

County of Cattaraugus
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Tuesday, March 21, 2023
CCIDA Office
9 E. Washington Street
Ellicottville, NY
11:15 a.m.

To access the Board meeting via Zoom/Conference Call, please see the applicable information at the end of the agenda to do so.

-Call the Meeting to Order-Time:

-Roll Call- Board of Directors of the CCIDA:

-Approval of February 7, 2023 CCIDA Board of Directors Meeting Minutes:

***Presentation of 2022 CCIDA/CCCRC Audit:**

- **CCIDA Audit Committee Meeting Minutes:** An Audit Committee Meeting was conducted on March 17, 2023 at 2:30 PM to discuss the DRAFT 2022 Audit. Copies of the minutes of that meeting were included with the Board Packets. The Audit Committee will make a motion to accept the minutes and proceed with the Audit Presentation.
- **2022 – Annual Audit Presentation** – Prepared for CCIDA/CCCRC by the Auditing firm, Jonson, MacKowiak & Associates, LLP, Mrs. Denise D. Veloski will give the 2022 Audit presentation/overview to the members of the CCIDA/CCCRC Board. (Action Item.)

New Applications/Projects

(#1.) Win-Sum Ski Corp.:

The CCIDA has received a Sale/Leaseback Application from Win-Sum Ski Corp. for improvements to the Resort. The project consists of equipment purchases to include, renovations at The Inn, IT software, Chair lift completion, snow guns, snow Cat, etc.

David Trathen, CFO with Win-Sum Ski Corp, will be attending to give an overview of the proposed project, investment and to also give a quick recap of the 2022-23 Ski season.

-The Total Project Investment: \$8,050,000.

(#2.) Great Lakes Cheese:

The CCIDA has received a Project Modification Request from Great Lakes Cheese for a for an additional \$121,000,000 investment. Of the additional \$121,000,000, **\$45,000,000** of that is applicable to NYS Sales Tax, hence the reason for the request due to inflation and supply chain issues.

We have included the Modification request in the Board Packet. Also, a Public Hearing has been scheduled for Thursday March 30th at 10:30 A.M.

-The Total Project Investment (relating to the IDA's involvement): *\$45,000,000.

***CCIDA Financial Reports:**

-Approval of Financial Reports – **February 2023**

-February 2023 IDA Income:

-\$58,921.00 - Half of the Administrative Fee relating to the Olean 2020, LLC project.

-\$16,098.00- Half of the Administrative Fee relating to the 9154 Group, LLC. project.

-\$40.98 - Rebate from America Power and Gas.

Total income for February 2023: \$76,033.00

Please Note: As of March 15th the Agency has received an **additional \$325,038** of income, which will be reflected on the March 2023 Statements.

-The Agency is also working on closing documents relating to thirteen (13) active projects at this time. ***These projects are projected to close within this year; several of these projects are in "Final Document" stages.***

***Executive Directors Reports:**

-Internal (IDA Meetings/Discussions):

February Meetings for Corey:

-2/8 Lunch with David Trathen and Dennis Eshbaugh of Holiday Valley at John Harvard's

-2/10 Legislative Luncheon Buffalo Niagara Partnership

-2/17 Focus Group follow up

-2/17 EBC Little Valley Grand Opening

-2/23 Meeting with Mayor of City of Olean

-2/23 Meeting with John Kelly of Cimolai

- 2/23 Meeting with Tom Buffamante
- 2/24 Meeting with Mark Storch re: DOT Funding for GLC
- 2/27 GLC Tour
- 2/28 Meeting with Tom

March Meeting List for Corey:

- 3/1 Meeting with Dave Geazy=new project-Jefferson Street-workforce housing
- 3/2 Meeting with Dingman on NY Railroad
- 3/5 EBC Little Valley Ribbon Cutting
- 3/7 Meeting with Steelbound to discuss project
- 3/7 Meeting with all IDAs in Hamburg
- 3/8 Meeting with group in Dayton re: Town Square IDA property
- 3/8 Zoom call with Cimolai-HY, LLC
- 3/10 Meeting with Jim Fink of Buffalo Business First and Bob Forness from OBDC
- 3/14 Community Action Board of Directors Meeting
- 3/14 Meeting with Brooks @ TimberHut
- 3/15 Olean Business Development Board Meeting
- 3/15 Meeting with Ontario guys re: former Frank Ralph's Co-Cattaraugus
- 3/15 JCC-DA Events Meeting
- 3/17 Audit Commitment Meeting (conference call)

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

- ✓ **NYSAC:** *"Executive 2023-24 State Budgets Joint Legislative Budget Testimony dated February 15, 2023."*
- ✓ **NYSEDC:** *"The State of the Grid-Power Trends-How NYISO Will Deliver the Grid of the Future."* Presented at the NYSEDC Conference.
- ✓ **Buffalo Niagara Partnership:** *"Advocacy Alert: Legislature Plants Budget Flag"*
- ✓ **Times Union:** *"IDA Tax Abatements Lead to More Money for Albany Schools, not Less."* Stopping local corporate welfare is right, just and necessary. That seems to be the idea behind proposed legislation that would prohibit local state Industrial Development Agencies from abating school taxes.
- ✓ **Olean Times Herald:** *"Olean-area leaders talk infrastructure, jobs with Rep. Langworthy."* Local officials believe Cattaraugus County has built economic development momentum over the past year. (Talking point)

- ✓ **Olean Times Herald:** *"Renovation work with local labor underway at former Siemens Energy Plant."* Cimolai-HY, the steel fabrication company that purchased the Siemens Energy property in North Olean, has begun plan renovations with a local contractor and local tradesmen. (Talking point)
- ✓ **Woodall's Campground Magazine:** *"TimberHut Breaks Into Market with Unique Cabins."* TimberHut was a 2021 CCIDA Project. There are now over 12 employees there! Great news!
- ✓ **Ellicottville Now:** *"TimberHut Cabin Company Explodes into Nationwide Market"* Hospitality-bound cabins bring luxury to remote campsite.
- ✓ **NES:** *"Napoleon Engineering Services Strategic marketing drives new business growth."* Great article on NES!
- ✓ **Washington Post:** *"Five myths about green energy."* Yes green energy has great emotional and political appeal. But before we wrap all our hopes and subsidies in it, let us take a hard look at some common misconceptions about what green means.
- ✓ **Buffalo Business First:** *"Proposed Niagara County Solar project pits state energy goals against local laws."* The 900-acre Bear Ridge Solar project's long path toward approval has highlighted the tension between the state's embrace of large green energy projects and municipal governments' desire to call the shots on developments within their borders.

-Executive Session: *(To discuss a matter of personnel).*

Motion-:

:

Time:

-Motion to reenter the CCIDA Board Meeting-:

:

Time:

Adjournment: **Motion-:**

:

Time:

Zoom Meeting access Information:

Topic: **County of Cattaraugus IDA Board Meeting**

Time: **March 21, 2023 at 11:15 a.m.** Eastern Time (US and Canada)

-Join Zoom Meeting

<https://us02web.zoom.us/j/88959019755?pwd=bEJaRDZ0bE9VUEVPZDNUQkJpTWladz09>

Meeting ID: 889 5901 9755

Passcode: 176313

One tap mobile

+19292056099,,88959019755#,,,,*176313# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 889 5901 9755

Passcode: 176313

*** We will need a special IDA Board Meeting the first week of April to consider approving the GLC Modification request -Poll the Board for Dates***

*** Next CCIDA Board of Directors Meeting is scheduled for April 25, 2023 at 11:15 a.m. at the CCIDA Offices in Ellicottville, NY.***

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

**February 7, 2023
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. Brent Driscoll
Mr. Joseph Snyder
Mr. Michael Wimer
Ms. Ginger Schroder

Excused:

Mr. John Stahley

CCIDA Staff/Counsel:

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

Presenters/Guests:

Ms. Crystal Abers – *Catt. County Economic Development, Planning & Tourism*

Chairman, Thomas Buffamante called the meeting to order at 11:21 a.m.

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

A **Motion** was made by Brent Driscoll seconded Michael Wimer to accept the Board Meeting Minutes from January 18, 2023 as presented to the Board. All in favor. **Motion Carried.** Mr. Stahley was excused.

New Applications/Projects

(#1.) Steelbound Brewing & Distillery:

Bill Burse owner of Steelbound Brewing, has asked the CCIDA to assist him with this new and exciting project in Cattaraugus County that will take approximately 2/3 years to complete.

This project also includes a Steelbound Hotel and Conference Center, expansion of the restaurant and Phase II would look to include a possible employee housing project as well. A power point presentation was handed out to fully explain and outline the many facets to this proposed manufacturing and destination project.

-Total Project/Investment amount of \$17,400,000 (+or-over the next 2/3 years).

Resolution from Prior Application/Project in Process

-Pierce Steel Fabricators & Machining, Inc.

A Public Hearing was held on January 9, 2023 at 9:00 a.m. in the Town Hall in the Town of Hinsdale, NY. Supervisor Mr. Jeffrey VanDeCar and a representative from the Hinsdale School were in attendance. Both people in attendance were in favor of the proposed project in the Town.

A copy of the minutes has been provided to each Board Member in their packets for review along with the Cost Benefits Analysis for their particular project.

Resolution:

A Motion was made by Joseph Higgins, seconded by Brent Driscoll, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF PIERCE STEEL FABRICATORS & MACHINING, INC., 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 of the Board of Directors of the CCIDA was taken Mr. Buffamante, Mr. Higgins, Mr. Driscoll, Mr. Wimer and Mr. Snyder and Ms. Schroder were present. Mr. Stahley was excused. **Motion Carried**

***CCIDA Financial Reports:**

A **Motion** was made by Brent Driscoll seconded by Joseph Higgins to accept January 2023 Operating Statement as presented to the Board. **All in Favor - Motion Carried.** Mr. Stahley was excused.

January had \$170 for the month as income from Railroad leases with National Grid.

Mr. Wiktor gave a general update on the Pierce Steel, Cimolai, Campground Adventures, and Russell's RV Storage projects as they progress to the closing stages. Mr. Wiktor also discuss the seven (7) other projects that are currently in the closing process stages.

***Executive Directors Report:**

Internal (IDA Meetings/Discussions):

- ✓ Met with some County Legislators and Department Heads at the County Building relating to a very sizeable and multi-dimensional project within the County that is looking to start early this year. More details to follow over the next few months.
- ✓ Met with a **local brewer** who will be submitting a project application to the IDA later this year. More details to follow on this very exciting project and investment. This project will be great for the County. This proposed project has unique project dimensions to it!
- ✓ Had a Zoom meeting with Diana Chiak and members of a very large proposed project within the County to discuss very levels of State and Federal funding and incentives that could play a large role in the development of their project.
- ✓ **We have spent much time with an out of the area Manufacturing company** that is looking for Industrial land & buildings in the Olean/Portville, NY area. The business is looking to make a significant investment, we are hoping to land this Company. More details to follow as we work on the infrastructure needs of the proposed Company. Application submitted, will proceed when able*
- ✓ Met again with an **International Developer who is looking to do a project in the Town of Ellicottville**. The developer is currently working on some further plans and has been in touch with the Town as well. We look forward to a Summer 2023 Application to the IDA.
- ✓ I was present at the December 21, 2022 Town Board meeting in Ellicottville to update their Board on the IDA's solar moratorium and updated general solar topics that have come about since the IDA's moratorium was put in place.
- ✓ Met with a local developer relating to a commercial project in the north part of the County. An application is in to the IDA and the developer looks to break ground in the Spring of 2023. Very nice little project!
- ✓ I met with a local Company who is looking to possibly build a new building in the Olean area for their current workforce and project.

- ✓ Attended an introductory wind project meeting with Kevin Sheen who is with Terra Gen, LLC. relating to a wind project that they are proposing in the Town of Allegany. The project is a long way off, as this was just a general introductory meeting.
- ✓ We held a **Meeting** with Mark Storch, with Storch Development who is assisting the IDA with securing Funds for the road improvements that the NYSDOT is requiring on Route 16, a small adaptive reuse project and small manufacturing project within the County as well.
- ✓ Reviewed a few resumés and had an interview for a potential new hire to replace Sandy Andrew's as she has recently retired but has graciously agreed to stay on for a bit to help train the new employee.
- ✓ Met with Bob Forness from OBDC to discuss project updates and workforce topics. Excellent meeting and I look forward to additional upcoming meetings with Bob and his Team!
- ✓ Have been invited to attend a Focus Group on January 31, 2023 in Salamanca, NY at Southern Tier West on Human Capital & Business/Industry Development.

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

- ✓ **Olean Times Herald:** "*Cattaraugus County IDA aids \$147 million in projects in 2022.*) the Cattaraugus County Industrial Development Agency offered tax incentives to 16 Projects in 2022 resulting in supporting investments of around \$147 million across the County.
- NYATEP: (New York State Association of Training and Employment Professionals)** "State of the Workforce" 2022 Labor Market Snapshot of New York.
- ✓ **Buffalo Business First:** "Ellicottville Brewing Co. expands with Little Valley Pub." EBC has expanded again opening a new taproom in Little Valley the day after Christmas. Past IDA Project.
- ✓ **Camoin Associates:** "*Word on the Street: Workforce Concerns in Rural Communities.*" In order to keep their companies operating and, ideally, growing, many Companies located in rural communities are becoming more proactive when it comes to building and retaining their workforce.
- ✓ **GOV The Future:** "*The Public Finance Outlook for 2023: Prepare to Slog.*" *Disinflation and economic deceleration will dominate state and local budgets and investments.* It is going to be a year of muddling through.
- ✓ **Biz Journal:** "*When Amazon comes to town.*" Interesting article of what happen to the Economy when a large business comes into Town.
- ✓ **Insyte Consulting:** "*NYS Manufacturing Little Changed.*" According to the Federal Reserve Bank of NY's monthly Empire State Manufacturing Survey, statewide manufacturing activity was little changed from last month.
- ✓ **Global Trade Magazine:** "*The Biggest Canadian Exports in 2022.*" The year 2022 has been an interesting year for Canadian exports in general. Overall, exporting businesses have been very successful during 2022 and intend to carry the momentum into 2023.

