

**MINUTES OF THE MEETING OF THE
CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

July 8, 2019

Chairman Michael McMahon called the meeting of the Cortland County Industrial Development Agency to order at 12:04 pm on Monday, July 8, 2019, at 37 Church Street, Cortland, New York.

I. ROLL CALL AND CALL TO ORDER:

The following members were present:

Johanna Ames	Clint Brooks
Stephen Compagni	Michael McMahon
John Reagan	
Steve Servies	

The following members were absent:

John Shirley

The following staff was present:

Garry VanGorder, Executive Director	Karen Niday, CFO
Sandy Griep, Office Manager	John Sidd, Counsel

The following guests were present:

Chet Feldmann, Distributed Sun	Bharath Srinivasan, Distributed Sun
Victor Siegle, Homer resident	Marie Smithgall, Carpenters Union Rep

II. APPROVAL OF MINUTES: Michel McMahon made the motion to approve the June 2019 minutes.

III. NEW BUSINESS

A. Crescent Commons – The organization is moving from construction financing to permanent financing and Garry’s authorizing signature is required because of the CCIDA’s interest in the property. John Sidd explained that this is not out of the ordinary, and that it does not impact the CCIDA PILOT agreement in any way. A motion was made by Michael McMahon, seconded by Johanna Ames to authorize Garry to sign all documents finalizing the new agreements. All were in favor.

B. Lapeer – Cortland Solar, LLC – Garry provided an overview of the project for the board, outlining last month’s action to approve preliminary inducement, the SEQRA resolution, and setting a July 1 public hearing date at the Lapeer Town Barn. He then provided an overview of comments made at the public hearing, as well as comments he’d received from a county legislator this morning opposing

the project. Board members were reminded that copies of the public hearing sign-in sheet, minutes and attached written comments submitted that evening had been included in their board books.

Garry went on to say that one of the public hearing speakers, Mr. Victor Siegle of Homer, had been supplied relevant project information upon his request prior to the hearing. He said that Mr. Siegle also forwarded him a letter opposing the project in a Saturday, July 6 e-mail, and that Mr. Siegle had also been reaching out to members of the Cortland County Legislature to share his perspective. He has provided each IDA board member with more comments prior to today's meeting. Those comments will be included in today's meeting file.

Garry said the Marathon School District also reached out with questions about CCIDA's process in negotiating the PILOT agreement, and that Mr. Sidd arranged for a conference call among the parties this morning after his initial conversation with the school district's attorney. Garry said CCIDA provided information sufficient for the attorney to report back to the school's business officer and board.

Mr. VanGorder characterized for the CCIDA board Mr. Siegle's position being based in his belief that project costs outweigh the benefits, and then both he and Mr. Sidd addressed Mr. Siegle's written commentary with respect to a number of inaccuracies it contained (see attachment).

Mr. McMahon allowed a brief comment from Mr. Siegle, who again asked that the CCIDA reject the PILOT application.

Bharath Srinivasan, representing distributed Sun, then spoke for several minutes at the board's invitation and after a brief review of the project confirmed that it would not be possible without CCIDA assistance.

In a general board discussion that followed, Stephen Compagni asked what the process would be if the CCIDA decided to delay a decision on the project. Garry responded that such action would be at the discretion of the board. Mr. Srinivasan also confirmed for Mr. Compagni that a project decommissioning bond is in place and that Distributed Sun is making regular payments to it.

Questions also followed on the property assessment process, with Ms. Niday reporting that CCIDA worked closely with the town assessor and also retained the services of former Cortlandville assessor David Briggs to assist. Mr. Briggs compared assessment findings in other counties and also worked closely with the Tompkins County assessor in confirming the accuracy of his valuation approach.

The following resolution was offered by Michael McMahon, seconded by Steve Servies.

RESOLUTION FINALIZING THE PRELIMINARY INDUCEMENT RESOLUTION FOR A CERTAIN COMMERCIAL PROJECT FOR **LAPEER-CORTLAND SOLAR, LLC.**

Roll Call Vote: Michael McMahon – yes; Stephen Compagni – yes; John Shirley – absent; John Reagan – yes; Johanna Ames – yes; Steve Servies – yes; and Clint Brooks - yes.

PILOT resolution passed unanimously.

The following resolution was offered by Michael McMahon, seconded by John Reagan

RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS IN CONNECTION WITH A STRAIGHT-LEASE TRANSACTION FOR A COMMERCIAL PROJECT FOR **LAPEER-CORTLAND SOLAR, LLC.**

Roll Call Vote: Michael McMahon – yes; Stephen Compagni – yes; John Shirley – absent; John Reagan – yes; Johanna Ames – yes; Steve Servies – yes; and Clint Brooks - yes.

The resolution passed unanimously.

IV. REPORTS

A. Financials – Karen Niday reported that there were only ordinary expenses.

V. ADJOURN

The meeting was adjourned at 1:15 pm.

Respectfully submitted:

Secretary
John Shirley

Chairman
Michael McMahon