

**ECONOMIC DEVELOPMENT POWER  
ALLOCATION BOARD**

**MINUTES**

**February 22, 2005  
Video Conference – 10:00 a.m.**

**New York Power Authority Offices:  
30 South Pearl Street, 10<sup>th</sup> Floor, Albany, NY  
123 Main Street, 16<sup>th</sup> Floor, White Plains, NY  
Louis P. Ciminelli Construction, 369 Franklin Street, Buffalo, NY  
Empire State Development Corporation, 633 Third Avenue, New York, NY**

1. Approval of the Minutes of the Meeting of December 14, 2004
  
2. **Power for Jobs Extended Benefits Recommendations for Contract Extensions**  
  
Citi Group  
Con Edison  
New York – New York County  
  
Coca Cola Bottling Co. NY  
Con Edison  
Hawthorne – Westchester County  
  
Cumberland Packaging  
Con Edison  
Brooklyn - Kings County  
  
Kinray, Inc.  
Con Edison  
Whitestone – Queens County  
  
Maimonides Medical Center  
Con Edison  
Brooklyn, - Kings County  
  
Montefiore Medical Center  
Con Edison  
Bronx – Bronx County  
  
San-Mar Laboratories, Inc  
Con Edison  
Elmsford – Westchester County  
  
Sound Shore Medical Center of Westchester  
Con Edison  
New Rochelle -Westchester County

