

BOARD OF DIRECTORS MEETING

County of Chautauqua Industrial Development Agency

**BWB Building**  
**201 West Third Street, Jamestown, NY**  
**2<sup>nd</sup> Floor Board Room**

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

July 22, 2025

10:30 a.m.

PRESENT:

Gary Henry	Chairman
Dan Heitzenrater	Vice Chairman
Amy Harding	Secretary
Sagan Sheffield-Smith	Treasurer
Tom Harmon	Member
Daniel DeMarte	Member
Ted Wightman	Member
Kevin Muldowney	Member (Arrived at 10:33 a.m.)

Also in attendance:

Shelby Bilskie	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Gregory L. Peterson, Esq.	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
Ty Baccile	New Equity Energy
Henry Zommerfield	Hodgson Russ
Greg Bacon	Post Journal/Observer

Absent Board Member(s):

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

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Gary Henry

Good Morning. I would like to welcome everybody to the Board of Directors Meeting for the Chautauqua County Industrial Development Agency. We're at the BWB Building, 201 West 3rd Street, Jamestown, New York. We're also streaming, live via YouTube and Zoom. We'll go ahead and do a Roll Call Attendance.

Board

Aye – Unanimous. (8 Members in Attendance)

Gary Henry

You should have already received the June 24th minutes and had a chance to review those. Do we have a motion to accept those minutes?

Tom Harmon

I'll make the motion.

Gary Henry

Thank you. Do we have a second?

Ted Wightman

Second.

Gary Henry

Thank you. All those in favor say Aye.

Board

Aye – Unanimous. (Kevin Muldowney was not in attendance yet for the approval of the last meeting minutes)

Gary Henry

Opposed? The minutes have been approved.

Milan Tyler

Gary, can I point out something in the minutes? I think it's a typo.

Gary Henry

Ok.

Milan Tyler

On page fourteen it says that Greg Peterson was involved in a brief description regarding the Tarp Skunks. There isn't a person on the planet who's ever had a brief discussion with Greg about any topic in baseball. Maybe not worth correcting but I just point out that may be a stretch.

Gary Henry

Its noted. Its noted.

Jeanette Lo Bello

Thank you.

Gary Henry

We'll move into New Business A – Chautauqua CSG 1 LLC presented by Rosie and Milan.

Rosie Strandburg

Thank you Mr. Chairman. Chautauqua CSG 1 LLC is a 2.25 MW AC Solar Farm, on approximately 14 acres, located in the town of Poland at 1437 West New York, 394 and West 394 rear in Falconer New York, with a total project cost over \$3.6 million. I do have Ty Baccile with New Equity Energy, and Henry Zimmerfield with Hodgson Russ on the line. Before I pass it on to them, I will give you some details about the project.

I did speak with the Town Supervisor, Mrs. Kelly Snow, and the Town is in favor of this particular solar project. Chautauqua CSG 1 LLC is requesting a 25-year PILOT, which is a deviation from our standard UTEP. They are requesting sales tax exemption a total of \$148,453, property tax abatement savings totaling \$23,904 and PILOT payments, totaling \$306,290 with no mortgage reporting tax being requested. Before I pass it on to Ty and Henry is there any questions as it relates to the PILOT?

Gary Henry

I had one question. When I was looking at that excel spreadsheet that was attached - at some point it looked like if I was reading it correctly like it's actually not a benefit - the PILOT.

Rosie Strandburg

Shelby, maybe it'll be better of you explain here.

Shelby Bilskie

So, the projections, as far as the property tax go utilize like a kind of like a depreciation method. So, it applies depreciation to the asset. So, you know, when it comes to, and I didn't look at this exact schedule, but I think it's typically like year seven or like year ten that it kind of flip flops. At that point if that's still the case if they haven't done any capital improvements on the asset, then they could revisit and say that they wanted to forfeit the PILOT at that point.

Gary Henry

Ok.

Milan Tyler

Gary, its also unclear what the State is going to do when there's some legal issues surrounding how the State is going to either require or recommend these projects be taxed. So, it really is unclear what the future taxes are going to be. I would also just point out that at any time the applicant can terminate early with the IDA. So, if it does turn out that it's negative and they're willing to take the uncertainty of going back on the tax rolls they could in seven or ten, or whatever it is years, say, thanks, but no thanks we'll take our chances with the taxing jurisdictions. So, that's true of all of your projects but you're right. This is one where you know, at least from where we sit today it looks as if that may be something that they should think about but we'll leave that to Henry to tell us.

Gary Henry

Ok.

Rosie Strandburg

Henry, please go ahead.

