

**SUPPLEMENTAL PILOT DEVIATION APPROVAL RESOLUTION
NY MOOERS IV, LLC PROJECT**

A regular meeting of County of Clinton Industrial Development Agency (the "Agency") was convened in public session in the offices of the Agency located at 137 Margaret Street in the City of Plattsburgh, Clinton County, New York on March 25, 2019 at 12:00 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairperson of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Trent Trahan	Chairperson
David Hoover	Vice Chairperson
Michael E. Zurlo	Secretary
Mark Leta	Member

ABSENT:

Kim Murray	Assistant Secretary
Keith Defayette	Treasurer
John VanNatten	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Renee McFarlin	Executive Director
Toni Moffat	Executive Assistant
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by D. Hoover, seconded by M. Zurlo, to wit:

Resolution No. 03-19-01

RESOLUTION AUTHORIZING A DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY IN CONNECTION WITH THE PROPOSED PAYMENT IN LIEU OF TAX AGREEMENT TO BE ENTERED INTO BY THE AGENCY IN CONNECTION WITH THE PROPOSED NY MOOERS IV, LLC PROJECT.

WHEREAS, County of Clinton Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 225 of the 1971 Laws of New York, as amended, constituting Section 895-f of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in July, 2017, NY Mooers IV, LLC, a New York limited liability company (the “Company”), submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 11 acre portion of an approximately 207.7 acre parcel of land located on 297 Boas Road (being a portion of Tax Map No. 58.-1-9) in the Hamlet of Mooers Forks in the Town of Mooers, Clinton County, New York (the “Land”), (2) the construction on the Land of a 2MW AC community solar photovoltaic facility to include an interconnection line (collectively, the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility, and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute a solar farm and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on August 14, 2017 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on August 24, 2017 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on August 24, 2017 at the Mooers Town Hall in the Town of Mooers, Clinton County, New York and on the Agency’s website, (C) caused notice of the Public Hearing to be published on August 31, 2017 in the Press Republican, a newspaper of general circulation available to the residents of Hamlet of Mooers Forks in the Town of Mooers, Clinton County, New York, (D) conducted the Public Hearing on September 20, 2017 at 2:00 o’clock p.m., local time at the Mooers Town Hall Meeting Room, 2508 Route 11 in the Town of Mooers, Clinton County, New York, and (E) prepared a report of the Public Hearing (the “Public Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), by resolution adopted by the members of the Agency on August 14, 2017 (the “SEQR Resolution”), the Agency (A) concurred in the determination that the Town of Mooers (the “Town”) is the “lead agency” with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Town dated April 17, 2017 (the “Negative Declaration”), in which the Town determined that the Project to be an “unlisted action” and will not have a “significant environmental impact on the environment” and accordingly, that an environmental impact statement is not required to be prepared with respect to the Project (as such quoted terms are defined in SEQRA); and

WHEREAS, in connection with the Application, the Company made a request to the Agency (the “Initial Request”) that the Agency deviate (the “Initial Proposed Deviation”) from the Agency’s Uniform Tax Exemption Policy (the “Policy”) by providing for payment in lieu of taxes being based on the generating capacity of the Project Facility expressed in a dollar per MWAC calculations; and

WHEREAS, pursuant to Section 874(4) of the Act, prior to taking final action on such request for a deviation from the Policy, the Agency must give the chief executive officers of the County and each city, town, village and school district in which the Project Facility is located (collectively, the “Affected Tax Jurisdictions”) written notice of the proposed deviation from the Policy and the reasons therefor no fewer than thirty (30) days prior to the meeting of the Agency at which the members of the Agency shall consider whether to approve such proposed deviation; and

WHEREAS, pursuant to the resolution adopted by the members of the Agency on August 14, 2017 (the “Initial PILOT Deviation Notice Resolution”), the members of the Agency authorized the Executive Director of the Agency to send a notice to the chief executive officers of the Affected Tax Jurisdictions pursuant to Section 874(4) of the Act, informing said individuals that the Agency had received the Initial PILOT Request and that the members of the Agency would consider said request at a meeting of the members of the Agency scheduled to be held on October 16, 2017. The Executive Director of the Agency caused a letter dated August 24, 2017 (the “Initial PILOT Deviation Notice Letter”) to be mailed to the chief executive officers of the Affected Tax Jurisdictions, informing said individuals that the Agency would, at its meeting on October 16, 2017, consider the Initial Proposed Deviation and the reasons for said Initial Proposed Deviation; and

