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STATE OF NEW YORK
ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT

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

In re:
ALLE-CATT WIND ENERGY, LLC

HEARING DATE: August 6, 2024
LOCATION: Centerville Town Hall
8902 County Road 3,
Centerville, New York

BEFORE: DR. CRAIG R. CLARK,
Executive Director of
Allegany County IDA
RENAYE M. SIRIANNI
Court Reporter

APPEARANCES:
For Alle-Catt Wind Energy LLC,
Sean Perry, Developer

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2 MR. CLARK: My name is Craig Clark,
3 and I am the Executive Director of
4 Allegany County Industrial Development
5 Agency in connection with the project
6 which is the subject of this public
7 hearing, which is the town of
8 Centerville, Allegany County, Alle-Catt
9 Wind Energy LLC, on August 6, 2024, at
10 7:00 p.m.

11 Today I am holding this Second
12 Public Hearing to allow citizens to make
13 a statement, for the record, relating to
14 the involvement of the Agency, which is
15 the IDA, with the following project for
16 the benefit of Alle-Catt Wind Energy
17 LLC, a State of Delaware limited
18 liability company.

19 The Proposed Project consists of
20 the following: The acquisition of an
21 interest in multiple parcels of land
22 located in the Towns of Centerville and
23 Rushford, Allegany County, New York,
24 together with various parcels of land
25 scattered amongst approximately 15,000

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1 leased acres located in the northwestern
2 corner of the Town of Rushford and
3 throughout the Town of Centerville,
4 Allegany County, New York, the
5 construction and installation on the
6 Land of approximately 28 wind turbine
7 generators averaging 4.5 megawatts each,
8 for a total of 126 megawatts, the
9 construction of associated access roads
10 and electrical interconnect
11 infrastructure, and the acquisition and
12 installation of certain machinery and
13 equipment therein and thereon, all of
14 the foregoing to constitute a wind
15 energy generating facility to be owned
16 and operated by the Company, and being
17 collectively referred to as the
18 "project"; the granting of certain
19 financial assistance with respect to the
20 foregoing, including potential
21 exemptions from certain sales and use
22 taxes, real property taxes, real estate
23 transfer taxes and mortgage recording
24 taxes; and the lease or sale of the
25

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2 Project Facility to the Company or such
3 person as may be designated by the
4 Company and agreed upon by the Agency.

5 The Proposed Project and the
6 Financial Assistance were the subject of
7 previous public hearings conducted by
8 the Agency on December 30, 2019. The
9 purpose of this Second Public Hearing is
10 to provide for the consideration of the
11 amended Financial Assistance.

12 I intend to provide general
13 information on the Agency's general
14 authority and public purpose to provide
15 assistance to this Proposed Project. I
16 will then open the comment period to
17 receive comments from all present who
18 wish to comment on either the Proposed
19 Project or the Amended Financial
20 Assistance being contemplated by the
21 Agency with respect to the Proposed
22 Project.

23 However, before discussing the
24 general information and opening the
25 hearing for public comments, I would

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1
2 like to first describe some details
3 regarding the Amended Financial
4 Assistance, as outlined in the revised
5 Application.

6 The estimated value of tax
7 exemptions will be 4.429 million dollars
8 in sales tax, an increase of 3.807
9 million dollars since the previous
10 public hearings, \$3,964,000 in mortgage
11 recording tax, and 34.247 million in
12 real property tax exemption. The
13 mortgage recording tax exemption benefit
14 was not previously requested by the
15 Company.

16 The provisions of Chapter 1030 of
17 Laws of 1969 of New York, constituting
18 Title I of Article 18-A of the General
19 Municipal Law, Chapter 24 of the
20 Consolidated Laws of New York as
21 amended, and Chapter 99 of the 1973 Laws
22 of the State of New York, as amended,
23 codified as Section 906-a of said
24 General Municipal Law, authorizes the
25 Agency to promote, develop, encourage

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2 and assist in the acquiring,
3 constructing, reconstructing, improving,
4 maintaining and equipping and furnishing
5 of manufacturing, warehousing, research,
6 commercial and industrial facilities,
7 among others.

