



**GCEDC Board Meeting  
Thursday, June 3, 2021  
Location: Electronically  
4:00 PM**

**GCEDC MINUTES**

**Attendance**

Board Members: C. Yunker, T. Bender, M. Clattenburg, P. Battaglia, A. Vanderhoof, M. Gray, P. Zelif

Staff: L. Farrell, M. Masse, L. Casey, J. Krencik, S. Hyde, C. Suozzi, P. Kennett

Guests: S. Noble-Moag (GGLDC Board Member), M. Wiater (GGLDC Board Member), R. Gaenzle (Harris Beach), T. Felton (GGLDC Board Member), G. Torrey (GGLDC Board Member), M. Landers (County Manager)

Absent:

**1.0 Call to Order**

P. Zelif called the meeting to order at 4:01 p.m. via conference call / video conference.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, this Meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

**1.1 Enter Executive Session**

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:02 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.
2. Discussions regarding proposed, pending or current litigation

The motion was seconded by T. Bender and approved by all members present.

**1.2 Enter Public Session**

A. Vanderhoof made a motion to enter back into public session at 4:29 p.m., seconded by M. Clattenburg and approved by all members present.

P. Battaglia joined the meeting at 4:30 p.m.

**2.0 Chairman's Report & Activities**

**2.1 Upcoming Meetings:**

**Next Scheduled Board Meeting: Thursday, July 1<sup>st</sup> at 4:00 p.m.**

Audit & Finance Committee Meeting: Tuesday, June 29<sup>th</sup> at 8:30 a.m.  
STAMP Committee Meeting: Tuesday, June 29<sup>th</sup> at 10:30 a.m.

**2.2 Agenda Additions / Deletions / Other Business-** Nothing at this time.

**2.3 Minutes: May 6, 2021**

**T. Bender made a motion to approve the May 6, 2021 minutes as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

**The item was approved as presented.**

### **3.0 Report of Management**

C. Yunker stated that he is a partner of CY Properties. CY Properties is under contract with Excelsior Solar. He stated that there is no direct conflict as a result of his relationship with Excelsior Solar, but to avoid the appearance of conflict he will recuse himself from discussions regarding the project. C. Yunker left the meeting at 4:31 p.m.

**3.1 Excelsior solar – Final Resolution** – We have received the application for IDA incentives from the Excelsior Energy Center LLC, a wholly owned, indirect subsidiary of NextEra Energy Inc. for IDA benefits as it relates to the 280MW-ac Utility Scale Solar Excelsior Energy Center project to be constructed and located on some 1,616 acres (fenced area) in the Town of Byron, Genesee County.

This significant scale renewable energy (280MW solar generation/20MW 4-hour storage) project, with a total capital investment noted of approximately \$345.55M, is seeking to implement a series of tax agreements utilizing an IDA PILOT and Host benefit agreement structure as suggested by NYSERDA guidance with a negotiated tax payment rate of \$6,500/MW with a 2% annual escalator.

Further information as it relates to the project is as follows: **Benefit to Cost Analysis Summary:**

**Costs (incentives):** over 20-year project horizon (from GCEDC financial assistance application):

- Property Tax Abatement (estimated): \$21.5M
- Sales Tax Exemption (estimated): \$11.3M
- Total Incentives: \$32.8M

**Benefits:** over 20-year project horizon

- Total PILOT payments: \$26.2M
- Total Host Community Agreement: \$19.0M
- Estimated Fire District payments (or tax levy/rate reduction): \$ 2.9M
- Estimated Prop/Fire Tax impact (via Ag-Exemption elimination): \$ 3.5M
- Total Direct **Fiscal Impact** to local taxing jurisdictions: \$51.6M
- Direct Construction Payroll (290 FTE's-local): \$40.8M
- Other Direct Construction related purchases (local): \$ 6.4M
- O&M phase – local spend (3 FTE's) labor + purchases: \$18.7M

- Total **Direct Economic Impact** (per economic impact study): \$117.5M\*
- Direct Benefits in excess of costs: \$84.7M(20years)
- Direct Benefit to Cost Ratio: 3.62
- Fiscal Impact Ratio: (fiscal impact/revenues w/project vs. prior) 20:1

A public hearing was held Monday April 19, 2021. Three members of the public from the agriculture community spoke in favor of the project. One member of the public from the agriculture community spoke in opposition of the project. The public hearing minutes were presented to the Board and were included with Board materials.

