

BOARD OF DIRECTORS MEETING

County of Chautauqua Industrial Development Agency

**BWB Building
201 West Third Street, Jamestown, NY
2nd Floor Board Room**

**&
Electronically via Live Stream on YouTube & Zoom**

April 22, 2025
10:30 a.m.

PRESENT:

Gary Henry	Chairman
Dan Heitzenrater	Vice Chairman
Sagan Sheffield-Smith	Treasurer
Amy Harding	Secretary
John Healy	Member
Daniel DeMarte	Member
Tom Harmon	Member
Kevin Muldowney	Member

Also in attendance:

Mark Geise	Administrative Director/CEO
Shelby Bilskie	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Greg Peterson	Counsel
Lisa Cole	Counsel
Kristine Morabito	IDA Staff
Rosie Strandburg	IDA Staff
Kayla Strandburg	IDA Staff
Nate Aldrich	IDA Staff
Jeanette Lo Bello	IDA Staff
Jason Sample	IDA Staff
Crystal Erhard	IDA Staff
PJ Azzarella	Tri-County Holding Corporation
Jon Rappe	Pomfret III PV, LLC
Jeremy Kauffman	Pomfret III PV, LLC
Ellen Ditonto	BPU
Greg Bacon	Post Journal/Observer
Julia Ciesla-Hanley	WRFA 107.9
Jonathan Epstein	Buffalo News

Absent Board Member(s):

Meeting was called to order by Gary Henry, Chairman, at 10:30 a.m.

Gary Henry

I would like to welcome everybody to the County of Chautauqua Industrial Development Agency Board of Director's Meeting. We're at the BWB Building, 201 West Third Street, Jamestown NY. We're also streaming Live via YouTube and Zoom. It's April 22, 2025 at 10:30 a.m. We'll start with a Roll Call.

Board

Aye – Unanimous. (8 Members Present)

Gary Henry

You should have all received the March 25, 2025 minutes and had a chance to review those. Do we have a motion to approve the minutes?

Sagan Sheffield-Smith

So moved.

Gary Henry

Thank you Sagan. Do we have a second?

Amy Harding

Second.

Gary Henry

Thank you Amy. All those in favor say Aye.

Board

Aye – Unanimous.

Gary Henry

Opposed? The minutes have been approved. We'll move right into New Business A – Tri County Holding Corporation presented by Rosie.

Rosie Strandburg

Thank you, Mr. Chairman. Tri-County Holding Corporation. I do have PJ Azzarella, the Treasurer online before I get into the loan request details, I will provide a background on Tri-County. Tri-County Holdings Corp was founded in 1924. This recreational facility features eighteen holes with multiple tee lengths to accommodate visitors of all ages and skill levels. In addition, there is a Pro Shop and a Clubhouse with a Restaurant on site - 46% of Tri-County's business comes from area residents, while the other 54% comes from out of county and out of state. In addition to daily operations, Tri-County holds numerous charity events throughout the year, and the Club House can be rented out for special occasions and events.

In the fall of 2023 Tri-County Clubhouse was destroyed by a fire and due to the devastating loss, membership totals declined resulting in lost revenue. Tri- County was able to maintain 200 plus members in the 2024 season but the clubhouse is a critical component to the business's operation and success. Tri-County is in the process of securing a

funding approval from another commercial lender, contingent upon the IDA's participation to complete the necessary renovation so that the clubhouse can be reopened, events can be held, and food and beverages can be served. Tri-County is requesting a loan amount of \$250,000 from the IDA in order to pay down the commercial lender balance at a future date when loan funds become available.

So, as I had mentioned, Tri-County is requesting \$250,000 from the IDA at 4% for 20 years and this is, of course, contingent on Tri-County receiving other financing from another lender. We would be subordinate lien position on the mortgage up to \$675,000, subordinate lien position on all accounts, receivable fixtures, furnishings, machinery, equipment, and assets of the company and we'd also be waiving keyman life insurance and personal guarantees as this is owned by stockholders. I do have PJ on the line who can answer any questions and provide an update as to where they're at with the clubhouse – PJ

PJ Azzarella

Good morning, everyone. Thanks for having me. Yeah, at this point you know, as Rosie said, it's a critical component of our golf course is having the clubhouse. Maybe I didn't even understand how much it attracts members and after the fire we lost 20 paying memberships, or about 40 people and you know what's really happening is, we don't have the adequate funds in place to finish the job and get the Certificate of Occupancy to get us back open again, and it's going to get to the point where jobs are going to be lost and we employ over 50 people.