The Jewish Museum  
Con Edison  
New York – New York County

The Mount Vernon Hospital  
Con Edison  
Mount Vernon – Westchester County

Whitney Museum of American Art  
Con Edison  
New York – New York County

Yeshiva University  
Con Edison  
New York – New York

Fortunoff  
LIPA  
Uniondale – Nassau County

Gurwin Jewish Geriatric Center  
LIPA  
Commack – Suffolk County

Kleer-Fax Inc.  
LIPA  
Amityville – Suffolk County

Agri-Link Inc.  
NIMO  
Fulton – Oswego County

Allied Frozen Storage, Inc.  
NIMO  
Buffalo – Erie County

AMF Bowling Inc.  
NIMO  
Lowville – Lewis County

Amsterdam Printing & Litho  
NIMO  
Amsterdam – Montgomery County

Anoplate Corp.  
NIMO  
Syracuse – Onondaga County

Bonded Insulation Company, Inc  
NIMO  
Hagaman – Montgomery County

Brooks Memorial Hospital  
NIMO  
Dunkirk – Chautauqua County

Brownville Specialty Paper Products  
NIMO  
Brownville – Jefferson County

Byrne Dairy, Inc.  
NIMO  
Syracuse – Onondaga County

Charles T. Sitrin Health Care Center  
NIMO  
New Hartford – Oneida County

Clinton's Ditch Cooperative Company  
NIMO  
Cicero – Onondaga County

Di Highway Sign & Structure Corp.  
NIMO  
New York Mills – Oneida County

Ethox Corp.  
NIMO  
Buffalo – Erie County

Faster Form Corp  
NIMO  
Frankfort – Herkimer County

Gehring Tricot Corp.  
NIMO  
Dolgeville – Herkimer County

Gernatt Asphalt Products, Inc.  
NIMO  
Collins – Erie County

H.P. Hood, Inc.  
NIMO  
Oneida – Madison County

Hebeler Corporation  
NIMO  
Tonawanda – Erie County

Helmont Mills  
NIMO  
St. Johnsville – Montgomery County

Indium Corporation of America  
NIMO  
Utica – Onieda County

Matt Brewing Company  
NIMO  
Utica – Oneida County

Mayer Brothers Apple Products, Inc  
NIMO  
West Seneca – Niagara County

Mercy Hospital  
NIMO  
Buffalo – Erie County

Mount Saint Mary's Hospital  
NIMO  
Lewiston – Niagara County

Native Textiles  
NIMO  
Glen Falls – Warren County

Niagara Falls Medical Center  
NIMO  
Niagara Falls – Niagara County

Norlite Corp.  
NIMO  
Cohoes – Albany County

Oneida Healthcare Center  
NIMO  
Oneida – Madison County

Onondaga Beverage Corp.  
NIMO  
Liverpool – Onondaga County

Ontario Foods, Inc.  
NIMO  
Medina – Orleans County

Orion Bus Industries  
NIMO  
Oriskany – Oneida County

Peak Resorts Inc. dba Greek Peak  
NIMO  
Cortland – Cortland County

Precision Systems Mfg, Inc.  
NIMO  
Liverpool – Onondaga County

Rensselaer Polytechnic Institute  
NIMO  
Troy – Rensselaer County

St. Lawrence University  
NIMO  
Canton – St. Lawrence County

Suit-Kote Corp.  
NIMO  
Cortland – Cortland County

The Beeches of Rome, Inc.  
NIMO  
Rome – Oneida County

Trans World Entertainment  
NIMO  
Albany – Albany County

Utica Converters, Inc.  
NIMO  
Utica – Oneida County

Cameron Fabricating Corporation  
NYSEG  
Horseheads – Chemung County

Elrae Industries  
NYSEG  
Alden – Erie County

Lancaster Steel Services Co. Inc  
NYSEG  
Lancaster – Erie County

Novapak Corporation  
NYSEG  
Philmont – Columbia County

NYSARC, Inc – Columbia County Chapter  
NYSEG  
Mellenville – Columbia County

PCB Piezotronics, Inc.  
NYSEG  
Depew – Erie County

Delphi Automotive Systems  
RG&E  
Rochester – Monroe County

J.C. Plastics, Inc.  
RG&E  
Rochester – Monroe County

3. **Power for Jobs Extended Benefits Recommendations for Electricity Savings Reimbursements and/or Contract Extensions**

Bartell Machinery Systems  
NIMO  
Rome – Broome County

Bristol Myers Squibb  
NIMO  
East Syracuse – Onondaga County

Canton Potsdam Hospital  
NIMO  
Potsdam – St. Lawrence County

Chapin Manufacturing  
NIMO  
Batavia – Genesee County

Edward John Noble Hospital  
NIMO  
Gouverneur – St. Lawrence County

Fiber Glass Industries, Inc.  
NIMO  
Amsterdam – Montgomery County

Ginsberg Institutional Foods  
NIMO  
Hudson – Columbia County

Homogeneous Metals  
NIMO  
Clayville – Oneida County

International Fiber Corporation  
NIMO  
North Tonawanda – Niagara County

Isadore A. Rapasadi & Sons  
NIMO  
Canastota – Madison County

Kaz Incorporated  
NIMO  
Hudson – Columbia County

Kintz Plastics  
NIMO  
Howes Cave – Schoharie County

Lewis County General Hospital  
NIMO  
Lowville – Lewis County

Little Falls Hospital  
NIMO  
Little Falls – Herkimer County

Mills Services, Inc.  
NIMO  
Cobleskill – Schoharie County

Nathan Littauer Hospital  
NIMO  
Gloversville – Fulton County

National Baseball Hall of Fame  
NIMO  
Cooperstown – Otsego County

New Venture Gear  
NIMO  
East Syracuse – Onondaga County

Pall Trinity Micro  
NIMO  
Cortland – Cortland County

Pepsi Bottling Group, LLC  
NIMO  
Latham – Albany County

Quandt's Food Service Distr.  
NIMO  
Amsterdam – Montgomery County

Queensboro Farm Product  
NIMO  
Canastota – Madison County

Revere Copper Products  
NIMO  
Rome – Oneida County

Robinson & Smith Inc.  
NIMO  
Gloversville – Fulton County

Snyder Industries, Inc.  
NIMO  
North Tonawanda – Niagara County

TMP Technologies, Inc.  
NIMO  
Wyoming – Erie County

Ventre Packaging Co. Inc.  
NIMO  
Syracuse – Onondaga County

Frito-Lay  
NYSEG  
Binghamton – Broome County

**OTHER BUSINESS**

4. INFORMATIONAL ITEM
5. Next Meeting

A regular meeting of the Economic Development Power Allocation Board was held via video conference at the following participating locations:

- 1) New York Power Authority, 30 South Pearl Street, Albany NY
- 2) New York Power Authority, 123 Main Street, White Plains, NY
- 3) Louis P. Ciminelli Construction, 369 Franklin Street, Buffalo, NY
- 4) Empire State Development Corporation, 633 Third Avenue, New York, NY

The following Members of the Board were present at the following locations:

**Louis P. Ciminelli**, Chairman (Buffalo, NY)  
**James A. Duncan**, Member (Buffalo, NY)  
**Bernard P. McGarry**, Member (Albany, NY)  
**Kevin S. Corbett**, Member (New York, NY)

**Also in attendance were:**

Louise M. Morman	Senior Vice President – Marketing, Economic Development & Supply Planning, NYPA
Gary Paslow	Vice President – Governmental Affairs & Policy Development
Thomas Warmath	Vice President and Chief Risk Officer, NYPA
James H. Yates	Vice President – Major Account Marketing & Economic Development, NYPA
Angela D. Graves	Deputy Secretary, NYPA
Joseph J. Carline	Assistant General Counsel – Power & Transmission, NYPA
John B. Hamor	Executive Director – State Governmental Relations, NYPA
James F. Pasquale	Director – Business Power Allocations, Regulation and Billing, NYPA
Anthony C. Savino	Manager – Business Power Allocations and Compliance, NYPA
Bonnie Fahey	Executive Administrative Assistant
Mary Jean Frank	Associate Secretary, NYPA
Lorna M. Johnson	Assistant Secretary, NYPA
Michael J. Santarcangelo	Director, Energy Policy, ESDC

1. **Adoption of Minutes**

The minutes of the meeting of December 14, 2004, were unanimously adopted.

2. **Power for Jobs Extended Benefits Recommendations for Contract Extensions**

The members of the Board considered the 62 contract extensions listed below for Power for Jobs. Mr. Pasquale explained that some 46,528 jobs would be impacted.