Adjournment:

A Motion was made by Michael Wimer seconded by Joseph Higgins to adjourn the meeting at 12:05 p.m. All in Favor – Motion Carried Mr. Stahley was excused.

*** Next CCIDA Board of Directors Meeting: Wednesday, March 21, 2023 at 11:15 a.m. at the CCIDA Offices, 9 E. Washington Street, Ellicottville, NY, and also via Zoom.**

APPLICATION FOR FINANCIAL ASSISTANCE



County of Cattaraugus Industrial Development Agency
P. O. Box 1749
9 East Washington Street
Ellicottville, New York 14731
Phone (716) 699-2005
fax (716) 699-2942
e-mail info@cattcoida.com
web www.cattcoida.com

CCIDA FINANCIAL ASSISTANCE APPLICATION INSTRUCTIONS

I. Application Submission and Application Fees

The following directions will assist you (the "Applicant") in completing this application for Financial Assistance (the "Application"). Please note that all applications will be subject to approval of the County of Cattaraugus Industrial Development Agency (the "Agency") and that no Financial Assistance can be provided, including a sales tax exemption on purchases made prior to Agency approval, until your application has been so approved and *after* a Financial Assistance agreement with the Agency has been executed.

If your project involves the relocation of a facility within Cattaraugus County, the abandonment of an existing facility, involves a tenant that is abandoning an existing facility, or is retail in nature, additional documentation is required. Please contact an Agency business development specialist as soon as possible.

Upon review of the application, the Agency may find it necessary to request additional information. Should additional information be required, the Agency will not consider the request for assistance until all such additional information is received in its entirety.

All projects receiving a benefit greater than \$100,000 are required to have a public hearing inclusive of a ten (10) day notice before any approval can be granted by the Agency. The Agency will charge an administrative fee of 1.0625% of the project amount. Upon project approval, an Administrative Fee Agreement must be entered into. The Agency's legal fees are in addition to the administrative fees noted.

A non-refundable \$1,500.00 application processing and publication fee is due upon submission of your application.

As required by statute, applicants receiving Financial Assistance will be subject to the Agency's Policy Respecting Recapture of Agency Benefits (the "Recapture Policy"). The Recapture Policy provides for a partial or full recapture and/or termination or modification of state and local sales tax, mortgage recording tax, and/or real property tax abatement benefits upon a determination by the Agency that the Company has failed to meet and/or maintain the thresholds and requirements representing certain material terms and conditions required by the Agency. The Recapture Policy is located on the Agency's webpage.

II. Application Component Parts and Exhibits

The following items are included in the Application package. These are required documents that must be completed and submitted to the Agency in order for your Application to be considered. Please make every effort to provide all of the information as soon as possible. Failure to do so may result in your project not being considered at the next regularly scheduled meeting of the Agency.

1. Section I & II - Eligibility Questionnaire: This form must be completed in its entirety and submitted to the ECIDA prior to beginning the public hearing process.
2. Section III – Single -Multi Tenant Facility: Only complete if applicable.
3. Section IV- Retail Questionnaire: To ensure compliance with the provisions of Section 862 of the New York General Municipal Law, the Agency has prepared certain questions within

this section of the Application with respect to those projects where customers personally visit the Project site to make a retail sale transaction or obtain a service. Complete only if applicable.

4. Section V. Inter-Municipal Move Determination. Only complete if applicable.
5. Section VI. Estimate of Real Property Tax Abatements: This section of the Application will be completed by Agency staff, and inserted as a component part of the Application.
6. Attachment A. Representations, Certifications and Indemnification Form: This form requires an original signature, must be notarized, and must be submitted with the completed Application form.
7. Attachment B. Insurance Specifications. The Agency's insurance requirements, as amended from time to time, are contained herein. Note that insurance is to be provided after Agency approval and prior to the provision of Agency Financial Assistance, and shall be maintained during the term of any applicable Agent Agreement and/or Lease Agreement by and between the Agency and the Applicant. Please provide these requirements to your insurance agent to facilitate satisfaction of these requirements.
8. Attachment C. Agency Counsel Fee. The company will be required to pay for CCIDA general/transaction counsel fees and/or bond counsel fees also as a condition of providing Financial Assistance.

III. Submission and Acceptance of the Application for Financial Assistance

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any Financial Assistance with respect to the proposed Project or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law ("FOIL"). If the Applicant believes that a portion of the Application or materials submitted in support of the Application is protected from disclosure under FOIL, the Applicant should mark the applicable sections(s) or pages(s) as "confidential" and state the applicable exception to disclosure under FOIL.

I. Eligibility Questionnaire - Applicant Background Information

Answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving benefit:

Applicant Name: Win Sum Ski Corp
Applicant Address: 6557 Holiday Valley Road
City/Town: Ellicottville State: NY Zip: 14731
Phone: 716-699-2345
E-mail: dtrathen@holidayvalley.com

B) Business Organization (check appropriate category):

Corporation Partnership
Public Corporation Joint Venture
Sole Proprietorship Limited Liability Company
Other (specify) _____
Year Established: 1957 State in which Organization is established: NY

C) Individual Completing Application:

Name: David Trathen
Title: VP Finance
Address: 6557 Holiday Valley Road
City/Town: Ellicottville State: NY Zip: 14731
Phone: 716-699-3902 E-Mail: dtrathen@holidayvalley.com

D) Company Contact (if different from individual completing application):

Name: _____
Title: _____
Address: _____
City/Town: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

E) Company Counsel:

Name of Attorney: Kameron Brooks
Firm Name: Brooks and Brooks
Title: Partner
Address: 207 Court Street
City/Town: Little Valley State: NY Zip: 14755
Phone: 716-938-9133 E-Mail: kbrooks@brookslaw.biz

F) Benefits Requested (select all that apply):

- 1. Exemption from Sales Tax Yes or No
- 2. Exemption from Mortgage Tax Yes or No
- 3. Exemption from Real Property Tax Yes or No
- 4. Tax Exempt Financing * Yes or No

* (typically for not-for-profits & small qualified manufacturers)

G) Applicant Business Description:

Describe in detail company background, history, products and customers. Description is critical in determining eligibility:

Win-Sum Ski Corp operates a four season resort offering skiing, golf, lodging, pools, arriel park, biking and other recreation. The majority of customers are from OH, PA, NY and Southern Ontario. The resort has been in operation for over 60 years and is consistently ranked in the top 10 ski ares in the east.

Estimated % of sales within Cattaraugus County: 100
Estimated % of sales outside Cattaraugus County but within New York State: 0
Estimated % of sales outside New York State but within the U.S.: 0
Estimated % of sales outside the U.S.: 0
(*Percentage to equal 100%)

For your operations, company, and proposed project, what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Cattaraugus County 15 %

Identify vendors within Cattaraugus County for major purchases: _____
Duggan and Duggan and Norhrup Construction

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 6557 Holiday Valley Road
City/Town: Ellicottville School District: Ellicottville
SBL Number(s) for proposed Project NA

Current Address (if different): NA
City/Town: _____

What are the current real estate taxes on the proposed Project site? \$525,000
If amount of current taxes is not available, provide assessed value for each
Land: \$NA Buildings(s): \$NA *If available include a copy of current tax receipt.*

Are Real Property Taxes current at project location? Yes or No. If no, explain: _____

Does the Applicant or any related entity currently hold fee title have an option/contract to purchase the Project site? Yes or No If No, indicate name of present owner of the Project site: _____

Describe the present use of the proposed Project site (vacant land, existing building, etc.):
Four SEason Resort

B) Project Description

Provide a narrative of the purpose of the proposed Project (new build, renovations, expansion), square footage of existing buildings (if any) and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility. Add an attachment if necessary.):

Major items of the equipment project and building enhancements, Inn @ Holiday Valley renovations, John Harvards renovations, Mardi Gras 6 passenger detachable lift, Piston Bully 600 groomer.

Will the completion of the Project result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the project occupant located within the state? Yes or No

If the Proposed Project is located in a different municipality within New York State in which current operations are being undertaken, is it expected that any of the facilities in any other municipality will be closed or be subject to reduced activity? Yes or No. If Yes, you will need to complete Section V, *The Inter-municipal Move Determination*

Is the project reasonably necessary to prevent the project occupant from moving out of New York State? Yes or No. If yes, explain and identify out-of-state locations investigated, type of assistance offered and what competitive factors led you to inquire about sites outside of New York State? Provide supporting documentation if available: _____

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? Yes or No. If yes, indicate the Agency and nature of the inquiry below: _____

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary): Project will allow

Win Sum Ski Corp to reinvest funds saved from the sales tax abatement. As a privately owned resort we must reinvest to compete with larger conglomerate resorts.

Confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the financial assistance provided by the Agency? Yes or No

If the Project could be undertaken without financial assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

Assistance allows Win Sum Ski Corp to invest additional funds annually, This keeps the resort competitive and improves it draw of regional guests.

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? Reduced improvements at the resort possibly lowering the quality of the product and reducing visitors to the county

C) Site Characteristics

Will the Project meet zoning/land use requirements at the proposed location? Yes or No

Describe the present zoning/land use: Commerical

If a change in zoning/land use is required, provide details/status of any request for change of zoning/land use requirements: NA

Has a project related site plan approval application been submitted to the appropriate planning department?
 Yes or No

If Yes, include the applicable municipality's and/or planning department's approval resolution, the related State Environmental Quality Review Act ("SEQR") "negative declaration" resolution, if applicable, and the related Environmental Assessment Form (EAF), if applicable.

If No, list the CCIDA as, or ensure that the CCIDA is listed as, an "Involved Agency" on the related EAF that will be submitted to the appropriate municipality and/or planning department for site plan approval and provide to the EAF to the lead agency and to the CCIDA.

If No, because site plan approval is not otherwise required, complete and submit the EAF along with this Application to the CCIDA.

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? Yes or No If yes, explain:

Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed project site? Yes or No If yes, provide a copy.

D) Project Type

Select Project Type/Use for all end users at project site (you may check more than one)

- | | | | |
|----------------------------------|-------------------------------------|---------------------------|-------------------------------------|
| Acquisition of Existing Facility | <input type="checkbox"/> | Life Care Facility (CCRC) | <input type="checkbox"/> |
| Affordable/Workforce Housing | <input type="checkbox"/> | Market Rate Housing | <input type="checkbox"/> |
| Assisted Living | <input type="checkbox"/> | Mixed Use | <input type="checkbox"/> |
| Back Office | <input type="checkbox"/> | Multi-Tenant | <input type="checkbox"/> |
| Civic Facility (not for profit) | <input type="checkbox"/> | Renewable Energy | <input type="checkbox"/> |
| Commercial | <input type="checkbox"/> | Research/Design | <input type="checkbox"/> |
| Senior Housing | <input type="checkbox"/> | Retail | <input type="checkbox"/> |
| Facility for Aging | <input type="checkbox"/> | Warehousing | <input type="checkbox"/> |
| Industrial/Manufacturing | <input type="checkbox"/> | Other Equipment | <input checked="" type="checkbox"/> |
| Tourism Facility/Project | <input checked="" type="checkbox"/> | | |

Will customers personally visit the Project site for either of the following economic activities indicated below? If yes with respect to either economic activity indicated below, complete Section IV, Retail Questionnaire.

Retail Sales: Yes or No

Services: Yes or No

*For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the New York Tax Law (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

For the proposed Project Facility, indicate the square footage for each of the uses outlined below:

**If applicant is paying for FFE for tenants, include in cost breakdown

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing	NA		
Warehouse			
Research & Development			
Commercial			
Retail (see retail questionnaire)			
Office			
Renewable Energy			
Specify Other			

What is the estimated project timetable (provide dates):

1. Start date: acquisition of equipment or construction of facilities: May 15, 2023
2. Estimated completion date of project: May 15, 2024
3. Project occupancy – estimated starting date of occupancy: NA

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition \$ _____
 _____ acres _____ square feet
2. New Building Construction _____ square feet \$ 5,500,000
3. New Building Addition(s) _____ square feet \$ _____
4. Infrastructure Work \$ 420,000
5. Reconstruction/Renovation _____ square feet \$ 450,000
6. Manufacturing Equipment \$ _____
7. Non-Manufacturing Equipment (furniture, fixtures, etc.) \$ _____
8. Soft Costs: (Legal, architect, engineering, etc.) \$ _____
9. Other, Specify: Equipment \$ 1,680,000

TOTAL Costs: \$ 8,050,000

Construction Cost Breakdown:

Total Cost of Construction	\$6,370,000	(sum of 2,3,4 and 5 above)
Cost of materials:	\$5,420,000	
% sourced in Cattaraugus County	20 est	%

Have any of the above costs been paid or incurred as of the date of this application? Yes or No
 If yes, describe: _____

Sources of Funds for Project:

Bank Financing	\$ _____
Equity (excluding equity that is attributed to grants/tax credits)	\$ 8,050,000
Public Sources (Include sum total of all state and federal grants and tax credits)	\$ _____
Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)	_____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Sources of Funds for Project Costs:	\$ 8,050,000

Have you secured financing for the project? Yes No. If yes, provide a copy of the loan commitment to the Agency.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only): \$ NA

Sales and Use Tax Benefit: Gross amount of costs for goods and services that are subject to State and Local Sales and Use Tax - said amount to benefit from the Agency's sales and use tax exemption benefit: \$ 7,100,000

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 568,000

*** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate above represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application, unless otherwise amended and approved by the Agency. The Agency may utilize the estimate above as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Mortgage Recording Tax Exemption Benefit: Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ NA

Estimated Mortgage Recording Tax Exemption Benefit (multiply the mortgage amount as indicated above by 1.25 %): \$ NA

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit (487, 485-b, other): NA

IDA PILOT Benefit: See Section VI of this Application. Agency staff will indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT.

