



**Thursday, September 4 , 2018
Upstate MedTech Centre – Innovation Zone
3:00 PM**

GCEDC MINUTES

Attendance

Board Members: P. Battaglia, T. Bender, M. Gray, A. Young, C. Yunker, P. Zeliff, A. Vanderhoof

Staff: L. Farrell, M. Masse, E. Richardson, P. Kennett, S. Hyde, C. Suozzi

Guests: D. Cunningham (GGLDC Board Member), T. Felton (GGLDC Board Member), M. Wiater (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), B. Quinn (Daily News)

Absent:

1.0 Call to Order

P. Battaglia called the meeting to order at 3:00 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

1.1 Enter Executive Session –

T. Bender made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 3:00 p.m. for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The motion was seconded by P. Zeliff and approved by all members present.

1.2 Enter Public Session –

A. Young made a motion to enter back into public session at 3:45 p.m., seconded by T. Bender and approved by all members present.

2.0 Chairman’s Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday September 6th at 4pm

Audit & Finance Committee Meeting: Tuesday, September 4th at 8:30 a.m.

STAMP Committee Meeting: Tuesday, September 4th at 10:30 a.m.

2.2 Agenda Additions / Deletions / Other Business –

Agenda Additions – C. Yunker made a motion to add items 4.4 KeyBank Line of Credit Renewal and 6.2 Dedication of Waterlines to Town of Alabama to the agenda; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

Other Business – P. Battaglia shared with the Board the new Committee structures.

Audit & Finance Committee: M. Gray (Chair), P. Battaglia, T. Bender, A. Young (new)

STAMP Committee: P. Zelif (Chair), P. Battaglia, C. Yunker, A. Vanderhoof (new)

Governance & Nominating Committee: C. Yunker (Chair), P. Battaglia, P. Zelif, A. Young (new)

Employment & Compensation Committee: T. Bender (Chair), P. Battaglia, M. Gray, A. Vanderhoof (new)

2.3 Minutes: July 12, 2018

A. Young made a motion to approve the July 12, 2018 minutes; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

3.0 Report of Management

3.1 Pearl Solar – Final Resolution – The company is planning two community solar farm projects in the Town of Batavia. Both projects have the same address but will have separate parcel tax map numbers. Each project is a 2 MW solar generation system that will be interconnected with National Grid for a combined total of 4 MW.

While acknowledging this project does not advance the job creation opportunity aspect of our IDA statutory powers, it does offer several other benefits that align with GCEDC statutory powers including advancing the health, general prosperity and economic welfare of the people of the state of New York (Genesee County).

Specific benefits offered by the project that align with these statutory powers include:

- Enhanced Property Tax Payments via a 15-year PILOT:
 - Property tax payments, via PILOT, offered by this project are significantly greater than the current Ag/vacant land value of the project.
 - @ \$5,500/MWAC + 2% annual escalator along with a PILOT premium to be paid of 4.18% of any revenues above year 1 business case levels (\$263k) in any given year the 15-year PILOT is in effect. Each 2MW solar electric generating project will pay \$190K in PILOT

payments over the 15-year proposed PILOT term. This is approximately a 60% abatement to the expected assessed value per the Town of Batavia assessor.

- NYSERDA guidance suggests PILOT payments of \$1,700-\$5,100/MWAC in National Grid territory. The PILOT level concurred to here is above the top end of the NYSERDA range.
 - PILOT payment level has increased by 37.5% since initial negotiations began. The company indicates it is at the “but for” level to proceed / not proceed with the project.
-
- Energy Discounts: The company will offer a 10% discount vs. average market rates for local residents who sign an agreement with the company to purchase solar energy from the project(s).
 - Local Economic Development strategy / marketing alignment: Having renewable energy as an available local option is becoming a “preference item” for site selectors / companies conducting site location searches. Photovoltaic manufacturing is a “target sector” to attract investment/jobs @ STAMP.
 - Workforce Development funding: The company understands the workforce development challenges of today related to a STEM enabled workforce and corporately will assist GCEDC by funding a community benefit agreement for workforce development and county economic development programming that has been increased from \$25k to \$50k since the July board meeting. Payment will occur when the two projects are completed. Future projects in Genesee County will also receive funding of \$15K per 2MW project completed. The contribution will go toward the Genesee County STEM 2 STAMP workforce development program and related support for county economic development programming, with a core focus on STEM programming to aid area K-12 school districts and higher education programming.
 - Environmental Benefits: The project generates no carbon footprint (greenhouse gas emissions) in its energy generation thereby providing environmental benefits to local residents.
 - NYS Energy Policy (REV) alignment: NYS has aggressive goals for renewable energy, energy efficiency and greenhouse gas reduction by 2030, this project supports those goals.
 - Reduced dependency on foreign oil: This project helps the United States continue its efforts to move away from foreign oil dependency/utilization.

