

Tompkins County Industrial Development Agency

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TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS MEETING

**• Thursday, October 12, 2017 •
4:00 – 5:30 PM
Legislative Chambers
Governor Daniel D. Tompkins Building
121 E. Court Street, Ithaca NY**

AGENDA

- 1. CALL TO ORDER**
- 2. PRIVILEGE OF THE FLOOR**
- 3. BUSINESS**

Old Business

Page #

2018 Draft Budget Approval

2

Mission Statement – Review and Approval

The Tompkins County Industrial Development Agency delivers economic incentives to business and industry to diversify and strengthen Tompkins County's tax base and enhance community vitality, by supporting job creation, business and industrial development, and community revitalization. We strive to develop the local economy in an organized, sustainable and environmentally beneficial manner.

Community Solar Policy – Review and Approval

3

- 4. STAFF REPORT**
- 5. APPROVAL OF MEETING MINUTES – September 14, 2017**
- 6. ADJOURNMENT**

5

Next Meeting: November 9, 2017

**Tompkins County Industrial Development Agency
2018 DRAFT Budget (10/12/17)**

Projected Starting Balance \$ 237,283

Income

Fees \$ 200,394

Interest \$ 200

Total \$ 200,594

Expenses

Administration \$ 333,747

Attorney Fees \$ 4,500

Misc Studies \$ 20,000

Audit \$ 7,000

Total \$ 365,247

 \$ 72,630

Tompkins County

Industrial Development Agency

Off-Site Commercial Solar Photovoltaic Policy Final for review – October 12, 2017

Purpose

The Tompkins County Industrial Development Agency (IDA) wishes to adopt an off-site commercial solar photovoltaic policy to encourage solar development for the following purposes:

1. Support New York State’s “Reforming the Energy Vision” Initiative, which is intended to encourage renewable energy development that will spur economic growth and develop new energy business models. The initiative sets statewide goals of cutting greenhouse gas emissions by 80% by 2050 and generating 50% of New York’s electricity from renewables by 2030.
2. Support Tompkins County’s energy and greenhouse gas emissions policy to “meet community needs without contributing additional greenhouse gases to the atmosphere.” The policy includes goals to:
 - Reduce greenhouse gas emissions to reach a minimum 80 percent reduction from 2008 levels by 2050 and reduce reliance on fossil fuels across all sectors.
 - Increase the use of local and regional renewable energy sources and technologies.
3. Support consumer choice for renewable energy generation.
4. Administer a single countywide uniform tax exemption policy allowing municipalities to collect long-term predictable payments in lieu of taxes without the burden of developing and administering PILOT agreements at the municipal level.
5. Assist project developers by offering a single countywide tax exemption policy, eliminating the need to negotiate PILOTS with multiple taxing jurisdictions.
6. To enhance developers’ prospects for financing community distributed generation projects by offering a uniform PILOT structure that is simple, predictable, and more appealing to lenders.

Policy

This policy provides incentives for off-site solar projects that provide renewable energy benefits to residential and commercial customers. Eligible projects commercial scale projects, generally two megawatts or less, as outlined in state law. Types of eligible projects include:

- Community distributed solar /shared solar
- Off-site generation projects that have a wholesale power purchase agreement with one or more users.

To respect variations in local municipal policy, each project application must include a letter from the host municipality endorsing the proposed payment in lieu of tax agreement with the IDA. It is strongly encouraged that applicants provide a preference or pre-offering to Tompkins County residents.

The following standard incentives will be offered:

Property Tax:	Real estate taxes on the increased value resulting from improvements are partially abated over a twenty (20) year period. The annual payment in lieu of taxes (PILOT) will range from \$4,200 to \$4,800 per megawatt (MW) of the facility’s nameplate capacity, with a 2% increase each year. PILOT payments replace local, county, and school district taxes only. The actual amount will depend on projected annual revenue.
Sales Tax:	Exemption from State and local sales tax on project costs outlined in the IDA Policies and Procedures.
Mortgage Recording Tax:	Exemption from the State share of the mortgage recording tax as outlined in the IDA policies and Procedures.

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Industrial Development Agency

Fees

The applicant is responsible for paying the IDA Administrative Fee at the time of closing. The fee will be equal to .50% of the total value of expenses that are positively impacted by IDA incentives. The applicant is also responsible for paying the IDA for all legal costs it incurs including IDA Counsel.

Other

Unless specifically outlined in this policy, the applicant will be responsible for complying with all other rules and regulations as set forth in the IDA's Policies and Procedures.

Policy approved: _____

**Tompkins County Industrial Development Agency
Board of Directors Meeting DRAFT Minutes
September 14 2017
4:00 PM
Tompkins County Legislative Offices
121 E. Court Street, Ithaca, NY**

Present: Jim Dennis, Jennifer Tavares, Rich John, Svante Myrick, Will Burbank, Grace Chiang

Staff Present: Heather McDaniel, Ina Arthur, Mariette Geldenhuys, Katie Borgella (TC Planning)

CALL TO ORDER

Jim Dennis called the meeting of the **Tompkins County Industrial Development Agency** to order at 4:10 pm.