8 Pursuant to Section 859-a(2) of the
9 General Municipal Law of the State of
10 New York, prior to the Agency providing
11 any financial assistance of more than
12 \$100,000 to any project, the Agency,
13 among other things, must hold a public
14 hearing pursuant to Section 859-a of the
15 Act with respect to said project. Since
16 the proposed financial assistance to be
17 provided by the Agency with respect to
18 the Proposed Project may exceed
19 \$100,000, then prior to providing any
20 financial assistance of more than
21 \$100,000 to the Proposed Project, the
22 Agency must hold a public hearing on the
23 nature and location of the Project
24 Facility and the proposed financial
25 assistance to be provided by the Agency

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1
2 with respect to the Proposed Project.

3 After consideration of the revised
4 Application received from the Company,
5 the members of the Agency adopted a
6 resolution on July 11, 2024, authorizing
7 the Executive Director of the Agency to
8 conduct this Second Public Hearing with
9 respect to the Proposed Project pursuant
10 to Section 859-a(2) of the Act.

11 The Executive Director of the
12 Agency caused notice of this Second
13 Public Hearing to be mailed on July 15,
14 2024, to the chief executive officers of
15 Allegany County, the Town of Rushford,
16 the Town of Centerville and the
17 Cuba-Rushford, Letchworth and Pioneer
18 Central School Districts and published
19 on July 25, 2024, in the Hornell Evening
20 Tribune, a newspaper of general
21 circulation available to the residents
22 of Allegany County, New York. In
23 addition, the Executive Director of the
24 Agency caused notice of this Public
25 Hearing to be posted on July 18, 2024,

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on the Agency's website and on July 20, 2024, on a public bulletin board located in the Town of Centerville, Allegany County, New York. Copies of the notice of this Second Public Hearing are available on the table.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of this Second Public Hearing, and instead request that the full text of the notice of this Second Public Hearing be inserted into the record of this Second Public Hearing.

The comments received today at this Second Public Hearing will be presented to the members of the Agency at or prior to the meeting at which the members of the Agency will consider whether to approve the undertaking of the Proposed Project by the Agency and the granting by the Agency of any financial assistance in excess of \$100,000 with respect to the Proposed Project.

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2 The notice of this Second Public
3 Hearing indicated that written comments
4 could be addressed to myself, the
5 Executive Director of the Agency. No
6 written comments have been received by
7 the Agency prior to this Public Hearing.
8 Next, Sean Perry of the Alle-Catt
9 Company is here to answer questions and
10 talk about the Project in further
11 detail. If you could, Sean?

12 MR. PERRY: Sure. Hey, everybody.
13 For those who don't know me, my name is
14 Sean Perry, Developer for the Alle-Catt
15 Wind Project Energy LLC. As Craig said,
16 we're here today for an amendment to our
17 pilot application for assistance from
18 Allegany County. We previously applied
19 and were granted a pilot, as Craig said,
20 back in 2019. In the earlier stages of
21 development of the project.

22 Since then due to costs that we're
23 all aware of due to the pandemic,
24 inflation. We've seen cost increases
25 ADA across the board for labor,

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2 construction materials, fuel, material
3 supply for the project, and turbine
4 supply as well. We're back today to
5 amend our application. We're much
6 closer to completing the development of
7 this project. As Craig said, it's 76
8 turbines spread out amongst three
9 counties, 28 of which are within the
10 towns of Centerville and Rushford.

11 That is 99 megawatts for the town
12 of Centerville where we are today, and
13 our expected timeline of the project
14 right now is completion of development
15 activities at the end of this year,
16 start tree clearing from November to
17 March 2025, and start full civil
18 construction in April of 2025. With
19 anticipated commencement of operations
20 day as December, 2026.

