

PUBLIC HEARING AGENDA  
COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY

**BANGOR SOLAR, LLC**  
**September 20, 2021 – 4:00 pm**

Bangor Community Center, 2438 US-11, North Bangor, New York 12966

ATTENDANCE LIST:

Jeremy Evans, CEO  
Maria Bourgeois, Operations Manager  
S. Russ Kinyon, Economic Development Director  
Justus Martin, Board Chair  
Joseph Fiori, Nexamp – Director of Business Development

CALL TO ORDER: Time: 4:03 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 **BANGOR SOLAR, 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:

**BANGOR SOLAR, LLC**, for itself and/or on behalf of 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 or projects (collectively, the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 25 acres of real property located at 2739 State Route 11B in the Town of Bangor, New York (the “Land”, being more particularly described as a portion of tax parcel No. 124.-2-13, as may be subdivided); (ii) the planning, design, construction and operation of a 5MWAC solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, 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; and (B) 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:

Attached

PUBLIC COMMENT: None.

Recessed meeting at 4:07 pm.

Reopened meeting at 4:13 pm with no additional people joining the public hearing.

ADJOURNMENT: Time: 4:13pm

**COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY - SOLAR FACILITY PILOT WORKSHEET**

Project: Bangor Solar, LLC 2739 State Route 11B, N. Bangor, NY 12966

<b>Table #1: Project Information</b>		<b>Table #3: Cost/Benefit Summary</b>	
2021 Assessed Value (Base Value):	\$145,600.00	Total Estimated Taxes Without Improvements	\$71,878.44
2021 Equalization Rate (ER):	79.00%	Total Estimated PILOT Payments	\$557,127.04
2021 Fair Market Value:	\$184,303.80	Total Estimated Taxes With No PILOT	\$2,434,863.75
2021 Mill Rate:	32.911375	Estimated Real Estate Tax Savings	\$1,877,736.72
Project Cost:	\$8,540,972	Estimated Mortgages Tax Savings	\$0.00
Projected Valuation: (Note 1)	\$5,000,000.00	Estimated Sales Tax Savings	\$227,877.96
Added Value (Projected Valuation * ER):	\$3,950,000.00	<b>Total Estimated Financial Assistance</b>	<b>\$2,105,614.68</b>
Finished Value (Added Value + Base Value):	\$4,095,600.00	FCIDA Administrative Fee	\$85,409.72
Nameplate Megawatt Capacity:	5.00	<b>Net Total Estimated Financial Assistance</b>	<b>\$2,020,204.95</b>
Payment per Megawatt:	\$5,500.00		
System PILOT Payment Escalator:	2%		
Costs Subject to NYS Sales Tax:	\$5,384,535.00		
FCIDA Administrative Fee:	1%		

**Table #2: Proposed PILOT Payment Schedule**

PILOT Year	Calendar Year	PILOT Base Assessed Valuation (2)	Estimated PILOT Payments for Base Value	PILOT Payments for System (3)	Total PILOT Payments (Base Value + System) (4)	2019 Mill Rate (5)	Estimated Full Taxes With No PILOT (6)
Interim	2021	\$145,600			\$4,791.90	\$32.91	\$4,791.90
Interim	2022	\$145,600			\$4,887.73	33.5696025	\$4,887.73
Year 1	2023	\$145,600	\$4,791.90	\$27,500.00	\$32,291.90	34.24099455	\$140,237.42
Year 2	6x	\$145,600	\$4,791.90	\$28,050.00	\$32,841.90	34.92581444	\$143,042.17
Year 3	2025	\$145,600	\$4,791.90	\$28,611.00	\$33,402.90	35.62433073	\$145,903.01
Year 4	2026	\$145,600	\$4,791.90	\$29,183.22	\$33,975.12	36.33681734	\$148,821.07
Year 5	2027	\$145,600	\$4,791.90	\$29,766.88	\$34,558.78	37.06355369	\$151,797.49
Year 6	2028	\$145,600	\$4,791.90	\$30,362.22	\$35,154.12	37.80482477	\$154,833.44
Year 7	2029	\$145,600	\$4,791.90	\$30,969.47	\$35,761.36	38.56092126	\$157,930.11
Year 8	2030	\$145,600	\$4,791.90	\$31,588.86	\$36,380.75	39.33213969	\$161,088.71
Year 9	2031	\$145,600	\$4,791.90	\$32,220.63	\$37,012.53	40.11878248	\$164,310.49
Year 10	2032	\$145,600	\$4,791.90	\$32,865.05	\$37,656.94	40.92115813	\$167,596.70
Year 11	2033	\$145,600	\$4,791.90	\$33,522.35	\$38,314.24	41.73958129	\$170,948.63
Year 12	2034	\$145,600	\$4,791.90	\$34,192.79	\$38,984.69	42.57437292	\$174,367.60
Year 13	2035	\$145,600	\$4,791.90	\$34,876.65	\$39,668.55	43.42586038	\$177,854.95
Year 14	2036	\$145,600	\$4,791.90	\$35,574.18	\$40,366.08	44.29437758	\$181,412.05
Year 15	2037	\$145,600	\$4,791.90	\$36,285.67	\$41,077.56	45.18026513	\$185,040.29
		<b>Totals</b>	<b>\$71,878.44</b>	<b>\$475,568.97</b>	<b>\$557,127.04</b>		<b>\$2,434,863.75</b>

**Notes**

<sup>1</sup> Projected Valuation is an estimate only and used to calculate Estimated Full Taxes. The assessor will determine the actual assessed value once the project is complete. All special district fees will be calculated using the actual assessed value.

