

Onondaga County Industrial Development Agency
Regular Meeting Minutes
May 12, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, May 12, 2020 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:00 am with the following:

PRESENT VIA TELECONFERENCE:

Patrick Hogan
Janice Herzog
Susan Stanczyk
Steve Morgan
Kevin Ryan
Victor Ianno

ABSENT:

Fanny Villarreal

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Len Rauch, Office of Economic Development
Jeffrey Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Kevin McAuliffe, Barclay Damon Law Firm
Brian Gerling, Bond Schoeneck & King
Paul Reichel, Bond Schoeneck & King
Becky Koze, CES
Glenn McKay, OYA Solar
Taymaz Jahani, OYA Solar
Joseph Mendelsohn, Green Street Power Partners
Lauryn LaBorde

Patrick Hogan shared information as to how the meeting will be conducted in light of COVID-19.

APPROVAL OF REGULAR MEETING MINUTES – APRIL 14, 2020

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved the regular meeting minutes of April 14, 2020. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of April 2020.

Upon a motion by Janice Herzog, seconded by Kevin Ryan, the OCIDA Board approved the Treasurer's Report for the month of April 2020. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #443.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Payment of Bills Schedule #443 for \$3,967.50 and PILOT payments to the Town of Camillus for \$4,901.42, Town of DeWitt for \$15.93, Town of Elbridge for \$1,997.03, Town of Geddes for \$66.44, Town of Onondaga for \$3.24, Village of Camillus for \$847.64, Village of Solvay for \$531.04, City of Syracuse for \$1,615.86, Jamesville Dewitt Central School District for \$104.23, Jordan Elbridge Central School District for \$16,906.12, Marcellus Central School District for \$253.05 Solvay School District for \$3,390.10. West Genesee Central School District for \$11,905.16 and Onondaga County for \$7,915.33. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was emailed to Board Members present to sign off.

CICERO ENERGY STORAGE I, LLC (CES I)

Kevin McAuliffe stated since the last meeting when the project was initially presented both projects were presented to the Town of Cicero Town Board and the Board unanimously voted to support the project and the PILOTs. He stated the North Syracuse Central School District took up the matter and the result was the email sent by Brody Smith to Nate Stevens indicating the school board took no position on the application. He stated they do not have any objection to the PILOT but he doesn't think the school board wanted to affirmatively appear to be supporting one project over another. He stated their position simply was they have no objection to what the IDA proposes to do.

Sue Stanczyk asked if there were any questions or concerns from the Town. Kevin McAuliffe stated there were a lot of questions and the meeting went on for quite some period of time. He stated there were no questions about the PILOT and the discussion about the PILOT lasted a minute at best. He stated two of the Board Members attended all of the planning board meetings so they in a sense recounted what had been done.

Nate Stevens stated the letter of support from the Town of Cicero is included in the Board package on page 93.

Nancy Lowery stated there were no comments at the public hearing.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for the Cicero Energy Storage I, LLC Project. Kevin Ryan abstained. Motion was carried.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement, Sales Tax Abatement and Mortgage Recording Tax Abatement for the Cicero Energy Storage I, LLC Project. Motion was carried. Kevin Ryan abstained. Motion was carried.

CICERO ENERGY STORAGE II, LLC (CES II)

Patrick Hogan asked why Cicero Energy Storage are two separate projects. Kevin McAuliffe stated they are separate projects and will be constructed separately in order to properly meet the energy distribution demands Niagara Mohawk put out in their RFP. He stated each has its own interconnection to the Niagara Mohawk grid and rather than one large facility it is a design feature to have two points of interconnection to provide better distribution.

Patrick Hogan asked if it is a requirement of National Grid. Kevin McAuliffe stated yes and it was part of the design process of National Grid.

Nancy Lowery stated no comments were made at the public hearing.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for the Cicero Energy Storage II, LLC Project. Kevin Ryan abstained. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement, Sales Tax Abatement and Mortgage Recording Tax Abatement for the Cicero Energy Storage II, LLC Project. Motion was carried. Kevin Ryan abstained. Motion was carried.

OYA SOLAR A

Susan Stanczyk asked where the project is located. Glenn McKay stated it is located in the Town of Lysander on 1671 Church Road, just west of Dunham Road and east of Mud Lake Road.

Robert Petrovich asked for a brief overview for the Board. Glenn McKay stated currently there is one tax parcel located at the address. He stated they plan to subdivide the project into 3 parcels and make use of two of them. He stated the 3rd portion of the subdivision north of Church Road they won't be making use of. He stated there will be 2 separate new lots with a 5 megawatt and a 2 megawatt project on each lot. He stated he it will be a community distributed generation meaning no greater than 5 megawatt size system. He stated there will not be energy storage. He stated they have assigned an interconnect agreement with National Grid so aside from receiving site plan approval from the Town of Lysander, the PILOT agreement is the next step for them.