WHEREAS, by resolution adopted by the members of the Agency on October 16, 2017 (the “Initial PILOT Deviation Approval Resolution”), the members of the Agency determined to deviate from the Policy with respect to the Project; and

WHEREAS, by resolution adopted by the members of the Agency on October 16, 2017 (the “Approving Resolution”), the members of the Agency determined to grant the Financial Assistance and to enter into certain lease/leaseback documents and a payment in lieu of tax agreement (the “PILOT Agreement”) relating thereto; and

WHEREAS, in December, 2018, the Company presented a supplemental application (the “Supplemental Application”) to the Agency, a copy of which is on file at the office of the Agency, pursuant to which, as a result of the replacement of the net energy metering program with the Value of Distributed Energy Resources program by the New York State Public Service Commission and the expected decrease in revenue to the Company as a result thereof, the Company requested a reduction in the dollar amount of payments to be made by the Company to the Affected Tax Jurisdictions under the PILOT Agreement (the “Proposed Modification”); and

WHEREAS, pursuant to the authorization contained in the Supplemental Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “Supplemental Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on February 7, 2019 to the chief executive officers of the Affected Tax Jurisdictions, (B) caused notice of the Supplemental Public Hearing to be posted on February 20, 2019 on a public bulletin board located at Mooers Town Hall in the Town of Mooers, Clinton County, New York, (C) caused notice of the Supplemental Public Hearing to be posted on February 8, 2019 on the Agency’s website, (D) caused notice of the Supplemental Public Hearing to be published on February 12, 2019 in the Press Republican, a newspaper of general circulation available to the residents of the Town of Mooers, Clinton County, New York, (E) conducted the Supplemental Public Hearing on March 12, 2019 at 8:00 o’clock p.m., local time at the Mooers Town Hall Meeting Room, 2508 Route 11 in the Town of Mooers, Clinton County, New York, and (F) prepared a report of the Supplemental Public Hearing (the “Supplemental Public Hearing Report”) fairly summarizing the views presented at such Supplemental Public Hearing and caused copies of said Supplemental Public Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to SEQRA and the Regulations, by resolution adopted by the members of the Agency on January 14, 2019 (the "Supplemental SEQR Resolution"), the Agency (A) concurred in the determination that the Town is the "lead agency" with respect to SEQRA and (B) acknowledged receipt of the Negative Declaration, in which the Town determined that the Project is an "unlisted action" and will not have a "significant environmental impact on the environment" and accordingly, that an environmental impact statement is not required to be prepared with respect to the Project (as such quoted terms are defined in SEQRA); and

WHEREAS, in connection with the Supplemental Application, the Company made a request to the Agency (the "Supplemental PILOT Request") that the Agency deviate (the "Supplemental Proposed Deviation") from the Policy to effect the terms of the Proposed Modification; and

WHEREAS, pursuant to Section 874(4) of the Act, prior to taking final action on such request for a deviation from the Policy, the Agency must give the chief executive officers of the Affected Tax Jurisdictions written notice of the proposed deviation from the Policy and the reasons therefor no fewer than thirty (30) days prior to the meeting of the Agency at which the members of the Agency shall consider whether to approve such proposed deviation; and

WHEREAS, pursuant to the resolution adopted by the members of the Agency on January 14, 2019 (the "Supplemental PILOT Deviation Notice Resolution"), the members of the Agency authorized the Executive Director of the Agency to send a notice to the chief executive officers of the Affected Tax Jurisdictions pursuant to Section 874(4) of the Act, informing said individuals that the Agency had received the Supplemental PILOT Request and that the members of the Agency would consider said request at this meeting. The Executive Director of the Agency caused a letter dated February 1, 2019 (the "Supplemental PILOT Deviation Notice Letter"), a copy of which is attached hereto as Exhibit A, to be mailed to the chief executive officers of the Affected Tax Jurisdictions, informing said individuals that the Agency would, at this meeting, consider the Supplemental Proposed Deviation with respect to the Proposed Modification and the reasons for the Supplemental Proposed Deviation;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby finds and determines as follows:

(A) The Agency has considered any and all responses from the Affected Tax Jurisdictions to the Supplemental Pilot Deviation Letter.

