

Chenango County Industrial Development Agency

15 South Broad Street
Norwich, New York 13815
607-334-1400

Date: September 15, 2021

From: Brian Burton

To: Jeff Blanchard
Randy Gibbon, P.E.
Michael Khoury
Pete Raymond
Martha Ryan
Taylor Zieno
George Seneck
Kevin Pole

The Evening Sun
Shane Butler, Planning Department

Subject: CCIDA Board of Directors Meeting

The September CCIDA Board meeting will begin at 8:00 a.m. on **Wednesday, September 15th, 2021** at the Commerce Chenango Office, 15 South Broad Street, Norwich NY.

Facemasks are required for all attendees, regardless of vaccination status. Required health & safety guidelines will be followed by all attendees. If you are unable to wear a facemask, you are welcome to view the meeting via the Chenango IDA YouTube channel and the meeting will be streamed live.

All Board members are asked to be present for this meeting; if a board member cannot attend in person due to health reasons, a call-in number will be provided in advance.

Please RSVP at your earliest convenience by e-mail at kaconnor@chenangony.org and if you have any questions, you may contact us at 607-334-5532.

Thank you.

**Chenango County IDA Board
 Regular Meeting Agenda
 September 15, 2021 | 8:00 a.m.
 Commerce Chenango, Community Room**



- I. Roll Call
- II. Approval of Minutes
 - a. August 18, 2021 Regular Meeting Minutes
- III. Financial Report
 - a. August 31, 2021 Financial Statements
- IV. Bills & Invoices

| | |
|---|-------------------|
| Commerce Chenango: <i>Copies, Postage, BST Services</i> | \$ 319.67 |
| Coughlin & Gerhart, LLP: <i>Railroad Project Legal Fees</i> | \$ 1250.00 |
| Lt. Warren E. Eaton Airport: <i>Airport Lease</i> | \$ 740.00 |
| NYSEG: <i>Airport Utilities</i> | \$ 466.90 |
| Total: | \$ 2776.57 |

- V. Old Business
 - a. Railroad:
 - i. Update: Expedition Chenango
 - 1. Insurance, next steps, Spring 2022 start
 - ii. FEMA Update
 - iii. DOT Permanent Easement, Greene, NY
 - 1. Paperwork submitted back to DOT
 - iv. Raymond Paving Project
 - 1. Easement agreement with Raymond, NYS&W and CCIDA
 - b. Solar Projects
 - i. Norbut Solar
 - 1. Public Hearing: September 13, 2021
 - 2. Approval of Inducement Resolution, and Leaseback Agreement
 - ii. Nexus Renewables
 - c. CCIDA Incubator Building: Lease Agreement
 - d. PILOT Application: High Bridge Wind Project, Guilford NY
 - i. Letter from Guilford Coalition of Non-Participating Residents
 - ii. Discussion: Next Steps and Public Hearing
- VI. New Business
 - a. None
- VII. Executive Session
 - a. Legal matters related to negotiations
- VIII. Adjournment

Chenango County IDA
Board Meeting Minutes
August 18, 2021 | 8:00 a.m.



Present: J. Blanchard; B. Burton; R. Gibbon; M. Khoury; M. Ryan; T. Zieno

Staff: K. Green; R. Backus

Absent: P. Raymond

Guest: S. Butler; C. Stanton & Legal Counsel

1. Board Chair B. Burton called the meeting to order at 8:00 a.m.
2. Upon review, motion to approve the July 21, 2021 Regular Meeting Minutes made by R. Gibbon, seconded by M. Khoury. Ayes all, approved.
3. C. Stanton of High Bridge Wind presented information reviewing their PILOT application and proposed wind project for the town of Guilford. Information shared included number of jobs estimated to be created, local resources needed for the project, estimated payments to landowners, a proposed Host Community Agreement with the town of Guilford, greenhouse gas reduction, and cost per megawatt.
4. K. Green discussed the July 31, 2021 Financial Statements.
 - a. Information reviewed included account receivables, financing a lease for the Cascun Property, total revenue from PILOT projects for the IDA, and legal expenses.
 - b. Motion to approve the July 31, 2021 Financial Statements made by R. Gibbon, seconded by T. Zieno. Ayes all, approved.
5. Bills & Invoices were reviewed.
 - a. Motion to approve the Bills & Invoices made by R. Gibbon, seconded by M. Khoury. Ayes all, approved.
6. Old Business
 - a. K. Green plans to meet with legal counsel as well as representatives from the Expedition Chenango project.
 - b. FEMA received the last document they need from the IDA, the IDA is now waiting on review of their file.
 - c. DOT Permanent Easement has been submitted.
 - d. A public hearing for Norbut Solar is expected to take place soon, pending conversation with IDA's legal counsel.
 - e. A lease agreement has been signed for the IDA's Incubator Building.
7. New Business
 - a. T. Zieno will be leaving the IDA due to a change in residency. Therefore, there is a pending vacancy on the board. Potential candidates will be reviewed and discussed at a future meeting.
8. Motion to move into Executive Session at 8:35 a.m. made by M. Khoury, seconded by R. Gibbon. Ayes all, approved.

