

***Chenango County Industrial Development Agency***

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

Date: April 5, 2023

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 March CCIDA Board meeting will begin at 8:00 a.m. on **Wednesday April 19 2023**, at the Commerce Chenango Office, 15 South Broad Street, Norwich NY.

The meeting is open to the public and will be streamed live on the Chenango County IDA YouTube Channel. The link can be found on the Chenango County IDA website: [commercechenango.com](http://commercechenango.com)

All Board members are asked to be present for this meeting.

Please RSVP at your earliest convenience by e-mail at [Jostrander@chenangony.org](mailto:Jostrander@chenangony.org) and if you have any questions, you may contact us at 607-334-1401.

Thank you.

**Chenango County IDA Board  
 Regular Meeting Agenda  
 April 19, 2023 | 8:00 a.m.  
 Commerce Chenango, Community Room**



- I. Roll Call (B. Burton)
- II. IDA Mission Statement: *“Our mission is to promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, agricultural, research and recreation facilities including industrial pollution control facilities, green energy solutions, educational or cultural facilities, railroad facilities, and continuing care retirement communities. To provide financial assistance and thereby advance the job opportunities, workforce development, job growth and retention, health, general prosperity, and economic welfare of the people of the county of Chenango and to improve their recreation opportunities, prosperity, and standard of living.” (Approved 3/29/2023)*
- III. Approval of Minutes
  - a. March 29, 2023 Regular Meeting Minutes
  - b. March 29, 2023 Annual Meeting Minutes
- IV. Financial Report
  - a. March 31, 2023 Financial Statements
- V. Bills & Invoices

Commerce Chenango: <i>Copies, Postage, BST Services, Supplies</i>	\$11,334.82
Insero & Co- Audit	\$7,200.00
Coughlin & Gerhart, LLP - <i>Legal</i>	\$157
Warner’s Gas Service: <i>5 Walnut St, Bainbridge – Everything Baglery</i>	\$10.11
<b>Total:</b>	<b>\$ 18,701.93</b>

- VI. High Bridge Wind Project Update.
- VII. Insero 2022 Audit Presentation.
- VIII. Executive Director Report
- IX. PILOTs
  - a. Norbut Solar
  - b. NY Smyrna I, LLC
    - i. Schedule Public Hearing
- X. Old Business

- XI. New Business
  - a. Hotel Discussion
  - b. Cottage Bakery Discussion
- XII. Executive Session
- XIII. Adjournment



**Chenango County IDA  
Board Meeting Minutes  
March 29, 2023 | 8:00 a.m.**

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

Absent: M. Ryan

Staff: S. Testani; B. Knowles; KathyJo Graves

Guest: George Seneck; M. Gladstone

1. B. Burton called the regular board meeting to order at 8:07 am.
2. Roll call.
3. B. Burton waived the reading of the IDA Mission Statement.
4. Upon review, motion to approve the February 8, 2023, meeting minutes made by R. Gibbon, seconded by P. Raymond. Ayes all. Approved.
5. KJ. Graves reviewed the February 28, 2023, Financial Statement.
  - a. The income from High Bridge Wind Farm was moved from January 2023 to June 2023.
  - b. The sale of the Earl B. Clark property was closed in February, which increased the revenue in February.
  - c. Motion to approve the February 28, 2023, Financial Statement as presented made by R. Gibbon, seconded by P. Raymond. Ayes all. Approved.
6. Bills & Invoices were reviewed in detail:
  - a. Motion to approve the Bills & Invoices made by P. Raymond, seconded by M. Khoury. Ayes all. Approved.
7. Executive Director Report: S. Testani
  - a. S. Testani and J. Ostrander met with a developer regarding 120 East Main St, Norwich to develop a warehouse for their business.
  - b. Very early stages for developing a multi-use facility in New Berlin
  - c. ACHIEVE is moving their day habilitation center off Country Club Rd to the facility on E. Main St.
8. PILOTs
  - a. Norbut Solar is moving forward. Our lawyers sent them a straight list checklist for them to review and get back with us. A copy of this checklist is in the packet.
  - b. NY Smyrna I, LLC:

RESOLUTION OF THE COUNTY OF CHENANGO INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING NY SMYRNA I, LLC AS AGENT OF THE AGENCY IN CONNECTION WITH A LEASE-LEASEBACK TRANSACTION AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT.

