



# NY State Economic Development Power Allocation Board

## ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

### MINUTES

December 6, 2021 – 10:00 a.m.

Meeting Held Via Videoconference

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### **OTHER BUSINESS**

7. Next Meeting

Closing

A regular meeting of the Economic Development Power Allocation Board was held via videoconference, at approximately 10:00 a.m.

The following Members of the Board were present:

**Eugene L. Nicandri**, Chair  
**Dennis Trainor**, Member  
**Andrew Silver**, Member

**Also in attendance were:**

Lori Alesio	Interim Executive Vice President & General Counsel, NYPA
Keith Hayes	Senior Vice President, Clean Energy Solutions, NYPA
Karen Delince	Vice President & Corporate Secretary, NYPA
Lorna Johnson	Senior Associate Corporate Secretary, NYPA
Sheila Quatrocci	Associate Corporate Secretary, NYPA
Andrea Kelli Higgs	Associate Corporate Secretary, NYPA

## **Introduction**

Chair Nicandri welcomed members of the Economic Development Power Allocation Board (“EDPAB”), Dennis Trainor and Andrew Silver. He also welcomed Authority senior staff to the meeting.

He 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. **Approval of the Proposed Meeting Agenda**

Chair Eugene Nicandri, and Members Dennis Trainor and Andrew Silver, declared no conflicts of interest based on the list of entities being considered for power allocations.

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Agenda for the December 6, 2021 meeting was adopted.

**2. Approval of the Minutes**

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Minutes of the Meeting held on September 27, 2021 were unanimously approved.

3. **Adoption of the 2022 Proposed Meeting Schedule**

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the 2022 Proposed Meeting Schedule was adopted, as follows:

RESOLVED, That the schedule of EDPAB Meetings for the year 2022, as set forth in the memorandum of the Vice President & Corporate Secretary provided herein, be, and hereby is, approved.

<b><u>DATE</u></b>	<b><u>TIME</u></b>
January 24, 2022	10:00 a.m.
March 28, 2022	10:00 a.m.
May 23, 2022	9:00 a.m.
July 25, 2022	9:00 a.m.
September 28, 2022	9:00 a.m.
December 12, 2022	10:00 a.m.

4. **Recharge New York Power – New, Extended and Modified Allocations**

Chair Nicandri invited Keith Hayes, Senior Vice President of Clean Energy Solutions, to discuss the Recharge New York Power Program – New, Extended and Modified Allocations.

Mr. Hayes said staff is requesting that EDPAB recommend that the New York Power Authority's Trustees approve the allocations to the Recharge New York Power Program, based on the rationale presented.

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the allocations to the Recharge New York Power Program, were unanimously approved by the Board as recommended, in the form which follows:

RESOLVED, That the Economic Development Power Allocation Board ("Board") recommends that the Board of Trustees ("Trustees") of the Power Authority of the State of New York ("Authority") extend each of the existing 17 allocations of Recharge New York ("RNY") Power ("Allocation" or collectively "Allocations") awarded to the businesses listed in Exhibit "A" in the manner described in the accompanying memorandum of the Senior Vice President, Clean Energy Solutions (the "Memorandum") for a term of 7 years, to commence (1) on the expiration of each such Allocation, or (2) at the Authority's discretion on a date to be agreed upon by the Authority and the customer, for a term not to exceed 7 years; and be it further

RESOLVED, That the Board also recommends that in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations recommended herein, such terms and conditions include:

(1) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and RNY Power program compliance, and for the partial or complete withdrawal of an Extended Allocation if the customer fails to maintain mutually agreed upon commitments, including specifically commitments relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;

(2) a requirement that the customer whose Allocation is extended (a) undertake at its own expense an energy audit of its facilities at which the Extended Allocation would be consumed at least once during the term of the Extended Allocation absent good cause as determined by the Authority, and (b) provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and

(3) an agreement by the customer whose Allocation is extended to make its facilities available for audits and related assessments that the authority desires to perform, if any, and provide information requested by the authority or its

designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services; and

(4) an agreement by the customer whose Allocation is extended that if the actual metered load at the facility where the allocation is utilized is less than the allocation, such allocation will be reduced accordingly; and be it further

