

ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Crossroad Center

Belmont, NY

March 12, 2026

10:00a.m.

https://www.youtube.com/channel/UCXJ1KZ_F90Z77-JQxeHzDXQ?

AGENDA

Call to Order

- Introduction of board members, staff and counsel
- Elect temporary chair
- Discussion of ACIDA overview by Ed Russell – Hodgson Russ and Craig Clark Executive Director ACIDA

Approval of Minutes

- Board Minutes – February 12, 2026

Treasurer's Report

- Banking & Financial Summary
 - Balance Sheet
 - Profit & Loss
 - Expense Abstract – Transactions by Vendor
 - CD Bank Statements

Executive Session - if required

Action Items

- Resolution regarding Omni Cuba FTE Waiver
- Amended Approving Resolution-Moraine Solar Energy Center, LLC

Old Business – updates

- Crossroads Property Sale – Final Documents
- EPA Brownfield Grant
- RBDG – BDO zone grant
- Gateway Center to the Western New York Wilds
- ARC Power grant
- Microenterprise grant
- Allegany County Strategic Plan Economic Development/EDO
- Clean energy projects
- GLC – Cuba Business Park

New Business

Good of the Order

Adjournment

Allegany County Industrial Development Agency

MEETING

February 12, 2026

Crossroads Conference Center, Belmont, New York 14813

ACIDA.org

OPENING REMARKS

- Chairperson Judith Hopkins called the board meeting to order at 10am. There were no conflicts of interest. Judith asked everyone to introduce themselves.
- Present: Judith Hopkins, Chairperson; Randy Shayler, Vice Chairperson; Richard Ewell, Secretary; Douglas Frank, Treasurer; John Ricci, Member
- Absent:
- By Telephone:
- By Teams: Edmunds Russell III, Esq. Hodgson Russ LLP; Daniel Spitzer, Esq. Hodgson Russ LLP; Ryan Magwood, Ecostrat
- Others present: Dr. Craig Clark, ACIDA Executive Director; Barb Benjamin, ACIDA Operations Director; Melissa Pingitore, ACIDA Assistant Director; Jacob Kohler and Dave DiTanna BWB; Brooke Harris, Chairman, Allegany County Board of Legislators; Allison Carrow, Allegany County, County Attorney; Jim Lucey, Supervisor, Town of Ward

BOARD MINUTES

- **A motion was made by Richard Ewell and seconded by John Ricci to approve the January 8, 2026 minutes. No Discussion. Approved/passed 5-0**

TREASURERS REPORT

- Abstract Report - Expenses – A motion was made by Douglas Frank and seconded by Richard Ewell to approve the Abstract Report. No discussion. Approved/passed 5-0
- Banking & Financial Summary – A motion was made by Richard Ewell and seconded by John Ricci to approve the Banking & Financial Summary. No discussion. Approved/passed 5-0

BUILDING

- Sales Final Costs – Craig reported we had some end of the year closing operational costs which the County had agreed to pay for the final costs of the sale of the building last year. We had some issues getting Suburban to get our account closed out so that's why it's taken so long to get the final figures.

ACTION ITEMS

- Presentation by Ecostrat BDO Zone Contract and Approval – Ryan Magwood – Craig said that with the Federal Government shut down last fall the USDA Grant just got signed. Since it's been a while Craig asked Ryan to discuss the BDO Zone Program and what they're going to be doing. The RFP is in the board packet and Craig would like to get it signed today so we can move forward. Ryan said he worked with Craig on an application to the USDA through the rural business development grant to get funding to complete a BDO Zone Rating for Allegany County. A BDO Zone Rating is a standard based assessment of a specific region's suitability to host a biofuel, renewable chemical, bio gas or bio products facility. It's an analysis of the region that will look to see if the county is ready to support bio-based projects. Ecostrat has issued a little over 60 BDO Zone Ratings all across America. This will actually be the first in New York State. Essentially it will do an assessment and determine a grade. The highest investment grade rating is an AAA, and the lowest investment grade rating is BBB. The report is 70-90 pages and looks at about 100 or so different risk indicators pertaining to the three major categories of risk. The first is the feed stock surplus, so an analysis of the region is done to see how much woody biomass is being produced within the region, what the supply chain is like, and can the infrastructure that's in place support a project. The ratings are credible because they are based upon the standards for biomass supply chain risk. Ecostrat developed these standards with Idaho National Labs, the US Department of Energy and the 65-member capital markets risk ratings and review committee. This committee help provide feedback as to what developers and investors look for and care for in terms of risk when deciding where to site biobased projects. Ryan reiterated that he worked with Craig on the application to the USDA and they were just notified that it was successful and we got the funding to complete the BDO Zone Rating for the region. The funding through the USDA Grant helps cover the entire cost of the rating, \$5000.00 is in in-kind for Craig's time he's expected to spend on the project throughout the one-year engagement. Ecostrat's going to support with quarterly reporting that's required and everything along the way to keep the project moving forward. Craig said we previously approved the grant a couple of meetings ago and he just finally signed the paperwork. We need to sign the consultant's contract so they can get started. It's a \$150,000 grant, \$70,000 is Ecostrat's in-kind and \$5000 is the IDA's in-kind. It's going to take about six-months to do the first phase. Ryan explained there are two phases to the project, the first phase is the actual technical report and doing the 70–90-page report that'll take up to six months to complete. The second phase is the marketing and promotion phase which is really where Ecostrat's in-kind comes from. A joint press release will be done announcing that the ratings have been formally publicized sharing with their network. Ecostrat's network includes developers and investors within the industry. They have a webinar where they partnered with the digest of the world's largest bioeconomy newsletter, which is where Craig and the project developer who actually wrote the report will give a technical view of the region and talk about the opportunity here and the different risks associated with siting a biobased facility in the area. It's a one-year engagement that is essentially being paid through the grant. Discussion was held on what is considered the feed stock. The feed stock they'll be looking at is all the wood, forest residual, sawdust and bark shavings. It's really the byproduct of the forest industry, the low-grade material that doesn't have an existing market. Ecostrat will do an analysis of the region to determine how much of that is being produced, what is the quantity, what price a developer can acquire that waste for and then we will market and promote that information to developers that are wanting to understand where areas are, where they can site their projects. This is