C. Suozzi shared that the company is planning to invest approx. \$3,176,400. They are seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$2,541 and a property tax abatement valued at approx. \$189,977. As benefits exceed \$100,000, a public hearing was held. There were no members of the community present.

The Board reviewed the Statement of Compliance of Project Criteria. See ‘Attachment A’.

C. Suozzi asked the Board to approve resolution no. 08/2018-01, approving incentives for the project.

Resolution No. 08/2018-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 30, 2018, WITH RESPECT TO THE PEARL SOLAR, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to approve; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender – Yes	P. Zelif - Yes
A. Young - No	M. Gray - Yes
A. Vanderhoof – Abstain	

The item was approved as presented.

3.2 Pearl Solar II– Final Resolution – The company is planning two community solar farm projects in the Town of Batavia. Both projects have the same address but will have separate parcel tax map numbers. Each project is a 2 MW solar generation system that will be interconnected with National Grid for a combined total of 4 MW.

While acknowledging this project does not advance the job creation opportunity aspect of our IDA statutory powers, it does offer several other benefits that align with GCEDC statutory powers including advancing the health, general prosperity and economic welfare of the people of the state of New York (Genesee County).

Specific benefits offered by the project that align with these statutory powers include:

- Enhanced Property Tax Payments via a 15-year PILOT:
 - Property tax payments, via PILOT, offered by this project are significantly greater than the current Ag/vacant land value of the project.
 - @ \$5,500/MWAC + 2% annual escalator along with a PILOT premium to be paid of 4.18% of any revenues above year 1 business case levels (\$263k) in any given year the 15-year PILOT is in effect. Each 2MW solar electric generating project will pay \$190K in PILOT
 - payments over the 15-year proposed PILOT term. This is approximately a 60% abatement to the expected assessed value per the Town of Batavia assessor.
 - NYSERDA guidance suggests PILOT payments of \$1,700-\$5,100/MWAC in National Grid territory. The PILOT level concurred to here is above the top end of the NYSERDA range.
 - PILOT payment level has increased by 37.5% since initial negotiations began. The company indicates it is at the “but for” level to proceed / not proceed with the project.
- Energy Discounts: The company will offer a 10% discount vs. average market rates for local residents who sign an agreement with the company to purchase solar energy from the project(s).
- Local Economic Development strategy / marketing alignment: Having renewable energy as an available local option is becoming a “preference item” for site selectors / companies conducting site location searches. Photovoltaic manufacturing is a “target sector” to attract investment/jobs @ STAMP.
- Workforce Development funding: The company understands the workforce development challenges of today related to a STEM enabled workforce and corporately will assist GCEDC by funding a community benefit agreement for workforce development and county economic development programming that has been increased from \$25k to \$50k since the July board meeting. Payment will occur when the two projects are completed. Future projects in Genesee County will also receive funding of \$15K per 2MW project completed. The contribution will go toward the Genesee County STEM 2 STAMP workforce development program and related support for county economic development programming, with a core focus on STEM programming to aid area K-12 school districts and higher education programming.
- Environmental Benefits: The project generates no carbon footprint (greenhouse gas emissions) in its energy generation thereby providing environmental benefits to local residents.
- NYS Energy Policy (REV) alignment: NYS has aggressive goals for renewable energy, energy efficiency and greenhouse gas reduction by 2030, this project supports those goals.

- Reduced dependency on foreign oil: This project helps the United States continue its efforts to move away from foreign oil dependency/utilization.

C. Suozzi shared that the company is planning to invest approx. \$3,176,400. They are seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$2,541 and a property tax abatement valued at approx. \$189,977. As benefits exceed \$100,000, a public hearing was held. There were no members of the community present.