PRIVILEGE OF THE FLOOR - None

BUSINESS

Ulysses Solar III LLC – Final Approval

Ms. McDaniel reported that the public hearing for this project was held on September 11, 2017 with three board members present. It was noted that the PILOT amount the project will pay is double what the agricultural land would have paid to the municipalities.

Ms. Dennis commented that the comparison of projected new taxes versus the existing taxes would be a good piece of information for all future projects.

Will Burbank moved to approve the Ulysses Solar III, LLC project. Svante Myrick seconded the motion.

Mr. John asked what the assessment will be after the 20 year PILOT? That is unknown at this time. Assessors are still grappling with this and there is no way to figure without guidance from the State.

Ms. McDaniel noted that the Town of Ulysses is opted into Real Property Tax Law 487 – so without the IDA PILOT, the project would exempt from property taxes for 15 years. The project developer indicated a willingness to pay some taxes and the Town requested the IDA negotiate and deliver the PILOT.

A vote was taken on the motion. The motion passed 6-0.

2016 Job Report

Ms. McDaniel presented the 2016 job report on the 21 active projects. Overall, these projects created or retained a total of 2185 jobs which is 98% of the job goals projects predicted when they applied for incentives. Some projects have exceeded their goals; others have lost jobs. All the projects have paid over \$14M in new property taxes.

Ms. McDaniel has met with the projects that have not met their job projections. The majority of those are projects where a building was built for a specific tenant company that has since moved – thus the building has filled the space with new tenants. The majority of those not meeting job projections have had no change in circumstances since last year.

Dairy One is in the first year of its PILOT and year one of the three years it has to meet job creation projections. The company has not yet ramped up its employment.

The Marriott hotel was only open for one month in 2016 and in that time created 73 of the 75 jobs it projected.

Incodema 3D is using a new technology that has not yet met its potential. It is not ramping up as quickly as originally projected.

Ms. Tavares asked if the 2016 job totals were retained/existing and new jobs? Yes.

Mr. Burbank asked about the wages reported for the Italtai project. The major business in that project is a restaurant and thus the wages reflect what wait staff is paid hourly and does not include tips.

Svante Myrick moved to accept the 2016 Job Report and acknowledge that no recapture of funds is warranted from any of the current projects. Rich John seconded the motion. The motion was approved 6-0.

Mission Statement - Discussion

Staff has developed a proposed new IDA mission statement. Ms. Robertson had sent out an email with an alternative new statement.

Mr. Myrick stated that he likes both the proposed staff statement and the one by Ms. Robertson. He cautioned against tying the mission statement to a specific City policy (CIITAP), as policies will change.

Mr. Tavares commented that there were specific project applications that triggered this review of the mission statement. We should make sure that the new statement considers those concerns but also allows the board to accomplish the economic and community benefits it would like to. She also suggested using the word “incentives” versus “benefits” in the actual statement.

Mr. John made some recommendations that combined Ms. McDaniel and Ms. Robertson’s suggestions.

Mr. Burbank asked about the legality of the new statement. As long as the statement does not go against the NYS legislation that created the IDA, it is fine.

Mr. Dennis suggested that staff return with a second drafted statement that reflects the discussion at this meeting.

Mr. Myrick left the meeting.

Staff Report

Ms. McDaniel reported that the City Centre project has cleared its site and the construction crane is in place.

She has received a letter from the Town of Newfield regarding two more solar projects that are in the works there. The two Dryden solar projects have received negative declarations of environmental significant and site plan approvals. The developer is now working with the County assessor.

Ms. McDaniel reviewed the second quarter 2017 financial report.

Mr. Dennis asked about the status of the Arrowhead project that was to build a senior housing project in the Village of Lansing. Ms. McDaniel reported that the developer has worked out the wetland mitigation issues. The developer has gone to the Village of Lansing with an updated plan for the housing part of the project – he now wants to build an apartment building with 30 units versus the original 12 units. The Ithaca City School District has stated that if the project changes, the developer should need to come back to the IDA and taxing jurisdictions for approval. Ms. McDaniel has instructed Mr. Goetzmann to go through the village's approval process and when he has an approved housing project to be in touch with the IDA to determine if the project has changed enough to warrant new approvals.

Ms. Tavares asked about the draft solar policy the IDA has been contemplating. She would like to see an actual policy versus a project by project approval of solar projects.

Ms. McDaniel commented that the regulations in NYS have been changing very quickly that the original draft policy will need some modification. The proposed PILOT amount is too high based on recent NYSEDA calculations and changes in NYS regulations that will reduce the revenues for these projects. Ms. McDaniel will revise the policy to reflect this.

Approval of Meeting Minutes

Will Burbank moved to approve both the minutes from the June 8, 2017 and August 10, 2017 Board meetings. Rich John seconded the motion. The motion was approved 5-0.

The meeting was adjourned at 4:55 PM