a way for communities and regions to be more proactive in terms of trying to attract these kinds of projects and to do this pre-assessment for everything that these developers care about. As mentioned, before they are based upon the standards for the biomass supply chain risk. The woody material will come from sawmills, and tops of trees from land clearing or logging. An analysis will be done of the timber industry and we'll look at the different subcategories of the low-grade material, the forest residue, the sawdust, the bark, and the pulpwood - what is already being produced and generated on an annual basis that doesn't have an existing market. The analysis will determine how much there is, what's the price that a developer can acquire it for and then promote the information to different developers and investors so that they know what feed stock they can get in the county and for how much. Essentially, it's a third-party validation that gives assurance of how much feed stock supply they can get and for what cost. The analysis isn't meant to determine what projects it will attract it just highlights assets that are within the county and gets the county on the map. Ecostrat has issued over 60 BDO ratings across North America. There's \$10 billion in private capital that is being allocated for projects located with BDO Zones. A project in TX was discussed as an example. Discussion was held on the types of industries that may be attracted, biofuels, renewable chemicals, biogas, etc. It would be looking at utilizing the wood waste products to create an end material. The rating was discussed and Ryan was asked what rating he expected. Ryan said a AAA rating isn't usually issued because it means there's little or no risk. They have issued A, BBB or BB in bordering states and Canada. The rating is meant to act as a bull-eyes on the map. More discussion was held on the different ratings and what the analysis does. Discussion on how you find the materials, do you need to get permission from landowners, etc. Ryan said the assessment is all virtual, they get in touch with the state forest service, forestry association, ground suppliers, loggers and log truck drivers etc. to validate the feed stock. The second phase of the project would determine the type of industry that would come to the county. This phase will determine the availability of the assets in the county. Craig said this is a \$150,000 project, \$75,000 from the USDA, for the match - Ecostrat will have \$70,000 in-kind and the IDA will have \$5000 in-kind. Today the board would be voting on an RFP for the Executive Director to sign the contract for the USDA Grant. **A motion was made by Randy Shayler and seconded by John Ricci to approve the Executive Director to sign the contract with Ecostrat for the USDA Grant. Approved/passed 5-0**

- Microenterprise grant – Mike Zimmerman – Craig reported for Mike that he's finalizing the current grant, all the paperwork is getting signed and submitted this month so we can close out the current Microenterprise Grant cycle. We'll apply for the next microenterprise grant as soon as it opens up, hopefully sometime in March.
- Presentation of annual Audit – BWB – Dave and Jake reviewed the highlights of the preliminary 2025 IDA Audit. They talked about the sale of the building at the end of the year, they gave a clean unmodified opinion for the agency which is the highest level of assurance they can provide and congratulated the IDA on another clean year. Jake explained the audit by section, what they look at, verify, procedures of agency work flow, etc. Insurance for Directors and Officers was discussed to make sure the IDA was protected and discussed the need to have insurance or bonding. Rich was to check on the additional insurance we have to protect the ACIDA operations. Positive Pay with the increase in scams/fraud, and collateralizing of the IDA Funds was discussed. After discussion of the Audit, it was decided that the Audit could be approved today. It was commented on that Jake and Barb work well together and Barb was thanked for her contribution to the success of the Audit. **A motion was made by Richard Ewell and seconded by Randy Shayler to approve the 2025 Annual Audit with changing the date from March to February. No further discussion. Approved/passed 5-0** Craig said he can get the Paris report done now that the Audit was accepted/approved.

- Brooke Harris, Chairman Allegany County Board of Legislators – Brooke Harris, Chairman of the Allegany County Board of Legislators, thanked the outgoing IDA Board Members and commended them for their years of service and the progress the IDA has made. Brooke reviewed the application process and interest from the County residents for their interest in being on the IDA Board. The Board of Legislators approved increasing the IDA Board from five to seven members. The names of the new members will be announced to the public at the next P&D Meeting and approved by the full Board at their next meeting. Discussion was held on the new board members and what needs to be done to stagger the IDA Board Member Terms in the future.

EXECUTIVE SESSION – DISCUSSION OF CONTRACTUAL/LEGAL ISSUE

- **A motion was made by Randy Shayler and seconded by Richard Ewell to go into Executive Session for discussion of a contractual /legal issue. Approved/passed. 5-0**
- **A motion was made by Douglas Frank and seconded by John Ricci to come out of Executive Session. Approved/passed. 5-0**
- **No action was taken in Executive Session.**

ACTION ITEMS

- Discuss and approve revised personnel policy – Craig and Melissa explained that we need to revise the personnel policy to include things about the work day to be eligible for the state retirement program. We need to include the numbers of hours per day worked by employees both full-time and part-time. With Melissa's background in Human Resources, she worked with Barb and cleaned up the language, eliminated redundant language, specified the work day/week hours for full-time and part-time employees just to make the policy clearer. Melissa reviewed the vacation time-off for full-time and part-time employees, the PTO time that includes sick, safe leave and personal time-off and bereavement time-off in the policy. The safe leave was discussed because some board members don't think it should be included but Melissa and Barb both said that it's required per NYS Law. **A motion was made by John Ricci and seconded by Douglas Frank to approve the revised personnel policy. No further discussion. Approved/passed 5-0**
- Discuss and approve revised UTEP – Craig reviewed the changes to the revised UTEP, increase the PILOT from \$2500 to \$3000 per megawatt for small solar, increase the number of years for a PILOT to up to 30 so a deviation won't have to be done for each project and then we added the provision for energy storage. The 2% per year escalator will remain the same. Dan and Ed have recommended this due to the local and national changes in the market. **A motion was made by Richard Ewell and seconded by Randy Shayler to approve the revised UTEP Policy, Further discussion was on the size of the projects, local town laws vs NYS Rules, Regulations and Laws. NYS can override the local town laws. The IDA won't approve financial assistance if the town/village doesn't want an energy project. Approved/passed 5-0 Roll Call:**
 - Judith Hopkins – AYE
 - Randy Shayler – AYE
 - Richard Ewell – AYE
 - Douglas Frank – AYE
 - John Ricci – AYE