RESOLVED, That the Board recommends that the Trustees approve the modifications/adjustments to the RNY Power allocation extension and/or supplemental commitments described in Exhibit "B" for the reasons indicated in the Memorandum and Exhibit "B"; and be it further

RESOLVED, That the Board recommends that the Trustees approve the new RNY Power allocations for retention purposes to the applicants listed in Exhibit "C" in the amounts indicated therein; and be it further

RESOLVED, That the Board recommends that the Trustees approve the new RNY Power allocations for expansion purposes to the applicants listed in Exhibit "D" in the amounts indicated therein; and be it further

RESOLVED, That the Board recommends that the Trustees approve the new RNY Power allocations for retention and expansion purposes to the small businesses and/or not-for-profit applicants listed in Exhibit "E" in the amounts indicated therein; and be it further

RESOLVED, That the applicants listed in Exhibit "F" are not eligible to receive an RNY Power allocation for the reasons discussed in the Attached Memorandum and Exhibit "F"; and be it further

RESOLVED, That the application review process for the applicants listed in Exhibit "G" are terminated for the reasons discussed in the Attached Memorandum and Exhibit "G".

Economic Development Power Allocation Board  
Extension Recommendations - RNY Power Allocations for Retention Purposes (Large Businesses, Small Business, and/or NFP Corporations)

Exhibit "A"  
December 6, 2021

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	Recommended kW Amount	Job Commitments	Capital Investment Commitment (\$)	Contract Term (Years)
1	Dot Foods, Inc.	Liverpool	Onondaga	Central New York	NGRID	Foodservice redistribution center	320	320	250	\$500,000	7
2	John Mezralingua Associates, LLC	Liverpool	Onondaga	Central New York	NGRID	Manufacturer of wireless communication solutions	696	696	150	\$20,000,000	(2) 7
3	Southern Glazer's Wine and Spirits of Upstate New York, LLC	Syracuse	Onondaga	Central New York	NGRID	Distribution facility for wine & spirits	50	50	610	\$3,000,000	7
	<b>Central New York Region Sub-total:</b>						<b>1,066</b>	<b>1,066</b>	<b>1,010</b>	<b>\$23,500,000</b>	
4	Ferro Corporation	Penn Yan	Yates	Finger Lakes	NYSEG	Manufacturer of color pigments	1,536	1,536	136	\$2,000,000	7
5	Hammer Packaging Corp.	West Henrietta	Monroe	Finger Lakes	RGE	Manufacturer of printed labels	1,060	1,060	185	\$5,000,000	7
6	RED-Rochester, LLC	Rochester	Monroe	Finger Lakes	RGE	Industrial business park	2,000	2,000	70	\$12,000,000	7
7	Thermo Fisher Scientific Inc.	Rochester	Monroe	Finger Lakes	RGE	Manufacturer of life sciences products	1,750	1,750	1,000	\$30,000,000	7
	<b>Finger Lakes Region Sub-total:</b>						<b>6,346</b>	<b>6,346</b>	<b>1,391</b>	<b>\$49,000,000</b>	
8	DRI Relays Inc.	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of hermetically sealed relays	266	266	75	\$750,000	(1) 7
9	Food Authority Inc.	Hauppauge	Suffolk	Long Island	LIPA	Full-service wholesale food distributor	150	150	85	\$4,000,000	(1) 7
10	Haig Press, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Commercial printing services	220	220	38	\$150,000	(1) 7
11	RSM Electron Power, Inc.	Deer Park	Suffolk	Long Island	LIPA	Manufacturer of semiconductor products	246	246	68	\$250,000	7
	<b>Long Island Region Sub-total:</b>						<b>882</b>	<b>882</b>	<b>266</b>	<b>\$5,150,000</b>	
12	The Gap, Inc.	Fishkill	Dutchess	Mid-Hudson	CHUD	Distribution center for apparel products	2,480	2,480	908	\$625,000	(2) 7
	<b>Mid-Hudson Region Sub-total:</b>						<b>2,480</b>	<b>2,480</b>	<b>908</b>	<b>\$625,000</b>	
13	Confer Plastics, Inc.	North Tonawanda	Niagara	Western New York	NGRID	Manufacturer of pool ladders & steps	420	420	175	\$1,500,000	7
14	Dunkirk Metal Products of WNY, LLC	Dunkirk	Chautauqua	Western New York	NGRID	Precision sheet metal fabrication & stamping	40	40	32	\$500,000	7
15	FeedMore WNY Foundation, Inc.	Buffalo	Erie	Western New York	NGRID	Provides meals to individuals in need	86	86	223	\$825,000	7
16	JJP Contract Packaging, Inc.	Buffalo	Erie	Western New York	NGRID	Packaging solutions for chemical products	76	76	54	\$1,000,000	7
17	Sollipoxy Inc.	Olean	Cattaraugus	Western New York	NGRID	Manufacturer of thermoset epoxy compounds	780	780	70	\$1,250,000	7
	<b>Western New York Region Sub-total:</b>						<b>1,402</b>	<b>1,402</b>	<b>554</b>	<b>\$5,075,000</b>	
<b>Totals</b>							<b>12,176</b>	<b>12,176</b>	<b>4,129</b>	<b>\$83,350,000</b>	