<sup>2</sup> Base Assessed Valuation is frozen at \$145,600 or such amount as may be assigned by the assessor in connection with subdivision or establishment of a new parcel for the project.

<sup>3</sup> PILOT Payments for System are fixed and based upon dollar amount per MW nameplate and a 2% annual escalator.

<sup>4</sup> The Annual Total PILOT Payment is based on the Base Value Payment + Payments for System.

<sup>5</sup> Mill Rate (Tax Rate per \$1,000 in value) assumes a 2% increase per year. Mill rate includes Bangor General Townwide, Highway Townwide, County General, and Malone School. It does not include special district rates. Actual rate will vary.

<sup>6</sup> Estimated Full Taxes With No PILOT is based on the Finished Value \* Mill Rate.

**COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY - SOLAR FACILITY PILOT WORKSHEET**

Project: Bangor Solar, LLC 2739 State Route 11B, N. Bangor, NY 12966

For planning purposes only

<b>PILOT Payment Calculation</b>			
Estimated Year 1 Total PILOT Payment			\$32,291.90
	Tax Rate	% of Total	Estimated Payment
Bangor General Townwide	3.457533	10.5%	\$3,392.45
BOE- Townwide	0.162309	0.5%	\$159.25
Bangor Highway Townwide	3.659268	11.1%	\$3,590.39
County General	5.630063	17.1%	\$5,524.09
Malone School	19.210923	58.4%	\$18,849.32
Library	0.791279	2.4%	\$776.39
<b>Total</b>	<b>32.911375</b>	<b>100.0%</b>	<b>\$32,291.90</b>

- Notes: 1. The portion of the total PILOT payment each taxing jurisdiction  
 2. Even though the total PILOT payment is set for each year of the agreement,  
 3. This estimate is based on the first year PILOT payment and 2021 tax rates

<b>PILOT Payment Calculation</b>			
Estimated Full Taxes (If No PILOT)			\$140,237.42
	Tax Rate	% of Total	Estimated Payment
Bangor General Townwide	3.457533	10.8%	\$15,172.37
Bangor Highway Townwide	3.659268	11.5%	\$16,057.63
County General	5.630063	17.6%	\$24,705.89
Malone School	19.210923	60.1%	\$84,301.53
Library	0.791279		
<b>Total</b>	<b>31.957787</b>	<b>100.0%</b>	<b>\$140,237.42</b>

<b>Sales Tax Calculation</b>			
Materials & Equipment	Amount	Rate	Proposed Exemption
Production	\$5,072,121	0.04	\$202,885
Non-Production	\$312,414	0.08	\$24,993
<b>Total</b>	<b>\$5,384,535</b>		<b>\$227,878</b>

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the “Act”) will be held by the County of Franklin Industrial Development Agency (the “Agency”) on the 20<sup>th</sup> day of September, 2021, at 4:00 p.m. local time, at the Bangor Community Center, 2438 US-11, North Bangor, New York 12966, in connection with the matter described below.

**BANGOR SOLAR, LLC**, for itself and/or on behalf of 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 or projects (collectively, the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 25 acres of real property located at 2739 State Route 11B in the Town of Bangor, New York (the “Land”, being more particularly described as a portion of tax parcel No. 124.-2-13, as may be subdivided); (ii) the planning, design, construction and operation of a 5MWAC solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, 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 is contemplating providing financial assistance to the Company with respect to the Project (collectively, the “Financial Assistance”) 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 acquisition, construction or equipping of the Facility; (B) mortgage recording tax exemption(s) relating to financings undertaken by the Company in furtherance of the Project; and (C) a partial real property tax abatement provided through a Payment in Lieu of Tax Agreement (“PILOT Agreement”).

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company’s Project Application (including a cost-benefit analysis), which is also available for viewing on the Agency’s website at: <https://adironackfrontier.com/about-us/resource-library/>. In furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will also conduct a concurrent virtual public hearing via live audio broadcast at <https://adironackfrontier.com>. Finally, the Agency also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record, which can be submitted to Jeremy Evans, AICP, Chief Executive Officer, County of Franklin IDA, 355 West Main Street, Suite 428, Malone, NY 12953 and/or [jeremy@adironackfrontier.com](mailto:jeremy@adironackfrontier.com).

DATED: September 3, 2021

COUNTY OF FRANKLIN INDUSTRIAL  
DEVELOPMENT AGENCY

**AFFIDAVIT OF PUBLICATION**  
*Malone Telegram*

**State of New York,**

**County of, Franklin**

The undersigned is the authorized designee of **Alec Johnson**, the publisher of **Malone Telegram**, a **Daily Newspaper** published in **Franklin County**, New York. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

September 09, 2021

This newspaper has been designated by the County Clerk of **Franklin County**, as a newspaper of record in this county, and as such, is eligible to publish such notices.



\_\_\_\_\_  
Signature

Eliot T. Putnam

\_\_\_\_\_  
Printed Name

Subscribed and sworn to before me,

This 14 day of September 2021



\_\_\_\_\_  
Notary Signature

Notary Public Stamp



**AFFIDAVIT OF PUBLICATION***Malone Telegram*

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