Henry Zommerfield

I wasn't sure if that was my invitation or not. Thanks so much for having us this morning, Henry Zoomerfield from Hodgson Russ, and everything in that discourse is exactly correct. The State created this model. I'm sure you're all familiar with it for other solar projects. It's sort of rubber banded, if you will, and have gone back and forth through a number of iterations of litigation. There's currently an appeal. All of this, I think, highlights, that as the word was used there, there is some uncertainty into the future, and I think that in and of itself is the benefit besides the actual numbers, besides the financial piece, the benefit is that they will have certainty for the duration and the term of the PILOT because we don't know what's going to happen, even if the model is ruled in the appeal on the merits, and it's going to be upheld, or if there, I understand there's been some legislation passed awaiting the Governor's signature that's going to resolve this - and look we could be going through this every couple of years, you know that, thank God for lawyers. Right? They're always in there messing stuff up, or at least delaying the inevitable, I suppose, but the bottom line is, is that that model tells us how the project will be assessed, and the assessors at the local level will use it, or to use it at least based on the latest. But bottom line for us this certainty through the PILOT is what the real benefit is, money and dollars aside. So, unless there are specific questions on the joyful methodology of assessing solar and renewable projects in New York I'm going to turn it over to Ty to round out and talk more about the project in depth and chime in as I'm needed.

Rosie Strandburg

Ty, could you also touch on any vegetation and screening, and the decommissioning bond for the Town of Poland?

Ty Baccile

Yeah, happy to do that. Okay, so thank you for having us today. My name is Ty Baccile I am new Energy Equity's Director of Development, based in Horseheads, New York, just a couple hours East, where we have a satellite office. This project is under Chautauqua, CSG 1 LLC. That's a wholly owned subsidiary of New Energy Equity. If you're not familiar with us, we're a full-service development and operations and maintenance company that specializes in community solar type projects like this, based out of Annapolis, Maryland. We've been around for about twelve years. We've come through the IDA once before with our Martin CSG project in the Town of Ripley that was later sold to Nexamp. So, you may be familiar with that project.

On this project, it's approximately 2.2-megawatt A/C project. So, on the smaller size. We're working with the Eckerd family in the Town of Poland. They had two parcels that the grandparents and the son owned together, and they had about 17 acres of farm of agricultural land on that parcel, and we were able to use pretty much all that available acreage once we considered the setbacks and the requests from the town and the neighbors. The project is through the utility National Grid.

Now this project is grid ready. We're not held up by any long-term investments or delays. I know there's been a lot of topic of conversation with that with National Grid over the years but we're looking to be in good shape with them. They can connect us as early as the fall of next year, and we are gearing up to satisfy our Special Use Permit Conditions and we're in the final stages of hiring a construction contractor for the EPC - talking to two New York based contractors for that and we're gearing up to match their construction schedule without any doubt that we want to have this project constructed, and with ready to go through permission to operate with National Grid by the end of the next year to align with, you know, any changes in Federal Tax Law.

A little bit about the vegetation and screen like I said, it's about a 17-acre farm field that we're using. We're surrounded by a you know, some trees and things of that nature to the south and to the west, and to the east and to the north there's property lines that were set back off of, and we have quite a dense and detailed screening plan that we worked with the town of Poland and their engineering group, Wendel Engineering to come up with a vegetative screening plan and within that screening plan it also ties into our conditions of our Special Use Permit. So basically, the permit says that if the screening plan does not actually show the way our rendering showed, we're required to go back to the Planning Board a year after operation and make any amendments necessary and it's a contractual obligation with them. So that's just a little bit about that screening plan, our vegetation plan and nothing special here going to use, approved DEC seed mix that builds in a little bit of the pollinators and the perennials on site. We're going to use standard vegetation maintenance -

mowing and things like that. We're in a village with residential neighbors in the area so you know, putting sheep on it, and things like that didn't make a lot of sense on this one.

So, I'd say overall, you know, pretty typical stuff you would see on a solar project. I think the only thing that may be different is, we did work with one of the neighbors near our point of interconnection, and we came to an agreement with them for some additional screening that they're going to install on their property, to further provide screening and satisfy the concerns that were brought up during the public hearing for that. So, I think that's just a real quick summary. I'm sure I could have missed something. I'm happy to answer any questions, and we appreciate your time today.

Rosie Strandburg

Ty, can you confirm if there's a decommissioning bond in place or in the works?

Ty Baccile

It's in the works. We haven't agreed upon the decommissioning value and formula. We handled during the Special Use Permit Process, again that was all handled through Wendel Engineering on behalf of the Town and then we have a form of decommissioning agreement that is agreed upon between us and them, and we're going to be drafting that and presenting it to the Town to satisfy the condition of the Special Use Permit that that gets signed and satisfied before they issue the building permit.

Rosie Strandburg

Thank you. Is there any questions for Ty or Henry before I pass it on to Milan? Milan, if you wouldn't mind going over the Resolution being presented to the Board today.