WHEREAS, NY Smyrna I, LLC on behalf of itself and/or the principals of NY Smyrna I, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the "Company") has applied to the County of Chenango Industrial Development Agency (the "Agency") to enter into a transaction in which the Agency will assist in (a)(1) the acquisition of an interest in the Company's fee, leasehold, and easement interests in a certain parcel of land located at 471 County Road 14, Town of Smyrna, Chenango County, New York 13332 (designated as Town of Smyrna Tax Map Parcel No. 29.-1-6.1) (the "Land"), (2) the acquisition, construction, installation and equipping upon the Land of a 3 megawatt AC solar photovoltaic electricity generating facility (the "Solar Facility"), related facilities, and furniture, fixtures, machinery and equipment (collectively, the "Equipment"), all of the foregoing for use by the Company as a solar photovoltaic electric generating facility (the "Project Facility" and collectively with the Land, the Solar Facility and the Equipment, the "Project"), and (b) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing, including exemptions from mortgage recording taxes, sales and use taxes, and real property taxes for the Project Facility (but not including special assessments and ad valorem levies) (collectively, the "Financial Assistance"); and

WHEREAS, the Company will lease the Project Facility to the Agency, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 580 of the Laws of 1973 of the State of New York, as may be amended from time to time (collectively, the "Act") and the Agency will lease the Project Facility back to the Company pursuant to a Leaseback Agreement; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Project Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from sales and use taxes on materials and/or equipment used or incorporated in the Project Facility, exemptions from mortgage recording taxes and abatement of real property taxes for twenty (20) years on the assessed value of the Project Facility, which financial assistance is consistent with the Agency's Uniform Tax Exemption Policy, to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein; and

WHEREAS, based upon representations made by the Company, the value of the sales tax exemptions is estimated at approximately \$298,000 but shall not exceed \$325,000; and

WHEREAS, based upon representations made by the Company, the value of the mortgage recording tax exemptions is estimated at \$23,250 but shall not exceed \$26,250; and

WHEREAS, prior to granting of any tax benefits, public notice of the public hearing relating to the Project was given as required by law, a copy of which (together with proof of publication) is annexed hereto as **Exhibit A**, and such notice complied with all requirements of the Act; and

WHEREAS, a public hearing is hereby authorized to be scheduled and will be held to hear all persons interested in the granting of any tax benefits and the location and nature of the Project, and any other financial assistance contemplated, a draft form of the minutes of which are annexed hereto as **Exhibit B**; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations” and, together with the SEQR Act, “SEQRA”), the Agency constitutes a “State Agency” and it must therefore satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Applicant submitted to the Agency: (1) Applicant’s Application for Incentives/Benefits dated November 8, 2022, including an environmental assessment form (“EAF”) relative to the acquisition, construction and equipping of the Project Facility; (2) Phase I Environmental Site Assessment dated February 10, 2022; and (3) other supporting documentation, including resolutions of the Agency adopted July 20, 2022 (declaring itself “Lead Agency”) and October 19, 2022 (issuing a Negative Declaration) (collectively the “Project Environmental Documents”); and

WHEREAS, the Agency served as Lead Agency (as defined in SEQRA) for purposes of conducting a coordinated review of the environmental impacts of the Project, all in accordance with SEQRA; and

WHEREAS, based on the Agency’s review of the Project Environmental Documents, the provision of financial assistance to the Project was determined to constitute a “Type I Action” (as said quoted term is defined in the Regulations); and

WHEREAS, by resolution adopted October 19, 2022 (the “SEQRA Resolution”), a copy of which is attached to this resolution, the Agency determined to issue a written findings statement regarding the relevant environmental impacts, facts and conclusions in accordance with the requirements of Section 617.7 of the Regulations; and

