

**COUNTY OF CATTARAUGUS  
INDUSTRIAL DEVELOPMENT AGENCY**

**BOARD MEETING MINUTES**

November 21, 2022  
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  
Mr. Michael Wimer  
Mr. John Stahley  
Ms. Ginger Schroder

**Excused:**

**CCIDA Staff/Counsel:**

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

**Presenters/Guests:**

Ms. Crystal Abers – *Economic Development, Planning & Tourism*  
Mr. Millan Tyler – *Phillips Lytle, LLP*  
Mr. John Kelly – *Cimolai-HY, LLC*  
Mr. Doug Dimitroff – *Phillips Lytle, LLP*

Chairman, Thomas Buffamante called the meeting to order at 11:16a.m.

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

A **Motion** was made by Brent Driscoll seconded by Joseph Higgins to accept the Board Meeting Minutes from October 27, 2022 as presented to the Board. All in favor. **Motion Carried.**

**\*Application from Prior Project\***

**(#1.) Cimolai-HY, LLC:**

Mr. Wiktor stated that this project is very Capital intensive with the renovation of the existing plant located in Olean, NY and outfitting the facility with the machinery, tools and equipment required for the fabrication of structural steel.

**-The Total Project Investment: \$56,000,000(+,-).**

A Public Hearing was held on November 15, 2022 at 9:30 a.m. in the City Hall in Olean, NY. No one was in attendance at the Public Hearing. A copy of the Public Hearing script and minutes were provided to each Board Member in their packet for review.

**Resolutions:**

**A Motion was made by John Stahley, seconded by James Snyder** RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY ISSUING A NEGATIVE DECLARATION PURSUANT TO SEQRA FOR CIMOLAI-HY LLC'S ACQUISITION AND RENOVATION PROJECT. A roll call of the Board of Directors of the CCIDA was taken Mr. Buffamante, Mr. Higgins, Mr. Snyder, Ms. Schroder, Mr. Driscoll, Mr. Wimer and Mr. Stahley were present. **Motion Carried**

**A Moton was made by John Stahley, seconded by James Snyder** RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF CIMOLAI-HY 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) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; and (iv) 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 of the Board of Directors of the CCIDA was taken Mr. Buffamante, Mr. Higgins, Mr. Snyder, Ms. Schroder, Mr. Driscoll, Mr. Wimer and Mr. Stahley were present. **Motion Carried**

**(#2.) Solar Moratorium:**

Mr. Wiktor stated that he is still gathering information in regards to the cost of decommissioning a 5MW Community Solar Project. The CCIDA Board has decided to extend the Moratorium for another six (6) months until additional information can be gathered to be presented to the CCIDA Board.

**A Motion** was made by Brent Driscoll, seconded by Joseph Higgins to keep the Moratorium in place for an additional six (6) months until the Board has had time to review all findings. All in Favor.  
**Motion Carried.**

**\*CCIDA Financial Reports:**

**A Motion** was made by Brent Driscoll seconded by Joseph Higgins to accept the October 2022 Operating Statement as presented to the Board. **All in Favor - Motion Carried.**

October 2022 had income of **\$54,496.00** from ERC-Employee Retention Credit that was applied for from NY State.

The Agency is also working on closing documents relating to eight (8) active projects at this time.

**Adjournment:**

**A Motion** was made by Joseph Higgins seconded by Brent Driscoll to adjourn the meeting at 12:09 p.m. All in Favor – **Motion Carried**

**\* Next CCIDA Board of Directors Meeting: Monday, December 13, 2022 at 11:15 a.m. at the CCIDA Offices, 9 E. Washington Street, Ellicottville, NY, and also via Zoom.**