21 MR. HATCH: These megawatts that
22 you're providing in Centerville, do they
23 help anybody in Centerville?

24 MR. PERRY: So the benefit of the
25 project being placed here is that there

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is a great wind resource in Centerville. The power once it goes into the grid goes up National Grid's transmission line on the five-mile --

MR. HATCH: So it doesn't benefit us at all as far as getting electricity to our homes?

MR. PERRY: The electricity is pulled off the lines for substations in the area, but once it's in the grid you can't really trace where the electricity comes from.

MR. HATCH: I understand the grid cannot use this all the time. You can't store this electricity?

MR. PERRY: So the electricity can be stored. There is certain short-duration battery storage, but for wind, solar, and other renewables, it's typically dispatched once the sun's up or when the wind is moving.

MR. HATCH: I hardly see the turbines moving that are already up.

MR. PERRY: So the ones in Bliss,

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2 AES own those. Those are going through
3 a re-power. The ones up in Sheldon in
4 Orangeville, Invenergy owns. That's an
5 operating project. Where that project
6 is in its lifespan it's starting to get
7 a lot more repairs and sometimes
8 turbines can go down and they get crews
9 to go in and repair them and sometimes
10 the wind is just not blowing.

11 MR. HATCH: I am getting letters in
12 the mail all the time that if I want to
13 pay more for electricity, I can pay more
14 for clean energy.

15 MR. PERRY: So that is not
16 something that Invenergy does. That's
17 Community-Scale Solar, and how that
18 model kind of operates is they have
19 residents in the area buy into procuring
20 solar power locally. So that's not
21 anything that we do. We do utility
22 scale where the customer is the utility
23 itself, National Grid, and we produce
24 power on a utility-scale for the grid.

25 MR. CLARK: If we could just wait

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I'll finish up and then we'll open the public hearing. You can ask the same questions again. I'll open the second public hearing for comments at 7:10. If you wish to make a public comment please raise your hand and I will call on you. Please, wait to be recognized. Once recognized, please stand, and state your name and address for the record so that we can record it because we have a recording secretary here. And please keep your comment to three minutes, if at all possible. Then everyone will have a chance to speak.

If your comments mirror what someone else has already spoken, you may indicate so and then relinquish the podium to another speaker so all of you have a chance to be represented at this hearing. When everyone has had an opportunity to speak I can close the Second Public Hearing. The record of the Second Public Hearing will be prepared and reviewed by the members of

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1
2 the agency in connection with the
3 agency's consideration of the proposed
4 project.

5 Again, the purpose of this Second
6 Public Hearing is to solicit public
7 comment. We are not here to answer
8 questions. However, we will in the
9 course of this Second Public Hearing
10 consider questions if we have the
11 information to answer the questions and
12 there is sufficient time to consider
13 such questions.

14 I will now ask if there is anyone
15 in attendance who wishes to comment on
16 either the nature and location of the
17 Project Facility or the proposed
18 financial assistance being contemplated
19 by the Agency with respect to the
20 Proposed Project. For the record,
21 please state your name and indicate your
22 comments on either the Proposed
23 Project or the proposed financial
24 assistance being contemplated by the
25 Agency with respect to the Proposed

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Project. We will be here until everyone has a chance to speak.

MR. GERRETSEN: Phil Gerretsen.

MR. CLARK: Did you get that?

MR. GERRETSEN: My name is Phil Gerretsen. I got a couple of questions. What are the anticipated benefits to Allegany County for the now 4.4 plus million dollars?

MR. CLARK: 200 and some million dollars.

MR. GERRETSEN: What are the anticipated benefits for the county?

MR. CLARK: Well, obviously most of the benefits -- there's a pilot of which is shared between the county, the town, and the school district, and then there's a fairly large host community that comes back to the town and those two are very healthy. They're probably the best I've seen. Between the two it's 10,000 per megawatt. And on top of that --

MR. GERRETSEN: What would that

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2 generate then?

3 MR. PERRY: That would turn out to
4 be almost \$600,000, per year, in revenue
5 that would go directly to the town of
6 Centerville.