- (1) The company's extension-related job commitment is below the evaluation threshold as compared to their original employment commitment. However, at this time, a reduction to the extension kW amount is not being recommended.  
(2) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract.

Economic Development Power Allocation Board  
Modifications to Extension Recommendations - RNY Power Allocations for Retention Purposes (Large Businesses, Small Businesses, and/or NFP Corporations)

Exhibit "B"  
December 6, 2021

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	Recommended kW Amount	Final Job Commitments	Final Capital Investment Commitment (\$)	Contract Term (years)
1	Sorrento Lactalis, Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of cheese products	1,120 <sup>(1)</sup>	582	\$23,000,000	7

- (1) Represents modified recommended kW, job commitment, and capital investment commitment. The customer was previously approved for a retention-based RNY Power allocation extension in the amount of 660 kW with commitments of 550 retained jobs and \$12 million in capital spending. Due to load growth, and additional job and capital investment commitments, the customer is being recommended for extension-related modifications to 1,120 kW, 582 retained jobs committed, and \$23 million in capital spending. The revisions will be implemented accordingly in the customer's power contract.

Economic Development Power Allocation Board  
Recommendations - RNY Power Allocations for Retention Purposes

Exhibit "C"  
December 6, 2021

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)
1	Regeneron Pharmaceuticals, Inc.	Sleepy Hollow	Westchester	Mid-Hudson	CONED	Pharmaceutical research & development	753	376	500	0	\$5,000,000	7
	Mid-Hudson Region Sub-totals:							376	500	0	\$5,000,000	
2	B & B Lumber Company Inc.	McConnellsville	Oneida	Mohawk Valley	NGRID	Manufacturer of lumber products	661	330	22	0	\$7,550,000	(1) 7
	Mohawk Valley Region Sub-totals:							330	22	0	\$7,550,000	
3	United Precious Metal Refining, Inc.	Alden	Erie	Western New York	NYSEG	Precious metal refining services	833	416	88	0	\$1,500,000	7
	Western New York Region Sub-totals:							416	88	0	\$1,500,000	
Totals								1,122	610	0	\$14,050,000	

(1) This company is also recommended for an expansion-related allocation of RNY for separate and distinct job creation and capital investment commitments associated with the proposed business expansion.