The Board reviewed the Statement of Compliance of Project Criteria. See 'Attachment A'.

C. Suozzi asked the Board to approve resolution no. 08/2018-01, approving incentives for the project.

Resolution No. 08/2018-01 RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 30, 2018, WITH RESPECT TO THE PEARL SOLAR, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to approve; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender – Yes	P. Zelif - Yes
A. Young - No	M. Gray - Yes
A. Vanderhoof – Abstain	

The item was approved as presented.

3.3 Local Labor Waiver Request – Haskell Engineering is currently overseeing the HP building refit project at the HP Hood plant in the Ag Park. Since the project is more than \$5 million in construction costs, it is subject to our Local Labor Policy (copy attached). In connection with the Local Labor Policy there is a waiver request that can be made for certain contractors that do not have to be local. The situations that would allow a company to request a waiver are as follows:

“It is understood that at certain times, Workers residing within the Local Labor Area may not be available with respect to a Project. Under this condition, the Company is required to contact the Agency to request a waiver of the Local Labor Requirement (the “Local Labor Waiver Request”) based on the following circumstances: (i) warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers; (ii) specialized construction for which qualified Local Labor Area Workers are not available; (iii) documented lack of Workers meeting the Local Labor Area requirement; or (iv) cost differentials in bids whereby use of local labor significantly increases the construction cost of the project. Prior to the granting of said waiver, the lowest bidding contractor which bid said construction project using local labor would have the right of first refusal to bid and match the lowest bid as a remedy to ensure compliance with this policy. Comprehensive documentation and justification will be required including documented evidence and verification by GCEDC staff or agents that the “right of first refusal” remedy has been affected unsuccessfully.

The Agency shall evaluate the Local Labor Waiver Request and make its determination related thereto based upon the supporting documentation received with such waiver request.”

Haskell has sent over one waiver request form with the supporting documentation under the cost differential in bids under the local labor policy.

Prior local labor percentages based on reporting for the quarters ended:

June 30, 2017 – 94%

September 30, 2017 – 91%

December 31, 2017 – 92%

March 31, 2018 – 99%

June 30, 2018 – 100%

M. Masse asked the Board to approve the local labor waiver request as requested.

P. Zeliff made a motion to approve a local labor waiver to Haskell Engineering in relation to the HP Hood project; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia – Yes

T. Bender - Yes

A. Young - Yes

A. Vanderhoof - Yes

C. Yunker - Yes

P. Zeliff - Yes

M. Gray - Yes

The item was approved as presented

4.0 Audit & Finance Committee – M. Gray

4.1 June 2018 Financial Statements – The June 2018 financial statements were reviewed in detail with the Audit & Finance Committee. A brief overview was given; it was noted that restricted cash decreased due to STAMP expenditures paid with the ESD Imprest account funds and noncurrent accounts receivable decreased due to receipt of HP Hood’s 2018 installment of their project origination fee that had been termed out. All expenditures are in line with the budget, except as noted. This was recommended for approval by the Committee.

M. Gray made a motion to approve the June 2018 Financial Statements; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes

T. Bender - Yes

A. Young - Yes

A. Vanderhoof - Yes

C. Yunker - Yes

P. Zeliff - Yes

M. Gray - Yes

The item was approved as presented.

4.2 Award of Bid – LeRoy Food & Tech Park Roadway Constructions – The GCEDC opened bids for the roadway construction on July 25, 2018. A total of seven (7) bids were received. The low bidder was Keeler Construction of Albion, NY with a Base Bid amount of \$216,899.50. Clark Patterson Lee (CPL) has previous working experience with Keeler Construction, including the STAMP Main Access Road and Left Turn Lane project. CPL feels that the bid received is a true representation of the costs to complete this project and that the contractor is qualified to complete the contract.

CPL recommends that the Board accept the bid received from Keeler Construction for a Base Bid amount of \$216,899.50.

M. Masse will work with CPL and the contractor in reducing costs within the contract to try and stay within budget for this project.

The Committee recommends this for approval.

M. Gray made a motion to approve the contract with Keeler Construction for the Entrance Roadway at the LeRoy Food & Tech Park, not to exceed \$216,899.50; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender - Yes	P. Zeff - Yes
A. Young - Yes	M. Gray - Yes
A. Vanderhoof - Yes	

The item was approved as presented.