F) Job Retention and Job Creation

Is the project necessary to expand project employment? Yes or No

Is project necessary to retain existing employment? Yes or No

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time (FT)	149	149	149	100%
Part Time (PT)	535	535	535	100%
Total ***	684	684	684	100%

** The Labor Market Area includes the Counties of Cattaraugus, Erie, Allegany, Chautauqua and Wyoming. For purposes of this question, estimate the number of FT and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column.

*** By statute, Agency staff must project the number of FT jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the two-year time period following Project completion. Agency staff converts PT jobs into FT jobs by dividing the number of PT jobs by two (2).

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of jobs to be retained and/or created	# of employees retained and/or created	Average salary for Full Time	Average fringe benefits for full time	Average salary for part time, if applicable	Average fringe benefits for part time, if applicable
Management	47	85,000	34,000	NA	NA
Professional					
Administrative	15	60,000	24,000	35,000	5,250
Production					
Independent Contractor					
Other	622	62,000	24,800	25,000	3,750

** Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Payroll Information:

Annual Payroll at proposed project site upon project completion		\$ 10,500,000
Estimated average annual salary of jobs to be retained (full time)		\$85,000
Estimated average annual salary of jobs to be retained (part time)		\$40,000
Estimated average annual salary of jobs to be created (full time)		\$NA
Estimated average annual salary of jobs to be created (part time)		\$NA
Estimated salary range of jobs to be created		
From (full time)	\$NA	To (full time) \$
From (part time)	\$NA	To (part time) \$

III. Part A: Facility Type - Multi-Tenant Determination

If this is a Single-Use facility fill in section A. If this is a Multi-Tenant fill in section B.

A) For Single Use Facility (to be filled out by developer):

Occupant Name: _____
 Address: _____
 City/Town: _____ State: _____ Zip: _____
 Contact Person: _____
 Phone: _____ Fax: _____
 E-Mail: _____
 Federal ID #: _____ NAICS Code: _____

B) Multi-Tenant Facility (to be filled out by developer):

Have any tenant leases been entered into for this project Yes or No.

If yes, list below and provide square footage to be leased to tenant and NAICS Code for tenant and nature of business.

Tenant Name	Current Address (city, state, zip)	# of sq. ft. and % of total to be occupied at new project site	Briefly describe type of business, products services

Part B: Tenant Form

**** This section must be completed for each proposed tenant ****

A Retail Questionnaire will need to be prepared for each proposed tenant if customers will personally visit the tenant to either participate in a retail sale transaction or pay for a service.

An Inter-Municipal Move Determination will need to be completed for each proposed tenant that is relocating from another municipality or abandoning an existing facility.

Property Address: _____

City/Town: _____

Tenant Name: _____

Amount of space to be leased: _____ SF. What percentage of the building does this represent? _____ %

Are terms of the lease: GROSS or NET

If GROSS lease, explain how Agency benefits are passed to the tenant: _____

Estimated date of occupancy: _____, 20_____

Company Name: _____

Current Address: _____

City/Town: _____ State: _____ Zip: _____

Local Contact Person: _____ Title: _____

Phone: _____ E-mail: _____

Company President/General Manager: _____

Number of employees to be relocated to new project location:

Full-Time: _____ Part-Time: _____ Total: _____

List the square footage which the proposed tenant will lease at the Project location: _____ SF

List the square footage which the proposed tenant leases at its present location(s): _____ SF

Will the project result in relocation from one municipality to another and/or abandonment from other tenant/user(s) facilities in New York State?

Yes or No.

If Yes, fill out Inter-Municipal-Move Determination form.

What will happen to the existing facility once vacated? _____

If leased, when does lease expire? _____, 20_____

Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit? Yes or No. If yes, provide details as to location, and amount of leased space, how long leased? _____

IV. Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Answer the following:

A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes or No. If the answer is yes, continue below. If no, proceed to next section

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 100%. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to Inter-Municipal Move Determination.

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

1. Will the project be operated by a not-for-profit corporation Yes or No.
2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (Cattaraugus, Erie, Allegany, Chautauqua and Wyoming counties) in which the project will be located? Yes or No
3. Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes or No
4. Will the project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes or No.

If yes, explain Keeping the resort competitive and expanding project scope.

5. Is the project located in a Highly Distressed Area? Yes or No

V. Inter-Municipal Move Determination

If completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, then it must be shown that Agency Financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Current Address: _____
City/Town: _____ State: _____ Zip: _____

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? Yes or No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? Yes or No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: _____

Does the Project involve relocation or consolidation of a project occupant from another municipality?

Within New York State Yes or No
Within Cattaraugus County Yes or No

If Yes to either question, explain: _____

What are some of the key requirements the project occupant is looking for in a new site (for example minimum of number of sq. ft., 12 foot ceilings, truck loading docks, thruway accessibility. etc.)

If the project occupant is currently located in Cattaraugus County and will be moving to a different municipality within Cattaraugus County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located? Yes or No

What factors have led the project occupant to consider remaining or locating in Cattaraugus County? _____

If the current facility is to be abandoned, what is going to happen to the current facility that the project occupant is located in? _____

Provide a list of properties considered, and reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.)

Property (Address)

Reason

VI. Estimate of Real Property Tax Abatement Benefits* and Percentage of Project Costs financed from Public Sector sources**

** This Section of the Application will be: (i) completed by CCIDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT Estimate Table Worksheet

CCIDA Staff will insert and/or prepare appropriate PILOT Benefit information.

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

Calculate % (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: _____%

Attachment A: Representations, Certifications and Indemnification

David Trathen (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Vice President Finance (title) of Win Sum Ski Corp. (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C. Annual Sales Tax Filings: In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant. Copies of all filings shall be provided to the Agency.
- D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
- E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05 and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.

- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.
- G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.
- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency:
- (i) a non-refundable \$1,500.00 application processing and publication fee (the "Application Fee") at time of application submission payable CCIDA;
 - (ii) Unless otherwise agreed to by the Agency, an amount equal to one and one quarter percent (1.0625%) of the total project costs, at the time of issuance of Financial Assistance/closing;
 - (iii) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's

bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

- J. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable proper or requested action, or withdraws, abandons, cancels, or neglects the Application, or if the Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.
- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
- M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.
- N. The Applicant has read and understands the Agency's Policy Respecting Recapture of Agency Benefits (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture or modification of Agency financial assistance so provided and/or previously granted.
- O. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

- R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.


STATE OF NEW YORK)
 COUNTY OF CATTARAUGUS) ss.:

David Teather, being first duly sworn, deposes and says:

1. That I am the VP Finance (Corporate Office) of Winn-Serra Ski Corp (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.


 (Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
 this 15 day of MARCH, 2023


 (Notary Public)

JOAN KLOPP BUND
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01BU6141488
 Qualified in Cattaraugus County
 My Commission Expires 02-27-24

Attachment B: CCIDA Insurance Requirements

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (Insurance Specifications as of June 8, 2021)

A summary of CCIDA insurance requirements follows. Please note that insurance is to be provided by the Company and/or Project owner after Board approval and prior to utilization of CCIDA financial assistance, and shall be maintained during the term of any applicable Agent Agreement and/or Lease Agreement by and between the CCIDA and the Company.

During the term of an Agent Agreement and/or a Lease Agreement entered into with the County of Cattaraugus Industrial Agency an **ACORD 25-Certificate of Liability Insurance and ACORD 855 NY-New York Construction Certificate of Liability Addendum** shall be provided evidencing the following insurance is currently maintained and in force with an insurance carrier approved to do business in the State of New York and maintaining an A.M. Best Rating of A- or better showing County of Cattaraugus Industrial Development Agency as Certificate Holder. It is our suggestion that you share these requirements with your current insurance agent, broker or insurance company.

Acceptable Certificates of Insurance shall indicate the following minimal coverage, limits of insurance, policy numbers and policy effective and expiration dates.

Commercial General Liability: Agent and subcontractors shall provide such coverage on an occurrence basis for the named insured's premises & operations and products-completed operations. Blanket Contractual Liability provided within the "insured contract" definition may not be excluded or restricted in any way. Property damage to work performed by subcontractors may not be excluded or restricted nor shall the Additional Insured's coverage for claims involving injury to employees of the Named Insured or their subcontractors be excluded or restricted. The "insured contract" exception to the Employers Liability exclusion also may not be removed or restricted in any way.

These coverages are to be properly evidenced by checking the appropriate box(es) on the **ACORD 855-NY Construction Certificate of Liability Addendum's** Information Section, Items G, H, I and L. Policy shall have attached **Designated Location(s) General Aggregate Limit CG 25 04** endorsement.

Limits expressed shall be no less than:

General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	\$2,000,000
Per Occurrence	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Fire Damage Liability	\$ 100,000
Medical Payments (per person)	\$ 5,000

County of Cattaraugus Industrial Development Agency shall be named as Additional Insured per **ISO Form CG 20 26-Additional Insured Designated Person or Organization** to provide coverage for the Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis. All insurance required of the Company shall waive any right of subrogation of the insurer against any person insured under such policy, and waive any right of the insurer to any off-set or counterclaim or any other deduction, whether by attachment or otherwise, in respect of any liability of any person insured under such policy.

ACORD 855 NY-New York Construction Certificate of Liability Insurance: It is not uncommon for insurers to modify the standard ISO policy language with endorsements that result in modifications to language preferred by the insurer. This addendum is required to supplement the **ACORD 25-Certificate of Liability Insurance** with additional information that provides a more detailed expression of the types of coverage required. Specifically required coverages may be excluded or limited by the attachment of exclusionary or limitation endorsements. This

addendum provides the insurer the ability to certify coverage provided by the absence of such exclusionary or limiting modifications.

Blanket Additional Insured endorsement to include — Owner, Lessees or Contractors - Automatic Status For Other Parties When Required in Written Construction Agreement — Wording should include any other person or organization you are required to add as an additional insured under the contract or agreement (**Paragraph 2 of CG 20 38 04 13 or equivalent**).

Any scheduled person or organization section of the additional insured endorsement containing wording other than designated names shall not be accepted.

Umbrella/Excess Liability: Commercial Umbrella or excess liability for a limit of at least \$5,000,000 per occurrence with a \$5,000,000 Aggregate. Coverage should respond on a follow-form basis and excess over the aforementioned underlying policy limits. County of Cattaraugus Industrial Development Agency shall be named as Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis.

Workers Compensation/Disability Insurance:

- i) The Company and/or Project Owner shall provide evidence of insurance and maintain Workers Compensation/Disability insurance as required by statute. County of Cattaraugus Industrial Development Agency shall be named as the Certificate Holder.
- ii) **Accepted Forms:**

Workers Compensation Forms **DBL (Disability Benefits Law) Forms**

CE-200	Exemption		CE-200	Exemption
C-105.2	Commercial Insurer		DB-120.1	Insurers
S1-12	Self-Insurer		DB-155	Self-Insured
GS1-105.2	Group Self-Insured			
U-26.3	New York State Insurance Fund			

If the Company and/or Project owner have no employees, the Company and/or Project owner shall provide a completed and signed Form CE-200 or later revision, which is found on the New York State Workers Compensation Board website: www.wcb.ny.gov/. This form is to be completed on-line, printed, and signed.

CCIDA Address: All evidence of insurance shall be sent to:

County of Cattaraugus Industrial Development Agency
 9 East Washington Street
 Ellicottville, NY 14731

Attachment C: CCIDA Attorney Fee Schedule

CCIDA Attorney Fees:

Project Amount	Standard Agency Counsel Fee
<=\$499,000	\$5,000
<=\$500,000 - < \$999,999	\$7,500
>\$1M - <\$1,999,999	\$9,000
>\$2M - <\$3,999,999	\$15,000
>\$4M - < \$5,799,000	\$20,000
>\$5,800,00	1/3 of Agency Administrative Fee (currently 1.0625% of the Project Amount)

If a project application is withdrawn or does not close, the applicant is responsible for any costs incurred by the agency on behalf of the project.

Resort Projects (over \$100,000)
Project
Inn Renovations
Inn Roof
IT
Carpet Repair: Main Lodge, Yodeler, Tannenbaum Please Note: if we can match existing only two sets of staircases need replacement. (Yodeler)
John Harvard's Redesign
MG 6 less deposit
MG 6 operator stations
MG 6 T 1 + 4 HD
Earth work
Snowmaking automation + pipe upgrades
1 cat @ 5,000 hrs
Golf equipment

Department Projects (\$10,000 to \$100,000)**Project**

New website

Digital Signage

Repair and painting of Tamarack indoor/outdoor pool deck

Inn Pool Project

Inn B&G triple duty valves

Van

Fix service road for bikes between tannanbaum & Spruce

Lights for 219 parking lot / Upgrade RV power

Creekside Bathroom redo

Replace deck furniture at cabana

Fix area near half-door going into Upper Patrol, add drainage to the new road so ice + water do not build up around door

Annual woods cleaning

Expand the "Roller Coaster"

Heat Pumps

Room Ammenities

McCarty's Redesign

Modernize Pool Fountain

slope drainage

lift painting

DC drive Eagle

crane/ truck upgrade insp

1 ranger

3 snowmobiles

(2) 4-wheeler

parking lots + 219 improvements

snowmaking pump service

MG LED lights wire poles

Pump House C Addition

Coaster brake system - upgrade control box

Mountain staff coats

summer grooming

snow guns

tube shells

sound system

Aerial Park R&M

Replace 135 zip line trolley's

Tree and Branch Removal

Replace 125 Adult Harnesses



PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 716.699.2005.