- Discuss and approve Alle-Catt Wind late fee penalty – Discussion was held on the agreed upon installment payments from Alle-Catt Wind and whether or not a late fee should be issued and how much should the late fee be. Per the lease agreement the late fee is 1% per month or 12% per year. More discussion was held on the approved resolutions allowing installment payments, the expired project agreement that was for sales tax only, the rent is due under the lease and for the life of the project. An invoice can be done for 1% of the \$1.3 million. The IDA Board granted a waiver to allow Representatives from Hodgson Russ LLP to continue representing Alle-Catt Wind and the IDA. Discussion on if a motion is needed to invoice for the late payment fee. No because it's already in the agreement.
- Discuss and approve Moraine Solar Interim Sales Tax closing fee – Craig and Dan reported that this is a \$212 million project and they want to start signing contracts. They would like to have the sales tax document so they can put in bids and have no sales tax included. Moraine isn't asking for installments over a period of time just to have the 10% for the sales tax now and to pay the balance within a couple of months at full closing. The sales tax fee is 10% of the total project fee. **A motion was made by Judith Hopkins and seconded by Randy Shayler to approve Moraine Solar Interim Sales Tax closing fee. Further discussion is they plan to start work this summer.**
Approved/passed 5-0
- ACIDA mission and measurement report 2025 – Craig and Melissa reviewed the mission and measurement report for 2025. Craig needs this for the Paris Report every year. **A motion was made by Richard Ewell and seconded by John Ricci to approve the ACIDA Mission and Measurement Report for 2025. Further discussion was that the board evaluations that were sent out need to be completed also. Approved/passed 5-0**

OLD BUSINESS

- ARC Power Grant – There's nothing to report.
- Microenterprise Grant – Microenterprise was discussed earlier in the meeting.
- Allegany County Strategic Plan Economic Development/EDO- Craig continues to work with Ashley.
- Gateway Center to the Western New York Wilds – The plan is the county is going to start work on the water and sewer line this summer. Another meeting is coming up with the Wilson Foundation on funding for the marketplace facility.
- Clean energy projects – There's a couple of small projects ready to close.
- GLC – Cuba Business Park – Craig reported that we continue to work with them and they have a potential client that we can report on soon.
- EPA Brownfield Grant – We continue to work on Phase I's and Phase II's. Nothing to specifically give updates on. There's a couple of new projects coming up.
- Annual report and one page – Craig reported that Melissa has done a great job on the annual report and one page. Melissa reviewed the design and content. Questions from a guest on the process for pilots, solar energy, etc. on how it all works. Brief explanations were given and the guest was advised to contact Craig if he had other questions. Discussion on the organizational chart format. The current format makes it look like the IDA, CRC, LDC and ACUC all report to the AC Legislature. The county formed them all other than the ACUC so that's why it appears that way. It was suggested that the organizational chart be updated and have the separate entities removed from under the AC Board of Legislators. Melissa will present the Annual Report and One Page to the AC Board of Legislators P&D Committee next week.

NEW BUSINESS

GOOD OF THE ORDER

- Craig thanked the out-going board members for their service and contributions they each have made over their terms on the board.
- Each of the out-going members thanked their fellow board members, IDA staff and the IDA Attorneys for their dedication and time working together.
- The progress the IDA has made over the years was discussed.
- Judy Hopkins, Rich Ewell and Randy Shayler all resigned from the board effective at the close of the day, after discussions regarding their service and the new board formation,

CALENDAR

- **Next Meeting:** March 12, 2026 @ 10:00am at Crossroads Conference Center, Belmont, NY 14813

ADJOURNMENT

- With no further business at 12:23pm, a motion was made by Richard Ewell and seconded by Randy Shayler to close the meeting. All members were in favor, by a vote of 5-0 the meeting was adjourned. Carried

Respectfully submitted
Barb Benjamin
Operations Director

**ACIDA All Accounts
Balance Sheet
As of March 9, 2026**

Mar 9, 26

ASSETS	
Current Assets	
Checking/Savings	
Community Bank - 2312 12mos CD	649,992.43
Community Bank - 3351 6mos CD	651,168.69
Community Bank - 7161 12mos CD	1,383,884.43
110.01 · ACUC (Utility Corporation)	4,682.44
110.02 · Community Checking IDA	901,116.45
110.03 · CRC (Capital Resource Corp)	53,516.31
110.04 · First Citizens-IDA	149,582.07
110.05 · LDC (Local Development Corp)	498,198.55
CRC110 · Capital Resource Corp CD	261,586.77
Total Checking/Savings	4,553,728.14
Accounts Receivable	
ACUC Accounts Receivable	3,423.02
Total Accounts Receivable	3,423.02
Other Current Assets	
122 · Lease Receivables	1,544,275.00
135.00 · Prepaid Expenses	2,259.00
Total Other Current Assets	1,546,534.00
Total Current Assets	6,103,685.16
Fixed Assets	
150.00 · Equipment	17,659.00
151.00 · Land	16,704.00
152.00 · Land held for resale	286,501.00
154.00 · Waterlines	2,078,240.00
155.00 · Leasehold Improvements	193,252.00
156.00 · Building	1,018,085.19
159.00 · Accumulated Depreciation	-923,767.00
160.00 · Land Improvements	196,414.00
161.00 · Property held for Resale	62,000.00
Total Fixed Assets	2,945,088.19
Other Assets	
131.00 · Due from ACUC	1,568.00
140.00 · Security Deposits	222.00
Total Other Assets	1,790.00
TOTAL ASSETS	9,050,563.35
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
285 · ST2012 Series Bond Infrastructu	95,000.00
ACUC210 · Due to ACIDA	1,568.00
Total Other Current Liabilities	96,568.00
Total Current Liabilities	96,568.00
Long Term Liabilities	
210.00 · Security Deposit	12,000.00
280.00 · LT2012 Series-Bond Infrastructu	2,795,000.00
550 · Deferred Inflow of Resources	1,412,911.00
Total Long Term Liabilities	4,219,911.00
Total Liabilities	4,316,479.00