Robert Petrovich stated for clarification, the discussions have included a five megawatt and a one megawatt. Glenn McKay stated Robert Petrovich is correct and it is a 5 megawatt and a one megawatt project.

Patrick Hogan stated this is 2 different plots of land and asked if they are working under the same limiting requirement that CES I has. Glenn McKay stated yes.

Victor Ianno asked if this is their first project or have they done other installations like this. Glenn McKay stated this is not their first project.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution describing the proposed OYA Solar A project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

OYA SOLAR B

Glenn McKay stated this project is west of the project that was just discussed which is the only major difference besides the size.

Susan Stanczyk asked if the property is all owned by the same property owners.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution describing the proposed OYA Solar B project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

GREEN STREET POWER PARTNERS (GSPP) CAUGHDENROY ROAD

Joseph Mendelsohn stated this is a 5 megawatt project located in the Town of Clay, New York on 9177 Caughdenoy Road. He stated they are currently going through the special use permit and site plan approval process within the Town. He stated it has been postponed slightly due to the COVID pandemic. He stated hopefully they are getting into the swing of things at their next meeting June 1 to hear on the project location for the special use permit. He stated they are not proposing energy storage systems for this so it will be just a 5 megawatt solar system in the Town. He stated they will be leasing the property from the land owner for the project lifespan and the owner will continue to use the remaining portions of the land for their cattle farm.

Patrick Hogan asked how it works with no storage. Joseph Mendelsohn stated it will continuously generate power and will be pushed into the grid then disbursed throughout the grid while it is generating power.

Patrick Hogan stated it is a solar project. Joseph Mendelsohn stated yes. He stated it will generate solar power. He stated it is a single tracker system so it will generate more power than a fixed system and rotates from east to west to track the sun.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution describing the proposed Green Street Power Partners (GSPP) Caughdenoy Road project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

GREEN STREET POWER PARTNERS (GSPP) SENTINEL HEIGHTS

Joseph Mendelsohn stated this is a similar process and they are working with the Town of Lafayette. He stated it was postponed due to COVID. He stated he has talked with the Town Code Enforcement Officer and Nancy Lowery has talked to them as well. He stated they have been reviewing the packets and hope to get back in front of them in late May or June to get the finalization for special use permit and site plan approval in the town.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution describing the proposed Green Street Power Partners (GSPP) Sentinel Heights project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

SYRACUSE PROPERTY PARTNERS

Jeff Davis stated in 2008 Syracuse Property Partners came in and received an initial PILOT. He stated they have been paying under that PILOT. He stated in 2013 they did some additions and an amendment was done so they have been paying under the 2008 and 2013 PILOT.

Patrick Hogan asked for a clarification of what project this is. Robert Petrovich stated this is also known as Southern Wine and Spirits.

Jeff Davis stated there was an error in the 2018-2019 assessment at the local level which resulted in them receiving a separate school tax bill for \$536,571.57, despite the fact the company is paying under their PILOT agreement. He stated that was after the school had already set their budget which presented an issue for the school district and would have been a significant issue for their budget if that had not been paid. He stated under the real property tax law if the owner can't pay the County steps in and pays it. He stated the County has agreed to pay excess bill. He stated all the taxing jurisdictions have come to the IDA requesting and supporting a mechanism to address this and clean it up to correct the overpayment and refund the County. He stated the resolution addresses that by extending the PILOT a few years and changing the mechanism as to how that money under the PILOT goes. He stated more money goes to the County and less to the school district so the County is eventually refunded that \$536,571.57. He stated the school district takes less over those few periods to make up for that fact. He stated the applicant gets no new benefits and pays the same amount that they would have paid in taxes otherwise. He stated this is all a mechanism to correct the error and assessment on the property. He stated a resolution is before the Board that reaffirms and ratifies the SEQR determination because the Board is making a determination and revising the PILOT schedule in how it is paid out between taxing jurisdictions to accommodate this refund mechanism to the County addressing the error in the 2018-2019 school tax.

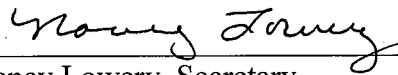
Robert Petrovich asked Jeff Davis to relay to the Board that all of the parties to this have been briefed and have signed off to the affirmative on this. Jeff Davis agreed and stated it is part of the packet and noted in the resolution. He stated the Town signed a letter of support and both the School District and County have resolutions supporting this mechanism.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution authorizing an extension of a Payment in Lieu of Tax Agreement. Susan Stanczyk and Kevin Ryan abstained. Motion was carried.

Patrick Hogan stated he would like to congratulate the Board and everyone involved in the UTEP change. He stated obviously we have had a lot of solar projects come do this and it is

obvious because we are progressive and aggressive as far as changing the UTEP. He stated it is certainly the wave of the future and wished everyone a safe and prosperous day.

Upon a motion by Victor Ianno, the OCIDA Board adjourned the meeting at 8:33 am. Motion was carried.



Nancy Lowery, Secretary