Economic Development Power Allocation Board  
Recommendations - RNY Power Allocations for Expansion Purposes

Exhibit "D"  
December 6, 2021

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation <sup>(1)</sup>	Base Employment <sup>(2)</sup>	Job Creation Commitment	Project Capital Investment (\$)	Contract Term (Years)
1	Saratoga Biochar Solutions LLC	South Glens Falls	Saratoga	Capital District	NGRID	Conversion of waste into fertilizer	1,534	1,300	0	13	\$12,030,000	7
	Capital District Region Sub-totals:							1,300	0	13	\$12,030,000	
2	Greenway Products and Services, LLC	Farmingdale	Nassau	Long Island	LIPA	Manufacturer of pallet products	500	350	0	40	\$5,000,000	7
3	Sysco Long Island, LLC	Central Islip	Suffolk	Long Island	LIPA	Food service distributor	430	300	228	3	\$250,000	(3) 7
	Long Island Region Sub-totals:							650	0	43	\$5,250,000	
4	Cafe Spice, LLC	Beacon	Dutchess	Mid-Hudson	CHUD	Manufacturer & distributor of prepared meals	1,740	1,216	0	127	\$10,000,000	7
5	The Gap, Inc.	Fishkill	Dutchess	Mid-Hudson	CHUD	Distribution center for apparel products	108	76	908	150	\$65,000,000	(3), (6) 7
	Mid-Hudson Region Sub-totals:							1,292	379	277	\$75,000,000	
6	B & B Lumber Company Inc.	McConnellsville	Oneida	Mohawk Valley	NGRID	Manufacturer of lumber products	100	70	22	5	\$3,620,000	(4) 7
	Mohawk Valley Region Sub-totals:							70	0	5	\$3,620,000	
7	BT STNY, LLC	Binghamton	Broome	Southern Tier	NYSEG	Healthcare linen processing facility	450	316	50	30	\$21,193,644	(5) 7
	Southern Tier Region Sub-totals:							316	50	30	\$21,193,644	
8	Calspan Corporation	Buffalo	Erie	Western New York	NGRID	Automobile & aircraft safety testing	831	580	15	15	\$13,500,000	7
	Western New York Region Sub-totals:							580	15	15	\$13,500,000	
Totals								4,208	444	383	\$130,593,644	

(1) All expansion-based RNY Power allocations are recommended to be "up to" the amount indicated pending the applicant's compliance with contractual commitments, including commitments relating to job creation, capital investment spending and power.

(2) The number of new jobs committed will be above a base employment level specified in the power sale contract with the applicant.

(3) These applicants were previously approved for an RNY Power allocation. The base employment level refers to the applicant's current retained jobs, most or all of which are already associated with an existing power allocation.

(4) This company is also being recommended for a retention-based RNY Power allocation associated with separate and distinct contractual commitments relating to such matters as job retention, capital investment spending, and power utilization associated with an existing business.

(5) The applicant's expansion-based allocation recommendation will contain a base employment level to accommodate existing employees relocating to the expansion project site.

(6) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract.

Economic Development Power Allocation Board  
Recommendations - RNY Power Allocations for Retention & Expansion Purposes (Small Business and/or NFP Corporations)