WHEREAS, the Agency issued a Negative Declaration under SEQRA (the “Negative Declaration”), a copy of which is attached to this Resolution, wherein the Agency concluded with respect to the Project that: (1) the requirements of 6 NYCRR Part 617 have been met; and (2) there will be no significant adverse impacts on the environment and that an environmental impact statement need not be prepared; and

WHEREAS, the Agency desires to confirm and ratify its determination that the acquisition, construction and equipping of the Project Facility will not have a significant adverse impact on the environment and the Agency will not require the preparation of an environmental impact statement with respect to the Project Facility; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed lease-leaseback transaction, is either an inducement to the Company to acquire, construct, maintain and expand the Project Facility in the County or is necessary to maintain the competitive position of the Company in its industry.

NOW, THEREFORE, BE IT RESOLVED by the County of Chenango Industrial Development Agency (a majority of the members thereof affirmatively concurring) that:

Section 1.

(a) The acquisition, construction and equipping of the Project Facility will not have a significant adverse impact on the environment and the Agency will not require the preparation of an environmental impact statement with respect to the Project Facility.

(b) The construction, acquisition and equipping of the Project Facility and the Agency's financial assistance therefor, will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County and the people of the State of New York and improve their standard of living, and thereby serve the public purposes of the Act and the same is, therefore, approved.

(c) It is desirable and in the public interest for the Agency to enter into a lease-leaseback transaction, for the purpose of providing financial assistance for the construction, acquisition and equipping of the Project Facility, as reflected in the Company's application to the Agency and as amended from time to time prior to the closing of the lease-leaseback transaction.

Section 2.

The Agency shall assist the Company in its construction, acquisition and equipping of the Project Facility and will provide financial assistance with respect thereto, including potential exemptions from sales and use taxes, mortgage recording taxes and real property tax abatements.

Section 3.

The form and substance of a proposed agency agreement and a proposed inducement agreement (in substantially the forms presented to this meeting) each by and among the Agency and the Company setting forth the undertakings of the Agency and the Company with respect to the construction, acquisition and the equipping of the Project Facility (the "Agreements") are each hereby approved. The Chairman or Vice Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agreements, with such changes in terms and form as the Chairman or Vice Chairman shall approve. The execution thereof by the Chairman or Vice Chairman shall constitute conclusive evidence of such approval.

Section 4.

The Company is herewith and hereby appointed the agent of Agency to construct, acquire and equip the Project Facility. The Company is hereby empowered to delegate its status as agent of the Agency to agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company may choose in order to equip the Project Facility. The terms and conditions for the appointment of the Company as agent of the Agency for the purposes described in this resolution are set forth in the form of the attached letter addressed to the Company, marked as **Exhibit C** to this resolution. The form of such letter is incorporated herein by reference and is approved and adopted by the Agency, and the Chairman, Vice Chairman or President & CEO of the Agency or any other duly authorized official of the Agency are authorized to execute and deliver such letter to the Company. The Agency hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company as agents of the Agency solely for purposes of making sales or leases of

goods, services, and supplies to the Project Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company, as agent of the Agency shall be deemed to be on behalf of the Agency and for the benefit of the Project Facility. The Company shall indemnify the Agency with respect to any transaction of any kind between and among the agents, subagents, contractors, subcontractors, materialmen, vendors and/or suppliers and the Company, as agent of the Agency.

Section 5. The law firm of Bond, Schoeneck & King, PLLC is appointed Transaction Counsel in connection with the lease-leaseback transaction.

Section 6. Counsel to the Agency and Transaction Counsel are hereby authorized to work with counsel to the Company and others to prepare, for submission to the Agency, all documents necessary to effect the lease-leaseback transaction.

Section 7. The Chairman, Vice Chairman or President & CEO of the Agency are hereby authorized and directed (i) to distribute copies of this resolution to the Company and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 8. This resolution shall take effect immediately.



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

I, the undersigned Secretary of the County of Chenango Industrial Development Agency DO  
HEREBY CERTIFY THAT:

I have compared the foregoing copy of a resolution of the County of Chenango Industrial  
Development Agency (the “Agency”), with the original thereof on file in the office of the Agency, and that  
the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection  
with such matter.

