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PUBLIC HEARING PURSUANT TO
SECTION 859-a OF
THE GENERAL MUNICIPAL LAW

IN THE MATTER OF:

Agency: Allegany County Industrial Development
Agency (the "Agency")

Project Beneficiary: Augustus Solar Wellsville
LLC (the "Company")

Project Location: Village of Wellsville,
Allegany County, New York

Hearing Date: August 8, 2023

Hearing Time: 7:00 p.m.

Hearing Location: David Howe Library
155 Main Street
Town of Wellsville
Allegany County, New York

1 ATTENDEES:

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3 Craig R. Clark, PE, PHD, Executive Director to
4 Allegany County Industrial Development Agency

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6 Catherine Schepp - CleanChoice Energy

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8 Brian Brandes - Landowner

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1 DR. CLARK: Good evening. My name
2 is Dr. Craig Clark. I'm the Executive
3 Director to the Allegany County Industrial
4 Development Agency in connection with the
5 project which is subject to this public
6 hearing.

7 Today I'm holding this public
8 hearing to allow citizens to make a
9 statement for the record relating to the
10 involvement of the Agency with a project
11 for the benefit of Augustus Solar
12 Wellsville, LLC, the State of Delaware,
13 Limited Liability Company.

14 The proposed project consists of the
15 following: The acquisition of interest in
16 a 114.9-acre portion of an approximate
17 46.2-acre parcel of land located on
18 Voorhees Hill Road, Town of Wellsville,
19 Allegany County, New York. The
20 construction on the land of ground-mounted
21 photovoltaic 2.4 megawatt solar energy
22 facility, including panels, racking,
23 inverters, electrical cables, battery

1 storage, grid interconnections, site
2 preparation, access roads, and any other
3 required improvements, all said
4 improvements collectively referred to as
5 the facility, and the acquisition and
6 insulation thereof and thereon of related
7 fixtures, machinery, equipment, and other
8 personal property.

9 All the foregoing -- foregoing to
10 constitute a solar electric energy
11 generating facility to be owned and
12 operated by the Company, the granting of
13 certain financial assistance with respect
14 to the foregoing include potential
15 exemptions from certain sales tax and use
16 taxes, real property taxes, real estate
17 transfer taxes, and mortgage recording
18 taxes. Collectively, the financial
19 assistance.

20 The lease or sale of the project
21 facility to the Company or such other
22 persons may be designated by the Company
23 and agreed to by the Agency.

1 I intend to provide general
2 information on the Agency's general
3 authority and public purpose to provide
4 assistance to the proposed project. I
5 will then open the comment period to
6 receive any comments from all present who
7 wish to comment on either the proposed
8 project or the financial assistance
9 contemplated by the Agency.

10 Before discussing the general
11 information and opening the hearing for
12 public comment, I'd like the first include
13 some details regarding the proposed
14 project.

15 The estimated cost of proposed
16 project are equal to or approximately
17 \$4.196 million. And the benefits being
18 considered by the Agency are described
19 briefly as sales tax exemptions of
20 \$218,000, mortgage recording tax of use
21 \$47,000, and real property tax exemptions.

22 The provisions of Chapter 1030 of
23 Laws of 1969 of New York, constituting

1 Title I of Article 18-A of the General
2 Municipal Law, Chapter 24 of the
3 Consolidated Laws of New York as amended,
4 and Chapter 99 of the 1973 Laws of the
5 State of New York, as amended, and
6 codified as Section 906-a of said General
7 Municipal Law, authorize the Agency to
8 promote, develop, encourage and assist in
9 acquiring, constructing, reconstructing,
10 improving, maintaining and equipping and
11 furnishing of manufacturing, warehousing,
12 research, commercial and industrial
13 facilities, among others.

14 Pursuant of Section 859-a of the
15 General Municipal Law of the State of New
16 York, prior to the Agency providing any
17 financial assistance of more than a
18 hundred thousand dollars to any project,
19 the Agency, among other things, must hold
20 a public hearing pursuant to Section 859-a
21 of the Act with respect to said project.

22 After consideration of the
23 application received by the Company, the

1 members of the Agency adopted a resolution
2 on July 13th, 2023, authorizing the
3 Executive Director of the Agency to
4 conduct a public hearing in respect to the
5 proposed project.

6 The Executive Director of the Agency
7 caused notice of this public hearing to be
8 mailed on July 20th to the Chief Executive
9 Officer of Allegany County, Town of
10 Wellsville, and Wellsville Central School
11 District, published on July 28th, 2023, in
12 the "Spectator," a newspaper of general
13 circulation available to the residents of
14 the Town of Wellsville.

15 Copies of the full notice of the
16 public hearing are available on the table.
17 And unless there's an objection, I'm going
18 to suggest waiving the full reading of the
19 notice of the public hearing.

