

**Minutes of the
County of Clinton
Industrial Development Agency
March 21, 2022**

Due to COVID-19, this meeting of the County of Clinton Industrial Development Agency held on Monday, March 21, 2022 was livestreamed via GoToMeeting.

The meeting was called to order by Trent Trahan, Chairperson, at 12:35 p.m. via GoToMeeting.

MEMBERS PRESENT: Trent Trahan, Chairperson
 David Hoover, Vice Chairperson
 Michael Zurlo, Secretary
 Mark Leta, Assistant Secretary
 Joey Trombley, Member
 John VanNatten, Member

MEMBERS ABSENT: Keith Defayette, Treasurer and Chief Financial Officer

STAFF PRESENT: Molly Ryan, Executive Director
 Toni Moffat, Executive Assistant
 Dorothy Brunell, Administrative Assistant
 Christopher Canada, Esq., Agency Counsel
 George Cregg, Jr., Esq., Agency Counsel
 Shannon Wagner, Esq., Agency Counsel

ALSO PRESENT: Richard Chun, Esq., Delaware River Solar LLC
 Peter Dolgas, Delaware River Solar LLC
 Luke Duncan, Delaware River Solar LLC

T. Trahan stated there was a quorum present.

T. Trahan waived the reading of the notice of the meeting published in the Press Republican on December 16, 2021.

Reading and Consideration of the Draft Minutes of the February 14, 2022 Meeting

T. Trahan asked if there were any questions regarding the draft minutes of the February 14, 2022 meeting.

On a motion by M. Zurlo, and seconded by J. Trombley, it was unanimously carried to approve the minutes of the February 14, 2022 meeting of the CCIDA.

Public Comment

There was no public comment.

Reports

Treasurer's Report:

D. Hoover reviewed the Treasurer's Report. On a motion by M. Leta, and seconded by J. VanNatten, it was unanimously RESOLVED to approve the Treasurer's Report as presented by D. Hoover.

Committee Reports

Audit Committee

D. Hoover noted the Committee met and reviewed the draft audited financial statements with D. Bushey of Martindale Keysor & Co., PLLC and the Committee is recommending Board approval of same and authorization to post the document to PARIS once all information is received and a final review by D. Bushey is completed. D. Bushey will also indicate in the letter to the Board of Directors that a solution is being actively pursued by the Agency to resolve the issue of cash balances exceeding FDIC limits.

On a motion by M. Zurlo, and seconded by M. Leta, it was unanimously RESOLVED to approve the draft audited financial statements as presented by D. Bushey and authorize to post same to PARIS once all information is received and a final review by D. Bushey is completed.

Old Business

CCIDA Bank Account Overage Allocation Options

M. Ryan and C. Canada have discussed several options with representatives of Glens Falls National Bank. One option is to establish a government sweep account which would automatically move funds in excess of FDIC limits from the CCIDA checking account into a higher interest-earning account. This transfer would happen on a daily basis. Suggestion was made to close the account in Saratoga National Bank and transfer that money into the new government sweep account, and setup a daily transfer of excess funds in the Glens Falls National Bank checking account into the government sweep account.

On a motion by M. Zurlo, and seconded by M. Leta, it was unanimously carried to provide authorization to open a government sweep account at Glens Falls National Bank and 1) transfer the money currently in the Saratoga National Bank account into this new account; and 2) setup a daily transfer of any funds in excess of FDIC limits from the Glens Falls National Bank checking account into the government sweep account. Account specifics, such as interest rate, potential early termination fees, etc., will be provided to the Board at the April 11, 2022 CCIDA meeting.

New Business

Delaware River Solar Project

M. Zurlo introduced Richard Chun, Esq., from Delaware River Solar (DRS). The CCIDA has previously partnered with DRS on several projects and M. Zurlo asked R. Chun to provide the Board with an overview of their latest proposed Project. R. Chun advised that DRS has been in the forefront of developing solar projects throughout New York State since 2016. R. Chun indicated that Clinton County has been a good partner in helping them develop solar projects in upstate New York. The proposed Project will be their second in the Town of Plattsburgh and will be slightly larger than the first. They are proposing a 5 MWAC solar farm to be constructed on 24-27 acres of undeveloped land at 12 Benny Blake Road in the Town of Plattsburgh. The solar array will be interconnected to the New York State Electric and Gas (NYSEG) electrical grid, and the electricity generated will then be sold to NYSEG customers. Construction is estimated to take approximately three to four months. Once completed, the Project will be remotely monitored and there will be no daily on-site employees required. Maintenance will be performed on a semi-annual basis. DRS will enter into a Decommissioning Plan/Agreement with the Town of Plattsburgh that will establish details regarding the decommissioning and removal of the solar facility and provide financial surety.