Such resolution was passed at a meeting of the Agency duly convened in public session on March  
29, 2023 at 8:00 a.m., local time, at Norwich, New York which the following members were:

Members Present:

- B.Burton
- J.Blanchard
- P.Raymond
- R.Gibbon
- M.Khoury
- T. Zieno

Staff Present:

- S. Testani
- B. Knowles
- J. Ostrander
- KJ. Graves

Others Present:

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Voting Aye

B. Burton  
J. Blanchard  
P. Raymond  
R. Gibbon  
M. Khoury  
T. Zieno

Voting Nay

and, therefore, the resolution was declared duly adopted.

The Application is in substantially the form presented to and approved at such meeting.

9. Old Business

- a. NYS&W update letter is in the packet for review.

10. New Business

- a. The PARIS report is still in the process of being completed. We still need some information from our Auditors. There will be a report on this at the next meeting.

11. Motion to adjourn made by R. Gibbon seconded by T. Zieno. Ayes all. Approved.

Meeting adjourned at 8:41 a.m.

Respectfully Submitted,

*Barbara Knowles*

Barbara Knowles

IDA Board Recorder

**Chenango County IDA**  
**Annual Board Meeting Minutes**  
**March 29, 2023 | 8:00 a.m.**



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

Absent: M. Ryan

Staff: S. Testani; B. Knowles; KJ. Graves; J. Ostrander

Guest: George Senneck; M. Gladstone

1. Executive Director, S. Testani, called the meeting to order at 8:00a.m.
2. Roll call.
3. S. Testani opened the floor for nominations of officers as listed on Resolution 2023-1
  - a. R. Gibbon made a motion to nominate B. Burton as Chairman, seconded by M. Khoury. Ayes J. Blanchard, P. Raymond, R. Gibbon, M. Khoury, T. Zieno. B. Burton abstained. Approved.
4. S. Testani turned the meeting over to B. Burton.
5. Motion to approve the slate of 2023 Committee members as listed on Resolution 2023-2 made by T. Zieno, seconded by M. Khoury.
6. Motion to approve the 2023 official depository, official publication, Agency legal counsel, and Executive Director as listed on Resolution 2023-3, made by J. Blanchard seconded by P. Raymond. Ayes all. Approved.
7. IDA Policy and By Laws were reviewed and approved as listed on Resolution 2023-4. Motion made by M. Khoury, seconded by R. Gibbon. Ayes all. Approved.
8. The Authority Mission Statement and Performance Measurements document were reviewed and approved as listed on Resolution 2023-5. Motion made by P. Raymond, seconded by R. Gibbon.
9. Approval to prepay utility vouchers was approved as listed on Resolution 2023-6. Motion made by J. Blanchard, seconded by M. Khoury. Ayes all. Approved
10. The CCIDA Annual Report was in the meeting packet for review.
11. CCIDA Board performance survey was in the meeting packet for review.
12. Motion to adjourn made by P. Raymond, seconded by T. Zieno. Ayes all. Approved.  
Annual Meeting adjourned at 8:07 a.m.