Exhibit "E"  
December 6, 2021

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)
1	Pallidus, Inc.	Albany	Albany	Capital District	NGRID	Manufacturer of silicon carbide wafers	203	130	15	0	\$5,500,000	(1) 7
Capital District Region Sub-totals:								130	15	0	\$5,500,000	
2	Alkemy Machine, LLC	Rochester	Monroe	Finger Lakes	RGE	Sheet metal fabrication & machining services	196	96	43	0	\$2,500,000	(1) 7
3	Clifton Springs Hospital & Clinic	Clifton Springs	Ontario	Finger Lakes	NYSEG	Hospital & healthcare services	1,052	350	451	0	\$25,000,000	7
4	Lynn-Ette & Sons, Inc.	Kent	Orleans	Finger Lakes	NGRID	Vegetable farm	114	56	90	0	\$9,800,000	(1), (5) 7
5	McQuillen Manufacturing LLC	Honeoye Falls	Monroe	Finger Lakes	NGRID	Precision machining & assembly services	213	106	8	2	\$50,000	7
6	Newark-Wayne Community Hospital	Newark	Wayne	Finger Lakes	NYSEG	Hospital & healthcare services	1,934	640	695	0	\$25,000,000	(5) 7
7	The Rochester General Hospital	Rochester	Monroe	Finger Lakes	RGE	Hospital & healthcare services	8,256	2,750	5,456	0	\$221,000,000	(5) 7
8	The Unity Hospital of Rochester	Rochester	Monroe	Finger Lakes	RGE	Hospital & healthcare services	4,232	1,410	2,404	0	\$72,500,000	(5) 7
9	United Memorial Medical Center	Batavia	Genesee	Finger Lakes	NGRID	Hospital & healthcare services	907	300	490	0	\$25,000,000	(5) 7
Finger Lakes Region Sub-totals:								5,708	9,637	2	\$380,850,000	
10	Cafe Spice, LLC	New Windsor	Orange	Mid-Hudson	CHUD	Manufacturer & distributor of prepared meals	297	146	118	0	\$750,000	7
Mid-Hudson Region Sub-totals:								146	118	0	\$750,000	
11	The Trustees of Columbia University in the City of New York	New York	New York	New York City	CONED	Academic medical center	11,329	3,776	10,520	0	\$25,000,000	(5) 7
12	The Museum of Modern Art	New York	New York	New York City	CONED	Art museum & cultural institution	3,017	1,006	670	0	\$17,925,000	(5) 7
New York City Region Sub-totals:								4,782	11,190	0	\$42,925,000	
13	CSI Sands (N.E.) Ltd.	Buffalo	Erie	Western New York	NGRID	Sand storage & sorting facility	287	140	25	0	\$250,000	(1) 7
Western New York Region Sub-totals:								140	25	0	\$250,000	

Retention-Based Totals

10,906	20,985	2	\$430,275,000
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Economic Development Power Allocation Board  
Recommendations - RNY Power Allocations for Retention & Expansion Purposes (Small Business and/or NFP Corporations)

Exhibit "E"  
December 6, 2021

Expansion-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation (2)	Base Employment	Job Creation Commitment	Project Capital Investment (\$)		Contract Term (years)
14	Pallidus, Inc.	Albany	Albany	Capital District	NGRID	Manufacturer of silicon carbide wafers	1,785	1,160	15	70	\$40,000,000	(1), (3)	7
	Capital District Region Sub-totals							1,160	0	70	\$40,000,000		
15	Punch and Die Metal Fabrication LLC	Syracuse	Onondaga	Central New York	NGRID	Sheet metal fabrication services	50	26	5	10	\$840,000		7
	Central New York Region Sub-totals							26	5	10	\$840,000		
16	Alkemy Machine, LLC	Rochester	Monroe	Finger Lakes	RGE	Sheet metal fabrication & machining services	88	40	43	20	\$4,000,000	(1), (3)	7
17	Burly Brothers Land and Cattle Company LLC	Attica	Wyoming	Finger Lakes	NGRID	Meat processing facility	100	50	0	5	\$1,453,000		7
18	Lynn-Elite & Sons, Inc.	Kent	Orleans	Finger Lakes	NGRID	Vegetable farm	150	76	90	7	\$742,000	(1), (3)	7
	Finger Lakes Region Sub-totals							166	0	32	\$6,195,000		
19	Allstate Apple Exchange, Inc.	Milton	Ulster	Mid-Hudson	CHUD	Apple farm & orchard	100	50	50	3	\$500,000	(4)	7
20	Radio Catskill, Inc.	Liberty	Sullivan	Mid-Hudson	NYSEG	Public radio station	30	10	3	3	\$500,000		7
	Mid-Hudson Region Sub-totals							60	33	6	\$1,000,000		
21	Next Generation Creamery	Henderson	Jefferson	North Country	NGRID	Production of milk & dairy products	45	20	5	5	\$480,400		7
22	McRee Packing International (MPI) LLC	Lyons Falls	Lewis	North Country	NGRID	Meat processing facility	125	60	0	40	\$1,300,000		
	North Country Region Sub-totals							80	5	45	\$1,780,400		
23	CSI Sands (N.E.) Ltd.	Buffalo	Erie	Western New York	NGRID	Sand storage & sorting facility	300	150	25	12	\$4,400,000	(1), (3)	7
	Western New York Region Sub-totals							150	0	12	\$4,400,000		