(B) The Agency has reviewed and responded to all written comments received from any Affected Tax Jurisdiction with respect to the proposed deviation.

(C) The Agency has given all representatives from an Affected Tax Jurisdictions in attendance at this meeting the opportunity to address the members of the Agency regarding the proposed deviation.

Section 2. Based upon (A) the findings and determinations in Section 1 above, (B) any comments received at the Supplemental Public Hearing, (C) input received at this meeting from the Affected Tax Jurisdictions with respect to the Supplemental Proposed Deviation, (D) the Agency's knowledge of the Project, (E) the recommendations of Agency staff, and (F) such further investigation of the Project and the effect of the Supplemental Proposed Deviation as the Agency has deemed appropriate, the Agency hereby determines to deviate from the Policy with respect to the terms of the PILOT Agreement to be entered into by the Agency with respect to the Project Facility for the reasons set forth in the Supplemental Pilot Deviation Letter. Based upon the

aforementioned, the Agency hereby approves the Supplemental Proposed Deviation, the terms of which are as described in the attached Supplemental Pilot Deviation Letter.

Section 3. Upon preparation by counsel to the Agency of the PILOT Agreement and approval of same by the Chairperson (or Vice Chairperson) of the Agency, the Chairperson (or Vice Chairperson) of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the PILOT Agreement, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in such form as is approved by the Chairperson (or Vice Chairperson), the execution thereof by the Chairperson (or Vice Chairperson) to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the PILOT Agreement binding upon the Agency.

Section 5. This Resolution shall take effect immediately.

[Remainder of page left blank intentionally]

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Trent Trahan	VOTING	<u>YES</u>
David Hoover	VOTING	<u>YES</u>
Michael E. Zurlo	VOTING	<u>YES</u>
Kim Murray	EXCUSED	<u>EXCUSED</u>
Keith Defayette	EXCUSED	<u>EXCUSED</u>
Mark Leta	VOTING	<u>YES</u>
John VanNatten	EXCUSED	<u>EXCUSED</u>

The foregoing Resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

STATE OF NEW YORK)
) SS.:
COUNTY OF CLINTON)

I, the undersigned (Assistant) Secretary of County of Clinton Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 25, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 25th day of March, 2019.


(Assistant) Secretary

(SEAL)

EXHIBIT A
SUPPLEMENTAL PILOT DEVIATION LETTER

See attached.

COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY

137 Margaret Street
Suite 208
Plattsburgh, New York 12901
TEL: (518) 565-4600
FAX: (518) 565-4616

February 1, 2019

Hon. Harry J. McManus, Chairperson
Clinton County Legislature
Clinton County Government Center
137 Margaret Street, Suite 208
Plattsburgh, New York 12901

Robb Garrand, Superintendent
Northeastern Clinton Central School District
103 Route 276
Champlain, New York 12919

Michael E. Zurlo, County Administrator
Clinton County Legislature
Clinton County Government Center
137 Margaret Street, Suite 208
Plattsburgh, New York 12901

Stephen Southwick, School Board President
Northeastern Clinton Central School District
103 Route 276
Champlain, New York 12919

Jeff Menard, Supervisor
Town of Mooers
2508 Route 11
Mooers, New York 12958

RE: Proposed Supplemental Deviation from Uniform Tax Exemption Policy by
County of Clinton Industrial Development Agency
in connection with its Proposed
NY Mooers IV, LLC Project

Dear Ladies and Gentlemen:

This letter is delivered to you pursuant to Section 874(4)(c) of the General Municipal Law of the State of New York, as amended (the "General Municipal Law").

In July, 2017, County of Clinton Industrial Development Agency (the "Agency") received an application (the "Application") from NY Mooers IV, LLC (the "Company"), which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project to consist of the following: (A) (1) the acquisition of an interest in an approximately 11 acre portion of an approximately 207.7 acre parcel of land located on 297 Boas Road (being a portion of Tax Map No. 58.-1-9) in the Hamlet of Mooers Forks in the Town of Mooers, Clinton County, New York (the "Land"), (2) the construction on the Land

of a 2MW AC community solar photovoltaic facility to include an interconnection line (collectively, the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility, and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute a solar farm and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency also received applications from NY Mooers I, LLC, NY Mooers II, LLC and NY Mooers III, LLC, which applications requested the Agency to undertake projects (respectively, the “Mooers I Project”, the “Mooers II Project” and the “Mooers III Project”) similar to the Mooers IV Project.