Respectfully Submitted,

*Barbara Knowles*

Barbara Knowles  
Board Recorder

County of Chenango IDA  
**Statement of Financial Position**  
 March 31, 2023

	Note	March 31, 2023	December 31, 2022
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking #6274	\$	406,178.95	\$ 345,639.04
Money Market #2574		538,082.72	536,060.88
RR Project Checking #6598		-	-
Accounts Receivable	(1)	44,408.10	5,046.51
Financing Lease	(2)	24,423.18	24,423.18
Prepaid Expense	(3)	9,531.07	9,531.07
Total Current Assets		1,022,624.02	920,700.68
<b>Property and Equipment</b>			
Land - Industrial Parks		238,000.00	238,000.00
Building - Industrial Parks		156,402.35	156,402.35
Improvements - Buildings		-	-
Improvements-Property Devel.		-	-
Less: Accumulated Depreciation	(4)	(1,303.58)	(1,303.58)
Total Property and Equipment		393,098.77	393,098.77
<b>Total Assets</b>		<b>\$ 1,415,722.79</b>	<b>\$ 1,313,799.45</b>
<b>LIABILITIES AND FUND BALANCE</b>			
<b>Current Liabilities</b>			
Accounts Payable	(5)	\$ 18,534.82	\$ 4,019.56
Prepaid Rental Income	(6)	\$ 1,500.00	\$ 1,500.00
Total Current Liabilities		20,034.82	5,519.56
<b>Long-Term Liabilities</b>			
Total Liabilities		20,034.82	5,519.56
<b>Fund Balance</b>			
Fund Balance		1,308,279.89	1,370,377.82
Net Activity		87,408.08	(62,097.93)
Total Fund Balance		1,395,687.97	1,308,279.89
<b>Total Liabilities &amp; Fund Balance</b>		<b>\$ 1,415,722.79</b>	<b>\$ 1,313,799.45</b>

**Note**

- (1) See Aged Receivable Listing
- (2) Cascun Financing Lease from Property for Sale/Lease-ended 02.2022
- (3) Prepaid Insurance as of 12/31/22
- (4) Recorded Annual Depreciation thru 12/31/22 & Removed Incubator Building/Added 5 Walnut Ave
- (5) See Aged Payables Listing
- (6) Everything Bagelry Security Deposit

**County of Chenango IDA  
Aged Receivables  
As of March 31, 2023**

<b>Customer</b>	<b>0-30</b>	<b>31-60</b>	<b>61-90</b>	<b>Over 90 days</b>	<b>Amount Due</b>
Everything Bagely	2,564.65				2,564.65
Norwich-Chenango Solar LLC	1,125.21				1,125.21
Norwich Alvogen	14,000.00				14,000.00
Pro-Tel Properties	1,960.24				1,960.24
Puckett Solar		24,758.00			24,758.00
					-
	<b>19,650.10</b>	<b>24,758.00</b>	<b>-</b>	<b>-</b>	<b>44,408.10</b>

**County of Chenango IDA  
Aged Payables  
As of March 31, 2023**

Vendor	0 - 30	31 - 60	61 - 90	Over 90 days	Amount Due
Commerce Chenango	11,334.82				11,334.82
Insero & Co	7,200.00				7,200.00
	<b>18,534.82</b>	-	-	-	<b>18,534.82</b>