4.3 Workforce Development Consulting Contract – John Jakubowski - J. Jakubowski has provided a consulting agreement for the period of August 15, 2018 – August 14, 2019 to perform the following:

1. Perform consulting services to assist in the development and implementation of workforce development programs and training initiatives relative to the goals of the Company and its affiliates.
2. Consult with the VP of Business Development of the GCEDC and staff relative to the application, development and deployment of its workforce programs.
3. Consult with educational institutions who may service as partners in development, implementation and delivery of training programs. Specifically, interface with Genesee Community College and its BEST Center, other institutions of higher learning, the Genesee Valley Educational Partnership and local secondary schools as appropriate.
4. Provide consulting services as requested by the GCEDC/GGLDC.

The total contract amount is not to exceed \$29,800 in total between the GCEDC and GGLDC. The contract will be funded by the GGLDC Strategic Investment funds unless other funds become available in the GCEDC.

The Committee recommends this for approval.

M. Gray made a motion to approve the contract with John Jakubowski for Workforce Development Consulting Services, not to exceed \$29,800; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender - Yes	P. Zeff - Yes
A. Young - Yes	M. Gray - Yes
A. Vanderhoof - Yes	

The item was approved as presented.

4.4 KeyBank Line of Credit Renewal - L. Farrell discussed with the Audit & Finance Committee reducing the line of credit with KeyBank to a \$1M limit, with an unused fee of up to \$2,000 (20 basis points) annually, and an interest rate of LIBOR +200. The line of credit renews on August 31st.

L. Farrell noted that the staff does not foresee a need for more than \$1M in the near future, but that KeyBank assured them that the process to increase the line of credit would take approx. 2-3 weeks.

The Committee recommends this for approval.

M. Gray made a motion to approve renewing and reducing the KeyBank Line of Credit to \$1M; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender - Yes	P. Zelif - Yes
A. Young – Yes	M. Gray - Yes
A. Vanderhoof - Yes	

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Nothing at this time.

6.0 STAMP Committee – P. Zelif

6.1 Clark Patterson Lee Contract – Onsite Sewer Treatment Design- The GCEDC is currently close to getting the Manufacturing Annex Campus at the STAMP site to a shovel ready status based on the definitions previously reviewed. The proposal is crucial to being able to have a sewer solution ready to go to construction that can be built within 12 months to meet a company's facility construction timeline.

The Committee recommended the contract with Clark Patterson Lee (CPL), not to exceed \$1,350,000, for Design and Permitting of the STAMP Offsite Wastewater Treatment Facility (WWTF). The contract will be covered by the \$33M ESD grant and is within budget of the sewer force main construction line item.

P. Zelif made a motion to approve a contract with Clark Patterson Lee for Design and Permitting of the STAMP Onsite Wastewater Treatment Facility, not to exceed \$1,350,000; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender – Yes	P. Zelif - Yes
A. Young - Yes	M. Gray – Yes
A. Vanderhoof - Yes	

The item was approved as presented.

6.2 Dedication of Waterlines to Town of Alabama- As part of the construction of the main water line to service STAMP, the GCEDC's contractor has completed construction of the line located within the Town of Alabama. The GCEDC would like to dedicate the remainder of the waterlines from Phase I of the water project and 45% of the waterlines from Phase II of the water project over to the Town of Alabama to allow them to provide water to the residents and take over operations and billings of the system.

The Committee recommends approval of the dedication of waterlines to the Town of Alabama.

P. Zelif made a motion to approve dedication of waterlines to the Town of Alabama; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia - Yes	C. Yunker - Yes
T. Bender - Yes	P. Zelif - Yes
A. Young - Yes	M. Gray - Yes
A. Vanderhoof - Yes	

The item was approved as presented.

7.0 Employment & Compensation Committee – T. Bender

7.1 Nothing at this time.

8.0 Other Business

9.0 Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 4:07 p.m., which was seconded by T. Bender and passed unanimously.



Project Name: Pearl Solar I

Board Meeting Date: August 2, 2018

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

The company is planning two community solar farm projects in the Town of Batavia. Both projects have the same address but will have separate parcel tax map numbers. Each project is a 2 MW solar generation system that will be interconnected with National Grid for a combined total of 4 MW.