9. Motion to leave Executive Session at 9:18 a.m. made by M. Khoury, seconded by R. Gibbon. Ayes all, approved.
10. Motion to adjourn the meeting at 9:19 a.m. made by M. Khoury, seconded by T. Zieno. Ayes all, approved.

Respectfully Submitted,

Rachael Backus

Rachael Backus
Board Recorder

County of Chenango IDA
Statement of Financial Position
August 31, 2021

| | Note | August 31, 2021 | December 31, 2020 |
|---|--------|------------------------|------------------------|
| ASSETS | | | |
| Current Assets | | | |
| Checking #6274 | \$ | 63,069.71 | \$ 302.89 |
| Money Market #2574 | | 688,037.58 | 701,458.92 |
| RR Project Checking #6598 | | - | - |
| Accounts Receivable | (1) | 3,375.63 | - |
| Financing Lease | (2) | 29,900.01 | 34,188.98 |
| Prepaid Expense | (3) | 4,423.78 | 4,498.10 |
| Total Current Assets | | 788,806.71 | 740,448.89 |
| Property and Equipment | | | |
| Land - Industrial Parks | | 238,000.00 | 238,000.00 |
| Building - Industrial Parks | | 683,505.63 | 683,505.63 |
| Improvements - Buildings | | 240,401.40 | 240,401.40 |
| Improvements-Property Devel. | | 60,841.40 | 60,841.40 |
| Less: Accumulated Depreciation | (4) | (594,876.37) | (568,192.61) |
| Total Property and Equipment | | 627,872.06 | 654,555.82 |
| Total Assets | | \$ 1,416,678.77 | \$ 1,395,004.71 |
| LIABILITIES AND FUND BALANCE | | | |
| Current Liabilities | | | |
| Accounts Payable | (5) \$ | 2,456.90 | \$ 2,050.32 |
| Prepaid Rental Income | (6) \$ | 7,300.00 | - |
| Total Current Liabilities | | 9,756.90 | 2,050.32 |
| Long-Term Liabilities | | | |
| Total Liabilities | | 9,756.90 | 2,050.32 |
| Fund Balance | | | |
| Fund Balance | | 1,361,907.34 | 1,458,983.68 |
| Net Activity | | 45,014.53 | (66,029.29) |
| Total Fund Balance | | 1,406,921.87 | 1,392,954.39 |
| Total Liabilities & Fund Balance | | \$ 1,416,678.77 | \$ 1,395,004.71 |

Note

- (1) See Aged Receivable Listing
- (2) Cascun Financing Lease from Property for Sale/Lease
- (3) Prepaid Insurance as of 12/31/20
- (4) Recorded Annual Depreciation thru 12/31/20
- (5) See Aged Payables Listing
- (6) Pro-Tel Properties LLC Security Deposit

County of Chenango IDA
Aged Receivables
As of August 31, 2021

| Customer | 0-30 | 31-60 | 61-90 | Over 90 days | Amount Due |
|--|-----------------|-------|-------|--------------|-----------------|
| Norwich Chenango Solar, LLC | 3,375.63 | | | | 3,375.63 |
| ***Annual PILOT Fee for 2019/2020/2021 | | | | | - |
| | 3,375.63 | - | - | - | 3,375.63 |

County of Chenango IDA
Aged Payables
As of August 31, 2021

| Vendor | 0 - 30 | 31 - 60 | 61 - 90 | Over 90 days | Amount Due |
|---|-----------------|----------|----------|--------------|-----------------|
| Coughlin & Gerhart LLP | 1,250.00 | | | | 1,250.00 |
| Lt. Warren E. Eaton Airport-Chenango Co | 740.00 | | | | 740.00 |
| NYSEG | 466.90 | | | | 466.90 |
| | 2,456.90 | - | - | - | 2,456.90 |

