

Chemung County Industrial Development Agency
Minutes of the Public Hearing
NY Baldwin I LLC
June 19, 2017

Attendance: Denise Allen, Gerald May, Lowman, NY; Michael Straight, Town of Elmira; George Winner, Delaware Solar; Zsuzsi Kadar, Chemung County Industrial Development Agency, Mary Rocchi, Recording Secretary, Chemung County Industrial Development Agency

The public hearing was called to order at 1:30 PM by Zsuzsi Kadar, Chemung County Industrial Development Agency, located at 400 East Church Street, Elmira, New York.

The Public Hearing was held at the Agency's offices located at 400 East Church Street, Elmira, New York.

The purpose of the Public Hearing was to hear comments on the proposed project for NY Baldwin I LLC located at 339 Breesport/North Chemung Road in the Town of Baldwin, New York.

The Agency is considering a request from NY Baldwin I LLC to undertake a project for the benefit of the company. The project (the "Project") consists of: (A) (i) the acquisition of a leasehold interest in an approximate 16 acre parcel of improved real property located at 339 Breesport N Chemung Rd, Town of Baldwin, New York, Chemung County (the "Land"); (ii) the installation of an approximate 2MW solar PV system (ground mount) containing approximately 480,466.8 square foot of panel footprint to be used for energy production (the "Facility"); and (iii) the acquisition of and installation in the Facility of various machinery, equipment and furnishings (the "Equipment" and together with the Land and Facility hereinafter collectively referred to as the "Project Facility"); (B) the granting of certain financial assistance in the form of exemptions from real property tax, mortgage recording tax and State and local sales and use taxation (collectively, the "Financial Assistance"); and (C) the lease or sublease of the Land and Facility by the Agency pursuant to a lease or sublease agreement, the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company; and the (sub)sublease of the Project Facility back to the Company pursuant to a (sub)sublease agreement; and The Company will be the initial owner and/or operator of the Project Facility.

The Agency has not made a decision with respect to the undertaking of the Project or the granting of the financial assistance.

Public Comment: Mr. Michael Straight supports the project. Mr. May asked if the financial assistance of tax exemption was for the landowner or the company. The landowner would receive a real property tax break on property tax. The solar company will lease the property/land. Is there any directive on if the company is responsible if any lawsuits are filed against the property or if the panels break? Mr. Winner stated that there is a provision for protection and a decommissioning agreement in place for the Town of Baldwin if anyone would like to review it. The panels will be properly disposed of if the company goes bankrupt. Ms. Allen asked if the solar company gets tax breaks. Z. Kadar responded, yes. There was discussion.

There being no further public comment the public hearing closed at 1:52 PM.

Respectfully submitted,

Mary K. Rocchi
Recording Secretary