While acknowledging this project does not advance the job creation opportunity aspect of our IDA statutory powers, it does offer several other benefits that align with GCEDC statutory powers including advancing the health, general prosperity and economic welfare of the people of the state of New York (Genesee County).

Specific benefits offered by the project that align with these statutory powers include:

- Enhanced Property Tax Payments via a 15-year PILOT:
 - Property tax payments, via PILOT, offered by this project are significantly greater than the current Ag/vacant land value of the project.
 - @ \$5,500/MWAC + 2% annual escalator along with a PILOT premium to be paid of 4.18% of any revenues above year 1 business case levels (\$263k) in any given year the 15-year PILOT is in effect. Each 2MW solar electric generating project will pay \$190K in PILOT payments over the 15-year proposed PILOT term. This is approximately a 60% abatement to the expected assessed value per the Town of Batavia assessor.
 - NYSERDA guidance suggests PILOT payments of \$1,700-\$5,100/MWAC in National Grid territory. The PILOT level concurred to here is above the top end of the NYSERDA range.
 - PILOT payment level has increased by 37.5% since initial negotiations began. The company indicates it is at the “but for” level to proceed / not proceed with the project.
- Energy Discounts: The company will offer a 10% discount vs. average market rates for local residents who sign an agreement with the company to purchase solar energy from the project(s).
- Local Economic Development strategy / marketing alignment: Having renewable energy as an available local option is becoming a “preference item” for site selectors / companies conducting site location searches. Photovoltaic manufacturing is a “target sector” to attract investment/jobs @ STAMP.
- Workforce Development funding: The company understands the workforce development challenges of today related to a STEM enabled workforce and corporately will assist GCEDC by funding a community benefit agreement for workforce development and county economic development programming that has been increased from \$25k to \$50k since the July board meeting. Payment

Attachment A

will occur when the two projects are completed. Future projects in Genesee County will also receive funding of \$15K per 2MW project completed. The contribution will go toward the Genesee County STEM 2 STAMP workforce development program and related support for county economic development programming, with a core focus on STEM programming to aid area K-12 school districts and higher education programming.

- Environmental Benefits: The project generates no carbon footprint (greenhouse gas emissions) in its energy generation thereby providing environmental benefits to local residents.
- NYS Energy Policy (REV) alignment: NYS has aggressive goals for renewable energy, energy efficiency and greenhouse gas reduction by 2030, this project supports those goals.
- Reduced dependency on foreign oil: This project helps the United States continue its efforts to move away from foreign oil dependency/utilization.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The two-community solar (2MW each) projects will create 1 FTE at a salary of \$45,000.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #1; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #2- Completion of the Project will enhance the long -term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base with a planned new community solar farm and \$3,174,000 in capital investment. A fixed 15-year pilot with a 2% annual escalator priced at \$5,500/MWAC and a 4.18% PILOT premium for excess revenues over year 1 business case levels is proposed which is above the top end of the NYSERDA recommended range for projects located in National Grid territory in Western NY. The 2MW solar farm will generate more than \$190,000 in PILOT payments over the 15-year term which is far greater than current assessed value of this Ag/Vacant land.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #2; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a “liveable community” by providing a valuable product or service that is underserved in Genesee County.

Project details: The company is assisting with a \$50,000 community benefit agreement for STEM oriented workforce training/county economic development programming at construction completion of both proposed 2MW community solar projects. Future 2MW community solar projects will receive additional funding to the tune of \$15,000 per project to support STEM 2 STAMP workforce development programs/local economic development programming. Local residents will be offered a 10% discount to average local market rates for solar energy.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #3; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$4.60 into the local/regional/state economy. See economic impact report for further details.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #4; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: The company is a "downstream" developer/installer of Photovoltaic (solar) energy generation systems which is a target industry cluster / strategic industry focused on by the Agency to attract Photovoltaic (solar) manufacturing at STAMP.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #5; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in Summer of 2018 and be operational by Winter of 2018.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #6; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO If no, state justification:



Project Name: Pearl Solar II

Board Meeting Date: August 2, 2018

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

The company is planning two community solar farm projects in the Town of Batavia. Both projects have the same address but will have separate parcel tax map numbers. Each project is a 2 MW solar generation system that will be interconnected with National Grid for a combined total of 4 MW.