County of Chenango IDA
Statement of Activities
As of August 31, 2021

| | Note | August 2021 | | August 2021 | | Year to Date | | Year to Date | | Better (Worse) | | 2021 | |
|--------------------------------|------|-------------|----------|-------------|------------|--------------|------------|--------------|-------------|----------------|------------|------------|------------|
| | | Actual | Budget | Actual | Budget | Actual | Budget | Budget | Budget | Budget | Budget | Budget | Budget |
| Revenues | | | | | | | | | | | | | |
| Airport Building Rent | (1) | \$ 3,840.00 | \$ - | \$ 3,840.00 | \$ - | \$ - | \$ - | \$ 3,840.00 | \$ 3,840.00 | \$ - | \$ - | \$ - | \$ - |
| Clark Park Rent | | 450.00 | 450.00 | 3,600.00 | 3,600.00 | 3,600.00 | 3,600.00 | - | - | 5,400.00 | 5,400.00 | 5,400.00 | 5,400.00 |
| On The Rail Processing Rent | | 406.52 | 406.52 | 3,252.16 | 3,252.16 | 3,252.16 | 3,252.16 | - | - | 4,878.24 | 4,878.24 | 4,878.24 | 4,878.24 |
| New Project Fees | | - | - | - | - | 2,500.00 | 2,500.00 | (2,500.00) | (2,500.00) | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| BID Tax Reimbursement | | - | - | 250.00 | 250.00 | 250.00 | 250.00 | - | - | 250.00 | 250.00 | 250.00 | 250.00 |
| PILOT/Project Fees | | - | - | - | - | - | - | - | - | - | - | - | - |
| NYS&W Project Fee | | - | - | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 | - | - | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 |
| Norwich Pharm Project Fees | | - | - | 14,000.00 | 14,000.00 | 14,000.00 | 14,000.00 | - | - | 14,000.00 | 14,000.00 | 14,000.00 | 14,000.00 |
| Norwich-Chenango Solar Project | (2) | - | - | 3,375.63 | 3,375.63 | 3,375.63 | 3,375.63 | 1,875.63 | 1,875.63 | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 |
| Puckett Solar Project | | - | - | 31,000.00 | 31,000.00 | 31,000.00 | 31,000.00 | (19,000.00) | (19,000.00) | 50,000.00 | 50,000.00 | 50,000.00 | 50,000.00 |
| Tiffany Solar Project | | - | - | 99,638.61 | 99,638.61 | 99,638.61 | 99,638.61 | 49,638.61 | 49,638.61 | 50,000.00 | 50,000.00 | 50,000.00 | 50,000.00 |
| Coventry Solar Project | | - | - | - | - | - | - | (25,000.00) | (25,000.00) | 25,000.00 | 25,000.00 | 25,000.00 | 25,000.00 |
| Other Income | | - | - | - | - | - | - | (2,500.00) | (2,500.00) | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| Interest Income | | 58.43 | 100.00 | 578.66 | 578.66 | 578.66 | 800.00 | (221.34) | (221.34) | 1,200.00 | 1,200.00 | 1,200.00 | 1,200.00 |
| Other Revenues | | | | | | | | | | | | | |
| Total Revenues | | 4,754.95 | 956.52 | 161,035.06 | 154,902.16 | 154,902.16 | 154,902.16 | 6,132.90 | 6,132.90 | 163,728.24 | 163,728.24 | 163,728.24 | 163,728.24 |
| Expenditures | | | | | | | | | | | | | |
| Economic Development | | 6,437.50 | 6,437.50 | 51,500.00 | 51,500.00 | 51,500.00 | 51,500.00 | - | - | 77,250.00 | 77,250.00 | 77,250.00 | 77,250.00 |
| Other Project Eco Dev Svc Fees | | - | - | - | - | - | - | 9,375.00 | 9,375.00 | 18,750.00 | 18,750.00 | 18,750.00 | 18,750.00 |
| RR Project Eco Dev Svc Fees | | 1,250.00 | - | 1,250.00 | 1,250.00 | 1,250.00 | 1,250.00 | - | - | 2,500.00 | 2,500.00 | 2,500.00 | 2,500.00 |
| Advertising & Marketing | | - | 416.67 | 3,091.75 | 3,091.75 | 3,333.36 | 3,333.36 | 241.61 | 241.61 | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| Office Supplies/Postage | | 47.67 | 48.33 | 508.34 | 508.34 | 386.64 | 386.64 | (121.70) | (121.70) | 580.00 | 580.00 | 580.00 | 580.00 |
| Software & Equipment | | 155.00 | 216.67 | 1,683.20 | 1,683.20 | 1,733.36 | 1,733.36 | 50.16 | 50.16 | 2,600.00 | 2,600.00 | 2,600.00 | 2,600.00 |
| Travel/Training | | - | - | 204.30 | 204.30 | - | - | (204.30) | (204.30) | - | - | - | - |
| Auditing Expense | | - | - | 6,800.00 | 6,800.00 | 6,500.00 | 6,500.00 | (300.00) | (300.00) | 6,500.00 | 6,500.00 | 6,500.00 | 6,500.00 |
| Insurance Expense | | 5,464.79 | 5,100.00 | 7,814.79 | 7,814.79 | 7,600.00 | 7,600.00 | (214.79) | (214.79) | 7,600.00 | 7,600.00 | 7,600.00 | 7,600.00 |
| Legal Expense | (3) | (57.20) | 62.50 | 1,128.05 | 1,128.05 | 500.00 | 500.00 | (628.05) | (628.05) | 750.00 | 750.00 | 750.00 | 750.00 |
| N. Norwich Road Tax | | - | - | 2,000.00 | 2,000.00 | 2,000.00 | 2,000.00 | - | - | 2,000.00 | 2,000.00 | 2,000.00 | 2,000.00 |
| BID Tax | | - | - | 250.00 | 250.00 | 250.00 | 250.00 | - | - | 250.00 | 250.00 | 250.00 | 250.00 |
| Airport Lease | | 740.00 | - | 740.00 | 740.00 | 750.00 | 750.00 | 10.00 | 10.00 | 750.00 | 750.00 | 750.00 | 750.00 |
| Airport Repairs | | - | 83.33 | - | - | 666.64 | 666.64 | 666.64 | 666.64 | 1,000.00 | 1,000.00 | 1,000.00 | 1,000.00 |
| Airport Maintenance | | - | 400.00 | 725.00 | 725.00 | 3,200.00 | 3,200.00 | 2,475.00 | 2,475.00 | 4,800.00 | 4,800.00 | 4,800.00 | 4,800.00 |