So right now, we're trying to right that ship and we feel like we can get a lot of those members back and it's also affected outings because we had to build a temporary clubhouse that only limits us to a 100 people and our regular clubhouse can hold 200. So, it's a big difference in the amount of outings that we could have in capacity and traffic that goes through this facility. Without this funding, this project would not come to fruition anytime soon, and our fear is that it will continue to drop memberships, and then jobs will be directly affected. So, we we're asking for your support in any way, in any capacity possible.

Rosie Strandburg

Does the Board have any questions for PJ?

Milan Tyler

I can comment on - First, there's two Resolutions in front of you - one is to approve the loan as Rosie just outlined, and the second is a Due Diligence Resolution for possible IDA straight lease benefits. This is an unusual project in that it is both a recreational facility, because the statute specifically mentions recreational facilities, including golf facilities that are available to the public. This is also a commercial facility, because this is a for-profit entity, so it qualifies on both those. The Due Diligence Resolution is sort of the common one that you've seen time and time again. It authorizes and instructs, staff and council to move forward conducting Due Diligence.

We would do a Public Hearing. We would look at the SEQRA, the environmental impact, start doing the IDA documents to see if there's any legal issues, look at the corporate issues, look at the title issues and when and if all of that checks out a Deviation Notice if appropriate, but when and if all that checks out, then we would come back to you for final approval for a PILOT.

Rosie Strandburg

Yes, and to speak on the PILOT again that's a reconstruction and an expansion of Tri-County Holding Corporations clubhouse due to the fire. So, the project will expand the previous floor plan and provide an updated kitchen bar and dining area and new modern amenities. It would be a 15 year PILOT with sales tax abatement, mortgage recording tax abatement, and then, of course, the property tax abatement. The property tax abatement over the life of the project is \$610,492. I'm sorry. That would produce the PILOT payments of \$610,492. A total tax exemption of \$695,695 and then the sales tax abatement of approximately \$75,000 with a job creation of approximately ten full time equivalents over the next 3 years.

Gary Henry

Thank you. Any questions from the Board?

Mark Geise

One last thing is that this was - the Loan Committee reviewed it and is recommending approval to the Board.

Rosie Strandburg

And the Town also is in favor of the PILOT considering what the estimated property tax or I'm sorry, estimated full market value will increase to, the Town was very much in favor of this PILOT.

Gary Henry

Dan Heitzenrater can you move New Business A1 for us?

Dan Heitzenrater

Resolution 04-22-25-01 of the Members of the County of Chautauqua Industrial Development Agency to approve an AL Tech Loan, EDA Cares Act Funds, or CRLF Loan to Tri-County Holding Corporation

Gary Henry

Thank you. Do we have a second?

Tom Harmon

I can second it.

Gary Henry

Thank you Tom. We'll go ahead and do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The Resolution is unanimously approved. Sagan can you move New Business A2 for us?

Sagan Sheffield-Smith

Sure. Resolution 04-22-25-02 Due Diligence Resolution and Preliminary Agreement - Tri County Holding Corporation

Gary Henry

Thank you. Do we have a second?

Dan Heitzenrater

Second.

Gary Henry

Thank you Dan. We'll do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The Resolution is unanimously approved. Thank you PJ for being here today and presenting. We certainly wish you the best, hope that you're able to get the clubhouse open and you have a good season.

PJ Azarella

I think on behalf of everybody at Tri-County we can't thank you guys enough for your assistance on this. We appreciate it. Look forward to seeing you all there.

Rosie Strandburg

Thank you PJ.

PJ Azarella

Thank you.

Gary Henry

Next, we'll move into New Business B – Pomfret III PV, LLC presented by Kristine.

Kristine Morabito

Thank you, Mr. Chairman. I'll mention that we have John Rappe with us here today. I think he's on our screen twice, once for audio and once for video. I'm pretty sure. Welcome. John, is the President and CEO of RIC Energy and we also have Jeremy Kaufman with us today, Jeremy is the Project Manager for development with RIC Energy RIC Development.

So, this company is probably very familiar by now to most of us. We've worked with them on at least four other projects in Chautauqua County, two in the town of Hanover, and two in the town of Pomfret previously. The project before you today is Pomfret III PV, LLC and so it will be the third one in Pomfret. This project involves new construction of a 1.4 MW AC Solar Farm located on 11.9 acres leased from Charles W. Pierce, Jr. located at 4825 Webster Road, Fredonia, in the Town of Pomfret. This is nearly \$3 million project.

