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## SCIDA refuses to alter windfarm agreement

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Bath, N.Y. - A disagreement over the terms of a tax deal for a windfarm development in Prattsburgh will apparently have to be settled in court.

The Steuben County Industrial Development Agency refused to change the terms of a payment-in-lieu-of-taxes agreement Thursday for a 36-turbine project by First Wind, formerly known as UPC.

Attorneys for the Prattsburgh and Naples school districts requested a renegotiation claiming the company should be paying hundreds of thousands of dollars more in taxes.

The tax agreement involves First Wind paying a fixed amount of taxes to the school districts, the town of Prattsburgh and the county over a 20-year period.

SCIDA approved the tax agreement Thursday and attorneys for the school districts said they will follow through with a court challenge. The two sides argued their cases in court in late April, prior to the final agreement being approved. Supreme Court Judge Peter Bradstreet presided over the hearing and a decision is pending.

By state law, the county and towns generally split 52-53 percent of the annual tax payments, with the school districts taking in 47-48 percent of the payments. Those payment ratios are included in the windfarm agreement.

At issue is the amount being paid. The school districts claim First Wind should be paying \$8,000 per megawatt produced by the development, which they say is the fair market value. The tax agreement requires the company pay only \$500 per megawatt.

As a result, the Naples school district should receive \$560,000 more than what is outlined in the agreement.

The Prattsburgh school district is being shorted about \$1 million, school attorneys claim.

At Thursday's meeting, the SCIDA board heard comments from the school attorneys and then went behind closed doors to discuss the matter. Roughly 20 minutes later the board emerged and voted to approve the payment plan without comment.

In other action, the board approved a 10-year PILOT agreement with Gunlocke in Wayland. The agreement is expected to allow the manufacturer to reach full tax status by 2018 and is based on a significant increase in employment.