County of Chenango IDA
Statement of Activities
As of August 31, 2021

| | Note | August 2021 | | August 2021 | | Year to Date | | Year to Date | | Better (Worse) | | 2021 | |
|---------------------------------------|------|----------------------|-----------------------|---------------------|---------------------|---------------------|--------------------|-------------------|--------|----------------|--------|--------|--------|
| | | Actual | Budget | Actual | Budget | Actual | Budget | Actual | Budget | Budget | Budget | Budget | Budget |
| Airport Utilities | | 466.90 | 625.00 | 5,635.45 | 5,000.00 | 5,000.00 | (635.45) | 7,500.00 | | | | | |
| Special Projects | (4) | - | - | 32,659.65 | - | - | (32,659.65) | - | | | | | |
| Bank Fees | (5) | - | - | 30.00 | - | - | (30.00) | - | | | | | |
| Misc Expense | | - | 2,158.19 | - | 17,265.52 | 17,265.52 | 17,265.52 | 25,898.24 | | | | | |
| Total Expenditures | | 14,504.66 | 15,548.19 | 116,020.53 | 111,310.52 | 111,310.52 | (4,710.01) | 163,728.24 | | | | | |
| Net revenues over expenditures | | (9,749.71) | (14,591.67) | 45,014.53 | 43,591.64 | 43,591.64 | 1,422.89 | - | | | | | |
| Other Sources (Uses) | | | | | | | | | | | | | |
| Net Activity | | \$ (9,749.71) | \$ (14,591.67) | \$ 45,014.53 | \$ 43,591.64 | \$ 43,591.64 | \$ 1,422.89 | \$ - | | | | | |

Note

- (1) New Tenant -- Pro-Tel Properties LLC
- (2) Annual PILOT Fee for 2019/2020/2021
- (3) DCC owed portion IDA paid
- (4) 25% of Puckett Solar/Tiffany Solar project to DCC
- (5) incoming wire bank fee Puckett Solar/Tiffany Solar



GUILFORD COALITION OF NON-PARTICIPATING RESIDENTS

PO BOX 71 • GUILFORD, NY 13780

Email: guilfordcoalition@gmail.com

September 6, 2021

Chenango County Industrial Development Agency Board Members:
Brian Burton, George Raymond, Randy Gibbon, Jeff Blanchard, Michael R.
Khoury, Martha Ryan, Taylor Zieno

The Guilford Coalition of Non-Participating Residents (GCNR) has identified a number of concerning deficiencies in the High Bridge Wind (HBW) industrial electric generating facility PILOT application that we appreciate bringing to your attention.