In connection with the Application, the Company made a request to the Agency (the “Initial PILOT Request”) to enter into a payment in lieu of tax agreement (the “Proposed PILOT Agreement”) which terms would deviate (the “Initial Proposed Deviation”) from the Agency’s Uniform Tax Exemption Policy (the “Policy”). Under the Initial PILOT Request, which would have utilized the same payment in lieu of taxes structure approved for the Mooers I, II and III Projects, (i) the Proposed PILOT Agreement would not provide any abatements for any special assessments levied on the Project Facility, (ii) the Company would pay an annual amount of \$9,600/MW or \$19,200 and (iii) any portion of the \$6,400/MW annual payment in lieu of taxes not paid by the Company to each Affected Tax Jurisdiction pursuant to a host community agreement would be payable as a payment in lieu of taxes.

The Policy provides that, for a facility similar to the Project Facility, payments in lieu of taxes will normally be determined as follows: the Company would have the benefit of a 50% abatement in real property taxes on the Facility and any portion of the Equipment assessable as real property pursuant to the New York Real Property Tax Law (collectively with the Facility, the “Improvements”) in year one of the payment in lieu of tax agreement with a five percent per year increase over the term of the ten year payment in lieu of tax agreement.

Pursuant to Section 874(4) of the General Municipal Law of the State of New York, as amended (the “General Municipal Law”), prior to taking final action on a request for a deviation from the Policy, the Agency must give the chief executive officers of the County and each city, town, village and school district in which the Project Facility is located (collectively, the “Affected Tax Jurisdictions”) written notice of a proposed deviation from the Policy and the reasons therefor no fewer than thirty (30) days prior to the meeting of the Agency at which the members of the Agency shall consider whether to approve such proposed deviation.

On August 14, 2017 the members of the Agency adopted a resolution which authorized the Executive Director to notify the Affected Tax Jurisdictions of the Initial Proposed Deviation in connection with the Project, which Initial Proposed Deviation was outlined in the letter dated

August 24, 2017 (the “Initial PILOT Deviation Letter”). Thereafter, the Executive Director notified the chief executive officers of the Affected Tax Jurisdictions of the Initial Proposed Deviation pursuant to the Initial PILOT Deviation Letter. By resolution adopted by the members of the Agency on October 16, 2017 (the “Initial PILOT Deviation Approval Resolution”), the members of the Agency determined to deviate from the Policy with respect to the Project. Subsequently, the Agency and the Company entered into the Initial PILOT Agreement.

In December, 2018, the Company presented a supplemental application (the “Supplemental Application”) to the Agency, a copy of which is on file at the office of the Agency, pursuant to which, as a result of the replacement of the net energy metering program with the Value of Distributed Energy Resources program by the New York State Public Service Commission and the expected decrease in revenue to the Company as a result thereof, the Company requested a reduction in the dollar amount of payments to be made by the Company to the Affected Tax Jurisdictions under the Proposed PILOT Agreement (the “Proposed Modification”).

In connection with the Supplemental Application, the Company made a request to the Agency (the “Supplemental Request”) that the Agency deviate (the “Supplemental Proposed Deviation”) from the Policy to effect the terms of the Proposed Modification. Under the Supplemental PILOT Request, (i) the Proposed PILOT Agreement would not provide any abatements for any special assessments levied on the Project Facility, (ii) the Company will pay an annual amount of \$12,000 in lieu of taxes and (iii) any portion of the \$12,000 annual payment in lieu of taxes not paid by the Company to each Affected Tax Jurisdiction pursuant to a host community agreement would be payable as a payment in lieu of taxes.

The purpose of this letter is to inform you of such Supplemental PILOT Request and that the Agency is considering whether to grant the Supplemental PILOT Request and to approve the Proposed PILOT Agreement conforming to the terms of the Supplemental PILOT Request. The Agency expects to consider whether to approve the terms of the Proposed PILOT Agreement at its meeting scheduled for March 25, 2019 at 12:00 p.m., local time at the offices of the Agency located at 137 Margaret Street, Suite 209 in the Town of Plattsburgh, Clinton County, New York (the “Meeting”). This letter is forwarded to you for purposes of complying with Section 874 of the General Municipal Law, which requires a thirty (30) day notice prior to the Agency taking final action with respect to the Proposed PILOT Agreement (if said Proposed PILOT Agreement may deviate from the provisions of the Policy).

