

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES

**December 7, 2021
CCIDA Offices
9 East Washington Street
Ellicottville NY 14731
11:15 a.m. In Person or via Teleconference Call/Zoom**

Roll Call: -Taken-

Members

Present:

Mr. Thomas Buffamante – Chairman
Mr. Joseph Higgins
Mr. Joseph Snyder
Mr. Brent Driscoll – via zoom
Mr. Michael Wimer -
Ms. Ginger Schroder –
Mr. John Stahley – via zoom

Excused:

CCIDA Staff/Counsel:

Mr. Corey R. Wiktor, Executive Director CCIDA
Mr. Robert Murray, Harris Beach PLLC Legal Counsel – via zoom

Presenters/Guests (Teleconference):

Chairman, Thomas Buffamante called the meeting to order at 11:15 a.m.

A roll call of the Board of Directors of the CCIDA was taken Mr. Buffamante, Mr. Higgins, Mr. Snyder, Mr. Wimer and Ms. Schroder attended in person, Mr. Stahley and Mr. Driscoll were present-via zoom conference call.

A **Motion** was made by Ginger Schroder seconded by Mike Wimer to accept the Board Meeting Minutes from October 14, 2021 as presented to the Board. All in favor. **Motion Carried.**

Resolution from Prior Application/Project in Process

(#1.) Pivot Solar NY 3 LLC.:

The CCIDA received an application from Pivot Solar NY 3, at the October 14, 2021 Board Meeting for the proposed Project of a 2.3MW community solar array build on approximately 14 acres of private land in the Town of Yorkshire, NY. The CCIDA has received a letter from the Town of Yorkshire in support of this project was included in the Application. We have also included the Cost Benefit Analysis and the Environmental Assessment Form in regards to this project.

A Public Hearing was held on November 16, 2021 at the Yorkshire Town Hall in Delevan, NY. There was only one person from the Pioneer School in attendance that was in favor of the project and only had a question on the PILOT Agreement.

-Total Project cost/investment of \$4,677,500 (+-).

Inducement Resolution:

A **Motion** was made by Joseph Higgins seconded by James Snyder, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF PIVOT SOLAR NY 3 LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (iv) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, A FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A Roll Call vote was taken, Mr. Buffamante, Mr. Driscoll, Ms. Schroder, Mr. Wimer and Mr. Higgins, Mr. Snyder, and Mr. Stahley voted yes. **Motion Carried.**

(#2.) Allegany Crossings:

The CCIDA received an application at the October 14, 2021 Board Meeting from Allegany Crossings for the conversion of an existing property to self-storage and other tenant spaces in the Town of Allegany. This project will take place at the old Kmart building on Route 417 (Exit 24). We have also included the Cost Benefit Analysis and the Environmental Assessment Form in regards to this project

A Public Hearing was held on November 16, 2021 at the Allegany Senior Center located in the town of Allegany, NY. Several representatives from the Town of Allegany were in attendance and everyone was in support of the Project for the Town of Allegany.

-Total Project cost/investment of \$12,000,000 (+-).

Resolution:

A **Motion** was made by Joseph Higgins and seconded by James Snyder, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF ALLEGANY CROSSINGS LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (v) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION BENEFIT FOR FINANCING RELATED TO THE PROJECT, AND (C) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A Roll Call vote was taken, Mr. Buffamante, Mr. Driscoll, Ms. Schroder, Mr. Wimer, Mr. Stahley, Mr. Snyder, and Mr. Higgins voted yes. **Motion Carried.**

(#2.) West Valley Solar LLC.:

West Valley Solar has asked the CCIDA to approve the assignment/assumption for the merger to DG West Valley Solar.