Most critically, according to item one of the IDA checklist for approval ("*Project owner files a complete and accurate application (accompanied by fee)*"), this application is incomplete and therefore should be tabled until such time that all required information is provided to the IDA Board.

The HBW application is not complete for the following reasons:

1. Section I, Item F. The applicant has identified *Real Property Tax Exemption* (among other exemptions) as being requested in this application. However, the applicant has failed to provide crucial data necessary for the CCIDA to (a) identify the properties affected and (b) determine the tax value of the real property involved. See #2 below.
2. Section II, Item A. The applicant has failed to provide (a) Section Block Lot (SBL) numbers and (b) the names of the current property owners for the properties where the project components will be located. The applicant redirects to their Exhibits A and B attachment which states; "*A list of lease hold and easement interests and lease holding easements owned by the Company [HBW or Northland Power et al] will be provided to the Agency [CCIDA] prior to closing of the straight lease transaction*". This information is crucial to the IDA's decision on this project. Delayed submission of this information by the applicant could lead to a presumptuous and negatively impactful decision by the IDA.

Clearly, transparent identification of the properties involved is essential in order to perform an independent real property tax assessment. We respectfully request that the CCIDA Board table this application until the necessary data has been provided to allow for such assessment and its thorough review by the CCIDA Board before making any determination to accept or reject the application.

We submit that, according to a brief compiled by the Office of The New York State Comptroller, Division of Local Government and School Accountability; *"The largest single source of revenue for local governments in New York State is the real property tax."* As such, an independent Real Property Tax assessment is prudent to the CCIDA and should weigh heavily in the board's decision regarding the PILOT proposal. There does not appear to be an alternate but still valid way to determine if the applicant's proposal is fair and equitable. The offer of fiscal incentives to the decision-makers comes across as a distraction from other crucial considerations.

[note 1: Applicant's exhibit B states that they will provide a list of real property interests prior to the straight-lease transaction. This is perceived to be a delay tactic in order to force a decision without the Board being given ample time to fully assess the Real Property Tax impact. A complete listing of property identifications and owners are available on both the applicant's Article 10 application (real property map) and on record in the Chenango County Clerk's office. There appears to be no reason that the applicant could not provide said information at this time.]

[note 2: Applicant's exhibit A, IIA states that; *"the Company's interests may change due to Article 10 Siting Considerations."* It is relevant that the NYS-DPS Siting Board granted a Certificate of Environmental Compatibility and Public Need on March 11, 2021 based on details provided by this applicant (but with little consideration of community-based concerns). Barring any substantial changes in its final compliance filings, it is unlikely that any "siting considerations" would negate answering this question.]

[note 3: Applicant's exhibit A, B-2 they suggested that they/you could not perform an analysis because of a new law enacted by then Governor Cuomo which provided a discounted cash flow analysis, etc. GCNR contends that - there is no need to wait for a final version of a cash-flow model to be published. Rather, a simple identification of the properties involved, and assignment of the appropriate "Public Service" sub-categories should suffice: either 879 for the WIND facility components; 880 for transmission and distribution lines; and perhaps 872 for a substation. Then, using the appropriate combination of property owner and facility, calculate a what-if scenario total, compare this to the present property classification totals for the same parcels and measure the difference. The Chenango County Tax Department has the ability to provide this comparison with a very high degree of accuracy.]

3. Section II, Item E. The applicant has not prepared a phase I Environmental Assessment and indicates that one will be provided at a later date. In a project of this magnitude and influence, the environmental impact assessment is a critical consideration. The project's area and proximity to residents and livestock should be fully evaluated and understood by the CCIDA Board well in advance of any final decisions.

4. Section II, I. In the construction cost breakdown, the cost of materials, the % to be sourced by County/Town and the cost for labor were all left "To Be Determined" (TBD). Since this project was made public, the applicant has stated repeatedly that it will be a boon to local businesses and labor markets yet they have provided no factual data in support of their position. GCNR's informal assessment of the "local impact" determined that, due to the fairly small population pool and limited density of commercial establishments in the vicinity of the project, the positive impact will be far less than the public is led to believe.

Based on our experience with this project thus far, the members of GCNR are very concerned that the incompleteness of the application makes it impossible for the CCIDA Board members to accurately assess the application and its impact on Chenango County. We have identified additional deficiencies and concerns that we hope to present to this board at a later date under separate cover. The formal and informal research completed by GCNR indicates that this project is not in the overall socio-economic interest of Chenango County or the Town of Guilford. Thank you.

Respectfully Submitted

Bill Pratt

Jennifer Caci

Bill Pratt
Jennifer Caci
Founding Partners, GCNR