Final inducement of this project will be subject to the Article 10 process completion to include an affirmative approval issuing a certificate of environmental compatibility and public need from the New York State Board on electric Generation Siting and the Environment.

\*note: Using a direct economic impact calculation to analyze economic returns tends to understate a project's true impact on the local/regional/state economy given it excludes indirect and induced economic impacts caused by the project. However, use of direct economic impact tends to be easier to discuss/interpret.

See the Statement of Compliance of Project Criteria Listed in the Uniform Tax Exemption Policy (UTEF), attached to the minutes for additional Project details.

Resolution No. 06/2021 - 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 APRIL 19, 2021, WITH RESPECT TO THE EXCELSIOR ENERGY CENTER, 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, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

**T. Bender made a motion to accept final resolution #06/2021-01, authorizing incentives as presented; the motion was seconded by M. Gay. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Abstain
T. Bender -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof – Absent (due to technical difficulties)			

**The item was approved as presented.**

A. Vanderhoof left the meeting at 4:46 p.m. due to technical difficulties. A. Vanderhoof was able to rejoin the meeting at 4:55 p.m.

C. Yunker rejoined the meeting at 4:55 p.m.

**3.2 Plug Power – Increase Project Investment to Include STAMP Main Substation for Sales Tax Exemption Purposes** - STAMP Main Substation – Plug Power, through their 100% owned affiliate Yellowtail Energy LLC, has agreed to advance funds of up to \$55.3M to undertake the engineering, procurement, and construction (EPC) of the STAMP main campus substation given its significant interdependency with the success of their Project Gateway, which relates to the development and construction of a Green Hydrogen production facility on the STAMP campus. This substation will not only benefit Plug Power's project but also nearly doubles the investment in infrastructure deployed at STAMP and will benefit future tenants as well.

The GCEDC received a letter from Plug Power requesting that the STAMP main substation investment be amended and included as a part of their investment in and with Project Gateway to include increasing the Sales Tax Exemption to the project by \$2,800,000 given the increased sales taxable purchases associated with the substation materials and equipment.

A supplemental public hearing was held on June 3, 2021 at 10:00 a.m. at the Alabama Town Hall to hear public comments as to the contemplated increase in financial assistance to Project Gateway. The minutes of the public hearing were presented to the Board.

During the public hearing, Cole Reuben submitted written comments via the Zoom "Chat" feature. He wrote: "The Tonawanda Seneca Nation is very concerned about possible impacts of the Plug Power facility on its lands, environment, people and culture. These impacts have not been explained or considered. The Nation urges GCEDC and the Town of Alabama to analyze all the possible impacts of the project before authorizing any financial assistance or approving Plug Power's application".

In response to Cole Reuben's statement, M. Masse confirmed that the GCEDC has been in discussions with tribal leadership for the last 5-6 years regarding potential projects at STAMP. The GCEDC continues to work on analyzing any potential impacts that Plug Power, or any other potential projects, may pose to the Nation.

#### Resolution No. 06/2021 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE SUPPLEMENTAL PUBLIC HEARING HELD BY THE AGENCY ON MONDAY, JUNE 3, 2021 WITH RESPECT TO THE PLUG POWER INC. (THE "COMPANY") AMENDED PROJECT, (ii) AUTHORIZING AN INCREASE IN THE FINANCIAL ASSISTANCE TO BE PROVIDED BY THE AGENCY TO THE COMPANY, (iii) RATIFYING AND CONFIRMING THE FINDINGS OF THE AGENCY MADE IN THE RESOLUTIONS PREVIOUSLY ADOPTED BY THE AGENCY ON **AUGUST 1, 2013, AND SEPTEMBER 5, 2013**, AND (iv) IF NECESSARY, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS

