

PUBLIC HEARING AGENDA
COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY

AES GLENGARRY FARMS, LLC

July 11, 2023 – 5:00 pm

Burke Town Hall, 5165 US-11, Burke, NY 12917

ATTENDANCE LIST:

Jeremy Evans, CEO (CFIDA)
Maria Bourgeois, Operations Manager (CFIDA) (Via Zoom)
Bill Wood, Burke Town Supervisor
Jim Otis, Burke Town Board
Tim Crippen, Burke Town Board
Judy Tavernier, Burke Town Clerk
Greg Janisewski, Franklin County Legislator
Daniel Postal, AES Glengarry Farms, LLC (Via Zoom)
Eric Will, AES Glengarry Farms, LLC (Via Zoom)

CALL TO ORDER: (Time: 5:03 pm).

Jeremy Evans opened the hearing.

PURPOSE:

Pursuant to and in accordance with General Municipal Law Section 859-a, the County of Franklin Industrial Development Agency (the “Agency”) is conducting this public hearing in connection with a certain proposed project, as more fully described below (the “Project”), to be undertaken by the Agency for the benefit of **AES GLENGARRY FARMS, LLC** (the “Company”).

The Agency published a Notice of Public Hearing and delivered a copy of the Notice of Public Hearing to each affected tax jurisdiction. An Affidavit of Publication of and Proof of delivery are attached.

DISCUSSION:

Jeremy Evans read a description of the Project, as follows:

AES GLENGARRY FARMS LLC, for itself and/or for an entity or entities to be formed (collectively, the “Company”), has submitted an application to the Agency requesting the Agency’s assistance with a certain project (the “Project”) consisting of (i) the acquisition by the Agency of a leasehold interest in all or portions of an approximately 46.814 acre parcel of real property located at 5672 NY-11 in the Town of Burke, New York (the “Land”, being more

particularly described as a portion of tax parcel No. 59.00-4-14.200, as may be subdivided); (ii) the planning, design, construction and operation of a 5 MWac ground-mounted community solar power facility, including panel foundations, inverters, transformers, interconnect wiring, on and offsite utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the “Improvements”); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the “Equipment” and, collectively with, the Land and the Improvements, the “Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “Straight Lease Transaction”).

The Agency contemplates that it will provide financial assistance (the “Financial Assistance”) to the Company in the form of (A) an exemption from all State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the construction and equipping of the Facility; (B) mortgage recording tax exemption(s) related to financings undertaken by the Company to construct the Facility; and (C) a partial real property tax abatement through a payment-in-lieu-of-tax agreement (the “PILOT Agreement”), pursuant to which the Company would make payments in lieu of real property taxes to the Agency for the benefit of each affected tax jurisdiction (the “Affected Tax Jurisdictions”).

AGENCY COST-BENEFIT ANALYSIS:

Jeremy Evans then reviewed the Agency Cost-Benefit Analysis with the group and explained projections and expected payments.

PUBLIC COMMENT:

Bill Wood: Asked when construction would be expected to start. To which, Daniel Postal replied in April/May of 2024, with an expected completion date of December 2024.

Bill Wood thanked Jeremy for coming and for presenting all of the information.

ADJOURNMENT (Time: 5:30 p.m.)

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Name	Address	Representing
Bill Wood	Burke, NY	Burke Town Supervisor
Jim Otis	Burke, NY	Burke Town Board
Tim Crippen	Burke, NY	Burke Town Board
Judy Tavernier	Burke, NY	Burke Town Clerk
Greg Janisewski	Chateaugay, NY	Franklin County Legislator
Daniel Postal (Via Zoom)		AES Glengarry Farms, LLC
Eric Will (Via Zoom)		AES Glengarry Farms, LLC
Jeremy Evans	Saranac Lake	CEO, CFIDA
Maria Bourgeois (Via Zoom)	Malone	Operations Manager, CFIDA