9:30 AM
03/09/26
Accrual Basis

ACIDA All Accounts
Balance Sheet
As of March 9, 2026

	Mar 9, 26
Equity	
390.00 · Unrestricted Net Assets	2,931,179.34
AC90001 · Opening Balance Equity	-1,252,221.76
AC90002 · ACUC Retained Earnings	1,200,078.00
ACUC900 · ACUC Equity	52,144.00
CRC900 · CRC Equity	114,266.00
Net Income	1,688,638.77
Total Equity	4,734,084.35
TOTAL LIABILITIES & EQUITY	9,050,563.35

ACIDA
Profit & Loss
January 1 through March 9, 2026

Jan 1 - Mar 9, 26

Ordinary Income/Expense	
Income	
ACUC - Income	
ACUC400 · Waterline Customer payments	7,463.45
Total ACUC - Income	7,463.45
CRC - Income	
475 · CRC CD Interest	
CRC CD 0220	1,566.80
Total 475 · CRC CD Interest	1,566.80
Total CRC - Income	1,566.80
Crossroads-Income	
Crossroads Refunds	14.51
420.00 · Rental Income	
420.04 · Audio Care	450.00
Total 420.00 · Rental Income	450.00
Total Crossroads-Income	464.51
IDA Income	
ACIDA 12 mos CD Interest	7,068.58
ACIDA 6 mos CD Interest	3,429.50
EPA Brownfield Grant	13,512.45
400.04 · Financial Assistance Fee	1,651,637.52
416.00 · Microenterprise Grant Award	79,796.24
420.08 · Rental Income - PM Research Bui	50,000.00
484.00 · Refunds	98.89
Total IDA Income	1,805,543.18
LDC Income	
Interest	202.89
Total LDC Income	202.89
OFA - Income	
Refund	14.52
Total OFA - Income	14.52
450.00 · IDA PILOT Fees	60,255.66
Total Income	1,875,511.01
Gross Profit	1,875,511.01
Expense	
ACUC - Expense	
Waterline Fees	
Utilities-Electric	
6350601 · 20031525411 ACUC Hot Box 6404	314.16
A635.07 · 20029438684 Hot Box 6689	814.12
Total Utilities-Electric	1,128.28
A635.08 · Waterline Supplies	54.90
A635.09 · Waterline Water Usage	7,694.14
Total Waterline Fees	8,877.32
Total ACUC - Expense	8,877.32
Crossroads-Expense	
Utilities	
600.15 · Electric	2,133.55
600.16 · Heat	919.80

ACIDA
Profit & Loss
January 1 through March 9, 2026

	Jan 1 - Mar 9, 26
600.21 · Water Testing	
600.21 · Water Testing Supplies	76.55
600.21 · Water Testing - Other	2,428.00
Total 600.21 · Water Testing	2,504.55
Total Utilities	5,557.90
600.11 · Maintenance	
Other	50.00
Total 600.11 · Maintenance	50.00
Total Crossroads-Expense	5,607.90
IDA-Expense	
EPA Brownfield Grant	
Consultants/Contractual	11,778.85
Total EPA Brownfield Grant	11,778.85
IDA Payroll	
631 · Salaries/Wages	41,331.65
632 · Payroll Taxes	3,161.86
633 · Payroll Processing Charges	432.65
634 · NYS Disability	-18.00
635 · NYS Paid Family Leave	-178.55
636 · NYSLRS - Employee	-420.20
Total IDA Payroll	44,309.41
Internet	179.85
Meeting Expense	
Food & Beverage	46.50
Total Meeting Expense	46.50
Miscellaneous	65.49
Office Expense	
Office Phones	279.96
Total Office Expense	279.96
Tax	
County & Town Taxes	36.84
Total Tax	36.84
Travel Expense	
Conference Fees	400.00
Total Travel Expense	400.00
620.13 · Office Supplies	
other	317.94
620.12 · Postage-shipping	323.49
620.28 · Software	27.11
620.13 · Office Supplies - Other	100.99
Total 620.13 · Office Supplies	769.53
620.26 · Awards-Grants	
Program Delivery	10,800.00
6202601 · Microenterprise 20ME517-22	
Microenterprise 20ME517-22 ext	77,991.24
Total 6202601 · Microenterprise 20ME517-22	77,991.24