**C. Yunker made a motion to accept final resolution #06/2021-02, authorizing incentives as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

**\*\*Plug Power – STAMP Main Substation Resolution – Scrivner’s Error –** On July 1, 2021, included with Board materials was an amended resolution for the STAMP Main Substation. The above resolution included a typographical error. The corrected resolution was brought forward to show that the appropriate dates are now reflected in the resolution. Per R. Gaenzle, a vote is not required.\*\*

#### **4.0 Audit & Finance Committee**

**4.1 April 2021 Financial Statements -** L. Farrell reviewed the April 2021 financial statements with the Board. The following was noted:

- Accounts receivable decreased. The 1<sup>st</sup> Quarter Economic Development Program Support Grant and the MedTech Centre Property Management Fee was received from the GGLDC.
- Accounts payable decreased by about \$100,000, which was mostly related to GURFs and STAMP expenditures paid in April. This clears most 2020 expenses.
- In the operating fund, we have not received any origination fees to date, but we anticipate that this will change soon.
- Other than the above-mentioned items, there is normal monthly activity.

The financial statements were reviewed in detail by the Committee and are recommended for approval.

**M. Gray made a motion to approve the April 2021 Financial Statements as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**4.2 Cyber Insurance –** Lawley Insurance provided us with a proposal for a Cyber Liability policy for approximately \$3,000 in February 2021. The benefits of having this insurance in place, specific to the Agency’s potential exposure, were discussed in detail at that time. Since the first quote was received, staff has worked with Brian Krygier to implement multi-factor authentication to reduce the cost of coverage as discussed with the policy provider at that time. The cyber liability market has changed significantly due to current events of hacking that have been publicized. The cost of coverage has tripled since February. The annual premium for the proposed \$1,000,000 policy maximum is \$9,126.95.

The cost of this policy will be split evenly between the GCEDC and GGLDC. This is an unbudgeted expense, but there is room within the Government Relations budget line item to cover this.

**M. Gray made a motion to approve the \$1,000,000 Cyber Liability Insurance Policy with Lawley as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

**4.3 PSA for LeRoy Food & Tech Park** – The GCEDC has received a Purchase and Sale Agreement from Bioworks, Inc. to acquire approximately 60 acres out of tax parcel 25.-1-75 for \$2,400,000.

Fund commitment: Legal fees to Harris Beach not to exceed \$8,000 for the transaction.

Resolution No. #06/2021 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i) THE SALE OF CERTAIN AGENCY OWNED REAL PROPERTY TO BIOWORKS, INC., (ii) THE EXECUTION OF A PURCHASE AND SALE AGREEMENT, AND (iii) A DEED, AND RELATED DOCUMENTS IN CONNECTION WITH THE CLOSING OF THE PURCHASE AND SALE OF THE REAL PROPERTY

This was recommended for approval by the Committee.

**M. Gray made a motion to approve the Purchase and Sale Agreement and authorizing resolution #06/2021-03, as well as payment of legal fees not to exceed \$8,000 in connection with the closing; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

**4.4 Broker Commission for LeRoy Food & Tech Park Land** – The GCEDC worked with a real estate broker on the potential sale of 60 acres at the LeRoy Food & Technology Park as referenced in paragraph 12 of the Purchase and Sale Agreement. The company purchasing the property used a real estate broker to help them in the process of finding a site for development. The broker is requesting a commission agreement for 10% of the sale price to be paid at closing.

Fund commitment: \$240,000 paid at closing.

As a condition of recommendation to the full Board, the Committee requested that the Governance Committee discuss the current Agency policy regarding commission fees.

This was recommended for approval by the Committee.

**M. Gray made a motion to approve the broker commission agreement as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

M. Clattenburg voted no and stated "the fact that this wasn't someone the GCEDC commissioned and it was someone who brought it to us. I am not comfortable."