I know that John and Jeremy prepared a PowerPoint very brief PowerPoint presentation to provide you with an overview. So, now I'd like to turn it over to them for their couple of slide presentations.

Jeremy Kauffman

Alright, and I'll share my screen quickly.

Kristine Morabito

And while you're doing that, I'll just mention the application is for PILOT tax lease. Before you today is a Due Diligence, Resolution and Preliminary Agreement that we'll describe in just a few minutes, but today, that's what's for consideration. Ok, we can see your screen, Jeremy.

Jeremy Kauffman (Presented PowerPoint)

Okay, cool. Well, thank you for the introduction. So, I know you touched on this but for anyone who doesn't know RIC Energy is a global renewable energy company. We're in the US. We focus primarily on community solar projects throughout the State of New York. We've been in the US for over fifteen years, and we are headquartered in New York

State, and the project name is Pomfret III Solar. Kristine, I guess you touched on many of these but this is kind of our Site Plan located off of Webster Road, a 1.4 megawatt project with a total project area of 11.98 acres, and these arrows here show that we are over a quarter mile from the nearest structure which is actually on the property itself and just some quick details. So, this is a community solar project. One of the best features of the siting is you're unable to see this project from any point of view due to how far back it is placed within the parcel, as well as, the dense surrounding screening to the east, south, and west.

In addition to the vegetative screening that we're going to add just directly north of the project area so that, you know, anyone going along driving, walking along Webster Road, cannot see this project as well as any you know, nearby residents. The other key feature is that this does not displace active farmland and just a quick overview of the timeline of what went into this project. So, we got site control signing the option agreement with the landowner July second, 2021. We secured an interconnection agreement with National Grid March 23, 2023 and we received Special Use Permanent Site Plan approval from the Town of Pomfret Town Board, November 6, 2024 and that's really it for a high-level overview. Thank you.

Kristine Morabito

Thank you, Jeremy. That was perfect. Also, Mark wanted me to mention that I have had several conversations with Town of Pomfret Supervisor Dan Pacos, and most recently our new CFO, Shelby Bilskie had a meeting with Dan Pacos where we've been discussing this application, this project and he very clearly indicated to us his and the Town support for the request for the project. Of course, as Jeremy just mentioned, the Town has already approved the project, but they're also requesting that the CCIDA offer the PILOT assistance in connection with the Host Community Agreement that the client will have directly with the Town. We're not a party to that, but they're asking for the PILOT in connection with that. So, are there any questions for Jeremy or John regarding the project before we ask Milan to review the Resolution? Ok Milan.

Milan Tyler

This is the same Due Diligence Resolution, subject to all the same caveats. It instructs staff and council to move forward with all of the required due diligence. In this case it probably includes a Deviation Notice as the Board typically deviates from your UTEP because each solar project is a little bit different - taking into account their Host Community Agreement, etc. Other than we will move forward, do all the due diligence, including SEQRA, and then come back to you when and if it's all wrapped up in a bow, and any of your questions are answered with all of these. If any board member, even if you don't have a question today, if you have one later, you know, reach out to Kristine, we'll get the answer and present it as part of the final presentation to you when it's all done.

Gary Henry

Thank you. Any questions from the Board? Tom, can you move New Business B1 for us?

Tom Harmon

Sure will. Resolution 04-22-25-03 Due Diligence Resolution and Preliminary Agreement - Pomfret III PV, LLC

Gary Henry

Thank you. Do we have a second?

Daniel DeMarte

Second.

Gary Henry

Thank you. We'll go ahead and do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The Resolution is unanimously approved.

Kristine Morabito

Thank you, gentleman.

John Rappe

Thank you very much.

Jeremy Kaufman

Thank you.

Gary Henry

Next, we'll move into New Business C – Artone LLC, an Amending Resolution presented by Shelby.

Shelby Bilskie

So, we were approached by Artone, requesting an Amending Resolution for increasing the amount that we are subordinate to PNC for their recent loan of \$240,000 with us. It is good news. They are increasing their working capital amount with PNC, up to \$2 million. So, we were at \$750,000, and they are requesting to go to \$2 million. This is due to a change in their well, it's an increase in business and kind of a change in their customer base, because one particular customer does not pay upfront like other customers do. So, they're looking for something to kind of bridge that gap to give them the funding upfront, to be able to fill those orders and continue and carry, to build their business. Any questions?