Resolution:

A **Motion** was made by Michael Wimer and seconded by Ginger Schroder, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY CONSENTING TO AND AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF CERTAIN DOCUMENTS RELATED TO THE ASSIGNMENT AND ASSUMPTION OF THE WEST VALLEY SOLAR LLC PROJECT AND AUTHORIZING THE COLLATERAL ASSIGNMENT OF CERTAIN PROJECT DOCUMENTS (AS DEFINED HEREIN) IN CONNECTION WITH A FINANCING TO BE UNDERTAKEN CONCURRENT WITH THE ASSIGNMENT AND ASSUMPTION TRANSACTION. A Roll Call vote was taken, Mr. Buffamante, Mr. Driscoll, Ms. Schroder, Mr. Wimer, Mr. Stahley, Mr. Snyder, and Mr. Higgins voted yes. **Motion Carried**

Projects in Process Update

Great Lakes Cheese Co. Project Update:

- The IDA has an imminent PILOT closing date that Harris Beach is currently working on.
- Additional project updates and Permit Updates (Site Plan Approval completed on Nov. 9th)
- An updated breakdown through December 6, 2021 was included in the Board packets for expenditures in regards to the GLC Project. These expenses have been reimbursed through Cattaraugus County.

-Mr. Wiktor answered any questions the Board had in regards to the Great Lakes Cheese Project.

***CCIDA Financial Reports:**

A Motion was made by Joseph Higgins seconded by James Snyder to accept the October and November 2021 Operating Statements as presented to the Board. All in Favor Motion **Carried**.

October had income of **\$750** for the application fee for Pivot Solar NY 3, LLC Project submitted to the CCIDA in October 2021.

November had income of **\$39,683.00**. HoliMont Inc - closing. **\$6,933**, MJ Painting closing - **\$32,000** and additional application fee from Pivot Energy of - **\$750**.

The Agency is also working on closing documents relating to eleven (11) active projects at this time. These projects are projected to close withing the first quarter of 2022.

Executive Directors Reports:

-Internal (IDA Meetings/Discussions):

- ✓ 2021 CCIDA Year in Review Report to the Board.
- ✓ Corey to discuss several new proposed projects that are in the process of submitting applications within the next few months to the IDA. The future looks promising for the CCIDA if these proposed projects continue to move in the right direction. Fingers Crossed!
- ✓ With the help of Bob and Kathy at Harris Beach, we are revising our Sale-Leaseback Application for the IDA. This will be a huge help in processing the applications and cutdown on redundancy and time for the applicant to fill out and submit. We have draft copies and will present to the Board at our Jan. IDA Board meeting for their consent.
- ✓ Lunch meeting with Tim Hughes from C & S Engineers.
- ✓ Buffalo Niagara Partnership hosting a seminar on Next Steps – Legalized Cannabis in NYS on Oct. 28th
- ✓ Zoom Meeting with Senator Borello to discuss area projects and developments.
- ✓ Siemens “Campus” and real estate update and discussion. We have had several meetings with perspective companies that are looking at the facility and its buildings. Much misinformation out there amongst some truth.
- ✓ We spent an afternoon with an out of state Manufacturing company that is looking for Industrial land in the Olean, NY area. The business is looking to make a significant investment, we are hoping to land this Company.
- ✓ IBN Task Force meetings for WNY (Cattaraugus County) sites and buildings directory.