## **5.0 Governance & Nominating Committee – C. Yunker**

**5.1 GGLDC Board Member Appointments** – M. Wiater and G. Torrey have terms ending on 6/30/21. The information below is provided for discussion.

- Gregg Torrey was appointed to the GGLDC Board on 1/19/17 to fulfill Wally Hinchey's term.
- Mary Ann Wiater was appointed to the GGLDC Board on 8/2/13 with a term end date of 6/30/17 (coterminous with her GCEDC term). She was then reappointed in 2017 to fulfill Matt Gray's GGLDC term.
- When the GCEDC approved term limits for the GGLDC, there was no mention of how many terms would be allowed.

In 2014, the GCEDC Board approved GGLDC Board Member term limits as follows:

- Four of the nine board positions will be independent of the GCEDC Board. Those four members will have 6-year terms.
- Five of the nine board positions will be held by GCEDC board members: coterminous with GCEDC appointments. Those five board positions will be filled with the four most senior members of GCEDC board AND legislative liaison OR the four most senior members of the GCEDC board AND any member that is chosen based on current circumstances at the time of vacancy.

G. Torrey confirmed that he is willing to continue to serve on the GGLDC Board for another term. M. Wiater declined reappointment to the GGLDC Board. His term will expire 6/30/21. The committee recommends that Phil Call replace M. Wiater as an independent member of the GGLDC Board.

Both the reappointment of G. Torrey and appointment of Phil Call to the GGLDC Board were recommended for approval by the Committee.

**C. Yunker made a motion to reappoint G. Torrey to the GGLDC Board and appoint Phil Call to the GGLDC Board to replace M. Wiater as an independent member; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes

A. Vanderhoof – Yes

**The item was approved as presented.**

**5.2 Procurement Policies & Procedures** – C. Yunker stated that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

**C. Yunker made a motion to approve the Procurement Policies and Procedures as presented; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

**The item was approved as presented.**

**5.3 Investment Policy**– C. Yunker stated that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

**C. Yunker made a motion to approve the Investment Policy as presented; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

**The item was approved as presented.**

**5.4 Disposition of Property Guidelines** – C. Yunker shared that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

**C. Yunker made a motion to approve the Disposition of Property Guidelines as presented; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

**The item was approved as presented.**

**6.0 STAMP Committee – P. Zeliff**

**6.1 Appraisal Contract for ROW through US Fish and Wildlife Refuge** – The GCEDC asked five companies for bids to prepare the appraisal for the Right of Way (ROW) for the forcemain through the wildlife refuge as well as the timeline to complete the work. The appraisal needs to be completed to the standards set forth by US Fish and Wildlife. The results of the bids are as follows:



1. \$15,000 – K LW Appraisal Group, Inc. – 60 days
2. \$35,000 – Thurston, Casale & Ryan, LLC 30-45 days
3. Declined to bid – Emminger, Newton, Pigeon & Maygar, Inc.
4. No response – Edmunds Enterprises
5. No response – CNY Pomeroy Appraisers, Inc.

The appraisers who were solicited had been preapproved by the US Department of the Interior as qualified to complete this work as listed in the instruction letter that was included with the meeting materials. Our current construction timeline for working in the refuge could start no sooner than July 15<sup>th</sup> through the end of the year. USFWS has made it abundantly clear that there is no way to begin work in the refuge without the permit. They cannot issue the permit without the appraisal being completed. In this case having the appraisal completed in as short a time as possible, even costing more than others, will help save money in the long run by allowing the contractor to begin work as close to the July 15<sup>th</sup> date as possible.

Fund commitment: Not to exceed \$35,000 to Thurston, Casale & Ryan, LLC to be covered under the \$33 million.

This was recommended for approval by the Committee.