Mark Geise

Well, we're still in a very good collateral position. Correct.

Shelby Bilskie

Yes. The collateral would definitely be covered, because it would be an increase in working capital, so their inventory would, of course, increase - inventory accounts, receivable items like that.

Milan Tyler

I didn't even bother doing a written Resolution. So, this would just be on a voice vote to allow for the further subordination. You're behind seven \$750,000 now. This would bring it up to \$2 million dollars of the first loan just to keep the cost down I didn't do a written Resolution. We just want to make sure that you know the board is okay with making this change to what you had previously approved.

Gary Henry

Any questions from the Board? Amy, would you move New Business C1 for us?

Amy Harding

Resolution 04-22-25-04 Amending Resolution - Artone LLC

Gary Henry

Do we have a second?

Sagan Sheffield-Smith

I'll second.

Gary Henry

Thank you, Sagan. We'll do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The Resolution is unanimously approved. It's always good to hear when business is expanding here in town. Next, we'll move into the Executive Director's Report.

Mark Geise

Yeah, so I'll be I'll be quick here. One thing I wanted to do is point you to your packet. You'll see an envelope. You'll see the Annual Statement of Financial Disclosure that we're all required to do every year. It's due by the end of April. So, if you could fill that out and either stick it in the envelope and send it to the County Executive's Office, or you could drop it off here to Jeanette, and we'll do inter-office mail and make sure they get it, but please do that because I get bugged and bugged and bugged and the only board, there's about ten of them that that all come through me. So, please please do that and if you have any questions let me know.

In terms of some updates. I wanted to give you just a real quick update on Ripley Industrial Park and Mason Industrial Park. The Ripley Industrial Park, we're working on contracts currently with Empire State Development who is our ARC Appalachian Regional Commission basic Agency, and that's for the two ARC grants that we got of \$3 million dollars all said and done. So, we're working through that. Because that that is Federal money we have Phillips Lytle, Matt Fitzgerald doing a NEPA review which is like SEQRA, but for Federal at the Federal level. So, he's working on that. We still we're still sort of in limbo on the \$3.27 million dollar EDA Economic Adjustment Assistance Grant. We thought we were going to get that. We were going to hear by the end of the year then it got pushed into 2025 and now everything's sort of on hold, but we're still feeling optimistic that that you know, things will line up and the project will get approved. So, we'll see.

National Grid is currently working on the engineering for the electric extension and we're working with our design people in our consulting firm, which is Clark Patterson Lee. We bid it out, we had three proposals. We evaluated them, and we chose Clark, Patterson Lee. So, they're on board and we hope to have a contract in place in the in the next couple of weeks. While the project is sort of, the project costs are still a little bit in flux we have \$15 million dollars right now secured and we have the ability to scale back the project a little bit if we need to. Right now, we have a road that's and water and sewer extending in the site 3,000 feet, as the optimal project, but we can scale that road back, and we can sort of play with that if we need to. So, we're feeling good about where we're at and then in terms of a timeline just real quick - so the contract should be in place in the next couple of weeks. The field work will occur from now up through June of 2025, which includes survey and mapping, geotech investigation wetland delineation - the design tasks will occur from May to December of 2025. That's the road, the water and sewer, the turn lane off of Shortman, the permits and approvals we expect to have in place between July and December of 2025. There's a lot of those. DOH, Town of Ripley, DEC – so, there's a lot of approvals we need to get - and then the bidding and contracts - so Clark Patterson Lee is doing the detailed engineering. Of course, then that work will be bid out, and construction firms will bid on doing that work. So, the bidding and the contracts being put in place will occur between December and March of 2026, and then we hope that the

construction activities can occur between March and October of 2026. Again, the access road, the turn lane, water sewer, electric, etc. So that's sort of high level what we're looking at for Ripley in in optimal schedule.

With Mason Industrial Park – again we have Clark Patterson Lee is our engineering firm. They completed the surveys there and we will have a couple of layouts to review shortly. They did send over three different locations of where the road and the water and sewer will be stubbed in to the road. We chose one. We responded to them yesterday, actually, so they're going to really define that location and you know, do some pre-engineering on that and then they'll develop approximately 50% design plans, and they'll coordinate with the utility providers to advance the designs and then, after they review that with the utility companies and with us, then they'll move to 100% design and permitting. So, the timeline on, that is so SEQRA's complete, the design work between February and August of this year, approvals between May and July of this year, bidding and contracts between July and August of this year, and then construction activities between August of this year and May of 2026 to give you a general idea and those construction activities are road, water, sewer gas, electric and construction restoration. So, that's sort of it in a nutshell where we're at with the two Industrial Parks. What else?