Applicant:	Great Lakes Cheese Co., Inc.		
Project Address:	1958 Integrity Way, Franklinville, NY 14737		
Contact Name:	Matt Wilkinson		
Contact Company:	Great Lakes Cheese Co., Inc.		
Contact Address:	17955 Great Lakes Parkway, Hiram, OH 44234		
Contact Email:	matt.wilkinson@greatlakescheese.com	Contact Phone:	440 834 2500

Employment in Cattaraugus County:

0	0	0	03/09/2023
Anticipated	Full Time	Part Time	As of Date

Modification Requested: Check all that apply. (Attach additional page if necessary). CCIDA fees and legal fees apply. *A substantial change in project costs/scope may require a new application. *

Increase in Project Costs: Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

Property Tax Abatement Mortgage Tax Exemption Sales Tax Exemption

Mortgage Increase: \$ _____

Sales Tax Increase: \$ 45,000,000 (Additional expenditures subject to sales tax)
 \$ 3,600,000 (Requested sales tax benefit amount, multiple prior figure by 8%).

Project Cost Information: \$ 500,000,000 \$ 121,000,000 \$ 621,000,000
 Original Project Cost Increase in Project Costs New Project Costs

Extend or Renew Sales Tax Exemption:

Current Expiration Date _____ Requested Expiration Date _____ Amount of Exemptions Taken to Date \$ _____

Reason for Extension:
 N/A

New Tenant: Include name, business description , and square feet to be occupied.
 N/A

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: Matt Wilkinson Date: March 9, 2023

Print Name and Title: Matt Wilkinson, Vice President

Staff Use Only:	3/23
Date Received _____	Date of Original Approval _____
New Code: 0401-__-__	

Project Modification Request - Page 2
Required when requesting an Increase in Project Costs

A. Applicant Project Costs	Original/Current Approval	Requested Increase Modification	Revised Approval Requested
Building Construction or Renovation			
a. Materials	\$ 122,000,000	\$ 73,000,000	\$ 195,000,000
b. Labor	\$ 81,000,000	\$ 48,000,000	\$ 129,000,000
Site Work			
c. Materials	\$ _____	\$ _____	\$ _____
d. Labor	\$ _____	\$ _____	\$ _____
e. Non-Manufacturing Equipment	\$ 0	\$ _____	\$ _____
f. Furniture & Fixtures	\$ 1,000,000	\$ _____	\$ _____
g. Land and/or Building Purchase	\$ 3,500,000	\$ _____	\$ _____
h. Manufacturing Equipment	\$ 251,000,000	\$ _____	\$ _____
i. Soft Costs (Legal, Architect, Engineer)	\$ 20,000,000	\$ _____	\$ _____
Other Costs (specify)			
j. <u>Utilities</u>	\$ 22,500,000	\$ _____	\$ _____
k. _____	\$ _____	\$ _____	\$ _____
l. _____	\$ _____	\$ _____	\$ _____
m. _____	\$ _____	\$ _____	\$ _____
Total Project Costs	\$ 500,000,000	\$ 121,000,000	\$ 621,000,000
Sources of Funds for Project Costs			
a. Tax Exempt Industrial Revenue Bond	\$ _____	\$ _____	\$ _____
b. Taxable Industrial Revenue Bond	\$ _____	\$ _____	\$ _____
c. Tax Exempt Civic Facility Bond	\$ _____	\$ _____	\$ _____
d. Bank Financing (subject to recording tax)	\$ 450,000,000	\$ 106,000,000	\$ 556,000,000
e. Public Sources	\$ _____	\$ _____	\$ _____
f. Equity	\$ 50,000,000	\$ 15,000,000	\$ 65,000,000
Total Sources	\$ 500,000,000	\$ 121,000,000	\$ 621,000,000

B. Reason for Increase:

Material and labor inflation has been extreme, most of our bid packages for building work (steel, concrete, electrical, plumbing, roofing, walls, etc) are 50%+ higher than plan, with some over 200% higher than plan. Plan was set in December 2020 (prior to the impact of COVID and associated supply chain and labor woes).

To a lesser degree, minor changes to building design have caused slight increases in costs.

C. Amount of Sale Tax Exemptions Taken to Date: \$ 6,272,152 invoiced (\$16,229,298 committed)

NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, the County of Cattaraugus Industrial Development Agency (the "Agency") will hold a public hearing on March 30, 2023 at 10:30 a.m. at the Farmersville Town Hall, 8963 Lake Avenue, Farmersville, New York regarding:

Great Lakes Cheese Co., Inc., and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf (the "Company"), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located on (i) the acquisition by the Agency of a leasehold or other interest in an aggregate approximately 130 acre parcel of land located on 8114 Route 16, Town of Franklinville and Town of Farmersville, Cattaraugus County, New York (the "Land"), (ii) the construction on the Land by the Company as agent of the Agency of an approximately 480,000+/- sq. ft. state of the art cheese manufacturing facility and an approximately 16,000+/- sq. ft. waste water treatment facility and utility interconnections (the "Improvements") and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"). The Facility will be initially operated and/or managed by the Company.

The Agency has acquired a leasehold interest in the Facility and leased the Facility back to the Company. The Company will operate the Facility during the term of the lease. Under previous agreements between the Agency and the Company, the Agency provided the Company with certain financial assistance with respect to the Project and the Facility in the form of sales and use tax exemption benefits, mortgage recording tax exemption benefits, and real property tax abatement benefits consistent with the policies of the Agency

The Company has submitted a Project Modification Request requesting that the Agency provide the Company with additional sales and use tax exemption benefits beyond what was initially authorized and approved by the Agency (as so increased, the "Financial Assistance") in connection with the construction of the Improvements and the acquisition and installation of the Equipment in and around the Facility. The Agency contemplates that it will provide such additional Financial Assistance to the Company in connection with the construction of the Improvements and the acquisition and installation of the Equipment in the form of sales and use tax exemptions consistent with the policies of the Agency.

A representative of the Agency will be present at the above-stated time and place to present a copy of the Project Modification Request and to hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed increase in Financial Assistance. Additional information can be obtained from, and written comments may be addressed to: Corey R. Wiktor, Executive Director, County of Cattaraugus Industrial Development Agency, 9 East Washington Street, P.O. Box 1749, Ellicottville, New York 14731; Telephone: 716-699-2005 and electronically at corey@cattcoida.com or Info@cattcoida.com.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

County of Cattaraugus Industrial Development Agency

	A	B	C	D	E	F
2	CCIDA February 2023		OPERATING STATEMENT			
3						
4		2023	2023	2023	2023	2022
5		APPROVED	M-T-D	Y-T-D	BALANCE	Y-T-D
6		BUDGET	ACTUAL	ACTUAL	REMAINING	COMPARISON
7						
8	INCOME:					
9	Interest on Accounts	\$20,000	\$0	\$0	\$20,000	\$0
10	Apps & Fees	\$450,000	\$75,019	\$75,019	\$374,981	\$60,105
11	CCCRC/Other Misc. Income	\$0	\$41	\$211	-\$211	\$0
12	Total	\$470,000	\$75,060	\$75,230	\$394,770	\$60,105
13						
14						
15	EXPENSES:					
16	Wages*	\$200,000	\$9,877	\$14,815	\$185,185	\$23,305
17	Fringe Benefits	\$95,000	\$3,579	\$7,282	\$87,718	\$6,965
18	Performance Bonus	\$15,000	\$0	\$0	\$15,000	\$0
19	Board Meeting/Operations	\$2,000	\$111	\$223	\$1,777	\$624
20	Business Development	\$20,000	\$53	\$657	\$19,343	\$11,084
21	Office Supplies/Service Contracts	\$1,800	\$37	\$130	\$1,670	\$45
22	Office Maint./Repairs/Equip	\$6,000	\$1,506	\$1,606	\$4,394	\$2,627
23	Office Phones/Cell/fax/internet service	\$6,000	\$1,130	\$1,517	\$4,483	\$1,159
24	Postage	\$1,700	\$119	\$164	\$1,536	\$381
25	Public Hearings	\$2,000	\$0	\$215	\$1,785	\$111
26	Travel/Mileage	\$3,500	\$0	\$0	\$3,500	\$15
27						
28	Rent	\$17,100	\$2,850	\$5,700	\$11,400	\$2,700
29	Real Estate Taxes	\$100	\$89	\$91	\$9	\$90
30	Utilities	\$3,000	\$290	\$1,009	\$1,991	\$818
31	Property/Fire/Liability Insurance	\$5,000	\$0	\$0	\$5,000	\$0
32						
33	Professional Associations	\$12,500	\$1,995	\$2,295	\$10,205	\$225
34	Professional Services	\$20,000	\$9,650	\$9,782	\$10,218	\$7,325
35	Publications	\$200	\$0	\$0	\$200	\$0
36						
37	Railroad Services	\$25	\$0	\$0	\$25	\$0
38	Miscellaneous	\$100	\$0	\$0	\$100	\$0
39	Project Expenses	\$5,000	\$0	\$0	\$5,000	\$1,250
40	Consulting Expense	\$36,000	\$11,047	\$17,048	\$18,952	\$2,500
41	Great Lakes Cheese Expenses-	\$0	\$0	\$0	\$0	-\$14,097
42	Total Expenses	\$452,025	\$42,333	\$62,534	\$389,491	\$47,127
43						
44	Net Difference	\$17,975	\$32,727	\$12,696	\$5,279	\$12,978
45						
46	*Wages for YTD are less because we only had 1 employee for the first two months.					
47						
48						
49						
50						
51						
52						
53						

COUNTY OF CATTARAUGUS IDA

Balance Sheet
February 28, 2023

ASSETS

Current Assets	
CATT CO. BANK	\$ 325,105.39
SAVINGS CCB	5,211.92
SAVINGS FT	8,295.72
CATT. CO. CAPITAL RES. CORP.	438,657.75
Five Star CD	150,000.00
CD's	625,077.00
KeyBank Investment	103,031.63
PETTY CASH	120.40
SECURITY DEPOSIT - RENT	1,350.00
Deferred Outflows	127,554.00
ACCTS RECEIVABLE	346.86
PREPAID EXPENSES	3,000.00
	<hr/>
Total Current Assets	1,787,750.67
Property and Equipment	
EQUIPMENT	38,423.95
LEASEHOLD IMPROVEMENTS	22,173.08
LAND	149,298.92
RAILROAD/IMPROVEMENTS	907,199.96
ACCUM DEPRECIATION	(869,286.65)
	<hr/>
Total Property and Equipment	247,809.26
Other Assets	
	<hr/>
Total Other Assets	0.00
	<hr/>
Total Assets	\$ 2,035,559.93
	<hr/> <hr/>

LIABILITIES AND CAPITAL

Current Liabilities	
Employee Health Ins Payable	\$ (2,365.88)
Federal Payroll Taxes	(16,061.21)
NYS WITHHOLDING	14,939.11
NYS Retirement Employer Portio	43,860.00
Deferred Inflows	14,768.00
ACCOUNTS PAYABLE	8,914.38
ACCRUED PAYROLL	3,504.81
	<hr/>
Total Current Liabilities	67,559.21
Long-Term Liabilities	
Pension Liability	175,874.00
	<hr/>
Total Long-Term Liabilities	175,874.00
	<hr/>
Total Liabilities	243,433.21
Capital	
Retained Earnings	1,469,358.48
CONTRIBUTED CAPITAL	310,072.06
Net Income	12,696.18
	<hr/>
Total Capital	1,792,126.72

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
February 28, 2023

Total Liabilities & Capital

\$ 2,035,559.93

COUNTY OF CATTARAUGUS IDA
Balance Sheet
February 28, 2022

ASSETS

Current Assets		
CATT CO. BANK	\$	280,646.30
SAVINGS CCB		5,228.73
SAVINGS FT		8,291.51
CATT. CO. CAPITAL RES. CORP.		212,144.79
CD's		625,077.00
KeyBank Investment		103,031.63
PETTY CASH		120.40
SECURITY DEPOSIT - RENT		1,350.00
Deferred Outflows		127,554.00
ACCTS RECEIVABLE		1,047.10
PREPAID EXPENSES		3,000.00
		<hr/>
Total Current Assets		1,367,491.46
Property and Equipment		
EQUIPMENT		38,423.95
LEASEHOLD IMPROVEMENTS		22,173.08
LAND		149,298.92
RAILROAD/IMPROVEMENTS		907,199.96
ACCUM DEPRECIATION		(869,286.65)
		<hr/>
Total Property and Equipment		247,809.26
Other Assets		
		<hr/>
Total Other Assets		0.00
		<hr/>
Total Assets	\$	<u>1,615,300.72</u>

LIABILITIES AND CAPITAL

Current Liabilities		
NYS RETIREMENT LOAN ACCT.	\$	348.00
Employee Health Ins Payable		(2,365.88)
Federal Payroll Taxes		(9,325.56)
NYS WITHHOLDING		7,295.31
NYS Retirement Employer Portio		25,500.00
Deferred Inflows		14,768.00
ACCOUNTS PAYABLE		189.99
ACCRUED PAYROLL		3,504.81
		<hr/>
Total Current Liabilities		39,914.67
Long-Term Liabilities		
Pension Liability		175,874.00
		<hr/>
Total Long-Term Liabilities		175,874.00
		<hr/>
Total Liabilities		215,788.67
Capital		
Retained Earnings		1,078,570.59
CONTRIBUTED CAPITAL		310,072.06
Net Income		10,869.40
		<hr/>
Total Capital		1,399,512.05

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
February 28, 2022

Total Liabilities & Capital

\$ 1,615,300.72

Certificates of Deposit/Savings Accounts
as of March 31, 2023
Cattaraugus County IDA/Capital Resource Corp.