M. Zurlo asked if the economic incentives provided by New York State have changed as we continue to develop these projects. Luke Duncan of DRS indicated that new solar projects are not currently being incentivized under any sort of ongoing kilowatt hour programs. However, they are expecting the State to provide upfront assistance for the Project. He also indicated that the tax credits have not changed and they expect to receive a tax credit of 26 percent. L. Duncan indicated this new Project is similar to their last with the exception of ongoing supply chain issues and price increases across the board. M. Ryan indicated there is a new assessment model being used by New York State and asked how they are factoring this into their Project. L. Duncan indicated that they have started using it to estimate the property taxes as it is their understanding that it is going to be required throughout the State. M. Zurlo asked if there were any concerns with solar technology and the possibility of the panels leaching into the land and potentially the groundwater. R. Chen asked Peter Dolgas of DRS to address this question. P. Dolgas advised that the leaching issue from panels is from older model panels. He stated the modules that are being used today do not present any issues related to leakage even if the top of the panel were to become cracked.

M. Zurlo asked R. Chen if they have had any conversations with Beekmantown Central School regarding this Project. R. Chen advised that Beekmantown Central School asked that in lieu of PILOT payments, that DRS purchase a parcel of property adjacent to the school and then donate the property to the school district. This would be a special transaction with the school district. R. Chen advised that they are speaking with the school district on a regular basis regarding this transaction. C. Canada asked if this would essentially be an upfront PILOT payment to the school, and R. Chen advised that was correct. M. Zurlo asked that the CCIDA be kept informed of the final agreement with the Beekmantown Central School District so the County Treasurer's Office can be sure to adjust their PILOT billing appropriately. R. Chen agreed.

M. Zurlo thanked R. Chen for the information provided and advised that the CCIDA would vote on the Resolutions for this Project at the April 11, 2022 Board Meeting.

Prime Update

M. Ryan provided an update on the Prime Project. She advised that the Clinton County Supreme Court recently ruled that the approval of the Prime Project was improper and they invalidated the previously obtained authorization. M. Ryan stated there is every indication that the Project plans to appeal the Court's decision. At this time, there is no action item for the CCIDA. M. Ryan advised that the CCIDA has received a FOIL request from the Plattsburgh Citizens' Coalition for all communication with regard to the Project PILOT Agreement. Hodgson Russ is reviewing the request to determine what information we need to provide.

Noble Windpark Update

M. Ryan advised that the correct date was in fact stated in the Noble PILOT agreement; however, Noble made their payment early which is why the tax rolls reflected 15 payments having been made. Therefore, assuming the PILOT is terminated as scheduled in July, no more PILOT payments are due. Northern Adirondack Central School District has been advised.

IDA Application Consultant Review

M. Ryan advised that when she was working on the DRS cost benefit analysis for DRS's latest project, she encountered some questions on the MRB cost benefit calculator tool that are not included on our current CCIDA Application form. M. Ryan indicated that she had reached out to the Board and conducted a straw poll to obtain the Board's approval to contact the MRB software company and have them review our current Project Application and advise what changes/additions/deletions should be made. With the Board's approval, M. Ryan had MRB review our Application and the form has been updated accordingly. The one-time fee for this review is anticipated to be approximately \$250 to \$500.

On a motion by J. Trombley, and seconded by D. Hoover, it was unanimously carried to approve the payment of the MRB invoice once it is received.

Diversity Statement Update

M. Ryan advised that she and D. Hoover are making progress on the Diversity Statement and anticipate having it completed for the Governance Committee's review at the April 11, 2022 meeting.

There being no further business to discuss, on a motion by M. Zurlo, and seconded by J. VanNatten, the meeting adjourned at 1:28 p.m.



Trent Trahan, Chairperson