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

**WHEREAS, the following entities have applied for Power for Jobs contract extensions:**

**Citi Group  
Con Edison  
New York – New York County**

**Coca Cola Bottling Co. NY  
Con Edison  
Hawthorne – Westchester County**

**Cumberland Packaging  
Con Edison  
Brooklyn - Kings County**

**Kinray, Inc.  
Con Edison  
Whitestone – Queens County**

**Maimonides Medical Center  
Con Edison  
Brooklyn, - Kings County**

**Montefiore Medical Center  
Con Edison  
Bronx – Bronx County**

**San-Mar Laboratories, Inc  
Con Edison  
Elmsford – Westchester County**

**Sound Shore Medical Center of Westchester  
Con Edison  
New Rochelle - Westchester County**

**The Jewish Museum  
Con Edison  
New York – New York County**

**The Mount Vernon Hospital  
Con Edison  
Mount Vernon – Westchester County**

**Whitney Museum of American Art  
Con Edison  
New York – New York County**

**Yeshiva University  
Con Edison  
New York – New York**

**Fortunoff**  
**LIPA**  
**Uniondale – Nassau County**

**Gurwin Jewish Geriatric Center**  
**LIPA**  
**Commack – Suffolk County**

**Kleer-Fax Inc.**  
**LIPA**  
**Amityville – Suffolk County**

**Agri-Link Inc.**  
**NIMO**  
**Fulton – Oswego County**

**Allied Frozen Storage, Inc.**  
**NIMO**  
**Buffalo – Erie County**

**AMF Bowling Inc.**  
**NIMO**  
**Lowville – Lewis County**

**Amsterdam Printing & Litho**  
**NIMO**  
**Amsterdam – Montgomery County**

**Anoplate Corp.**  
**NIMO**  
**Syracuse – Onondaga County**

**Bonded Insulation Company, Inc**  
**NIMO**  
**Hagaman – Montgomery County**

**Brooks Memorial Hospital**  
**NIMO**  
**Dunkirk – Chautauqua County**

**Brownville Specialty Paper Products**  
**NIMO**  
**Brownville – Jefferson County**

**Byrne Dairy, Inc.**  
**NIMO**  
**Syracuse – Onondaga County**

**Charles T. Sitrin Health Care Center**  
**NIMO**  
**New Hartford – Oneida County**

**Clinton's Ditch Cooperative Company**  
**NIMO**  
**Cicero – Onondaga County**

**Di Highway Sign & Structure Corp.**  
**NIMO**  
**New York Mills – Oneida County**

**Ethox Corp.**  
**NIMO**  
**Buffalo – Erie County**

**Faster Form Corp**  
**NIMO**  
**Frankfort – Herkimer County**

**Gehring Tricot Corp.**  
**NIMO**  
**Dolgeville – Herkimer County**

**Gernatt Asphalt Products, Inc.**  
**NIMO**  
**Collins – Erie County**

**H.P. Hood, Inc.**  
**NIMO**  
**Oneida – Madison County**

**Hebeler Corporation**  
**NIMO**  
**Tonawanda – Erie County**

**Helmont Mills**  
**NIMO**  
**St. Johnsville – Montgomery County**

**Indium Corporation of America**  
**NIMO**  
**Utica – Onieda County**

**Matt Brewing Company**  
**NIMO**  
**Utica – Oneida County**

**Mayer Brothers Apple Products, Inc**  
**NIMO**  
**West Seneca – Niagara County**

**Mercy Hospital**  
**NIMO**  
**Buffalo – Erie County**

**Mount Saint Mary's Hospital**  
**NIMO**  
**Lewiston – Niagara County**

**Native Textiles**  
**NIMO**  
**Glen Falls – Warren County**

**Niagara Falls Medical Center**  
**NIMO**  
**Niagara Falls – Niagara County**

**Norlite Corp.**  
**NIMO**  
**Cohoes – Albany County**

**Oneida Healthcare Center**  
**NIMO**  
**Oneida – Madison County**

**Onondaga Beverage Corp.**  
**NIMO**  
**Liverpool – Onondaga County**

**Ontario Foods, Inc.**  
**NIMO**  
**Medina – Orleans County**

**Orion Bus Industries**  
**NIMO**  
**Oriskany – Oneida County**

**Peak Resorts Inc. dba Greek Peak**  
**NIMO**  
**Cortland – Cortland County**

**Precision Systems Mfg, Inc.**  
**NIMO**  
**Liverpool – Onondaga County**

**Rensselaer Polytechnic Institute**  
**NIMO**  
**Troy – Rensselaer County**

**St. Lawrence University**  
**NIMO**  
**Canton – St. Lawrence County**

**Suit-Kote Corp.**  
**NIMO**  
**Cortland – Cortland County**

**The Beeches of Rome, Inc.**  
**NIMO**  
**Rome – Oneida County**

**Trans World Entertainment**  
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**Albany – Albany County**

**Utica Converters, Inc.**  
**NIMO**  
**Utica – Oneida County**

**Cameron Fabricating Corporation**  
NYSEG  
Horseheads – Chemung County

**Elrae Industries**  
NYSEG  
Alden – Erie County

**Lancaster Steel Services Co. Inc**  
NYSEG  
Lancaster – Erie County

**Novapak Corporation**  
NYSEG  
Philmont – Columbia County

**NYSARC, Inc – Columbia County Chapter**  
NYSEG  
Mellenville – Columbia County

**PCB Piezotronics, Inc.**  
NYSEG  
Depew – Erie County

**Delphi Automotive Systems**  
RG&E  
Rochester – Monroe County

**J.C. Plastics, Inc.**  
RG&E  
Rochester – Monroe County

**NOW THEREFORE BE IT RESOLVED, That the Board hereby finds and determines that such applications meet the requirements of the Power for Jobs legislation contained in Chapter 316 of the Laws of 1997; Chapter 386 of the Laws of 1998; Chapter 63 of the Laws of 2000; Chapter 226 of the Laws of 2002; and Chapter 59 of the Laws of 2004, would advance the public policy set forth in Section 189(i) of the Economic Development Law to provide effective incentives to promote economic development, maintain and develop jobs, and encourage new capital investment throughout New York State; and be it further**

