

**PUBLIC HEARING  
COUNTY OF CHAUTAUQUA  
INDUSTRIAL DEVELOPMENT AGENCY  
201 West Third Street, Suite 115  
Jamestown, New York 14701  
Via Zoom Video and Teleconference  
July 24, 2020  
10:00 a.m.**

**S. St. George Enterprises, Inc.**

Attendance:

Milan Tyler, Phillips Lytle/CCIDA Counsel

Linda Burns, CCIDA Business Development Manager and Hearing Officer

Rosemarie Strandburg, CCIDA Executive Assistant

Daniel Pacos, Town of Pomfret Supervisor

**MS. BURNS:** Good morning. My name is Linda Burns. I am a Business Development Manager and duly authorized hearing officer of the County of Chautauqua Industrial Development Agency (the “Agency”) and I have been authorized to hold a public hearing. Today is July 24, 2020 and the time is now 10:00 a.m. This is a public hearing pursuant to Section 859-a of the New York General Municipal Law, as amended (the “Act”), and is being held from the offices of the Agency, 201 West Third Street, Suite 115, City of Jamestown, County of Chautauqua, New York. Because of the restrictions on meetings and gatherings in effect pursuant to Executive Orders issued by the Governor of the State of New York as a result of the COVID-19 pandemic, this public hearing is being held via Zoom meeting and telephone conference call rather than a public hearing open for the public to attend in person.

The purpose of the public hearing is to provide an opportunity for all interested parties to present their views with respect to the “Proposed Project” and the “Additional Financial Assistance” with respect to the existing project of the Agency for S. ST. GEORGE ENTERPRISES, INC., a corporation organized under the laws of the State of New York (together with its affiliates, collectively, the “Company”), consisting of the following: (A)(1) the acquisition of an interest in an approximately 70 acre parcel of land located at 3689 Webster Road, Fredonia, Town of Pomfret, County of Chautauqua, New York (the “Land”), (2) the construction of an approximately 19,999 square foot addition to an existing approximately 23,000 square foot building (collectively, the “Building” and together with the Land, collectively, the “Facility”), together with related improvements to the Land, and (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “Equipment”) necessary for the completion thereof (collectively, the “Project Facility”), all of the foregoing for use by the Company and/or its affiliates as an inventory and heavy equipment storage facility; (B) the

granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Company or such other entity(ies) as may be designated by the Company and agreed upon by the Agency. The Project Facility was initially and is currently owned, operated and/or managed by the Company.

The Company has submitted an application for financial assistance requesting that the Agency consider undertaking a new project with respect to the Project Facility (the “Proposed Project”), consisting of the following: (A)(1) the acquisition and installation of approximately 7,500 square feet of solar panels on the truck storage pole barn building located on the Land (collectively, the “Improvements”); and (B) the granting of certain additional “financial assistance” (within the meaning of Section 854(14) of the Act) in the form of additional exemptions from sales and use taxes and an amended exemption from real property taxes (collectively, the “Additional Financial Assistance”). The Improvements would be owned, operated and/or managed by the Company.

The Company (or such other designated entity (ies)) would receive the Additional Financial Assistance from the Agency in the form of additional exemptions from sales and use taxes and an amended exemption from real property taxes.

Notice of this public hearing was published in *The Observer* on July 10, 2020 and provided to the Chief Executive Officer of each affected tax jurisdiction within which the Project Facility is or will be located by letter dated July 8, 2020.

The purpose of this public hearing is to provide an opportunity for all interested parties to present their views, both orally and in writing, with respect to the granting of the Additional Financial Assistance contemplated by the Agency or the location or nature of the Proposed Project. The notice of this public hearing stated that members of the public may view or listen to this public hearing and provide their comments during the public hearing by logging into the Zoom meeting and/or using the dial-in information set forth in the notice of this public hearing. As set forth in the notice of this public hearing, comments may also be submitted to the Agency in writing or electronically at the following email address: [burnsl@co.chautauqua.ny.us](mailto:burnsl@co.chautauqua.ny.us).

Subject to applicable law, copies of the Application, including an analysis of the costs and benefits of the Proposed Project, are available for review by the public online at [www.ccida.com](http://www.ccida.com).

This public hearing is being streamed on the Agency's website in real-time and a recording of this public hearing is being made and will be posted on the Agency's website, all in accordance with Section 857 of the New York General Municipal Law, as amended. In addition, a transcript or summary of this hearing will be made and posted on the Agency's website and such transcript or summary of all comments received by the Agency shall be provided to the Agency's members. Comments received in writing will be also be included in the transcript and any summary of this public hearing.

If any member of the public wishes to make comments via the Zoom meeting or the conference call, I would ask that such person identify themselves and provide their address. I request the patience and cooperation of all participants in allowing each person to finish their comments before anyone else identifies themselves and begins speaking.

Is there anyone wishing to be heard with respect to the Proposed Project or the Additional Financial Assistance?

**DANIEL PACOS:** Will the additional project be covered by a PILOT agreement?

**MILAN TYLER:** Yes, this will be an amendment to an existing PILOT agreement.

**DANIEL PACOS:** Just wanted to make sure it was not totally tax exempt.

**MILAN TYLER:** It is covered by the same PILOT agreement with no additional taxes for the solar panels.

**DANIEL PACOS:** If the county, town and school have opted out, I don't understand why there are no additional taxes?

**MILAN TYLER:** the IDA exemption is separate and under 412. For solar projects like this, they are just using this for their own use. It is the agency's policy to not add additional tax.

**DANIEL PACOS:** I just want it on the record that I object to that.

**MILAN TYLER:** I understand and will make that noted. Fair to summarize you believe there should be additional taxes due to the addition of the solar array?

**DANIEL PACOS:** Yes, thank you.

**MS. BURNS:** It is now 10:10 a.m. Let the record show that, other than the comments here today, no other members of the public have indicated a desire to comment with respect to the Proposed Project or the Additional Financial Assistance. I therefore call this hearing to a close.

**MS. BURNS:** It is now 10:10 a.m. Let the record show that, other than comments submitted in writing, no [other] members of the public have indicated a desire to comment with respect to the Proposed Project or the Additional Financial Assistance. I therefore call this hearing to a close.

*Linda Burns*

Respectfully submitted by: Linda Burns, CCIDA Business Development Manager