ACIDA
Profit & Loss
January 1 through March 9, 2026

	Jan 1 - Mar 9, 26
6202602 · Microenterprise Grant Admin cos	5,525.00
Total 620.26 · Awards-Grants	94,316.24
6200401 · Insurance	
620.31 · Directors & Officers	
Fees and Taxes	295.00
620.31 · Directors & Officers - Other	2,120.00
Total 620.31 · Directors & Officers	2,415.00
6200401 · Insurance - Other	1,163.22
Total 6200401 · Insurance	3,578.22
6201901 · Professional fees	
620.18 · Legal	13,648.08
6201503 · Transcription	285.00
Total 6201901 · Professional fees	13,933.08
IDA-Expense - Other	27.11
Total IDA-Expense	169,721.08
LDC Expense	
Professional Fees - Legal Fees	2,004.34
Total LDC Expense	2,004.34
OFA - Expense	
Utilities	
625.12 · Heat	486.60
Total Utilities	486.60
6250701 · Maintenance	
625.08 · Other	175.00
Total 6250701 · Maintenance	175.00
Total OFA - Expense	661.60
Total Expense	186,872.24
Net Ordinary Income	1,688,638.77
Net Income	1,688,638.77

9:38 AM
03/09/26

ACIDA
Transaction List by Vendor
February 10 through March 8, 2026

Type	Date	Num	Name	Memo	Account	Cir	Split	Amount
Allegany County Treasurer's Office								
Deposit	02/20/2026	DEP	Allegany County Treasurer...	CDBG Proj # 20ME517-22 Draw #23 PMAC, WLSV Wellness, Critical Burn, ...	110.02 · Community...	X	416.00 · Microenter...	63,490.24
Allegany CSG 2 LLC								
Deposit	03/02/2026	DEP	Allegany CSG 2 LLC	1% project financial assistance fee (\$10,645.736)	110.02 · Community...		400.04 · Financial ...	106,457.36
Allegany CSG 3 LLC								
Deposit	03/02/2026	DEP	Allegany CSG 3 LLC	1% project financial assistance fee (\$6,170.999)	110.02 · Community...		400.04 · Financial ...	61,709.99
Alliance								
Deposit	02/26/2026	DEP	Alliance	Alliance Energy Group LLC Pilot Payment	110.04 · First Citize...	X	450.00 · IDA PILOT...	60,255.66
Armstrong Business Solutions								
Bill	03/06/2026	3/11-4...	Armstrong Business Soluti...	Acct # 0732950-01 Service 3/11-4/10/26 phone & internet	20000 · Accounts P...		-SPLIT-	-153.27
Bill Pmt -Check	03/06/2026	2700	Armstrong Business Soluti...	Acct # 0732950-01 Service 3/11-4/10/26 phone & internet	110.02 · Community...		20000 · Accounts P...	-153.27
Arthur J Gallagher Risk Mgmt Serv								
Bill	02/25/2026	59628...	Arthur J Gallagher Risk M...	Acct # ALLECOU-22 Inv #5962868 Directors & Officers	20000 · Accounts P...		-SPLIT-	-2,415.00
Bill Pmt -Check	02/25/2026	2699	Arthur J Gallagher Risk M...	Acct # ALLECOU-22 Inv #5962868 Directors & Officers	110.02 · Community...		20000 · Accounts P...	-2,415.00
Community Bank								
Deposit	02/20/2026	DEP	Community Bank	Renewal of 7 mos CD 1st month deposit comm bk #7 3.1015%	CRC110 · Capital R...		CRC CD 0220	784.58
Deposit	02/22/2026	DEP	Community Bank	Feb '26 interest deposit	110.05 · LDC (Local...	X	Interest	148.10
Community Bank - 2312 12mos CD								
Deposit	02/28/2026	DEP	Community Bank - 2312 1...	Feb 28, '26 interest on renewed 12 mos CD 2.74%	Community Bank - 2...		ACIDA 12 mos CD ...	1,344.86
Community Bank - 3351 6 mos CD								
Deposit	02/28/2026	DEP	Community Bank - 3351 6 ...	Feb 28, '26 interest on renewed 6 mos CD 3.05%	Community Bank - 3...		ACIDA 6 mos CD 1...	1,496.80
Community Bank - 7161 12mos cd								
Deposit	02/28/2026	DEP	Community Bank - 7161 1...	Feb 28, '26 interest on new 12 mos CD 2.74%	Community Bank - 7...		ACIDA 12 mos CD ...	2,863.28
Critical Burn								
Bill	02/20/2026	#23.2...	Critical Burn	CDBG Proj # 20ME517-22 Draw #23	20000 · Accounts P...		Microenterprise 20...	-9,007.85
Bill Pmt -Check	02/23/2026	2694	Critical Burn	CDBG Proj # 20ME517-22 Draw #23	110.02 · Community...		20000 · Accounts P...	-9,007.85
Cuba Business Park LLC								
Deposit	02/12/2026	DEP	Cuba Business Park LLC	1% project financial assistance fee (\$1,000,000)	110.02 · Community...	X	400.04 · Financial ...	10,000.00
H. Sichertman, & Co., Inc.								
Bill	02/23/2026	4 OC...	H. Sichertman, & Co., Inc.	Inv # 4 CDBG Proj # 20ME517-22 program delivery/grant administration	20000 · Accounts P...		-SPLIT-	-16,325.00
Bill Pmt -Check	02/23/2026	2698	H. Sichertman, & Co., Inc.	Inv # 4 CDBG Proj # 20ME517-22 program delivery/grant administration	110.02 · Community...		20000 · Accounts P...	-16,325.00
Hodgson, Russ, LLP								
Bill	03/06/2026	13312...	Hodgson, Russ, LLP	Inv # 1331253 Matter # 039653.00	20000 · Accounts P...		620.18 · Legal	-5,642.08
Bill Pmt -Check	03/06/2026	2701	Hodgson, Russ, LLP	Inv # 1331253 Matter # 039653.00	LDC Accounts Paya...		Professional Fees -...	-2,004.34
Bill Pmt -Check	03/06/2026	998	Hodgson, Russ, LLP	Inv # 1331253 Matter # 039653.00	110.02 · Community...		20000 · Accounts P...	-5,642.08
Koike Atkinson Ransome								
Bill	02/20/2026	#23.2...	Koike Atkinson Ransome	CDBG Proj # 20ME517-22 Draw #23 P-Mac Welding - Chris Plummer	20000 · Accounts P...		Microenterprise 20...	-20,480.00
Bill Pmt -Check	02/20/2026	draw #...	Koike Atkinson Ransome	AC Share to CDBG 20ME517-22 Draw 23 P-Mac Welding - Chris Plummer	20000 · Accounts P...		Microenterprise 20...	-14,520.00
Bill Pmt -Check	02/23/2026	2696	Koike Atkinson Ransome	CDBG Proj # 20ME517-22 Draw #23 P-Mac Welding - Chris Plummer	110.02 · Community...		20000 · Accounts P...	-20,480.00
Bill Pmt -Check	02/23/2026	2697	Koike Atkinson Ransome	AC Share to CDBG 20ME517-22 Draw 23 P-Mac Welding - Chris Plummer	110.02 · Community...		20000 · Accounts P...	-14,520.00
RG&E 411								
Check	02/24/2026	EFT	RG&E 411	Jan '26 electric 2003-1525-411 6404 Co Rd 20 HotBox	110.01 · ACUC (Ufil...	X	6350601 · 2003152...	-181.48
RG&E 684								
Check	02/24/2026	EFT	RG&E 684	Jan '26 electric 2002-9438-684 6689 Co Rd 20 HotBox	110.01 · ACUC (Ufil...	X	A635.07 · 2002943...	-451.58
Slack Chemical Co								
Bill	02/26/2026	498605	Slack Chemical Co	Cust # 6381 Inv # 498605 BL # 497442	ACUC200 · ACUC ...		A635.08 · Waterlin...	-27.45
Bill Pmt -Check	03/06/2026	1099	Slack Chemical Co	Cust # 6381 Inv # 498605 BL # 497442	110.01 · ACUC (Ufil...		ACUC200 · ACUC ...	-27.45
Wellsville Wellness								
Bill	02/20/2026	20ME...	Wellsville Wellness	CDBG Proj #20ME517-22 Draw #23	20000 · Accounts P...		Microenterprise 20...	-17,677.39
Bill Pmt -Check	02/23/2026	2695	Wellsville Wellness	CDBG Proj #20ME517-22 Draw #23	110.02 · Community...		20000 · Accounts P...	-17,677.39