County of Cattaraugus IDA:

***Cattaraugus County Bank:**

<u>CD Number</u>	<u>Term</u>	<u>Date of Maturity</u>	<u>Int. Rate</u>	<u>Amount</u>	<u>Account</u>
30000###	24 Months	6/11/24	0.85%	\$215,716	CD
Money Market Savings:	Thru	03/31/23	0.250%	\$ 5,213	Savings

***Five Star Bank**

Savings Acct:	Thru 3/31/23		0.01%	\$ 8,295	Savings
CD-2253#####	13 Months	8/10/23	0.85%	\$206,043	CD
CD-2254#####	13 Months	12/20/23	2.50%	\$150,000	CD
CD-TBD	12 Months	03/15/24	3.50%	\$300,000	CD

***Key Bank**

Investment Acct.	Thru 3/31/23		4.13%	\$108,323	Savings
------------------	--------------	--	-------	-----------	---------

***Community Bank**

510000####	18 Months	12/21/23	0.30%	\$211,408	CD
(working with Community Bank representative to renew at a higher rate and should be completed by the end of next week)					

Capital Resource Corp.:

***Cattaraugus County Bank**

Money Market Acct.	Thru	10/31/22	2.00%	\$437,658	Savings
--------------------	------	----------	-------	-----------	---------

2023 Economic Development Conference

The State of the Grid - Power Trends - How
NYISO Will Deliver the Grid of the Future
ATTACT TRACK - March 1, 1:30-2:30 PM

Kevin Lanahan, Vice President, External Affairs & Corporate Communications,
New York Independent System Operator

Sponsored by: **THE AGENCY**
BROOME COUNTY IDA / LDC





State of the Power Grid

Kevin Lanahan

Vice President, External Affairs & Corporate Communications

Delivering the #gridofthefuture

We are engineers, operators, analysts, economists and technologists dedicated to a reliable & sustainable power grid

Dedicated employees	585	New Yorkers served	19.6M	Power generation units	760	ISO/RTOs in North America	1 of 9
Wholesale energy market participants	420	Circuit miles of transmission managed and monitored	11,000	Delivered to New York consumers in 2020	150,198 GWh		



FOLLOW US    

Our Mission & Vision



Mission

Ensure power system reliability and competitive markets for New York in a clean energy future



Vision

Working together with stakeholders to build the cleanest, most reliable electric system in the nation



A Powerful Purpose

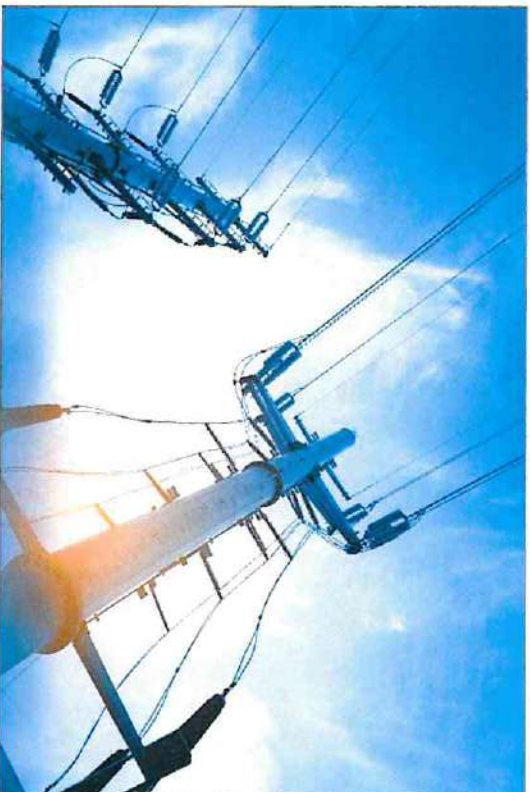
We are a non-profit, non-partisan organization dedicated to a reliable, sustainable power grid and competitive markets.

✓ **Maintaining** and enhancing regional reliability

\$ **Operating** open and fair wholesale electricity markets

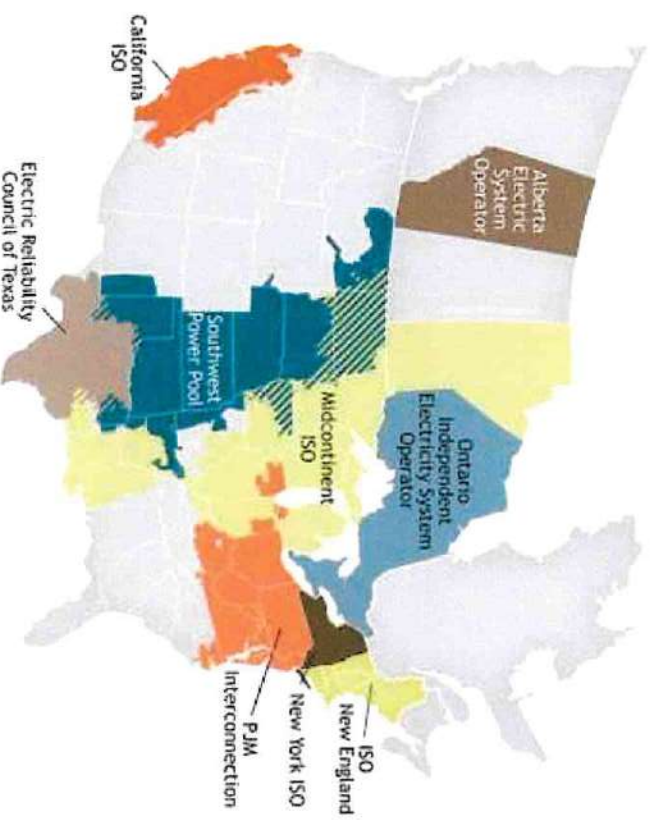
🔍 **Planning** the bulk power system for the future

🔍 **Providing** factual information to policymakers, stakeholders and investors.



ISOs & RTOs

- NYISO is one of nine Independent System Operators (ISOs) and Regional Transmission Organizations (RTOs) in North America
- ISOs serve 2/3 of U.S. electricity customers & more than 1/2 of Canadian consumers



State of the Grid

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Presentation Source Materials

- **2021-2040 System & Resource Outlook report (Outlook)**
 - Multiple cases and scenarios over 20-year time horizon
 - Identified transmission investment and generation needs
 - A look at the Resource mix required to achieve policy goals while maintaining electric system reliability
- **2022 Reliability Needs Assessment study (RNA)**
 - Peak power demand, load growth through 2032
 - Planned upgrades to the transmission system
 - Changes in the generation mix

Key Findings

- The transition to a cleaner grid is leading to an electric system increasingly reliant on weather-dependent renewable generation.
- A successful transition of the electric system requires a careful balance between retiring traditional generation and new resource investment.
- Retirements of traditional generators are beginning to outpace construction of new resources, due to a combination of various factors.

Key Findings (Cont.)

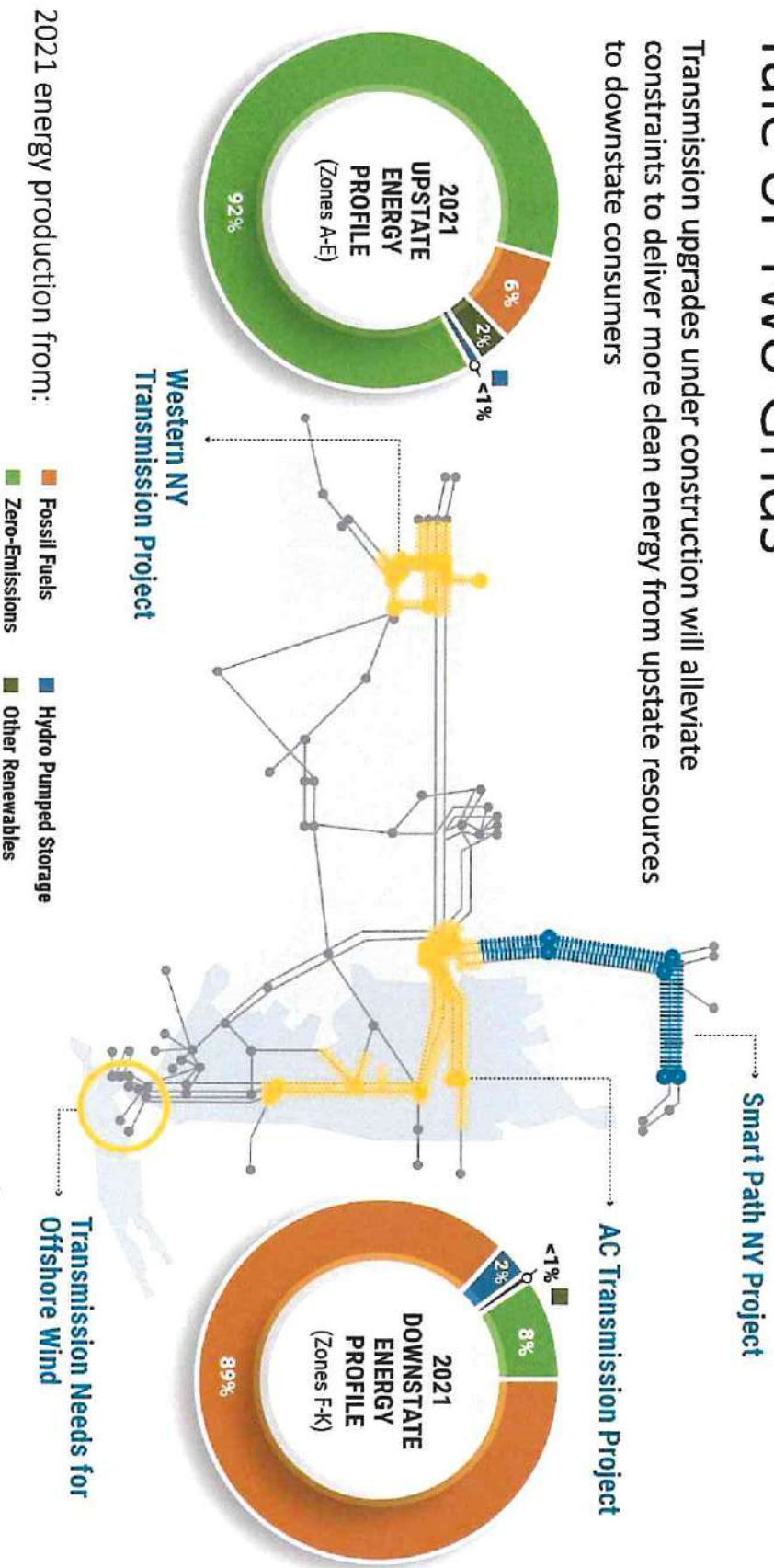
- **Electrification adoption is accelerating. Forecasted load is increasing across the state.**
- **Cloud computing, chip fab and data mining industries are also poised to impact future load and infrastructure needs.**
- **Transmission is being built but more investment is necessary to support the delivery of offshore wind and connect new resources upstate to downstate load centers where demand is greatest.**
- **Reliability margins are shrinking. Thermal generators needed for reliability are retiring or scheduled to retire.**
 - **New York City margin is only 50 MW in 2025. Various factors could require certain peaker plants scheduled to retire under DEC emissions rules to remain online in order to maintain reliability.**

Key Findings (Cont.)

- NYISO's interconnection queue is composed primarily of intermittent and limited-duration resources.
- Given the operating characteristics of these resources, we need multiple megawatts of renewables to replace 1 MW of thermal generation.
- Questions and uncertainties remain. Delays in the construction of new supply or transmission, higher than expected demand, or extreme weather could threaten reliability and resilience in the future.

Tale of Two Grids

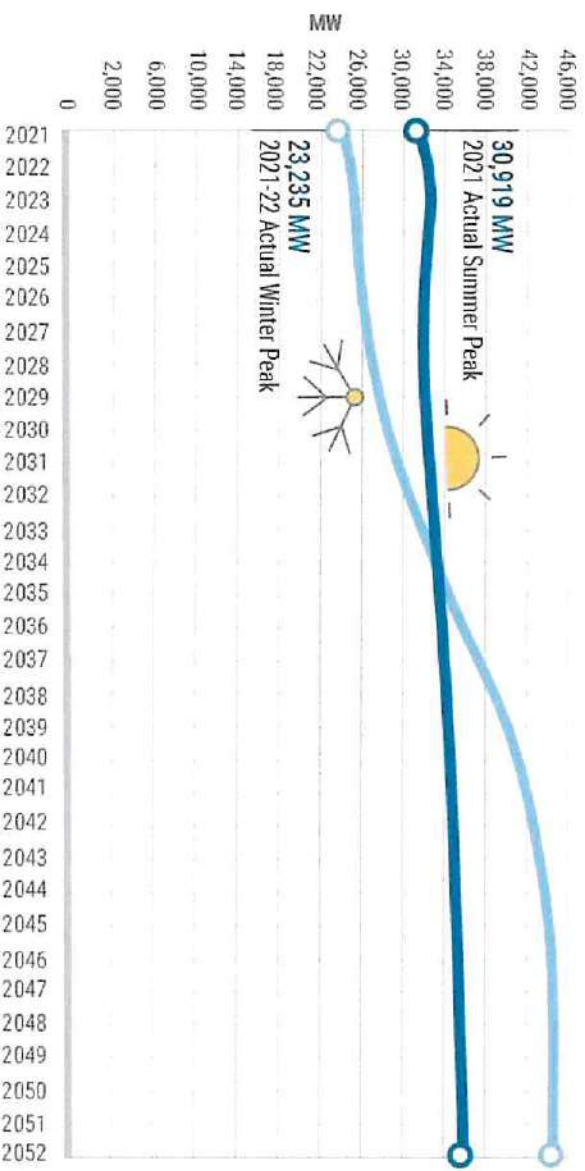
Transmission upgrades under construction will alleviate constraints to deliver more clean energy from upstate resources to downstate consumers



Demand Trends: Peak Demand Forecast

- The NYISO winter and summer peak load forecasts suggest that electrification will drive a shift in NY from a summer-peaking system to a winter-peaking system.
- The timing and degree of this shift will be influenced by EV and heat pump technology adoption.