While acknowledging this project does not advance the job creation opportunity aspect of our IDA statutory powers, it does offer several other benefits that align with GCEDC statutory powers including advancing the health, general prosperity and economic welfare of the people of the state of New York (Genesee County).

Specific benefits offered by the project that align with these statutory powers include:

- Enhanced Property Tax Payments via a 15-year PILOT:
 - Property tax payments, via PILOT, offered by this project are significantly greater than the current Ag/vacant land value of the project.
 - @ \$5,500/MWAC + 2% annual escalator along with a PILOT premium to be paid of 4.18% of any revenues above year 1 business case levels (\$263k) in any given year the 15-year PILOT is in effect. Each 2MW solar electric generating project will pay \$190K in PILOT payments over the 15-year proposed PILOT term. This is approximately a 60% abatement to the expected assessed value per the Town of Batavia assessor.
 - NYSERDA guidance suggests PILOT payments of \$1,700-\$5,100/MWAC in National Grid territory. The PILOT level concurred to here is above the top end of the NYSERDA range.
 - PILOT payment level has increased by 37.5% since initial negotiations began. The company indicates it is at the “but for” level to proceed / not proceed with the project.
- Energy Discounts: The company will offer a 10% discount vs. average market rates for local residents who sign an agreement with the company to purchase solar energy from the project(s).
- Local Economic Development strategy / marketing alignment: Having renewable energy as an available local option is becoming a “preference item” for site selectors / companies conducting site location searches. Photovoltaic manufacturing is a “target sector” to attract investment/jobs @ STAMP.
- Workforce Development funding: The company understands the workforce development challenges of today related to a STEM enabled workforce and corporately will assist GCEDC by funding a

Attachment B

community benefit agreement for workforce development and county economic development programming that has been increased from \$25k to \$50k since the July board meeting. Payment will occur when the two projects are completed. Future projects in Genesee County will also receive funding of \$15K per 2MW project completed. The contribution will go toward the Genesee County STEM 2 STAMP workforce development program and related support for county economic development programming, with a core focus on STEM programming to aid area K-12 school districts and higher education programming.

- Environmental Benefits: The project generates no carbon footprint (greenhouse gas emissions) in its energy generation thereby providing environmental benefits to local residents.
- NYS Energy Policy (REV) alignment: NYS has aggressive goals for renewable energy, energy efficiency and greenhouse gas reduction by 2030, this project supports those goals.
- Reduced dependency on foreign oil: This project helps the United States continue its efforts to move away from foreign oil dependency/utilization.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The two-community solar (2MW each) projects will create 1 FTE at a salary of \$45,000.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #1; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: **YES** **NO** If no, state justification:

Criteria #2- Completion of the Project will enhance the long -term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base with a planned new community solar farm and \$3,174,000 in capital investment. A fixed 15-year pilot with a 2% annual escalator priced at \$5,500/MWAC and a 4.18% PILOT premium for excess revenues over year 1 business case levels is proposed which is above the top end of the NYSERDA recommended range for projects located in National Grid territory in Western NY. The 2MW solar farm will generate more than \$190,000 in PILOT payments over the 15-year term which is far greater than current assessed value of this Ag/Vacant land.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #2; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #3- The Project will contribute towards creating a “liveable community” by providing a valuable product or service that is underserved in Genesee County.

Project details: The company is assisting with a \$50,000 community benefit agreement for STEM oriented workforce training/county economic development programming at construction completion of both proposed 2MW community solar projects. Future 2MW community solar projects will receive additional funding to the tune of \$15,000 per project to support STEM 2 STAMP workforce development programs/local economic development programming. Local residents will be offered a 10% discount to average local market rates for solar energy.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #3; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #4: The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$4.60 into the local/regional/state economy. See economic impact report for further details.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #4; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: The company is a "downstream" developer/installer of Photovoltaic (solar) energy generation systems which is a target industry cluster / strategic industry focused on by the Agency to attract Photovoltaic (solar) manufacturing at STAMP.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #5; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in Summer of 2018 and be operational by Winter of 2018.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #6; the motion was seconded by P. Zelif.

Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Abstain		

The items were approved as presented.

Board Concurrence: YES NO **If no, state justification:**