County of Chenango IDA  
**Statement of Activities**  
As of March 31, 2023

Note	January 2023	February 2023	March 2023	March 2023	Year to Date	Year to Date	Better (Worse)	2023
	Actual	Actual	Actual	Budget	Actual	Budget	Budget	Budget
<b>Revenues</b>								
Clark Park Rent	\$ 450.00	\$ 450.00	\$ 1,227.00	450.00	\$ 2,127.00	\$ 1,350.00	\$ 777.00	1,350.00
Sale to Clark Park		60,000.00		-	60,000.00	60,000.00	-	60,000.00
On The Rail Processing/Cascun		17,646.86			17,646.86		17,646.86	
Airport [ProTel] Utility Reimb	2,424.00		1,960.24		4,384.24		4,384.24	
Everything Bagelry Rent	1,500.00	1,500.00	1,500.00	1,500.00	4,500.00	4,500.00	-	18,000.00
Everything Bagelry Utility Reimb			2,564.65	1,041.00	2,564.65	3,123.00	(558.35)	12,500.00
New Project Fees					-			
BID Tax Reimbursement	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
Norwich Pharm Project Fees	14,000.00				14,000.00	14,000.00		14,000.00
Norwich-Chenango Solar Project	1,125.21				1,125.21	1,125.21		1,125.21
Puckett Solar Project	24,758.00				24,758.00	24,758.00		24,758.00
Tiffany Solar Project	1,510.00				1,510.00	1,510.00		1,510.00
Norbut Solar Coventry Project								1,500.00
High Bridge Wind - Guilford Solar								105,856.94
Other Income	-				-	625.00	(625.00)	2,500.00
Interest Income	569.10	514.58	938.16	59.00	2,021.84	177.00	1,844.84	700.00
<b>Other Revenues</b>								
Total Revenues	48,086.31	80,111.44	8,190.05	3,675.00	136,387.80	112,918.21	23,469.59	245,550.15
<b>Expenditures</b>								
Contracted Services	12,203.10	11,731.11	11,334.82	12,372.62	35,269.03	37,117.88	1,848.85	148,471.50
Project Fees to DCC				1,250.00	-	1,250.00	1,250.00	5,000.00
Advertising & Marketing				416.00		1,248.00	1,248.00	5,000.00
Office Supplies/Postage				50.00		150.00	150.00	600.00
Software & Equipment								
Travel/Training				166.00		498.00	498.00	2,000.00
Auditing Expense				6,800.00	7,200.00	6,800.00	(400.00)	6,800.00
Insurance Expense				250.00	(7,811.57)	250.00	7,811.57	11,000.00
Legal Expense		3,620.00		250.00	3,620.00	250.00	(3,370.00)	1,000.00
N. Norwich Road Tax					2,000.00	2,000.00		2,000.00
BID Tax					250.00	250.00		250.00
Airport [ProTel] Utilities	2,424.00	1,960.24			4,384.24		(4,384.24)	
5 Walnut St Bainbridge - Utilities/Insurance	1,492.58	1,022.15	1,553.29	1,208.00	4,068.02	3,624.00	(444.02)	14,500.00
On The Rail Repairs & Maintenance								
Special Projects Fees Misc Exp								
Bank Fees						25.00	25.00	100.00
Misc Expense				25.00				

County of Chenango IDA  
**Statement of Activities**  
As of March 31, 2023

Note	January 2023	February 2023	March 2023	March 2023	Year to Date	Year to Date	Better (Worse)	2023
	Actual	Actual	Actual	Budget	Actual	Budget	Budget	Budget
Depreciation Expense					-		-	1,303.35
Total Expenditures	18,369.68	18,333.50	12,276.54	22,537.62	48,979.72	53,212.88	4,233.16	198,024.85
<b>Net revenues over expenditures</b>	<b>29,716.63</b>	<b>61,777.94</b>	<b>(4,086.49)</b>	<b>(18,862.62)</b>	<b>87,408.08</b>	<b>59,705.33</b>	<b>27,702.75</b>	<b>47,525.30</b>
<b>Other Sources (Uses)</b>								
<b>Net Activity</b>	<b>\$ 29,716.63</b>	<b>\$ 61,777.94</b>	<b>\$ (4,086.49)</b>	<b>\$ (18,862.62)</b>	<b>\$ 87,408.08</b>	<b>\$ 59,705.33</b>	<b>\$ 27,702.75</b>	<b>\$ 47,525.30</b>

Note



[CCIDA LETTERHEAD]

[date]

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. George J. Seneck  
Chairman, Board of Supervisors  
5 Court Street  
Norwich, NY 13815

Mr. Robert Berson, Superintendent  
Sherburne-Earlville Central School District  
15 School Street  
Sherburne, NY 13460

Mr. Michael Khoury, Town Supervisor  
Town of Smyrna  
1893 State Highway 80  
Smyrna, NY 13464

Ms. Debra Kurtz, President  
Board of Education  
Sherburne-Earlville Central School District  
15 School Street  
Sherburne, NY 13460

Ms. Jennifer Griffin, District Clerk  
Sherburne-Earlville Central School District  
15 School Street  
Sherburne, NY 13460

Re: NY Smyrna I, LLC Facility

Ladies and Gentlemen:

On March 29, 2023, the Chenango County Industrial Development Agency (the “Agency”) adopted an inducement resolution granting preliminary approval for financial assistance in support of the above-referenced project. Enclosed is a copy of the inducement resolution that describes the project and the proposed financial assistance, which financial assistance is consistent with the Agency’s Uniform Tax Exemption Policy.