**Expansion-Based Totals**

<b>1,642</b>	<b>43</b>	<b>175</b>	<b>\$54,215,400</b>
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**Retention & Expansion-Based Totals**

<b>12,548</b>	<b>21,028</b>	<b>177</b>	<b>\$484,490,400</b>
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- (1) The applicants are being recommended for both RNY retention and expansion-based allocations.
- (2) All expansion-based RNY Power allocations are recommended to be "up to" the amount indicated pending the applicant's compliance with contractual commitments, including commitments relating to job creation, capital investment spending, and power utilization.
- (3) The number of new jobs committed will be above a base employment level specified in the applicant's retention-based allocation recommendation.
- (4) The applicant was previously approved for an RNY Power allocation. The base employment level refers to the applicant's current retained jobs, some of which are already associated with an existing power allocation.
- (5) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract.

Economic Development Power Allocation Board  
ReCharge New York Power Program  
Applicants Not Eligible

Exhibit "F"  
December 6, 2021

Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Bella Bella Market Corp.	Brooklyn	Kings	New York City	CONED	Convenience store	The applicant's business falls within EDPAB's definition of a retail business. Specifically, the applicant operates a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services.
2	Serendipity Coffee Inc.	Brooklyn	Kings	New York City	CONED	Coffee shop	The applicant's business falls within EDPAB's definition of a retail business. Specifically, the applicant operates a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services.

Economic Development Power Allocation Board  
ReCharge New York Power Program  
Terminate Application/Review Process

Exhibit "G"  
December 6, 2021

Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Access to the Arts	Dunkirk	Chautauqua	Western New York	NGRID	Art gallery & cultural institution	Applicant submitted an incomplete application.
2	Pure International Ministries, Inc	New York	New York	New York City	CONED	Community advocacy for the underserved	Applicant submitted an incomplete application.
3	The Majora Carter Group LLC	Bronx	Bronx	New York City	CONED	Real estate development & consulting	Applicant has been unresponsive to requests by staff for additional information, preventing a complete analysis of the application.
4	Westchester Multicultural Chamber of Commerce, Inc.	New Rochelle	Westchester	Mid-Hudson	CONED	Community development organization	Applicant submitted an incomplete application.

Economic Development Power Allocation Board  
Statutory Criteria - RNY Power Program

Exhibit "H"  
December 6, 2021

Line	Criteria Description
1	The significance of the cost of electricity to the applicant's overall cost of doing business, and the impact that a Recharge New York power allocation will have on the applicant's operating costs;
2	The extent to which a Recharge New York power allocation will result in new capital investment in the state by the applicant;
3	The extent to which a Recharge New York power allocation is consistent with any regional economic development council strategies and priorities;
4	The type and cost of buildings, equipment and facilities to be constructed, enlarged or installed if the applicant were to receive an allocation;
5	The applicant's payroll, salaries, benefits and number of jobs at the facility for which a Recharge New York power allocation is requested;
6	The number of jobs that will be created or retained within the state in relation to the requested Recharge New York power allocation, and the extent to which the applicant will agree to commit to creating or retaining such jobs as a condition to receiving a Recharge New York power allocation;
7	Whether the applicant, due to the cost of electricity, is at risk of closing or curtailing facilities or operations in the state, relocating facilities or operations out of the state, or losing a significant number of jobs in the state, in the absence of a Recharge New York power allocation;
8	The significance of the applicant's facility that would receive the Recharge New York power allocation to the economy of the area in which such facility is located;
9	The extent to which the applicant has invested in energy efficiency measures, will agree to participate in or perform energy audits of its facilities, will agree to participate in energy efficiency programs of the authority, or will commit to implement or otherwise make tangible investments in energy efficiency measures as a condition to receiving a Recharge New York power allocation;
10	Whether the applicant receives a hydroelectric power allocation or benefits supported by the sale of hydroelectric power under another program administered in whole or in part by the New York Power Authority;
11	The extent to which a Recharge New York power allocation will result in an advantage for an applicant in relation to the applicant's competitors within the state; and
12	In addition to the foregoing criteria, in the case of a not-for-profit corporation, whether the applicant provides critical services or substantial benefits to the local community in which the facility for which the Recharge New York power allocation is requested is located.

