

MINUTES OF PUBLIC HEARING
ON OCTOBER 22, 2024
COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY
ASD Baldwin NY Solar, LLC

Present:	Austin Wheelock	County of Oswego IDA
	Nathan Emmons	Operation Oswego County
	Linda Lockwood	County Legislator District 11
	Terry Rasmussen	Pure Sky Energy
	Garry Stanard	Town of Volney Supervisor
	Deborah O'Hern	Town of Volney Assessor
	Marjorie Julian	Town of Volney resident
	Doug Hudson	Town of Volney resident
	Diane Hudson	Town of Volney resident
	Denise Runeare	Town of Volney resident

Mr. Wheelock, the duly appointed representative of the County of Oswego Industrial Development Agency (the "Agency") called the hearing to order at 10:02 a.m. local time at the Town of Volney Town Hall located at 1445 County Route 6 in the Town of Volney.

Mr. Wheelock was assigned the responsibility of recording the minutes of the hearing.

Mr. Wheelock then described the proposed Agency assistance and the location and nature of the Project Facility to be financed as follows:

ASD Baldwin NY Solar LLC, a Delaware limited liability company, on behalf of itself or an entity formed or to be formed by it or on its behalf (the "Company"), submitted an application to the Agency on or about April 14, 2023, as amended (the "Application"), a copy of which is on file at the office of the Agency, requesting the Agency consider undertaking a project (the "Project") consisting of: (A) (i) the acquisition of a leasehold interest (or sub-leasehold interest) in all or a portion of an approximately 93.77 acre parcel of real property located at 1495 County Route 6 (tax map no. 220.00-02-29.03) in the Town of Volney, County of Oswego, State of New York (the "Land"); (ii) the construction on the Land of an approximately 35 acre solar power electric generating photo-voltaic system, including, but not limited to, solar panels, inverters, transformers, combiner boxes, switchgear, single-axis trackers, racking systems, switchboards, modules, a battery energy storage system, steel beams, wiring, electric poles and other electrical and mechanical components and access roads (the "Facility"); and (iii) the acquisition and installation in and around the Facility and/or for use in connection with the Project of various machinery, equipment, furnishings and other items of tangible personal property (collectively the "Equipment") (the Land, the Facility and Equipment are hereinafter collectively referred to as the "Project Facility"); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, real estate transfer taxes, mortgage recording taxes (except as limited by Section 874 of the Act) and State and local sales and use taxes (collectively, the "Financial Assistance"); and (C) the lease (or sub-lease) of the Land and the Facility by the Company (and/or the owner of the Land) to the Agency pursuant to a lease agreement; the acquisition by the Agency of an interest in the Equipment pursuant to a bill of sale from the Company; and the sublease of the Project Facility back to the Company (and/or the owner of the Land) pursuant to a sublease agreement. The Company will be the initial operator of the Project Facility.

Mr. Wheelock then announced that persons interested in the Agency's financial assistance, the location and nature of the Project Facility or the proposed owner, operator or manager of the Project Facility would have an opportunity to comment thereon.

- Mr. Wheelock provided a description of the Financial Assistance for which the Company has applied.
- Mr. Wheelock provided the time, date and location of the Agency's meeting during which the Financial Assistance will be discussed and considered for approval.
- Mr. Hudson asked for clarification on the value of Sales Tax Exemption. Mr. Wheelock provided that information. Mr. Hudson commented that the increased PILOT Payment over current tax would be negated by the loss of sales tax exemption. Mr Hudson made general comments that the project would not create permanent jobs, solar farms are taking prime real estate, and that projects should be sited on lesser value property. Mr. Wheelock did state that this project is being located on a former top soil mine.
- Legislator Lockwood brought up concerns about what happens after the project is over, if there are funds to clean up the project. Mr. Wheelock responded that every solar project approved by the IDA is also required to have a decommissioning plan that is approved by the Town. Mr. Rasmussen commented that the panels would be recycled and that a decommissioning bond is in place for the project.
- A question was asked about the source of the panels and equipment for the project and Mr. Rasmussen stated that the project intends to source U.S. made panels and components. There is an issue of not enough domestic supply for more recent projects

but they intend this project to be US supplied. He also stated that the project construction would pay prevailing wages and is confident that there would be local labor utilized to construct the project.

- There was a question about the project timeline. Mr. Rasmussen stated that they would like to start site work before the end of the year but solar panels would not be installed until spring 2025 at the earliest.
- Legislator Lockwood stated that the site could potentially be used for other uses such as residential that could generate the same or more tax revenue. She also stated she did not feel there was not sufficient information provided to the public about the project and there are people against it. Mr. Wheelock stated that the project had been previously approved by the Town of Volney in 2023 which is still valid and that the IDA's process is separate from the Town Planning and Zoning approval process, the IDA's only involvement is the financial assistance being considered.
- Ms. O'Hern who is the Town's assessor asked how the PILOT payment would be distributed. Mr. Wheelock stated it would be distributed on a pro-rata basis based on the annual tax rates of the Fulton School District, Town of Volney, and Oswego County. She stated that the Town's portion would be approximately 6% based on that distribution. Mr. Wheelock could not confirm that but again stated it would be based on the COIDA Solar Deviation Policy which is a pro-rata distribution to the taxing authorities.
- There was a question if the developer has other projects in the United States and where is the owner located. Mr. Rasmussen stated that the company has been developing and operating solar projects since 2017 and has multiple projects in New York State and dozens around the US. He also stated that while Pure Sky Energy is in Colorado, the two owners of that company are headquartered in Toronto Canada and Australia respectively.
- Mr. Hudson asked a question about who to go regarding the reduction of neighboring property values. Ms. O'Hern stated that NYS has done studies that show no impact on adjacent property values. Mr. Rasmussen also stated there are independent studies that confirm that.
- Ms. Julian asked to clarify the financial assistance numbers provided. Mr. Wheelock again stated the mortgage recording tax exemption value, sales and use tax exemption values, and property tax abatements being considered. A follow-up was asked to provide what the payment would be without a PILOT agreement based on the value of the project. Mr. Wheelock provided that number but also stated the current taxes being paid on the property.
- Mr. Hudson asked if the project benefits were not approved would the company pay normal taxes on the property. Mr. Wheelock stated he is not aware of a similar solar project paying normal taxes in New York State based on assessed value. Mr. Rasmussen stated if benefits were not provided the company may seek alternative real property tax exemptions through New York State which would generate no new taxes for fifteen years for the taxing authorities. Mr. Rasmussen also stated that the State approved a new valuation model that applies a depreciation schedule to the assessed value.
- A question was asked who makes the decisions related to financial assistance. Mr. Wheelock responded there is a 7-person board and provided the time and the place when the project will be considered.
- Other questions were asked that were variations of previous questions or not specific to the IDA's involvement in the project.

No further comments, Mr. Wheelock ended the hearing at 10:59 a.m.

The above constitutes an accurate report of the appearance at the Public Hearing and the entire proceedings.



Austin Wheelock
Chief Executive Officer
County of Oswego Industrial Development Agency

October 22, 2024
(Date)