Oh, you know I wanted to mention and if you want to jump in here, too, Milan, that the Silver Creek School project closed last week. I'm not kidding when I say that it was gymnastics, legal gymnastics. There was probably 25 different entities involved. Between STEL and Park Grove, the Title Insurance Company, County Real Property, County Legal, the Clerk's Office, the IDA, the funders, multiple attorneys, the Mortgage Company and the list goes on right Milan and it's amazing that it all came together in the eleventh hour. I really have to commend the work Milan did, and everyone, but Milan, really in the eleventh hour, sort of put this concept together about an indemnity, and we were able to convince them that the idea had the wherewithal to back it up. Its amazing.

Milan Tyler

Well, Mark has been a bit modest, because this is a great example of why you should be happy, that you have Mark at the helm, because he had to corral, not corral, but coordinate with the County Executive, who had to sign a number of documents, because, remember, the County took title and then flipped it over to this agency. So, there's the County Executive, the County Real Estate Department, the County Attorney. He had to reach out to Senator Borrello, who was involved because he's a relative so we knew the airship which is coordinated all of that over the last two weeks or so to get, you know, dozens of documents, and you know, coordinating all that it was fun to watch.

Mark Geise

Yeah, it's amazing and you know, maybe I'm not that close to a lot of projects but it seems to me that this one had a lot of moving parts versus some of the others. I know there's other projects we've done that had a lot of moving parts, but there was a lot here.

Milan Tyler

We don't usually report obviously every time we close a deal, but this one took so much more, had to come back to you for a second approval to get this title issue resolved, and, as Mark says, there were an awful lot of moving parts. This one took a lot to get done and even though it's not a you know huge project it is involving, you know, a central piece of Silver Creek and you know, an old school, and it's just it's going to be very visible when all this is done.

Mark Geise

And we're going to do - we're working on a press release right now. With STEL. Jason's taking the lead on that, and so there'll be something official coming out here in the coming days, week, or whatever, but really exciting, you know, removes, you know, something that's been bringing down the community for a long time that's unsafe, and it's going to be replacing it with a beautiful new housing facility for seniors. So really good stuff.

And then, lastly, for me at least, you know tomorrow night the Legislature will be voting on appointing a New Board Member to our Board to replace Steve Thorpe and so next month I'll be introducing him to the board, but his name is Ted Wightman, and he is from Sinclairville, and he is a part of the Carpenters Union. He's a business representative for them, and he's a real good guy, Gary, and I met with him for lunch a few weeks ago and I'm really excited because he was really

what I was really impressed by was how he's really tuned into the community and knows what's going on, and looking forward to him, joining our ranks. So, that'll be next month that I'll talk more about him. So, does anybody have any questions?

Tom Harmon

I just have one thing, Mark, if I can. I just want to thank yourself and everyone involved with the Soul Creek Project. I've been a resident for over 30 years, and this has been every day. I see this thing every single day. So, this is just wonderful news that this is going to happen. So, thank you and thank everyone involved. I do appreciate it. That's from all the residents as well.

Mark Geise

Yeah, I mean, I could say a lot more, but I mean the Legal Department was really great. The Real Property was really cooperative, you know, Kristen Wright in the legal department, she really stepped up and then we called on Steve Abdella to kind of go in there because he knows the lay of the land there, and he was available, and he went in there and spent a day making sure all the t's were crossed and the i's were dotted and everything lined up. Yeah, so it's it was a total team effort and thanks for saying that.

Tom Harmon
Absolutely. Thank you Mark.

Gary Henry

Very good. Next, we'll have the Treasurer's Report by Shelby.

Shelby Bilskie

Reviewed and discussed the Treasurer's Report.

Gary Henry

Do we have a motion to accept the Treasure's Report?

Sagan Sheffield-Smith

So moved.

Gary Henry

Thank you Sagan. Do we have a second?

Tom Harmon

I can second it.

Gary Henry

Thank you. All if favor say Aye.

Board

Aye – Unanimous.

Gary Henry