**P. Zeliff made a motion to approve the appraisal contract to Thurston, Casale, & Ryan, LLC, not to exceed \$35,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

**The item was approved as presented.**

## **7.0 Employment & Compensation – T. Bender**

**7.1 Nothing at this time.**

## **8.0 Housing Committee – P. Battaglia**

**8.1 Nothing at this time.**

## **9.0 Other Business**

## **10.0 Adjournment**

As there was no further business, M. Clattenburg made a motion to adjourn at 5:18 p.m., which was seconded by T. Bender and passed unanimously.



Project Name: Excelsior Energy Center

Board Meeting Date: June 3, 2021

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

### PROJECT DESCRIPTION:

NextEra Energy Resources, through its affiliate the Excelsior Energy Center LLC is planning on constructing a 280MW-ac utility scale solar project with a 20MW 4-hour energy storage system on a parcel area of some 3,113 acres with a facility footprint (solar array) of some 1,616 acres (inside the fence) located in the Town of Byron, Genesee County.

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

**Project details:** The project expects to create 3 FTE technician positions in Genesee County whether employed by the developer or a 3<sup>rd</sup> party entity providing O&M services for the project. Average wages, salary, benefits and payroll taxes associated with each position is estimated at \$105,000 annually per the Excelsior solar economic impact study.

**Board Discussion: None.**

**P. Battaglia made a motion to concur with Criteria #1; the motion was seconded by A. Vanderhoof.**

**Roll call resulted as follows:**

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

**The item was 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:** A major benefit of this project is not only the renewable energy benefits it offers but also the notion that projects of this nature have the potential to have a considerable positive impact on the long-term tax base of the community while consuming only minor municipal/educational resources. In that stead, both a PILOT and a Host Community Benefit Agreement (HCA) were negotiated

successfully to provide significant incremental property tax type revenues from this project benefitting the town of Byron (PILOT/HCA \$21M), Byron-Bergen CSD (PILOT \$16.4M) and Genesee County (PILOT/HCA \$7.8M). Both the PILOT and Host agreements are set initially to a 20-year contractual term. The Fiscal impact analysis (BCA) conducted for this project suggests a 20:1 ratio where the land base housing the Excelsior Solar project will generate \$20 in property tax type revenues for every \$1 generated in property taxes previously.

**Board Discussion: None.**

**T. Bender made a motion to concur with Criteria #2; the motion was seconded by M. Gray. Roll call resulted as follows:**

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

**The item was 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:** Funding for the Host Community Agreement (HCA) to the town of Byron provides funding flexibility vis a’ vis the town’s budget. The town board has been working with residents discussing potential infrastructure and lifestyle investments which could be made with a portion of these funds with an eye toward enhancing community “livability” within the town.

**Board Discussion: None.**

**P. Battaglia made a motion to concur with Criteria #3; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

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

**The item was 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:** The Benefit Cost Analysis (BCA) was described in the CEO's Board Memo regarding the Excelsior Solar Project. Overall, a direct economic impact of \$117.5M over 20 years is expected against costs/incentives totaling \$32.8M for a Benefit to Cost ratio of 3.62. The total Fiscal Impact (aka tax base payments to area taxing jurisdictions) of this project totals some \$51.6M over 20 years. The fiscal impact ratio is a whopping 20:1 where \$20 will be realized in property tax type payments with the project in operation compared to every \$1 in property taxes generated previously. See the fiscal impact analysis report for further details.

**Board Discussion: None.**

**M. Gray made a motion to concur with Criteria #4; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Abstain
T. Bender -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent (due to technical difficulties)		

**The item was 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 of Photovoltaic (solar) energy generation systems of which renewable energy product manufacturing is a strategic industry focused on by the Agency to attract renewable energy products manufacturing projects to our STAMP Mega-site.

**Board Discussion: None.**

**T. Bender made a motion to concur with Criteria #5; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Abstain
T. Bender -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent (due to technical difficulties)		

**The item was 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 March of 2022 and be completed/operational by the end of November 2023.

**Board Discussion: None.**

**P. Battaglia made a motion to concur with Criteria #6; the motion was seconded by M. Gray. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Abstain
T. Bender -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent (due to technical difficulties)		

**The item was approved as presented.**

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