**AMENDED APPROVING RESOLUTION
MORAINÉ SOLAR ENERGY CENTER, LLC PROJECT**

A regular meeting of Allegany County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at Crossroads Commerce & Conference Center located at 6087 State Route 19 North in the Village of Belmont, Allegany County, New York on March 12, 2026 at 10:00 o'clock a.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Douglas Frank	Treasurer
Joseph Hart	Member
Steven Mauro	Member
Thomas McElheny	Member
William Meunier	Member
John Ricci	Member
Terri Ross	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Craig R. Clark, P.E., Ph.D.	Executive Director
Melissa Pingitore	Assistant Director
Barb Benjamin	Operations Director

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0326-____

RESOLUTION AMENDING A RESOLUTION ENTITLED "RESOLUTION
AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A
LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR MORAINÉ SOLAR
ENERGY CENTER, LLC."

WHEREAS, Allegany County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 99 of the 1973 Laws of New York, as amended, constituting Section 906-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Moraine Solar Energy Center, LLC, a Delaware limited liability company (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a portion of 15 parcels of land containing in the aggregate approximately 1,635 acres located at 10559 State Route 961F (tax map no.: 35.-1-22), State Route 961F (tax map no.: 48.-1-3.2), State Route 70 (tax map no.: 48.-1-33), 10393 County Road 13 (tax map no.: 47.-1-4.1), Sikes Road (tax map nos.: 48.-1-28, 48.-1-1 and 48.-1-2.1), 943 Dennis Road (tax map no.: 48.-1-27), Tildon Hill Road (tax map nos.: 48.-1-18.12 and 48.-1-18.11), 290 Moraine Road (tax map no.: 35.-1-20), 121 State Route 70 (tax map no.: 35.-1-15), 225 Moraine Road (tax map no.: 35.-1-17), Bull Road (tax map no.: 35.-1-18), Moraine Road (tax map no.: 35.-1-19) in the Town of Burns, Allegany County, New York (collectively, the "Land"), (2) the construction on the Land of an approximately 94 MW AC solar energy generating facility including panels, racking, inverters, electrical cables, battery storage, grid interconnection, site preparation, access roads and any other required improvements (all said improvements being collectively referred to as the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, on August 14, 2025, the members of the Agency adopted a resolution (the "Approving Resolution") entitled "Resolution Authorizing Execution of Documents in Connection with a Lease/Leaseback Transaction for a Project for Moraine Solar Energy Center, LLC (the "Company")"; and

WHEREAS, subsequent to the adoption of the Approving Resolution, the Agency received a request to the Application (the "Request"), which Request amongst other changes, requested the Agency to include an additional parcel which Request is attached hereto as Exhibit A, and which Request outlines changes in the Project description (the "Amendment");

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon an examination of the Amendment, the Agency hereby determines that since compliance by the Agency with the Amendment does not result in the Agency providing more than \$100,000 of "financial assistance" (as such quoted term is defined in the Act) to the Company, Section 859-a of the Act does not require a public hearing to be held with respect to the Amendment.