Electric Summer & Winter Peak Demand: 2021-2052

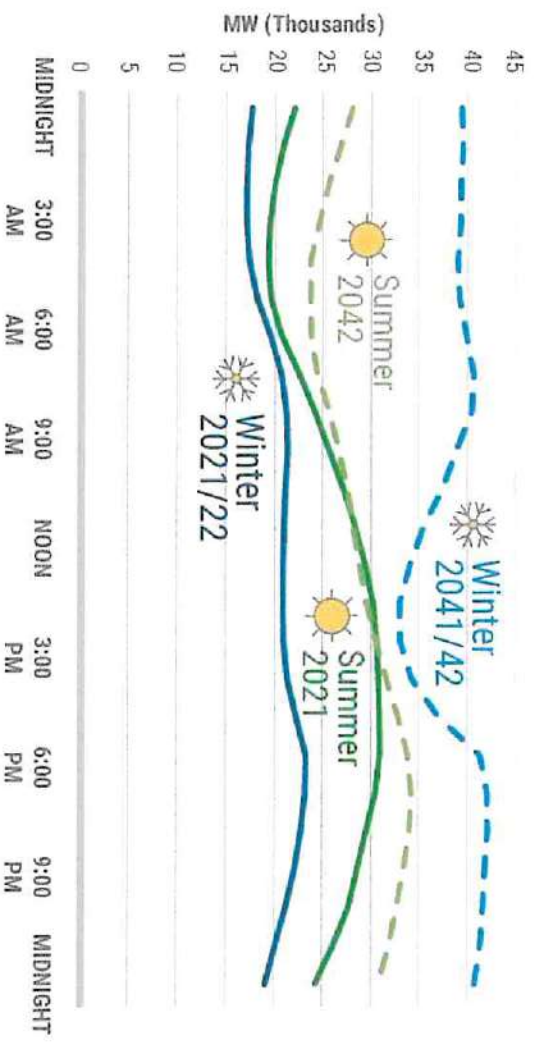


High-Demand Patterns: Current & Forecast

Load shapes for high-demand days are expected to shift in the future.

- Electrification will lead to increased overall demand
- BTM solar resources will likely push peak demand to later in the day

Actual & Projected Hourly Demand: Winter-Summer



Generation Investment Required To Reliably Meet the CLCPA

2023
37.4 GW
today



- Existing generating capacity

2030
20 MW
of new renewables
needed



- 20 GW of new generation must be in service in 7 years to meet 70% renewable by 2030

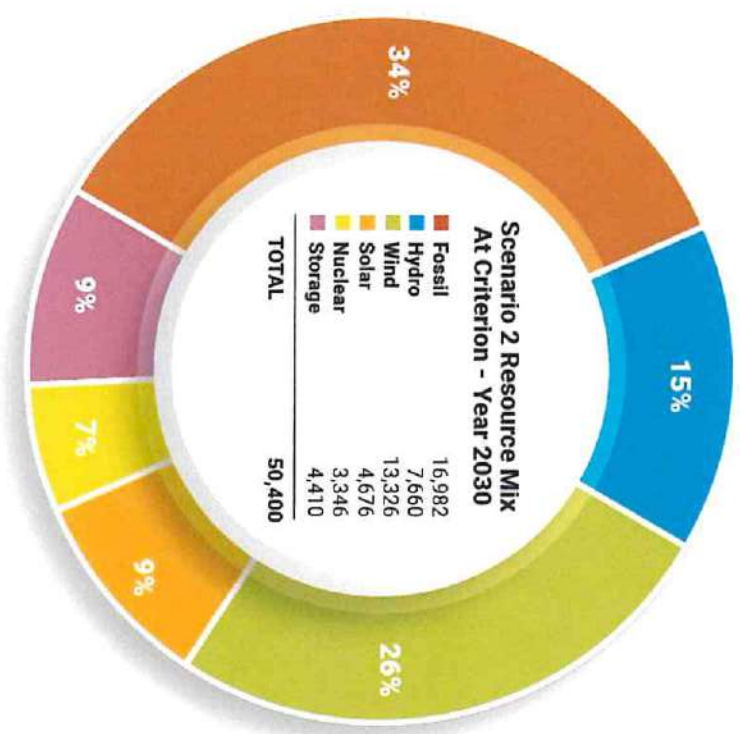
2040
111-124 GW
needed



- 95 GW of new or modified generation must be in service
- 3X increase from today

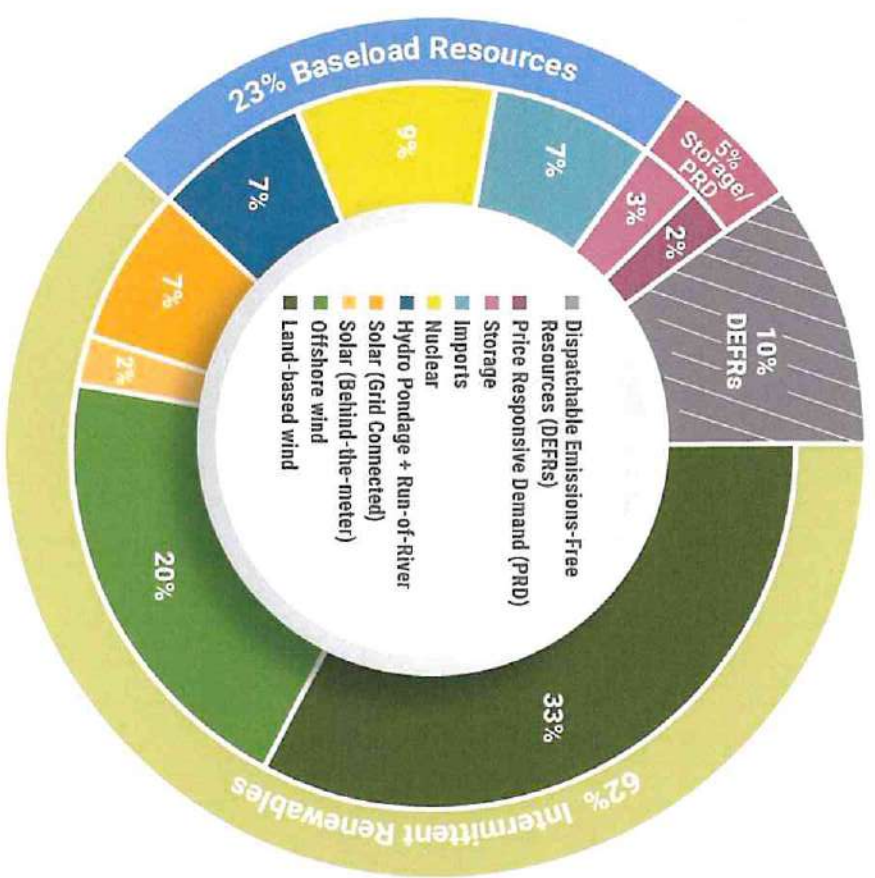
2030 Resource Mix

- The Policy Scenario shows that approximately 17,000 MW of existing fossil generation must be retained to have an adequate system in 2030.
- With high penetration of renewable intermittent resources, dispatchable emissions-free resources (DEFRRs) will be needed beyond 2030 to balance intermittent supply with demand.



2040 Resource Mix

Projected
CLCPA Winter
2040 Energy
Production by
Resource Type



Next Steps

- **We will continue to assess the reliability of the grid through the quarterly Short-Term Assessment of Reliability (STAR)**
- **Thinning reliability margins require the NYISO to closely track changes and assumptions in future demand forecasts.**
- **Our Comprehensive Reliability Plan (CRP) is due in the fall.**

Download the Fact Sheet



Open built-in camera on your phone or device. Point the camera at the QR code. Tap the banner that appears on your Android phone or tablet.

2022 Reliability Needs Assessment (RNA) Report Highlights Risks to Future Reliability

The 2022 RNA finds that changing reliability margins over the next decade present increased challenges to reliability, depending on new generation and transmission projects as well as changes in energy demand, policy driver, and extreme weather.

Key Takeaways

- New York City faces the greatest risk from historic generation and transmission reliability margins projected at past 30 NY in 2025
- New York City Reliability margins 50 MW in 2025
- The Champlain Hudson Power Express (CHPE) bringing clean power from Hydro Quebec to NYC is proposed to come on line in 2025. If CHPE is delayed, the absence of this resource could result in risks to reliability by 2025.
- Extreme events such as hurricanes could make up for shortages and result in deficiencies to serve demand statewide, especially in New York City. This outlook could improve as more resources and transmission are added. Key get-start is currently planned.

Mitigating & Resolving Risks

- The wholesale electricity market administered by the NYISO is supported by the transmission and generation resources and operational practices and operational practices of resources that assist in maintaining reliability.
- Potential risks identified in the analysis may be resolved by:

- Expected new capacity resources coming into service on schedule.
- Construction of additional transmission systems on schedule.
- Increased state of readiness and programs that reduce demand when needed.

Reliability margining New York system guidelines under emergency conditions since 1999

New York ISO

Reliability Risk Scenarios

2023 Reliability margining New York system guidelines under emergency conditions since 1999

2025 Potential weather peak scenarios

2028 - 2029 Gas shortages and extreme weather scenarios. Reliability margins during winter 2028 and 2029 by peak scenario

2031 - 2032 Gas shortages and extreme weather scenarios. Reliability margins during winter 2031 and 2032 by peak scenario

Thinning Margins

As New York's system becomes more diverse, the reliability margins could become thinner, leading to potential reliability risks, including:

- Days are reported that generation and transmission capacity is insufficient to meet demand.
- Extreme weather and higher than expected demand.
- High priced energy and higher than expected demand.
- Gas pipeline shortages that could result in reliability margins being lower than needed to meet demand.

Get the Full Report

Download the 2022-2022 Reliability Needs Assessment (RNA) Report. The report provides a detailed analysis of the system's reliability needs and the actions that need to be taken to ensure reliability. The report is available in both English and Spanish.

New York ISO

Thank You

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3.15.23 Advocacy Alert: Legislature Plants Budget Flag

The State Senate and Assembly Majorities released their one-house budget proposals. Although the proposals are not yet law, they give a clear indication of how negotiations will go before the April 1 budget deadline.

Top insights:

Climate Issues

- **Gas Ban.** Both the Senate and Assembly propose taking the Governor's natural gas ban even further, mandating that new buildings SEVEN stories or less be electric-powered in 2025, and buildings above seven stories by 2028. The Governor's proposal initially applied to buildings three stories or less. These proposals represent support in the Legislature for banning natural gas, despite a majority of New Yorkers and 71% of upstate residents opposing it. The Legislature's proposal is even more aggressive, making the ban apply to more buildings sooner.
- **Cap and Invest.** The Governor proposed capping statewide carbon emissions, then requiring employers to bid on "emissions allowances." The Senate clarifies some of the details that were missing from the Governor's proposal, including clarifications on how the revenue from emissions allowance auctions will be distributed. The Assembly omitted this proposal from their budget, although some form of this proposal remains likely this year.
- **Extended Producer Responsibility.** This concept would force producers of recycled products to pay for the recycling of those products. The Senate rejected the Governor's EPR proposal in favor of their own language, which is considered significantly more aggressive. The Assembly omitted this issue from its proposal, indicating a desire to address it after budget season. Although this issue may not ultimately be settled within the budget, we expect the state to enact some form of EPR before the legislative session ends in June.
- **Building Public Renewables.** Whereas the Governor's budget proposal simply authorized NYPA to build renewable energy generation facilities, the Senate proposed requiring NYPA to build enough renewable energy to power all state-owned campuses/facilities by 2040. The Assembly wants to scrap the Governor's proposal, but said it remains committed to passing something on this topic. This battle comes down to authorization vs. obligation, but NYPA will be entering the renewable energy market in some way.
- **Climate Superfund.** Governor Hochul did not include this concept in her proposal, but the Senate added budget language creating a "Climate Change Superfund," which would levy financial penalties against emitters of greenhouse gases and use the funds for climate-related investments. The Assembly did not mention this issue. The BNP will track this closely over the next two weeks.

Healthcare Issues

- **Pay and Pursue.** Neither the Senate nor Assembly supported the Governor's proposed reforms to the health insurance payment process, indicating the issue is likely dead this year.
- **NYRx Pharmacy Benefits.** The Senate proposed halting the planned change in Medicaid pharmacy benefits set to take place April 1. Under the Senate's proposal, 340b providers would have to use a fee-for-service preferred drug list in developing their formulary, but would still retain the benefits of 340b drug pricing. The Assembly proposed delaying the transition three more years.
- **Medicaid rate increases.** Whereas Hochul proposed a 5% increase in Medicaid reimbursement rates for hospitals, nursing homes, and other providers, the Senate and Assembly proposed 10% increases.

Housing

- **Zoning Mandates.** A central theme of the Governor's proposal was to require municipalities to increase housing options through zoning reforms, under the threat of the state overruling towns that grew insufficiently. The Legislature took a different approach, offering financial incentives to towns that achieve growth goals.
- **Rental Assistance.** The Senate added increased funds toward the Emergency Rental Assistance Program, which prevents evictions and keeps landlords whole.
- **Good Cause Eviction.** The legislation was absent from the Executive and Assembly budgets, but the Senate stated that it "supports advancing tenant protections that align with the core principles of Good Cause Eviction." GCE is unlikely to be addressed in this budget, but the Senate's note of support indicates willingness to pursue that legislation.
- **Brownfield Application Fee.** As part of last year's 10-year extension of the Brownfield Cleanup Program, the state added a costly \$50,000 application fee. Neither house addressed the issue in its budget, indicating the fee is likely to remain this year.