**RESOLVED, That the Board recommends to the Power Authority of the State of New York the 62 contract extensions discussed herein totaling 49,890 kW until December 31, 2005, and that the following terms be incorporated into the Power Authority's contracts for Power for Jobs Service:**

- **applicants to maintain a total of 46,528 jobs;**
- **such allocations shall be subject to the reduction of power and affirmative action provisions set forth in the Power Authority's standard form of contract for Power for Jobs Service.**

**3. Power for Jobs Extended Benefits Recommendations for Electricity Savings Reimbursements and/or Contract Extensions**

The members of the Board considered the 28 applications for electricity savings reimbursements and/or contract extensions listed below for Power for Jobs. Mr. Pasquale explained that some 11,007 jobs would be impacted.

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

**WHEREAS, the following entities have applied for electricity savings reimbursements and/or contract extensions under the Power for Jobs program:**

**Bartell Machinery Systems  
NIMO  
Rome – Broome County**

**Bristol Myers Squibb  
NIMO  
East Syracuse – Onondaga County**

**Canton Potsdam Hospital  
NIMO  
Potsdam – St. Lawrence County**

**Chapin Manufacturing  
NIMO  
Batavia – Genesee County**

**Edward John Noble Hospital  
NIMO  
Gouverneur – St. Lawrence County**

**Fiber Glass Industries, Inc.  
NIMO  
Amsterdam – Montgomery County**

**Ginsberg Institutional Foods  
NIMO  
Hudson – Columbia County**

**Homogeneous Metals  
NIMO  
Clayville – Oneida County**

**International Fiber Corporation  
NIMO  
North Tonawanda – Niagara County**

**Isadore A. Rapasadi & Sons  
NIMO  
Canastota – Madison County**

**Kaz Incorporated  
NIMO  
Hudson – Columbia County**

**Kintz Plastics**  
**NIMO**  
**Howes Cave – Schoharie County**

**Lewis County General Hospital**  
**NIMO**  
**Lowville – Lewis County**

**Little Falls Hospital**  
**NIMO**  
**Little Falls – Herkimer County**

**Mills Services, Inc.**  
**NIMO**  
**Cobleskill – Schoharie County**

**Nathan Littauer Hospital**  
**NIMO**  
**Gloversville – Fulton County**

**National Baseball Hall of Fame**  
**NIMO**  
**Cooperstown – Otsego County**

**New Venture Gear**  
**NIMO**  
**East Syracuse – Onondaga County**

**Pall Trinity Micro**  
**NIMO**  
**Cortland – Cortland County**

**Pepsi Bottling Group, LLC**  
**NIMO**  
**Latham – Albany County**

**Quandt's Food Service Distr.**  
**NIMO**  
**Amsterdam – Montgomery County**

**Queensboro Farm Product**  
**NIMO**  
**Canastota – Madison County**

**Revere Copper Products**  
**NIMO**  
**Rome – Oneida County**

**Robinson & Smith Inc.**  
**NIMO**  
**Gloversville – Fulton County**

**Snyder Industries, Inc.**  
**NIMO**  
**North Tonawanda – Niagara County**

**TMP Technologies, Inc.  
NIMO  
Wyoming – Erie County**

**Ventre Packaging Co. Inc.  
NIMO  
Syracuse – Onondaga County**

**Frito-Lay  
NYSEG  
Binghamton – Broome County**

**NOW THEREFORE BE IT RESOLVED, That the Board hereby finds and determines that such applications meet the requirements of the Power for Jobs legislation contained in Chapter 316 of the Laws of 1997; Chapter 386 of the Laws of 1998; Chapter 63 of the Laws of 2000; Chapter 226 of the Laws of 2002; and Chapter 59 of the Laws of 2004, would advance the public policy set forth in Section 189(i) of the Economic Development Law to provide effective incentives to promote economic development, maintain and develop jobs, and encourage new capital investment throughout New York State; and be it further**