Section 2. The recital clauses to the Approving Resolution is hereby amended to include the following recital clause:

“WHEREAS, on or about February 11, 2026, the Agency received a Request to the Application (the “Request”) which Request amends the Project so that the Project is now as follows: (A) (1) the acquisition of an interest in a portion of 15 parcels of land containing in the aggregate approximately 1,635 acres located at 10559 State Route 961F (tax map no.: 35.-1-22), State Route 70 (tax map nos.: 48-1-3.2, 48.-1-33), 10393 County Road 13 (tax map no.: 47.-1-4.1), Sikes Road (tax map nos.: 48.-1-28, 48.-1-1 and 48.-1-2.1), 943 Dennis Road (tax map no.: 48.-1-27), Tildon Hill Road (tax map nos.: 48.-1-18.12 and 48.-1-18.11), 290 Moraine Road (tax map no.: 35.-1-20), 121 State Route 70 (tax map no.: 35.-1-15), State Route 70A (tax map no.: 35.-1-16), 225 Moraine Road (tax map no.: 35.-1-17), Bull Road (tax map no.: 35.-1-18), in the Town of Burns, Allegany County, New York (collectively, the “Land”), (2) the construction on the Land of an approximately 94 MW AC solar energy generating facility including panels, racking, inverters, electrical cables, battery storage, grid interconnection, site preparation, access roads and any other required improvements (all said improvements being collectively referred to as the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the “Equipment”), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

Section 3. Except as amended by this Resolution, the Approving Resolution, as amended shall remain in full force and effect and the terms and conditions thereof are hereby confirmed.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Douglas Frank	VOTING	_____
Joseph Hart	VOTING	_____
Steven Mauro	VOTING	_____
Thomas McElheny	VOTING	_____
William Meunier	VOTING	_____
John Ricci	VOTING	_____
Terri Ross	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALLEGANY)

I, the undersigned Secretary of Allegany County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 12, 2026 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 12th day of March, 2026.

Secretary

(SEAL)

EXHIBIT A

REQUEST

- SEE ATTACHED -

Zeigler, Nadene E.

From: Rob Panasci <RPanasci@youngsommer.com>
Sent: Wednesday, February 18, 2026 9:41 PM
To: Zeigler, Nadene E.
Cc: Brown-Bruette, Nicole H.; Spitzer, Daniel A.
Subject: RE: Allegany County IDA - Moraine Solar Energy Center, LLC - Interim Documents-
comments

External Email - Use Caution

Hi Nadene,

Thanks for the quick response. The company confirmed that it does not need the mortgage tax exemption so we can drop that issue. The tax parcel that was not included in the original application is for the collection line (see below). It will need to be added. We would like to close on the interim documents so we can get the sales tax exemption and then schedule a public hearing at a later date. Please let me know your thoughts. Thanks.



Rob Panasci
Young / Sommer LLC
ATTORNEYS AT LAW
500 Federal Street, 5th Floor, Troy, NY 12180
office: 518.438.9907 Ext. 251
cell: 518.207.5448
fax: 518.438.9914
rpanasci@youngsommer.com
www.youngsommer.com

This e-mail is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

From: Zeigler, Nadene E. <NZeigler@hodgsonruss.com>
Sent: Wednesday, February 11, 2026 4:19 PM
To: Rob Panasci <RPanasci@youngsommer.com>
Cc: Brown-Bruette, Nicole H. <NBrown@hodgsonruss.com>; dspitzer <dspitzer@hodgsonruss.com>
Subject: RE: Allegany County IDA - Moraine Solar Energy Center, LLC - Interim Documents-comments

Afternoon Rob:
Please see my responses in **RED**.

**RESOLUTION AUTHORIZING SECOND MODIFICATION TO BASIC DOCUMENTS
OMNI CUBA SOLAR, LLC PROJECT**

A regular meeting of Allegany County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at Crossroads Commerce & Conference Center located at 6087 State Route 19 North in the Village of Belmont, Allegany County, New York on March 12, 2026 at 10:00 o'clock a.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Douglas Frank	Treasurer
Joseph Hart	Member
Steven Mauro	Member
Thomas McElheny	Member
William Meunier	Member
John Ricci	Member
Terri Ross	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Craig R. Clark, P.E., Ph.D.	Executive Director
Melissa Pingitore	Assistant Director
Barb Benjamin	Operations Director

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0326-____

**RESOLUTION AUTHORIZING MODIFICATION TO BASIC DOCUMENTS WITH
RESPECT TO THE OMNI CUBA SOLAR, LLC PROJECT.**

WHEREAS, Allegany County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 99 of the 1973 Laws of New York, as amended, constituting Section 906-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act), or to cause said

projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, on October 7, 2022 (the "Closing"), the Agency granted certain financial assistance to Omni Cuba Solar, LLC (the "Company"), a limited liability company duly organized and validly existing under the laws of the State of New York, in connection with a project (the "Project") for the benefit of the Company, said Project including the following: (A) (1) the acquisition of an interest in an approximately 35 acre portion of an approximately 114 acre parcel of land located on Little Road (tax map number 166.-1-2.111) in the Town of Cuba, Allegany County, New York (the "Land"), (2) the construction on the Land of an approximately 5 MWAC solar energy generating facility, comprised of tier 1 modules in a single-axis-tracking set-up, equipment pads for transformers, a 20' gravel access road coming from the west off of Little Road and other required improvements (all said improvements being collectively referred to as the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease of the Project Facility to the Company pursuant to a lease agreement dated as of October 1, 2022 (the "Lease Agreement") by and between the Agency and the Company; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement (the "Closing"), (A) the Company executed and delivered to the Agency a certain lease to agency dated as of October 1, 2022 (the "Lease to Agency") by and between the Company, as landlord, and the Agency, as tenant, pursuant to which the Company leased to the Agency a portion of the Land and all improvements now or hereafter located on said portion of the Land (collectively, the "Leased Premises"); (B) the Company and the Agency executed and delivered (1) a certain payment in lieu of tax agreement dated as of October 1, 2022 (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company agreed to pay certain payments in lieu of taxes with respect to the Project Facility, (2) a certain recapture agreement (the "Section 875 GML Recapture Agreement") by and between the Company and the Agency, required by the Act, regarding the recovery or recapture of certain sales and use taxes; (C) the Agency and the Company executed and delivered the uniform agency project agreement dated as of October 1, 2022 (the "Uniform Agency Project Agreement") by and between the Agency and the Company relating to the terms of the granting by the Agency of the Financial Assistance to the Company; (D) the Agency filed with the assessor and mailed to the chief executive officer of each "affected tax jurisdiction" (within the meaning of such quoted term in Section 854(16) of the Act) a copy of a New York State Board of Real Property Services Form 412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Project Facility under Section 412-a of the Real Property Tax Law) (the "Real Property Tax Exemption Form") relating to the Project Facility and the Payment in Lieu of Tax Agreement; (E) the Agency executed and delivered to the Company a sales tax exemption letter (the "Sales Tax Exemption Letter") to ensure the granting of the sales tax exemption which forms a part of the Financial Assistance and (F) the Agency filed with the New York State Department of Taxation and Finance the form entitled "IDA Appointment of Project Operator or Agent for Sales Tax Purposes" (the form required to be filed pursuant to Section 874(9) of the Act) (the "Thirty-Day Sales Tax Report") (collectively, with the Lease Agreement, the "Basic Documents"); and