Business Issues

- **Minimum Wage.** Building upon the Governor's proposal to index the minimum wage to inflation, the Senate proposed increasing the minimum wage before that indexing happens. The Assembly did not endorse the Governor's proposal, but indicated desire to index the minimum wage. Although neither proposal specified an exact increase, a popular bill in the Senate would raise it to \$21.25 by 2026, and then begin indexing. The Assembly also called for a return to one statewide wage, as opposed to the current system that accounts for regional economic differences.
- **Unemployment Insurance.** Both houses floated the idea of bonding the UI Trust Fund debt to alleviate the burden from employers, with the Assembly calling for \$2 billion in bonding authority. While the attention is better than the Governor's omission on the issue, a direct state investment is preferred, and approval of bonding authority in this budget is uncertain. The Assembly also called on the federal government, which sent New York \$13 billion under the American Rescue Plan, to help relieve the debt – which most observers agree will not happen.
- **Start Ups.** Both houses rejected Hochul's proposal to replace Start-Up NY with the "EPIC" program, which would require collaboration between startups and universities.
- **Clean Slate.** This reform would automatically seal the criminal records of individuals who finished their sentences, meaning employers would not be able to check criminal histories of applicants. The Senate included this proposal in its budget, so it remains one to watch over the next three months.

Education

- **SUNY Tuition Increases.** The Senate rejected the Governor's proposal to increase tuition at SUNY schools; the Assembly offered heightened operating aid to SUNYs in lieu of a tuition increase.
- **TAP Increases.** Both houses called for increasing the \$80,000 income ceiling to qualify for the Tuition Assistance Program: \$100,000 in the Assembly; \$110,000 in the Senate.

Legislators will spend the next two weeks negotiating each of these issues, with the final budget due April 1. The BNP will continue to communicate with lawmakers about the needs of our regional economy, and will inform members of the final budget's contents.



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Sandy Andrews <sandy.cattco@gmail.com>

Fwd: IDA Tax Abatements Lead to More Money for Albany Schools, Not Less

1 message

Corey <corey.cattco@gmail.com>

Thu, Feb 23, 2023 at 4:36 PM

To: Sandy Andrews <sandy.cattco@gmail.com>

Plz print 20 copies of email

Corey R. Wiktor
Executive Director
County of Cattaraugus IDA
Office: (716) 699-2005
Cell: (716) 491-3988

Subject: IDA Tax Abatements Lead to More Money for Albany Schools, Not Less

Please see the article below. Couldn't say it better – Leave Economic Development Decisions to Locally Appointed Boards and their Professionals.

Commentary: IDA tax abatements lead to more money for Albany schools, not less

Darius Shahinfar

Times Union

February 22, 2023

Stopping local corporate welfare is right, just and necessary. That seems to be the idea behind proposed legislation that would prohibit local state Industrial Development Agencies from abating school taxes. But as a City of Albany IDA Board member, and as the Albany city treasurer who collects development revenue on behalf of the Albany City School District, I can state that this proposal is bad for our schools and Albany as a whole, and is relying on incomplete information to make its case.

A recent Times Union article stated that according to a report from Good Jobs First, a Washington policy group that says it wants to increase transparency in economic development, the Albany City School District "lost" an estimated \$7.8 million because of IDA-based tax exemptions. This is misleading: Yes, there are \$7.8 million in IDA school tax exemptions. But in 2022, \$7.37 million of that "lost" revenue was recaptured in "payments in lieu of taxes" (PILOTs) for Albany schools.

Furthermore, without the IDA's tax abatements, that "lost" \$7.8 million would have only been \$1.06 million in school tax payments because the property was worth a lot less before it was developed. Subtract \$1.06 million from \$7.37 million and you'll see that the Albany City School District didn't "lose" \$7.8 million because of our IDA; it gained \$6.3 million because of it.

The reason the Albany IDA provides tax incentives for developers to build here is that New York state does not pay its full share in taxes or PILOTs for its tax-exempt property. Since that doesn't happen, taxes in the city are higher than in other cities and neighboring suburbs.

Because the property tax cost to development is so comparatively high in Albany, developers chose to build everywhere else other than Albany. Therefore, in order to incentivize development and increase our tax base and tax revenue in Albany, the IDA permits the taxes on newly developed (and much more valuable) properties to slowly rise over the course of years, starting by paying at least the full value of what the property was already paying in taxes.

Because of the Albany IDA's system, the city's development projects are almost never structured to pay less in taxes than they would have before the development, and every project always pays more in taxes than what the undeveloped property would have paid without the development. The truth is, without the Albany IDA, new development – leading to an increased tax base and revenues – would rarely, if ever, happen under current conditions.

Out of the more than 100 local IDAs in NYS, there may be bad actors that do not weigh a cost/benefit analysis to make sure they don't "lose" tax dollars to development. But Albany is absolutely not one of them.

This one-size fits-all proposal to stop IDA tax abatements for schools would do the exact opposite of its stated intent: It would cause Albany schools to lose future tax revenues. If we want to legislate changes to IDAs to help schools around our state, make all IDAs conduct their business like the City of Albany IDA, and all schools will reap the rewards.

Darius Shahinfar is the Albany city treasurer.



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'TimberHut' Breaks Into Market With Unique Cabins

By: Ben Quiggle | Published on: Feb 9, 2023 | Categories: Top Story | 0 comments



TimberHut is focused on producing turnkey units that fit the aesthetics of what a park owner is looking for.

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Started three years ago during the early part of the COVID pandemic, TimberHut, a company that designs, builds and customizes turnkey-ready cabins, is expecting more growth in 2023 as it sees a growing interest among park developers and owners.

Brooks Anderson, president of the firm, had previously been working as an artisan in the woodworking industry when he was approached by a lifelong friend about creating glamping units after his friend had struck out getting a UK firm to produce them.

TimberHut was born out of this, and its first customer purchased four dry glamping units.

"We figured everything out as we were doing it," Jim Dailey, vice president of business development, told WOODALLSCM.com. "We messed up a lot, but it also opened our eyes to the market and the fact that there is a significant need for the type of units we build."

Dailey said that the company realized very quickly that it didn't want to be in the custom cabin business. TimberHut initially had looked at the ski industry thinking it would provide a bit more of a commercial component along with high-volume purchases.

"We were trying to approach a number of ski resorts or resort entities that were interested in maybe trying to generate some revenue differently by creating some very nice, comfortable accommodations for people to remain on the mountain a little bit longer and spend a lot more money," he explained. "I still think it is a fabulous idea, but I think our timing was off because the resorts were coming off their off-season after COVID and didn't know what to expect. They wanted to first see if they could make any money in the year ahead."

TimberHut, realizing it needed to pivot, began digging around in the campground and RV park sectors and found some very positive energy from individuals that own multiple parks.

"We were only able to attend the Camp Jellystone symposium this last year, but that went very well for us," Dailey noted. "We had a 300-square-foot park model RV

at the show that is accredited by the RV Industry Association (RVIA) and it looks quite a bit different than a lot of the other park models that are available.

"There was a lot of intrigue and excitement around the unit at the show," he added.

While the company has two different models to choose from — the Journey (the company's park model RV) and Daytrip (a drop cabin) — Dailey was quick to point out that the company doesn't just pump out the same units over and over again. It works with clients to create a cabin that fits their needs.

"A customer from a park in the Adirondacks is looking for a different theme and feel than a park owner from the hill country of Texas and we take that into account when building our units," he said. "We go through a pretty significant onboarding process with our clients. We work with our design team and our AIA-certified architect to make sure that what we are able to provide them works for their park and works with the other structures that are already in employment at the park.

"Meaning, if they want to tie in an exterior aesthetic to what they've already got in practice, using our standard we can get it as close as we can to what they presently have so it doesn't look like a completely different section of the park," Dailey added.

He did note that sometimes park owners are interested in having a separate section of their park that includes these units. In that instance, TimberHut works with a park's owner to really get a feel for how they want the units to look.

"We do try to customize the units based on the client, based on the region and based on the temperament," Dailey said. "That customization comes in some of the materials that we use, interior and exterior, and really how we situate window placements...etc."

Dailey also highlighted the fact that its cabins can be used for other purposes, such as a kitchen.

"A lot of times people see a product and think there is only one thing they can use it for, but there are a number of different applications people could use our cabins for," he explained. "We've had a person reach out to us and say they own land, they want people to come and stay on their land and tent camp. But this guy





TimberHut says it utilizes higher-end building materials, like Anderson windows, to make the units as maintenance-free as possible.

happens to be a gourmet chef, so he wants a 30-foot-long gourmet kitchen in a cabin that he could drop the sides down and lock up when he leaves.

“There are a lot of different applications for these cabins,” Dailey added.

“Sometimes, it just takes a different perspective to think about how a person may be able to utilize these units at their park.”

The cabins are also designed to be a turnkey product, including decking out each cabin with all the amenities a park owner will need to start renting out a unit as quickly as possible if an owner so desires.

“We want our customers to be able to start renting out a unit within a day or two of receipt,” Dailey mentioned.

Each unit is stick built and Dailey noted that TimberHut utilizes high-end materials — like Anderson 400 Series A windows — to create more value and ensure that the units are maintenance-free.

“We’re sourcing all of our trim work and all of our custom cabinetry locally, and we use a two-and-a-half-inch standing seam metal roof,” he said.

Each unit is produced in New York and Dailey noted that as the company grows it has access to even more manufacturing space. He also highlighted that the company has been insulated to some degree from supply chain issues due to its ability to source materials locally.

"Windows and doors tend to be the one thing that we end up waiting on," Dailey said.

Looking forward, Dailey said he expects the company to continue growing as it expands its manufacturing space. By November the company hopes to have the capacity in place to produce 500 units a year.

"We've also had a few conversations with some clients based on our regional location and their regional intention of where they want things to go and we have the capacity to open up other facilities," he said. "Probably more westward based on our internal structure and our recipe for scale."

Looking at potential hurdles the company faces, Dailey noted that the higher costs of the units TimberHut produces is something that is a challenge as it tries to break into the market.

"If an entity is looking at, 'My comfort level is spending \$120,000 on park models because that's what I get from the other guys,' we are going to be more than that," he said. "And what we hope is that in everything that I've mentioned — the materials that we use, the process that we employ, the artisan level craftsmanship — we're hoping that those things do prove valuable to some of those campground owners and that there is a value for them in working with TimberHut.

"We're all working with the same rectangular box, it's 400 square feet," Dailey added. "But we're trying to provide them a different opportunity in many cases. Maybe even allowing them to offer something at a higher price point to benefit them as well."

To learn more about TimberHut, [click here](#).



TimberHut Cabin Company Explodes into Nationwide Market

Hospitality-Bound Cabins Bring
Luxury to the Remote Campsite

LocalEllicottville

Mar 9 Written By Mary Heyl

Marble counters with waterfall edges, hardwood flooring, and acoustic panels for noise control... If you think these features can't be found in accommodations at a remote campsite, then you don't know TimberHut Cabin Company. Founder and CEO Brooks Anderson is excited to share his three-year-old company's newest hospitality-bound cabin models, which are currently being installed at properties throughout the United States.

"We've now been credited as a producer of park-model RVs, which allows us to put our product on anything from a campground to a destination resort to any place that requires a certain standard for guest accommodations," said Anderson. "Our design and production of these hospitality-bound cabins that we're building has sort of exploded, and we're not seeing an end to it right now!"

TimberHut Cabin Company began with just a handful of employees making designer glamping units of approximately 144 square feet suitable for everything from a day on the slopes to a day at the beach. The response to these artisan-quality units was immediate, and TimberHut quickly outgrew its original Buffalo location and moved to a much larger site on Route 219 in Great Valley in 2021. At that time, Anderson hoped to hire five people and eventually have around 10 employees. Now, TimberHut is a team of more than a dozen employees, including eight builders led by Randy Wisler, AIA (American Institute of Architects) Architect Ken Klapper, Director of Commercial Projects Jim Dailey, Business and Purchasing Manager Mychelle McNeil-Wedvik, and Tom Kiddoo, southwest representative, builder, and site consultant.



Since receiving their accreditation to manufacture park-model RVs, TimberHut has been able to standardize building methods and expand into a new market. "Because the RV Industry Association (RVIA) is a much bigger governing body, this opens us up to building for a KOA all the way to a five-star destination," Anderson explained. "That whole industry, which we used to think of as just glamping, has now really taken on a new meaning. There are many different players who are either

building or acquiring new properties at a quick clip. Our goal is to find a number of those who we want to grow with us.”

TimberHut’s newest models include the Journey Model, a park model RV sized at 300 to 400 square feet and built on a trailer chassis, as well as the DayTrip Model, an accessory dwelling unit (ADU) sized at 80 to 200 square feet that sits directly on the ground. All cabins are built to last with 35-year weatherproof siding, top-quality windows and doors, and a standing seam metal roof. The possibilities are truly endless, for not only are these suitable for the glamping experience, but also for studios, cabanas, vendor kiosks, festival rentals, and so much more.



“Because we’re building in volume, we’re able to dedicate our design services for that customer,” said Anderson. “We design for their aesthetic, as well as the place where it’s going. A unit bound for Maine will be entirely different than one for a resort down in Florida or a location in the desert. Whether or

not it’s up on a trailer chassis or on a shed platform all depends on the property. The properties we sell to have different requirements based on their local codes and zoning laws, which we make it our priority to know and understand.”

Anderson’s goal for TimberHut is to build anywhere from five to 20 to 50 units at a time for any particular property to develop a dedicated customer base that knows their product, like their product, and appreciates their process. “Our first big order came from a resort out in Utah,” said Anderson. “We have 10 units being built right now. Two are on the way, and the rest will be going out in the next six weeks.” The order has been an important learning experience for Anderson and his team, who have been working out the logistics of transporting these units to remote locations on the other side of the country. To that end, Anderson works with Kiddoo in Colorado, who helps coordinate the west coast orders and installations.

