 2020, with Major Shifts in Consumer Spending*”.
- ✓ **City Journal:** “*Biden’s Empty Environmentalism*”.
- ✓ **Reuters:** “*Biden to raise current US refugee cap from historic lows*”.
- ✓ **Yahoo/Finance:** “What Keystone Pipeline Cancellation means for Crude by rail”
- ✓ **Cattaraugus County Resolution:** “Requesting Cattaraugus County Industrial Development Agency Not Accept Applications or approve PILOT Agreements for Wind Energy Projects Larger than 5 Megawatts Rated Capacity”.
- ✓ **PILOTS:** “*Albany trying to take away PILOT Authority from IDA’s, local cities, towns and villages*”.
- ✓ **Deseret News:** “*The dark side of green energy and its threat to the nation’s environment*”.
- ✓ **Billings Sheet Metal:** February 2021 Monthly Market Bulletin.
- ✓ **Invest Buffalo Niagara:** InBN Board of Directors Meeting – February 11, 2021.
- ✓ **Economic Development Team Mtg.:** Monthly Team Meeting and Recap & CDBG Funding being pursued for small businesses

***Executive Session: (Motion):**

A **Motion** is required to go into Executive Session (*Relating to property acquisition/disposition*)

: James Snyder
: Michael Wimer

A **Motion** to return from Executive Session back into CCIDA Board Meeting

: James Snyder
: Michael Wimer

Adjournment:

A **Motion** was made by Joseph Higgins seconded by James Snyder to adjourn the meeting at 1:10 p.m. All in Favor – **Motion Carried**. Ms. Schroder was excused.

Adjournment in Memory of Dr. Dennis DePerro, St. Bonaventure University President who passed away on March 1st after a long battle with COVID-19. We will miss Dr. DePerro and his leadership at St. Bonaventure University. The IDA Board and Staff sends our deepest condolences to the entire DePerro family and the staff and faculty of St. Bonaventure University

*** Next CCIDA Board of Directors Meeting: Tuesday, April 27, 2021 at 11:15 A.M. at the Olean Business Development Office in Olean, N.Y. and also via Conference Call**