

FINGER LAKES ECONOMIC DEVELOPMENT CENTER
1 Keuka Business Park, Suite 104
Penn Yan, NY 14527
Telephone: 315-536-7328

MINUTES OF THE REGULAR BOARD MEETING OF THE FINGER LAKES ECONOMIC DEVELOPMENT CENTER

July 17, 2019

FLEDC MEMBERS PRESENT: Gene Pierce
Jim Willson
Bill Holgate
Rita Gow
Sirene Garcia
Jerry Hiller

FLEDC MEMBERS ABSENT: Dr. Kim Williams

STAFF: Steve Griffin
Mike Lipari
Doreen Jensen

GUESTS: Jim Moon
Taylor Fitch
John Christensen, Chronicle Express
Doug Paddock
Kevin McAuliffe, Barclay Damon

Chair G. Pierce called the meeting to order at 8:00 A.M.

Roll call was taken; a quorum was present. Kevin McAuliffe was introduced to the group.

A motion was made by J. Hiller and seconded by J. Willson to enter into Executive Session at 8:01 AM to discuss the financials of particular corporations. Motion passed.

A motion was made by R. Gow and seconded by B. Holgate to come out of Executive Session at 8:19 AM. Motion passed.

There was no action taken into Executive Session.

MINUTES

A motion was made by R. Gow and seconded by S. Garcia to approve the June 19, 2019 minutes as written. Motion passed.

AGENDA CHANGES

None

FINANCE COMMITTEE

D. Jensen reviewed the June Financials and all bills to be paid. The total cash value of checks presented today is \$30,776.72 and \$2,187.47 for the Revolving Loan Fund, and \$52,279.86 for the Small Cities Fund. *A motion was made by R. Gow and seconded by J. Willson to approve the June financials, and to pay all bills submitted totaling \$30,776.72 for the checking, \$2,187.47 for the Revolving Loan Fund, and \$52,279.86 for the Small Cities Fund. Motion passed.*

J. Hiller suggested that Staff also do a capital budget for the operating budget as a worksheet.

Receivables and the loan reports were reviewed

MANAGEMENT REPORT

The following updates were given to the Management Report:

S. Griffin reported the DRI project award announcements should be any day. There was hope the projects would be announced in July so projects could apply for the CFA's that were due July 26th. The other communities that have DRI announcements pending should be announced soon.

B. Holgate inquired about the new restaurants opening in Penn Yan. S Griffin reported that Union block is open, however they have no set hours. They are still looking for kitchen help but when they have been open, they have been steady. Parker's Grille is hoping for an August 1st opening. Parker's Grill has to have approval from the Historic Commission. S. Griffin is checking with the Village of Penn Yan on a couple of items regarding code enforcement. S. Griffin reported that he was unsure if Pete Mitchell had started his staffing. S. Griffin reported on receiving a couple of calls from the public on how can we help these businesses. S. Griffin is going to reach out to the FLCC Culinary group to see if their apprenticeship program might help fill some current gaps especially with line cooks. S. Griffin will follow up with Joe Davis at Workforce Development regarding the International Students work program. S. Garcia commented that being a line cook is a hard job and that there needs to be more training.

S. Griffin reported on Monday, he would be attending another meeting at FLCC to review the manufacturing training program and how this type of program can be applied to other industries.

J. Willson inquired about the 18th Amendment restaurant/distillery where they were in their process to open? M. Lipari will reach out to Jesse Jayne to see where they are in regards to opening. They recently had a big event at the Distillery and stated that is was their last event there as they turn their attention to getting 18th Amendment open. The project has taken longer than they thought it would.

M. Lipari reported that he attended a broadband workshop with Yates County at Corning, Inc. M. Lipari reported broadband was being worked on throughout the entire county. There was discussion on the last mile and getting broadband to each house with getting the dark fiber turned on. There was no overall cost given for this portion of the project. J. Hiller inquired about Spectrum hanging line throughout Yates County. There was discussion on Spectrum expanding across New York State.

OLD BUSINESS

There was no old business.

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NEW BUSINESS

D. Jensen distributed a picture of a sign that Qwik Solar has requested be installed on the building where they currently lease. *A motion was made by B. Holgate and seconded by R. Gow to authorize the Qwik Solar sign request. Motion passed.*

S. Griffin reviewed the Greenidge Data Center application. The request is for sales tax exemption only for this project. The benefitted amount is more than \$100,000 so we need to hold a public hearing. S. Griffin asked Kevin McAuliffe, Attorney for the Greenidge Data Project to give the board an overview of the project. The project will use 65 megawatts out of the 106 megawatts Greenidge can produce. The project consists of construction of a data plant. They can provide their own power. The project will not emit any air emissions and will not be using water. The project would retain 16 jobs and create up to 10 jobs. The total project costs are estimated between \$76-\$79 million. S. Griffin distributed and reviewed the Project Profile for this project. We are only approving to hold a public hearing at this point.

The following resolution was offered by Jerry Hiller, seconded by Sirene Garcia, to wit:

RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF YATES COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF GREENIDGE GENERATION LLC.

WHEREAS, Yates County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 113 of the 1975 Laws of New York, as amended, constituting Section 893-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Greenidge Generation LLC, a State of New York limited liability company (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a parcel of land located at 590 Plant Road in the Town of Torrey, Yates County, New York (Tax Map # 40.03-1-1.111), containing in the aggregate approximately 139.20 acres (the “Land”), (2) the construction on the Land of a new data processing facility to contain approximately thirty (30) separate metal box type units installed on gravel pads, together with a storm water management system (collectively, the “Facility”), and (3) the acquisition and installation therein and thereon of certain machinery and equipment (the “Equipment”) (the Land, the Facility and the Equipment hereinafter

collectively referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company and to constitute a data processing facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF YATES COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Chief Executive Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the “Public Hearing”); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the “Report”) to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. The Chairman, Vice Chairman and/or Chief Executive Officer of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. All action taken by the Chief Executive Officer of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

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

Gene Pierce	VOTING	<u>Yes</u>
Jerry Hiller	VOTING	<u>Yes</u>
Rita Gow	VOTING	<u>Yes</u>
Dr. Kim Williams	VOTING	<u>Absent</u>
Sirene Garcia	VOTING	<u>Yes</u>
William Holgate	VOTING	<u>Yes</u>
Jim Willson	VOTING	<u>Yes</u>

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF YATES)

I, the undersigned (Assistant) Secretary of Yates County Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on July 17, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 17th day of July, 2019.

(Assistant) Secretary

(SEAL)

D. Jensen reviewed the Robert Knapp, OTR/L lease renewal. They currently lease Suite 201 which is 375 square feet. This is a one-year renewal for \$300 a month and a \$75 utility charge. ***A motion was made by B. Holgate and seconded by J. Willson to authorize the Chair sign the lease Robert Knapp, OTR/L as presented. Motion passed.***

D. Jensen reviewed the Synchronicity, LLC lease renewal. They lease Suite 108 which is 200 square feet. This is a one-year renewal for \$90 a month and \$40 utility charge. ***A motion was made by J. Hiller and seconded by R. Gow to authorize the Chair sign the lease with Synchronicity, LLC, as presented. Motion passed.***

D. Jensen reported that Jim Long was willing to host our annual boat ride. We will poll board members for a time for the August Board meeting.

A motion was made by B. Holgate and seconded by S. Garcia to adjourn the meeting at 9:04 A.M.

Respectfully submitted,

Doreen J. Jensen