- ✓ Attended the monthly Siemens Group Proposal Planning meetings. We are working with various local stakeholders relating to ideas and possible ventures with Siemens in Olean. JCC is leading these meetings.
- ✓ Met with Bob Murray at his office to review and discuss active projects and project developments that we are currently working on. Also discussed and review several projects that are in the closing stage.
- ✓ Met WNY developer who is considering an Adaptive Reuse project on a key building in Olean. Investor has our applications.
- ✓ Attended the monthly CCBDC Board meetings relating to small business loans within Cattaraugus County.
- ✓ Met with the NYSDOT in Buffalo relating to the proposed GLC Project.
- ✓ Annual NYSEDC Board Meeting via Zoom. The meeting was held in Cooperstown, NY. My work schedule did not allow me to attend in person this year.
- ✓ Conference call with Sue Quattrone from HoliMont in regards to project closing.
- ✓ 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.
- ✓ Had a meeting with Terri Ingersoll and Nick Ferrari from “Field of Dreams” relating to a Phase III with the IDA. More to follow in early 2022.
- ✓ Met with County Administrator, Jack Searles, County Attorney, Ashley Milliman and County Treasurer, Matt Keller for a meeting and discussion relating to the Great Lakes Cheese project and the infrastructure funding. Great meeting!
- ✓ Met with Bill Bursee from Steelbound Brewery for an update.
- ✓ Met with Crystal Abers and Peggy Root from Cattaraugus County to discuss and update the proposed Great Lakes Cheese Project.
- ✓ Met with Karen Strickland from South Dayton to discuss a variety of topics and project ideas for the former Nestle Plant, etc. More to come on this.
- ✓ Have a meeting scheduled with Mayor Aiello in Olean to discuss project updates.
- ✓ Have a meeting set up with Tom Kucharski from Invest Buffalo Niagara and their Board Chair to update and discuss economic development projects that are happening within Cattaraugus County.
- ✓ Talked with Cushman Wakefield with respect for the need of 15,000 sq. ft. of office space in the Allegany/Olean Area. Gave the realtor various sites to consider.
- ✓ Continued weekly Monday morning GLC Development Team meetings.
- ✓ Met a local developer who is considering a possible project in Ellicottville and Olean. They have our applications.

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

- ✓ **WNY Keeps its Cheese:** *Buffalo News Article* outlining how the GLC project started in Allegany County approximately 2 years ago and ended up in Cattaraugus County in the Town of Franklinville/Farmersville.
- ✓ **Business First:** Build WNY Fall 2021 Report. Annual Report and Highlight of Projects in Cattaraugus County that are underway.
- ✓ **Economic Development Agencies:** Rankings by Business First. Annual “Rankings” of Economic Development Agencies in WNY.
- ✓ **Daily Yonder:** “*Rural Communities Across the US are attracting Remote Workers through Different Incentive Programs*”. Very good article!
- ✓ **Area Development:** “*Changes in the Incentives Landscape*”. A very germane article for economic development groups and how it relates to incentives.
- ✓ **Lane Business Accelerator:** Final Community Showcase to be held on December 7, 2021 at 6:00 p.m. Corey will be attending this event in Olean.
- ✓ **2022 NYS EDC Conference:** New York State Economic Development Conference to be held January 18 – 20, 2022 in Albany, NY. Corey will be attending this annual meeting.
- ✓ **Ellicott Development:** Annual Holiday Party to be held on December 15, 2021.
- ✓ **Billings Sheet Metal:** October 2021 Monthly Marketing Bulletin.
- ✓ **Cattaraugus-Allegany Workforce Development Board:** Zoom meeting was held on November 19, 2021.
- ✓ **Launch NY:** 2020 Annual Report for Accelerating Entrepreneurial Success.

***Executive Session:**

A **Motion** was made by Joseph Higgins seconded by Michael Wimer to go into Executive Session to discuss a matter of personnel. All in favor – **Motion Carried.**

A **Motion** was made by James Snyder seconded by Joseph Higgins to return from Executive Session. All in favor – **Motion Carried.**

A **Motion** was made by Joseph Higgins seconded by Michael Wimer to increase the Executive Director’s salary from \$106,000 to \$113,000 effective January 1, 2022. All in favor – **Motion Carried.**

Adjournment:

A **Motion** was made by Thomas Buffamante seconded by Joseph Higgins to adjourn the meeting at 12:45 p.m. All in Favor – **Motion Carried.**

*** Next CCIDA Board of Directors Meeting: Tuesday, February 8, 2022 at 11:15 a.m. at the CCIDA Offices, 9 E. Washington Street, Ellicottville, NY, and also via Zoom.**