The Agency considered the following factors in considering the proposed deviation:

1. **The nature of the Project:** Solar farm.
2. **The present use of the property:** Solar farm.
3. **The economic condition of the area at the time of the request of the Company and the economic multiplying effect that the Project will have on the area:** The Project is located in the Town of Mooers, where agriculture has historically been the primary industry. The Project would continue to facilitate productive use of the Land,

advancing the North Country Regional Economic Development Council's Strategic Plan to import dollars by building the region's green energy economy. Since households who sign up for power produced by the array will receive a 10% discount in energy costs, additional dollars will remain in the regional economy, generating resulting multiplier benefits.

4. The extent to which the Project will create or retain permanent, private sector jobs and the number of jobs to be created or retained and the salary range of such jobs: No permanent, private sector jobs.

5. The estimated value of new tax exemptions to be provided: Sales tax exemption: \$78,000 and mortgage recording tax exemption: \$14,877. Since the Town of Mooers and Northeastern Clinton Central School District did not opt out of Real Property Tax Law Section 487, the tax exemption provided by the Project over the first 15 years would be limited to County of Clinton real property taxes. For Years 16 - 20, the annual exemption would include the Town of Mooers and Northeastern Clinton Central School annual property tax. The projected total property tax exemption, assuming a \$4 million assessment based upon total construction cost, would be \$348,400. It is anticipated that the actual assessed value will be lower, lowering the actual property tax exemption amount.

6. The economic impact of the Proposed PILOT Agreement on affected tax jurisdictions: The economic impact of the Proposed PILOT Agreement is positive, since the underlying value of the Land will likely be largely unaffected and additional revenue will be generated through the Proposed PILOT Agreement. Since the Project is only financially feasible with the Proposed PILOT Agreement in place, the additional benefit of significant special district tax revenue will also accrue to the community's fire and emergency medical services districts.

7. The impact of the Proposed PILOT Agreement on existing and proposed businesses and economic development projects in the vicinity: It is anticipated that the Project will require the continuing services of local landscape contractors, generating an increase in activity in the local economy.

8. The amount of private sector investment generated or likely to be generated by the Proposed PILOT Agreement: \$3,016,589

9. The effect of the Proposed PILOT Agreement on the environment: The Town of Mooers is the lead agency with respect to the environmental review.

10. Project Timing: Completion anticipated by January 31, 2019.

11. The extent to which the Proposed PILOT Agreement will require the provision of additional services including, but not limited to, additional educational, transportation, police, emergency medical or fire services: None anticipated.

12. Anticipated tax revenues/Host Community Benefit Agreements: \$12,000 per year, not including full special district taxes. (Note: If the Company negotiates Host Community Benefit Agreements (HCBA) with each of the taxing jurisdictions, the amount due under the Proposed PILOT Agreement will be reduced by the amount of the HCBA annual payments.)

13. The extent to which the Proposed PILOT Agreement will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the Project Facility is located: (a) compatible development in an underdeveloped area of Clinton County; (b) contributes to achievement of the Agency's goal of increasing alternative energy development in Clinton County; (c) contributes to New York State goal of development of 50% power from alternative sources; (d) Facility would generate the equivalent electrical consumption of 348 homes; and (e) an additional public benefit will be the fees paid to special districts; this represents significant new revenue for these critical public services.

The Agency will consider the Proposed PILOT Agreement (and the proposed deviation from the Policy) at the Meeting. The Agency would welcome any written comments that you might have on this proposed deviation from the Policy. In accordance with Section 874(4)(c) of the General Municipal Law, prior to taking final action at the Meeting, the Agency will review and respond to any written comments received from any Affected Tax Jurisdiction with respect to the proposed deviation. The Agency will also allow any representative of any Affected Tax Jurisdiction present at the Meeting to address the Agency regarding the proposed deviation.

If you have any questions or comments regarding the foregoing, please do not hesitate to contact me at the above telephone number.

Sincerely yours,



Renee McFarlin
Executive Director