



KATHY HOCHUL
Governor

Economic Development Power Allocation Board

JUDGE CECILY MORRIS
Chair

ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

MINUTES

May 20, 2025

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A regular meeting of the Economic Development Power Allocation Board (“EDPAB”) was held via video conference, at approximately 8:00 a.m.

The following Members of the Board were present:

Cecily Morris, Chair
Dennis Trainor, Member
Andrew Silver, Member

Also in attendance were:

Lori Alesio	Executive Vice President and General Counsel, NYPA
Maribel Cruz-Brown	Senior Vice President – Customer Solutions, NYPA
Karen Delince	Vice President and Corporate Secretary, NYPA
Eric Bowers	Vice President, Economic Development and Key Account Management, NYPA
Felisa Hochheiser	Deputy Corporate Secretary, NYPA
Elki Posillipo	Manager, Business Power Allocations and Compliance
Mark Schwartzburt	Expert Customer Contracts Analyst, NYPA
Yale Brown	Expert BPAC Analyst, NYPA
Sheila Quatrocci	Senior Associate Corporate Secretary, NYPA
Michele Stockwell	Senior Assistant – Corporate Secretary, NYPA
Fiona Khan	Senior Assistant – Corporate Secretary, NYPA

Introduction

Chair Cecily Morris welcomed members of the Board, Dennis Trainor and Andrew Silver, and Authority senior staff to the meeting. She said that the meeting had been duly noticed as required by the Open Meetings Law and called the meeting to order pursuant to the EDPAB Bylaws, Article III, Section 2.

1. Adoption of the May 20, 2025 Proposed Meeting Agenda

On motion made by Member Trainor and seconded by Member Silver, the Agenda for the May 20, 2025 meeting was adopted.

Chair Morris, Members Trainor and Member Silver declared no conflicts of interest based on the list of entities being considered for power allocations.

2. Approval of the Minutes

On motion made by Member Trainor and seconded by Member Silver, the Minutes of the Meeting held on March 25, 2025 were unanimously approved.

Chair Morris invited Ms. Maribel Cruz-Brown, Senior Vice President Customer Solutions to make an introduction.

Ms. Cruz-Brown stated that the staff was requesting that the members approve the recommendation for the amendment of the Economic Development Plan and recommended approval of Industrial Incentive Awards for two organizations for economic development and economic revitalization purposes. The item was presented by Steve Vancol, Manager in the Power Contracts & Tariffs group.

3. Industrial Incentive Awards and Economic Development for Buffalo Niagara Partnership and Crescent Duck Farm, Inc.

Mr. Steve Vancol, Manager in the Power Contracts & Tariffs group, presented the item. He said that the Board was requested to amend the Economic Development Plan ("Plan") covering the use of net revenues produced by the sale of Expansion Power to provide two Industrial Incentive Awards ("IIA").

Public Authorities Law §1005 (eighth undesignated paragraph) directs the Authority to identify "net revenues" produced by the sale of Expansion Power and, further, to identify an amount of such net revenues that will be used solely for IIAs. IIAs are to be made in conformance with a Plan covering all such "net revenues." Where, the Authority submits a Plan to the Economic Development Power Allocation Board, pursuant to Economic Development Law §188, which also provides for the Board's approval of the Plan upon its determination that such Plan is consistent with, among other things, the criteria and requirements provided for in EDL §§184 and 185 that are used to evaluate applications for certain power. Economic Development Law § 184 outlines criteria for economic development power allocations, focusing on job creation, long-term commitment to New York, investment in business facilities, impact on productivity, local economic conditions, and alignment with state and local economic strategies. Economic Development Law § 185 allows for allocations to businesses in serious, long-term distress if they present a comprehensive revitalization plan, demonstrate significant contributions to this plan, and show cooperation with local electricity distributors to manage energy costs. The plan must aim to sustain operations and preserve jobs.

The recommendations for new Industrial Incentive Awards included: (i) Economic development purposes to the Buffalo Niagara Partnership ("BNP") and (ii) Economic revitalization purposes to Crescent Duck Farm, Inc. ("Crescent") An Industrial Incentive Award to "BNP" will establish a Western New York Community Sponsored Air Service Development Fund. It is designed to incentivize airline carriers to commit to a new international route by providing a Minimum Revenue Guarantee. The Fund will provide up to \$15 million over three years, with up to \$5 million available per year. The economic development plan is expected to stimulate \$32.8 million in new annual tourism spending, generate \$1.25 million in direct tax revenue for New York State, and support 288 jobs in Western New York with total annual wages of approximately \$14 million. "BNP" has estimated professional services costs of up to \$50,000 per year for three years, totaling \$150,000. These costs will cover professional, legal, accounting, and airline consultancy services and will be reimbursed by NYPA upon presentation of invoices.

The Board is requested to amend the Plan to include an IIA to establish the Western New York Community Sponsored Air Service Development Fund in the amount of up to \$15,150,000, to be disbursed in arrears upon the completion of the agreed upon milestones and metrics as defined in a contract between the Authority and BNP. Once the contract is executed, an Industrial Incentive Award to Crescent Duck Farm, Inc. ("Crescent") will enable Crescent to reestablish its duck flock, reinstate employment for 79 jobs, and invest in real property improvements, electric load usage, and energy-efficient lighting projects. Crescent has been an Authority customer for over 25 years, starting with the Power for Jobs program and transitioning to the ReCharge NY (RNY) program in 2012. Crescent receives a 606 kW RNY allocation in return for a commitment to retain 79 jobs at the facility and a five-year capital investment commitment of \$2,750,000. It is the last commercial duck farm on Long Island and one of the last few in New York State. Due to an outbreak of the avian flu, it had to cull its entire flock of 100,000 ducks and lay off nearly its entire workforce. To recuperate the business back to a stable operation, Crescent will expend \$5,255,800 in capital investment to cover normal restocking activities and operating costs for an 18-month period. Accordingly, EDPAB is requested to amend the Plan to include a one-time IIA of \$700,000 to Crescent to be drawn upon by Crescent prior to December 31, 2026. The disbursement of funds will not occur until after State Environmental Quality Review Act ("SEQRA") compliance has been completed.

On motion made by Member Trainor and seconded by Member Silver, the Industrial Incentive Awards and Economic Development for Buffalo Niagara Partnership and Crescent Duck Farm, Inc. recommended by staff, was approved by the Board.

The following resolution was anonymously adopted by members of the Board present.

RESOLVED, That the Economic Development Power Allocation Board determines, and hereby recommends that the NYPA Board of Trustees determine, that based the attached memorandum and other information referred to therein, and the criteria and requirements provided for in Economic Development Law §§ 184 and 185 (collectively, the "Criteria"), the Economic Development Plan ("Plan") and its implementation are consistent with the Criteria, and therefore approves, and hereby recommends that the NYPA Board of Trustees approve, the amended Plan that provides for the use of net revenues from the sale of Expansion Power through June 30, 2031, in order to provide Industrial Incentive Awards to Buffalo Niagara Partnership and Crescent Duck Farm, Inc., for the reasons indicated in the Attached Memorandum.

4. Next Meeting

Chair Cecily Morris said that the next meeting of the Board is scheduled to be held on Tuesday, July 29, 2025 at 8:00 am.

Closing

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the meeting was adjourned at approximately 8:11 a.m.

Karen Delince

Karen Delince
Vice President and Corporate Secretary