**RESOLVED, That the Board recommends to the Power Authority of the State of New York the 28 applications for electricity savings reimbursements discussed herein totaling 23,838 kW until December 31, 2005.**

4. **INFORMATIONAL ITEM**

Gary Paslow, James Pasquale and Joe Carline briefed Board members on the statutory requirements related to job commitments.

Review of the applications for extended Power for Jobs benefits (energy savings reimbursements and/or contract extensions) has determined that more than one-third of the applicants (120 of 322) have reported employment levels below their contractual job commitments.

Section 189 of the New York State Economic Development Law, as amended by Chapter 59 of the laws of 2004, provides the statutory authorization for the extended benefits that may be provided to Power for Jobs customers with contracts that expire before December 31, 2005. The statute authorizes the Economic Development Power Allocation Board (EDPAB) to “*solicit and review applications for the power for jobs electricity savings reimbursements and contract extensions...*”

The law also states:

*“An applicant shall be eligible for such reimbursements and/or extensions only if it is in compliance with and agrees to continue to meet the job retention and creation commitments set forth in its prior power for jobs contract.”*

Consequently, EDPAB is unable, under current law, to approve extended benefits for applicants with expired contracts whose reported employment levels are below the job commitments of their previous contract.

The Board discussed the issue and asked staff to notify all applicants with reported employments levels below contractual job commitments that their applications for extended benefits cannot be approved. The Board also asked staff to similarly notify legislative leaders and the Governor’s office of the matter.

Gary Paslow also briefed Board members on an issue relating to out-dated references to the New York Power Authority’s FitzPatrick nuclear power plant, sold by the Authority in 2000, as the source of the power supply for several power programs, including those administered by the Economic Development Power Allocation Board.

The Public Authorities Law and the Economic Development Law provide for the sale of FitzPatrick nuclear power to businesses in New York State under the Power for Jobs, Economic Development Power and other power programs of the New York Power Authority. State law governing the supply of power under Power for Jobs program enables NYPA to use other sources of electricity. The programs affected by the “FitzPatrick” language problem include the Economic Development Power program, the High Load Factor Power program and Municipal Development Agency Power.

NYPA sold the FitzPatrick Project to Entergy in 2000 and continues to honor all contracts under the power programs existing at the time of the plant sale with power purchased in the market. However, as these contracts begin to expire in 2005, NYPA will not be able to enter into new long-term contracts under the programs unless the references in the existing laws to the FitzPatrick project as a source of power are changed.

Effort to resolve the FitzPatrick statutory language issues have been ongoing for several years. In March 2002, a Governor’s Program Bill (S.6425) relating to the creation of Phase Five of the Power for Jobs program included provisions to address the FitzPatrick language problem. However, the legislation was amended and the enacted without those provisions. In the 2003-2004 sessions, legislation (S.5152) was introduced in the state Senate, but no companion legislation was introduced in the Assembly. Legislation is being developed for introduction in 2005. Under the proposed bill, NYPA would have authority to purchase power in the marketplace to serve customers under the various former FitzPatrick programs, including the Economic Development Power program administered by EDPAB.

Until appropriate legislation is enacted, EDPAB cannot consider new allocations nor renew existing allocations under the EDP Program. If satisfactory legislation is enacted, continuity of service will require that EDPAB review and make recommendations to NYPA regarding new contracts and/or contract extensions.

5. **Next Meeting**

The next meeting of the Board is to be determined.