

**COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY
PUBLIC HEARING TRANSCRIPT**

**OYA STATE ROUTE 122 LLC PROJECT
TUESDAY, SEPTEMBER 24, 2019
CONSTABLE TOWN HALL
4:00 PM**

ATTENDANCE LIST:

Maria Bourgeois, IDA Executive Assistant
Andrea Dumas, IDA Board
Stephen Erman, IDA Board
Jeremy Evans, IDA CEO
Marcy Gotzmer, FCLDC
Justus Martin, IDA Board Chair
Brendan McDonough, Malone Telegram
Terry Rasmussen, OYA Solar

CALL TO ORDER: Time: 4:00 pm. Jeremy Evans opened the hearing.

The time is 4:00 p.m. and it is September 24, 2019. My name is Jeremy Evans and as Chief Executive Officer of the County of Franklin Industrial Development Agency, I am convening this Public Hearing at the Town of Constable Town Hall, in Constable, New York, pursuant to Article 18-A of the General Municipal Law of the State of New York.

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 OYA State Route 122 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:

OYA STATE ROUTE 122 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 (the “Project”) consisting of (i) 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 approximately 144 acres of real property located at 1436 State Route 122 in the Town of Constable, New York (the “Land”, being more particularly described as a portion of tax parcel No. 57.00-2-28.1, as may be subdivided); (ii) the planning, design, construction and operation of a 4.53MWac PV community 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: The public hearing is an opportunity for the public to provide comment (orally or in writing) regarding the project. The Agency will compile the comments in a public hearing report, which will then be considered by the members of the Agency when they make their final determinations and take final action with respect to the project.

We have a sign-in sheet for attendees and we have a copy of public hearing procedures for everyone here. We also have on hand a copy of the application that was made to the Agency along with a PILOT Application Impact Analysis for your review. These documents can also be found on the Agency website at www.franklinida.org.

In addition to myself, others present at this time on behalf of the County of Franklin Industrial Development Agency are:

Justus Martin, Chair
Andrea Dumas, Board Member
Steve Erman, Board Member
Maria Bourgeois, Executive Assistant

Here is a summary of the Public Hearing procedures. All are welcome to speak and provide comment to the Agency concerning the proposed project. This Public Hearing is NOT intended for the public to address questions to members of the Agency, to the project applicant OR to engage them in discussion, and comments are limited to five minutes per speaker.

This Public Hearing will be open for 30 minutes or until all persons wishing to speak have been heard. When called to speak, please identify yourself by name and address. After all speakers on the sign-in sheet have been heard, I will ask if there are any additional persons not already heard who would like to provide comment.

At this time we invite members of the public to comment, and speakers will be called in the order of their sign-in.

Terry Rasmussen: On behalf of OYA Solar, I just want to say that we are happy to get this project going in Constable. There will be benefits to both the Town and Residents with the PILOT agreement as well as access to cheaper electricity. We are happy to come to an agreement with this project.

The time is now 4:21 p.m. and we have held this Public Hearing open but will now proceed with closing this Public Hearing. The Hearing is now closed. Thank you all.

ADJOURNMENT Time: 4:21 p.m.