Milan Tyler

Happy too. This is your standard Due Diligence Resolution that, if passed, will authorize, and instruct staff and council to start doing the due diligence that would include a SEQRA review, that would include holding the public hearing, scheduling the deviation notice, and looking into the legal structure of the applicant crowned lease with the land owner, etc. Then when and if all of that checks out and it's tied up in a nice little bow, we would come back to the IDA for final approval, either at your next meeting, or possibly in September, depending on how things go.

Rosie Strandburg

Thank you Milan.

Gary Henry

Any other questions from the Board? Before we move into a vote, I just like to mention that Sagan is here. Did I skip you when I said the Roll Call?

Sagan Sheffield-Smith

It was Amy

Gary Henry

Amy. And Kevin is here. I'll get it right here at some point. So, they'll be included in the vote. Dan Heitzenrater can you go ahead and move New Business A1 for us?

Dan Heitzenrater

Yes, and appreciate the through coverage of the usual questions. I'll move Resolution 07-22-24-01 Due Diligence Resolution and Preliminary Agreement -Chautauqua CSG 1 LLC

Gary Henry

Thank you. Do we have a second?

Sagan Sheffield-Smith

Thank you Sagan. (Roll Call Vote)

Board

Aye – Unanimous.

Gary Henry

The Resolution is unanimously approved.

Rosie Strandburg

Thank you, Ty and Henry. You are welcome to stay on, but if you have to leave, we understand. I will be in touch with next steps.

Ty Baccile

Thank you very much. Appreciate your time and Board I just want to thank Rosie. Her communication is outstanding, and she's a great representation of your organization. So, we appreciate her hard work.

Henry Zommerfield

I echo those sentiments. Thanks very much.

Milan Tyler

Thanks Henry. I'll be in touch.

Henry Zommerfield

Very well, thanks.

Gary Henry

I know Mark is off today. Did we have anything for a Executive Director's Report?

Shelby Bilskie

Nope

Gary Henry

Ok. We'll move right into the Treasurer's Report.

Shelby Bilskie

Shelby reviewed and discussed the Treasurer's Report.

Gary Henry

Thank you. Do we need to go into Executive Session today? Do we have things we need to discuss?

Shelby Bilskie

Do we want to talk loans?

Kayla Strandburg

I have them if you want me to go over them. I don't have much to report.

Shelby Bilskie

Let's go ahead and do that.

Gary Henry

At this point I would entertain a Motion to go into Executive Session, for the purposes of discussing the financial or credit history of a particular person or corporation. In particular, I would like to discuss the status of our loan portfolio and the financial and credit status of some of our borrowers. Do I hear such a motion?

Sagan Sheffield-Smith

So moved.

Gary Henry

Thank you. Do I have a second?

Tom Harmon

Second.

Gary Henry

Thank you. All those in favor say Aye.

Board

Aye – Unanimous.

Gary Henry

Opposed? Ok. We will now go into Executive Session.

Executive Session

Start Time: 10:46 a.m.

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Executive Session

End Time: 11:48 a.m.

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Gary Henry

We are back in open session. I would like to report that there were no actions or votes were taken during Executive Session and therefore no minutes of the meeting were taken. We are not going to have an official CREDC meeting today but we will do a quick review of the Treasurer's Report as long as we're here. Can you do that?

Kayla Strandburg

Sure. Kayla reviewed and discussed the CREDC Treasurer's Report.

Gary Henry

As long as we are talking about CREDC we'll take a minute just to pass the previous minutes. Those were sent out with our Board Meeting packets. You should have had a chance to review those. Do we have a motion to accept the CREDC minutes?

Kevin Muldowney

Motion.

Ted Wightman

Second.

Gary Henry

Thank you. All those in favor say Aye.

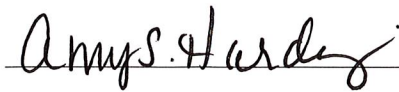
Board

Aye – Unanimous.

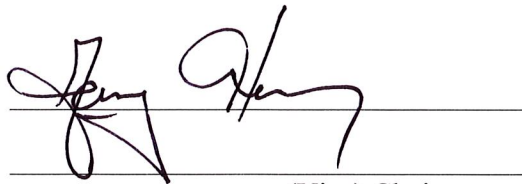
Gary Henry

Opposed? Ok. Those previous minutes were approved. Any Old Business to come before the Board? Hearing none we will consider the meeting adjourned. Just to remind everybody that the next IDA Meeting will be August 26, 2025. We'll be meeting here again at the BWB Building and streaming live. Thank you.

The meeting is adjourned at 10:52 a.m.



(Assistant) Secretary



(Vice) Chairman