20 The comments received today at the
21 public hearing will be presented to the
22 members of the Agency at or -- at or prior
23 to the meeting at which the members of the

1 Agency will consider whether to approve
2 the undertaking of the proposed project
3 and the financial assistance in excess of
4 a hundred thousand dollars.

5 The notice of the public hearing
6 indicated that written comments could also
7 be addressed to Craig R. Clark, Executive
8 Director of the Agency, and no written
9 comments have been received by the Agency
10 prior to the public hearing.

11 Are there any remarks from the
12 Company present at the public hearing? Do
13 you want to make any remarks?

14 MS. SCHEPP: Is it -- do we know if
15 anyone's watching online?

16 DR. CLARK: I do not have anybody
17 right now, no.

18 MS. SCHEPP: Okay. You know about
19 the project since you are leasing your
20 property to us for the project. I
21 introduced the project to you already.

22 DR. CLARK: Right.

23 MS. SCHEPP: So I don't really have

1 any additional details to share. I will
2 say that we went ahead and paid National
3 Good (inaudible) our construction -- full
4 construction deposit today, so we're
5 moving forward with them.

6 DR. CLARK: Okay.

7 MS. SCHEPP: And that's really good.

8 DR. CLARK: So in case there was
9 someone, can you just introduce yourself?

10 MS. SCHEPP: Oh, sure.

11 DR. CLARK: Sure.

12 MS. SCHEPP: I'm Catherine Schepp,
13 and I'm with CleanChoice Energy here to
14 represent Augustus Solar Wellsville.

15 DR. CLARK: Okay.

16 MS. SCHEPP: Yeah.

17 DR. CLARK: Thank you. And I'll
18 open the public hearing for public comment
19 at 7:06. By way of the operating rules,
20 if you wish to make a public comment,
21 please raise your hand and I'll call on
22 you. And unless there's a issue, we -- we
23 try to keep to three-minute comments, but

1 I don't think we'll have that issue
2 tonight.

3 When anyone has an opportunity to
4 speak, I'll conclude this public hearing.
5 The record of this public hearing will be
6 prepared and reviewed by the members of
7 the Agency in connection with the Agency's
8 consideration of the project.

9 Again, the purpose of the public
10 hearing is solicit public comment. We're
11 not here to answer questions. However, we
12 will, in the course of the public hearing,
13 consider questions if we have the
14 information to answer these questions.

15 And I'll ask if there is anyone in
16 attendance who wishes to comment on either
17 the nature of the location of the project.

18 Do you have any? As the landowner,
19 do you have any comments?

20 LANDOWNER: I -- I'd just like to go
21 on the record as saying, whatever reasons
22 we're doing this is because we had a piece
23 of property developed earlier that was

1 prime agricultural property that turned
2 into solar. And so our goal at that point
3 as a business has been around since 1906.
4 We're trying to preserve the agricultural
5 side of things. So we we're filling the
6 line full.

7 The reason we're only at 15 acres
8 versus, I think we signed up like 90
9 acres, but the goal was to fill the line
10 full so that non-great our -- our best
11 land isn't going into that, but more of
12 our -- our -- our not-so-great lands going
13 into solar instead.

14 DR. CLARK: And the boards
15 appreciate that.

16 LANDOWNER: That's -- that's why
17 we're doing it.

18 DR. CLARK: Yeah.

19 LANDOWNER: I just want to be the
20 record of saying that.

21 DR. CLARK: Sure.

22 LANDOWNER: Other than that, that's
23 it.

1 DR. CLARK: Okay. Other than that,
2 we'll have -- we'll wait until 7:15, if
3 there's no other comments, but we'll see
4 if anyone from the public does show up.

5 MS. SCHEPP: Sounds good.

6 (No response.)

7 DR. CLARK: So if there are no
8 further comments, I will now close this
9 public hearing at 7:16, being 15 minutes
10 from the beginning of the announcement.

11 And thank you all, for attending and
12 listening to this meeting. We'll actually
13 have a transcription on our website.

14 Thank you. Good night.

15 (Whereupon, the hearing was concluded
16 at approximately 7:16 p.m.)

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C E R T I F I C A T I O N

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4 I, SARAH COLEMAN, a Court Reporter and
5 Notary Public in and for the State of New York, do
6 hereby certify that I transcribed the proceedings
7 held at the time and place noted on the title and
8 that this transcript is accurate and complete, to
9 the best of my knowledge and belief.

10 I further certify that I am in no way
11 related to any of the parties to this action nor
12 am I an employee for any of the parties involved,
13 and I am in no way interested in the outcome of
14 this matter.

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16
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18 Sarah Coleman

19 Notary Public

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21
22 Dated: 01/16/2024

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