**5. Transfer of RNY Power Allocations**

Keith Hayes continued his presentation by discussing the Transfer of RNY Power Program Allocations.

After discussing the item, Mr. Hayes said staff is requesting that EDPAB recommend that the Authority's Trustees approve the allocations based on the rationale presented.

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Transfer of RNY Power Program Allocations were unanimously approved by the Board as recommended, in the form which follows:

RESOLVED, That the transfer of a 140 kilowatt ("kW") Recharge New York ("RNY") Power allocation, a 136 kW RNY Power allocation, and a pending 270 kW RNY Power allocation awarded to Crown I Enterprises Inc., for use at its facilities located at 85 & 87 Saxon Avenue, Bay Shore, New York to Sysco Long Island, LLC, for use at the same facilities, as described in the foregoing memorandum ("Memorandum") be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the New York Power Authority ("NYPA"); (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the NYPA to be appropriate to effectuate the transfer; and be it further

RESOLVED, That the transfer of the 1,600 kW RNY Power allocation awarded to International Paper Company for use at its facility at 568 Shore-Airport Road, Ticonderoga, New York, to Sylvamo North America, LLC for use at the same facility, as described in the foregoing Memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by NYPA; (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the NYPA to be appropriate to effectuate the transfer.

RESOLVED, That the transfer of 90 kW and a 130 kW RNY Power allocations awarded to Prevost Car (US) Inc., for use at its facility at 260 Banker Road, Plattsburgh, New York, to Nova Bus (US) Inc. for use at the same facility, as described in the foregoing Memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by NYPA; (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the NYPA to be appropriate to effectuate the transfer.

**6. Diversity, Equity, and Inclusion Evaluation and Incentive Plan**

Mr. Hayes said staff is requesting that the Authority's Trustees approve the Diversity, Equity, and Inclusion Evaluation and Incentive Plan, as discussed.

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Diversity, Equity, and Inclusion Evaluation and Incentive Plan, was approved by the Board, in the form presented:

RESOLVED, That the Economic Development Power Allocation Board ("Board") recommends that the Board of Trustees ("Trustees") of the Power Authority of the State of New York ("Authority") (1) supplement the application evaluation criteria for the Authority's Recharge New York ("RNY") Program to enable the Authority to consider diversity, equity, and inclusion ("DEI") commitments based on the following criteria ("Qualifying Criteria"): applicant is a certified Minority and Women Owned Business Enterprise; applicant is a certified Service-Disabled Veteran Owned Business; and/or applicant's facility is or will be located in a disadvantaged community in New York State; (2) provide enhanced scoring credit based on consideration of the Qualifying Criteria in addition to evaluation of RNY Program criteria; (3) apply the DEI evaluation and incentive plan prospectively to applications under the RNY Program for allocations to support new load and retention-based allocations for load that is not already served by the Authority; and (4) make appropriate modifications to the applications and related process documents used for the RNY Program to enable the Authority to collect relevant information from applicants related to DEI; and be it further

RESOLVED, That the Board further recommends that the Trustees authorize the foregoing diversity, equity, and inclusion evaluation and incentive plan for implementation related to applications under the Recharge New York Power Program for (1) allocations that would support new customer load (e.g., new projects and expansion projects), and (2) retention-based allocations for load not already served by the Authority.

**Other Business**

No other business to report.

7. **Next Meeting**

Chair Nicandri said that the next meeting of the Board would be held on Monday, January 24, 2022, at 10:00am.

**Closing**

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the meeting was adjourned at approximately 10:13am.

*Karen Delince*

Karen Delince  
Corporate Secretary