WHEREAS, the Basic Documents were modified pursuant to a modification agreement dated as of March 1, 2026 (the "Modification Agreement") by and between the Agency and the Company; and

WHEREAS, pursuant to the request (the "Request") attached hereto as Exhibit A, the Company would like to eliminate the requirements of five (5) full-time employees at the Project Facility under the Basic Documents (the "Second Modification"); and

WHEREAS, in connection with the Second Modification, the Company has requested that the Agency enter into a certain amendment to Uniform Agency Project Agreement (the "First Amendment to Uniform Agency Project Agreement") by and between the Company and the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), it appears that the Second Modification constitutes a Type II action under SEQRA;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon an examination of the Second Modification, the Agency hereby makes the following determinations:

(A) The Second Modification constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c) (26), and therefor that, pursuant to 6 NYCRR 617.6(a)(1)(i), the Agency has no further responsibilities under SEQRA with respect to the Second Modification.

(B) That since compliance by the Agency with the Second Modification will not result in the Agency providing more than \$100,000 of "financial assistance" (as such quoted term is defined in the Act) to the Company, Section 859-a of the Act does not require a public hearing to be held with respect to the Second Modification.

Section 2. Subject to (A) compliance with the terms and conditions in the Basic Documents, and (B) payment by the Company of all fees and expenses of the Agency in connection with the delivery of the First Amendment to Uniform Agency Project Agreement and any other document needed in connection therewith (collectively, the "Modified Documents"), including the fees of Agency Counsel, the Agency hereby (a) consents to the Second Modification and (b) determines to enter into the Modified Documents.

Section 3. Subject to the satisfaction of the conditions described in Section 2 hereof, the Chair (or Vice Chair) or Authorized Officer of the Agency is hereby authorized to execute and deliver the Modified Documents to the Company, and, where appropriate, the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chair (or Vice Chair) or Authorized Officer shall approve, the execution thereof by the Chair (or Vice Chair) or Authorized Officer to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Modified Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Modified Documents binding upon the Agency.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Douglas Frank	VOTING	_____
Joseph Hart	VOTING	_____
Steven Mauro	VOTING	_____
Thomas McElheny	VOTING	_____
William Meunier	VOTING	_____
John Ricci	VOTING	_____
Terri Ross	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALLEGANY)

I, the undersigned Secretary of Allegany County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 12, 2026 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 12th day of March, 2026.

Secretary

(SEAL)

**Exhibit A
Request**



February 24, 2026

Ms. Nadene E. Zeigler
Hodgson Russ LLP
677 Broadway
Suite 301
Albany, New York 12207

Mr. Dan Spitzer
Hodgson Russ LLP
677 Broadway
Suite 301
Albany, New York 12207

Allegany County
Industrial Development Agency
Crossroads Commerce & Conference Center
6087 State Route 19 North
Belmont, NY 14813

Re: Request for an Amendment to the PILOT Resolution for Omni Cuba Solar LLC

Dear Members of the Board of the Agency, Ms. Zeigler and Mr. Spitzer

I am counsel with Radial TE Seller II, LLC, the current holder of 100% of the membership interests of Omni Cuba Solar LLC ("OC").

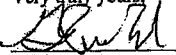
As you know on June 10, 2021, the Allegany County Industrial Development Agency ("ACIDA") voted to approve the resolution ("Resolution") attached hereto as Exhibit A authorizing that certain financial incentives, including but not limited to a PILOT, be granted to OC. That Resolution mandated that the Project described therein create 5 full time employment positions.

Please accept this correspondence as a formal request to amend the Resolution. No photovoltaic solar facility creates any long-term full-time employment positions as the arrays do not require everyday monitoring, maintenance or other tasks or roles to operate. The Application submitted indicated there were no current full-time employees but did list that there would be 5 full time "equivalent" jobs created (which the original applicant apparently interpreted same to mean during construction). To be more precise, I believe the original applicant misconstrued this provision to mean that in constructing the facility there would be local employment created that was indeed equivalent, time-wise, to having 5 full time employees. As indicated in the application and in the Resolution we will have (at minimum) 25 local contractors or laborers on the site during construction and this mandate will be fully complied with, which we took to mean that we met the Resolution requirements.

Please also note that we will be creating a number of part-time jobs once the facility becomes operational. These jobs will be necessary for the maintenance and care of the facility and include landscaping, general maintenance and some electrical systems monitoring.

Please let me know at your earliest convenience what additional information you may need to consider this request and what procedure you would like us to follow to complete the request for an amendment as described herein.

Very truly yours,



Glenn Frank
Assistant General Counsel.

1330 Post Oak Blvd, Suite 1175
Houston, Texas 77056