While the west coast orders are keeping TimberHut busy, Anderson’s focus is also on producing out of the Great Valley facility for a radius of about 400 miles. This radius includes Maine, Michigan, and North Carolina, which are big markets, Anderson noted. “We are also beginning to fine tune our focus in the seasonal housing or institutional market,” he added. “A place like Ellicottville has limited options for housing seasonal employees or hospitality employees. We’re working to develop a program where we can put 10 or 20 units together that focus on low cost, very nice housing for these employees. This is a need that’s all across these hospitality-driven, destination resort towns.”

Coming from a marketing and business development background, Anderson is used to potential customers hanging up the phone or not even taking the call. However, that’s not been his experience at all with TimberHut! “What we’re finding in this is that if we target the right customers directly, they always pick up the phone. Everyone seems to be interested in our products and our novel approach to design and fabrication,” he noted. “Our products speak for themselves. Getting that initial call to action is a lot more efficient than in other industries. With our trajectory right now, we stand to be a nationally-recognized brand name in the next few years.”

Anderson is looking forward to “big things” that are coming very soon. “We are considering a major production relationship with a national commercial contractor to produce units regionally,” he said. “We’d still

do most of the research, development and prototyping locally but production likely will occur at a number of geographies next year.” TimberHut’s production capacity will grow from 50 to 75 units in 2023 to over 250 in 2024. He added, “There are a couple of high-profile projects in Chautauqua County that we, if all goes well, will be able to announce soon!” To learn more about TimberHut Cabin Company, visit www.timberhut.com or follow [TimberHut Cabin Company](#) on social media.

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○ CHRIS NAPOLEON, PRESIDENT



THE COMPANY

Napoleon Engineering Services (NES) is a custom manufacturer of high-performance specialty bearings and the largest bearing test and inspection facility in North America. Their products and services support aerospace, agriculture, heavy-duty truck and medical applications nationally and internationally. Customers include high-profile, recognizable companies, such as SKF, John Deere, Boeing and Moog.

THE CHALLENGE

A significant investment in plant and equipment was made based on the belief that the company could double sales over a four-year period. It was less clear which products, markets or customers offered the best opportunities to achieve that growth. Due to the complexity of that task, Insyte Consulting was engaged to develop a clear direction, priorities, and specific action plans to achieve the growth.

OUR SOLUTION

The company tracked sales to its 300 customers as one consolidated list, allocating attention to customers in proportion to their annual purchases. Insyte showed via detailed analysis that NES really had three distinctly different product businesses with different potentials for growth and profitability. The largest product businesses also contained several distinct customer categories with different potentials for growth.

The company's first action was to reconfigure its accounting system to separately track each of the three businesses. This permitted better tracking of relevant costs for more accurate price quotations. Customers within each business were grouped into application categories and prioritized by sales potential. The result was a prioritized 80-20 list for the 300 customers. NES could now focus its attention on an easily-managed short list of applications, customers and products offering the highest potential for growth and profitability. To facilitate that highly-focused sales effort, Insyte developed the sales messaging and website content that would appeal to targeted customers and applications. Finally a prioritized list of sales activity action plans was developed to focus the sales efforts where they would have the greatest long-term impact.

OUR RESULTS

1



Doubled annual sales in just three years.

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Five myths about green energy

By Robert Bryce

Sunday, April 25, 2010; B04

Americans are being inundated with claims about renewable and alternative energy. Advocates for these technologies say that if we jettison fossil fuels, we'll breathe easier, stop global warming and revolutionize our economy. Yes, "green" energy has great emotional and political appeal. But before we wrap all our hopes -- and subsidies -- in it, let's take a hard look at some common misconceptions about what "green" means.

1. Solar and wind power are the greenest of them all.

Unfortunately, solar and wind technologies require huge amounts of land to deliver relatively small amounts of energy, disrupting natural habitats. Even an aging natural gas well producing 60,000 cubic feet per day generates more than 20 times the watts per square meter of a wind turbine. A nuclear power plant cranks out about 56 watts per square meter, eight times as much as is derived from solar photovoltaic installations. The real estate that wind and solar energy demand led the Nature Conservancy to issue a report last year critical of "[energy sprawl](#)," including tens of thousands of miles of high-voltage transmission lines needed to carry electricity from wind and solar installations to distant cities.

Nor does wind energy substantially reduce CO2 emissions. Since the wind doesn't always blow, utilities must use gas- or coal-fired generators to offset wind's unreliability. The result is minimal -- or no -- carbon dioxide reduction.

Denmark, the poster child for wind energy boosters, more than doubled its production of wind energy between 1999 and 2007. Yet data from [Energinet.dk](#), the operator of Denmark's natural gas and electricity grids, show that carbon dioxide emissions from electricity generation in 2007 were at about the same level as they were back in 1990, before the country began its frenzied construction of turbines. Denmark has done a good job of keeping its overall carbon dioxide emissions flat, but that is in large part because of near-zero population growth and exorbitant energy taxes, not wind energy. And through 2017, the Danes foresee no decrease in carbon dioxide emissions from electricity generation.

2. Going green will reduce our dependence on imports from unsavory regimes.

In the new green economy, batteries are not included. Neither are many of the "rare earth" elements that are essential ingredients in most alternative energy technologies. Instead of relying on the diversity of the global oil market -- about 20 countries each produce at least 1 million barrels of crude per day -- the United States will be increasingly reliant on just one supplier, China, for elements known as lanthanides. Lanthanum, neodymium, dysprosium and other rare earth elements are used in products from high-capacity batteries and hybrid-electric vehicles to wind turbines and oil refinery catalysts.

China controls between 95 and 100 percent of the global market in these elements. And the Chinese government is reducing its exports of lanthanides to ensure an adequate supply for its domestic manufacturers. Politicians love to demonize oil-exporting countries such as Saudi Arabia and Iran, but adopting the technologies needed to drastically cut U.S. oil consumption will dramatically increase America's dependence on China.

3. A green American economy will create green American jobs.

In a global market, American wind turbine manufacturers face the same problem as American shoe manufacturers: high domestic labor costs. If U.S. companies want to make turbines, they will have to compete with China, which not only controls the market for neodymium, a critical ingredient in turbine magnets, but has access to very cheap employees.

The Chinese have also signaled their willingness to lose money on solar panels in order to gain market share. [China's share of the world's solar module business](#) has grown from about 7 percent in 2005 to about 25 percent

in 2009.

Meanwhile, the very concept of a green job is not well defined. Is a job still green if it's created not by the market, but by subsidy or mandate? Consider the claims being made by the subsidy-dependent corn ethanol industry. Growth Energy, an industry lobby group, says increasing the percentage of ethanol blended into the U.S. gasoline supply [would create 136,000 jobs](#). But an analysis by the Environmental Working Group found that [no more than 27,000 jobs](#) would be created, and each one could cost taxpayers as much as \$446,000 per year. Sure, the government can create more green jobs. But at what cost?

4. Electric cars will substantially reduce demand for oil.

[Nissan](#) and Tesla are just two of the manufacturers that are increasing production of all-electric cars. But in the electric car's century-long history, failure tailgates failure. In 1911, the New York Times declared that the electric car "has long been recognized as the ideal" because it "is cleaner and quieter" and "much more economical" than its gasoline-fueled cousins. But the same unreliability of electric car batteries that flummoxed Thomas Edison persists today.

Those who believe that Detroit unplugged the electric car are mistaken. Electric cars haven't been sidelined by a cabal to sell internal combustion engines or a lack of political will, but by physics and math. Gasoline contains about 80 times as much energy, by weight, as the best lithium-ion battery. Sure, the electric motor is more efficient than the internal combustion engine, but can we depend on batteries that are notoriously finicky, short-lived and take hours to recharge? Speaking of recharging, last June, the Government Accountability Office reported that about 40 percent of consumers do not have access to an outlet near their vehicle at home. The electric car is the next big thing -- and it always will be.

5. The United States lags behind other rich countries in going green.

Over the past three decades, the United States has improved its energy efficiency as much as or more than other developed countries. According to data from the Energy Information Administration, average per capita energy consumption in the United States fell by 2.5 percent from 1980 through 2006. That reduction was greater than in any other developed country except Switzerland and Denmark, and the United States achieved it without participating in the Kyoto Protocol or creating an emissions trading system like the one employed in Europe. EIA data also show that the United States has been among the best at reducing the amount of carbon dioxide emitted per \$1 of GDP and the amount of energy consumed per \$1 of GDP.

America's move toward a more service-based economy that is less dependent on heavy industry and manufacturing is driving this improvement. In addition, the proliferation of computer chips in everything from automobiles to programmable thermostats is wringing more useful work out of each unit of energy consumed. The United States will continue going green by simply allowing engineers and entrepreneurs to do what they do best: make products that are faster, cheaper and more efficient than the ones they made the year before.

Robert Bryce is a senior fellow at the Manhattan Institute. His fourth book, "Power Hungry: The Myths of 'Green' Energy and the Real Fuels of the Future," will be out Tuesday, April 27.

Want to challenge everything you think you know? Visit the ["Five Myths" archive](#).

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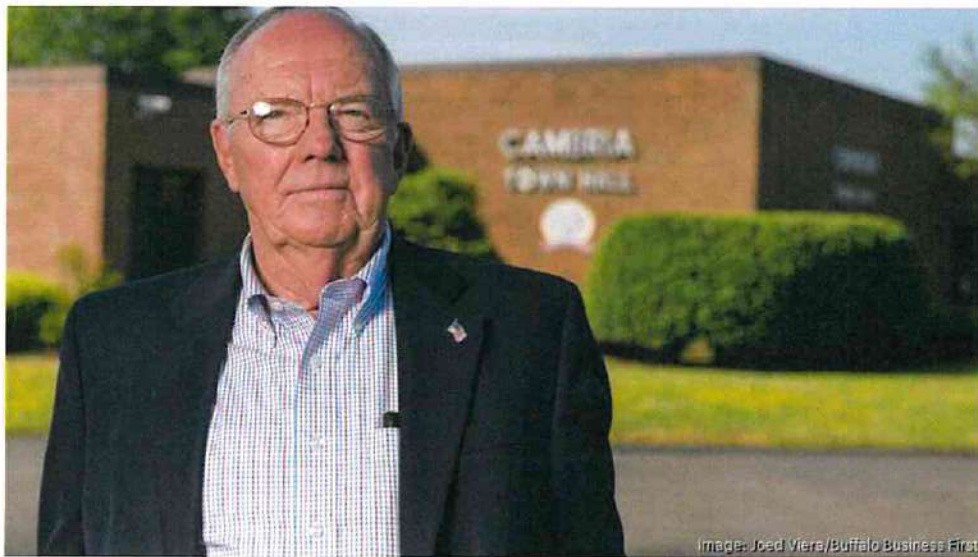
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Proposed Niagara County solar project pits state energy goals against local laws

Mar 6, 2023, 11:00am EST



Joed Viera

Wright Ellis, Cambria town supervisor at Town Hall.

A recent ruling has curtailed the acreage for a proposed Niagara County solar farm but dismissed most of the other concerns from local governments that oppose the project. Neither side is happy about the decision, and both have appealed.

The 900-acre Bear Ridge Solar project's long path toward approval has highlighted the tension between the state's embrace of large green energy projects and municipal governments' desire to call the shots on developments within their borders.

Cypress Creek Renewables, based in North Carolina, first proposed the project in Cambria and Pendleton in 2017.

In October, the state issued a draft permit, overruling several aspects of Cambria and Pendleton's solar laws.

"They were completely overriding the town laws," said Cambria Town Supervisor Wright Ellis.

The permit would allow Cypress Creek to build solar panels 50 feet from adjoining properties, instead of the 600 feet required by the town code. It allows the panels to be built in areas where the town does not allow solar farms and with a less-detailed decommissioning plan than required by the town.

Many Cambria residents oppose the project, and about 350 homes would be "directly impacted" by the construction of solar panels near their property, Ellis said.

New York's Climate Leadership and Community Protection Act, passed in 2019, requires the state to transition to 70% renewable energy by 2030. Hitting that target will require a rapid and massive upscaling of renewable energy projects.

The Bear Ridge farm would generate about 100 megawatts of electricity, enough to power more than 15,000 homes.

The Office of Renewable Energy Siting has the authority to override local laws and ordinances that pertain to these projects if it deems those laws "unreasonably burdensome in view of the CLCPA targets and the environmental benefits of the proposed facility," according to state law. However, municipalities are allowed to challenge a draft permit before it is finalized.

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In a Feb. 21 ruling, ORES administrative law judges John Favreau and Molly McBride dismissed most of Cambria and Pendleton's concerns, saying the towns' solar laws were unreasonably restrictive. However, the ruling did include one victory for Cambria.

The project includes 122 acres on a specially zoned planned unit development district meant for "shovel-ready" high-tech projects. The zone was created in 2011, and solar generation is excluded as a permitted use, the Lockport Union-Sun & Journal reported.

The ruling agreed with the town that the solar farm is not an allowable use in the zone. The decision means the project cannot use those 122 acres, which will reduce its electricity output by an estimated 12 megawatts.

Both Cypress Creek and the town of Cambria have appealed different parts of the ruling. The developer argues it should be granted a waiver that would allow construction within the planned unit development, while the town argues it should be granted a hearing for its other concerns about the project.

A spokesperson for Cypress Creek declined to comment while the appeal was pending.

Ellis said he doesn't expect the town's appeal to be granted. Several other municipalities have tried to reverse ORES decisions without success, he said.

"I would be very surprised if that came through," he said.




Jacob Tierney

Reporter - *Buffalo Business First*

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