On [PUBLIC HEARING DATE] at [TIME], at \_\_\_\_\_,  
New York, the Agency will conduct a public hearing regarding this project. Enclosed is a copy of the Notice of Public Hearing, which has been submitted to \_\_\_\_\_,  
\_\_\_\_\_, New York for publication.

You are welcome to attend such hearing at which time you will have an opportunity, both orally and in writing, to present your views with respect to the project and the proposed financial assistance. You are also welcome to submit your written comments prior to the public hearing.

We are providing this notice to you, pursuant to Chapters 356 and 357 of the Laws of 1993, as the chief executive officer of an affected tax jurisdiction within which the project is located.

Should you desire to discuss this matter or if you have any questions concerning this notice, please feel free to contact Barbara Knowles at the Agency at 607-334-1400 or by e-mail at [bknowles@chenangony.org](mailto:bknowles@chenangony.org).

Very truly yours,

CHENANGO COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By: \_\_\_\_\_  
Salvatore Testani, President & CEO

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## NOTICE OF PUBLIC HEARING

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NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the County of Chenango Industrial Development Agency (the “IDA”) on the \_\_\_\_ day of \_\_\_\_\_, 2023 at 6:00 p.m. local time, at \_\_\_\_\_, Smyrna, New York in connection with the following matters:

NY Smyrna I, LLC on behalf of itself and/or the principals of NY Smyrna I, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the “Company”) has applied to the County of Chenango Industrial Development Agency (the “Agency”) to enter into a transaction in which the Agency will assist in (a)(1) the acquisition of an interest in the Company’s fee, leasehold, and easement interests in a certain parcel of land located at 471 County Road 14, Town of Smyrna, Chenango County, New York 13332 (designated as Town of Smyrna Tax Map Parcel No. 29.-1-6.1) (the “Land”), (2) the acquisition, construction, installation and equipping upon the Land of a 3 megawatt AC solar photovoltaic electricity generating facility (the “Solar Facility”), related facilities, and furniture, fixtures, machinery and equipment (collectively, the “Equipment”), all of the foregoing for use by the Company as a solar photovoltaic electric generating facility (the “Project Facility” and collectively with the Land, the Solar Facility and the Equipment, the “Project”), and (b) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing, including exemptions from mortgage recording taxes, sales and use taxes, and real property taxes for the Project Facility (but not including special assessments and ad valorem levies) (collectively, the “Financial Assistance”).

The IDA contemplates providing financial assistance to the Company with respect to the Project in the form of exemptions from sales and use taxes on materials and/or equipment used or incorporated in the Project Facility, potential exemptions from mortgage recording taxes and abatement of real property taxes for twenty (20) years on the assessed value of the Project Facility, which financial assistance is consistent with the Agency’s Uniform Tax Exemption Policy, to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein.

In accordance with §875(3) of the New York General Municipal Law, and if the Company’s application is approved, any New York State and local sales and use tax exemption claimed by the Company and approved by the Agency in connection with the above-described project may be subject to recapture by the Agency under the terms and conditions set forth in §875(3) and as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Company.

The proposed exemption from state and local sales and use tax is expected to exceed \$100,000.

A representative of the IDA will, at the above-stated time and place, hear all persons with views in favor of or opposed to either the location or nature of the Project, or the proposed financial assistance being contemplated by the IDA. In addition, at, or prior to, such hearing, interested

parties may submit to the IDA written materials pertaining to such matters. Any such written materials should be submitted to the offices of the IDA located at 15 South Broad Street, Norwich, New York 13815.

A report of the hearing will be made available to the County of Chenango Industrial Development Agency Board of Directors. Approval of the financing by the IDA through its Board of Directors is necessary.

The application for financial assistance filed by the Company with the IDA, including an analysis of the costs and benefits of the proposed Project, is available for public inspection at the offices of the IDA located at 15 South Broad Street, Norwich, New York 13815.

You are welcome to view the meeting via the Chenango IDA Youtube channel ( ) and the meeting will be streamed live.

Dated: \_\_\_\_\_, 2023

COUNTY OF CHENANGO INDUSTRIAL  
DEVELOPMENT AGENCY

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By:  
Title: (Vice) Chairman