7 MR. CLARK: That off the top of the
8 host agreement?

9 MR. PERRY: Yeah.

10 MR. GERRETSEN: That's just to
11 Centerville, \$600,000?

12 MR. PERRY: Yes. For 20 years.
13 Then for the pilot that's at an array of
14 \$5,000 per megawatt. That would be
15 \$4,950 per year. That is split up
16 amongst the town of Centerville, the
17 school district, and Allegany County.

18 MR. CLARK: Based on your tax
19 breaks. So again, the reason that the
20 host agreement is given is so that the
21 town actually gets most of the benefit
22 and they get a part of the pilot as
23 well. Then there's going to be -- I
24 think, payroll is roughly 22 million
25 dollars, which is split between the

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three different counties. So there will be a lot of local people hired obviously.

MR. GERRETSEN: What is a lot?

MR. CLARK: I don't know how many because they're going to hire mostly from Western New York.

MR. GERRETSEN: I don't know how you can give an answer. We're looking to give them four-and-a-half million dollars.

MR. CLARK: We are required to do 90 percent from Western New York. I don't know what the numbers of the employees are going to be is what I am saying.

MR. GERRETSEN: Two?

MR. CLARK: No.

MR. GERRETSEN: Ten?

MR. CLARK: It's 22 million dollars, but I don't remember how many people.

MR. PERRY: So at the max period of construction, it will be 400

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2 construction workers and then for the
3 lifetime of the project it will be 12
4 operation maintenance workers.

5 MS. COVERT: Brought in from out of
6 here?

7 MR. PERRY: No. We have a local
8 legal requirement. For operation
9 maintenance, we typically like to hire
10 locally. Up in Sheldon, we got most
11 people there from the local community.
12 There are one to two folks who come in
13 from the original equipment manufacturer
14 who know the turbines inside and out.
15 So those people are from out of state,
16 or out of region, but mostly operation
17 maintenance tests are from the
18 community.

19 MR. GERRETSEN: What's that pay?

20 MR. PERRY: Typically, text pay is
21 anywhere from, I believe, 60 to 70K.
22 Operation managers, over 100. Those
23 are, like, the long-term jobs. As Craig
24 said, for the total wages of the project
25 during construction in Allegany County

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2 that will be just shy of 23 million
3 dollars. And all New York wind projects
4 are mandated to pay that wage.

5 MR. GERRETSEN: That's for the
6 lifetime of the project. What's the
7 lifetime of the project?

8 MR. PERRY: So the pilot that we're
9 seeking is 20 years. These projects can
10 typically go beyond 30 years. The
11 anticipated life that we model is 35
12 years. Sometimes between years 25 and
13 30, you know, things start to wear out,
14 parts start to break down. We do what's
15 called a re-power. So potentially
16 bringing in higher powered turbines,
17 replacing some, but typically 35 years
18 is the lifetime of a project this size.

19 MR. CLARK: Does anyone else have
20 any questions? I'm just asking. I'm
21 trying to spread it around.

22 MS. CARTWRIGHT: These workers that
23 we do hire from this area, do they have
24 to already have the knowledge for this,
25 or are they going to be trained for

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2 this? You know, like a farmer who lost
3 their farm or whatever, not employed,
4 can apply for this job? Or is it
5 somebody that has to have 'X' amount of
6 years of background or college degree,
7 or whatever?

8 MR. CLARK: Can I just have your
9 name for the record?

10 MS. CARTWRIGHT: Susanna
11 Cartwright.

12 MR. PERRY: So that depends on the
13 role itself. So we hire a lot from the
14 community and local labor unions. You
15 know, we deal a lot with the local
16 laborer's union, operating engineers,
17 and then local shops that do civil work,
18 access roads, concrete workers for
19 foundations, and things like that.

20 And then on the other end, we have
21 construction managers and folks from
22 those equipment manufacturers, such as
23 Prism, where we procure cable and
24 electricity from. Those folks who are
25 more highly trained in the trades will

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2 work on the more highly specialized
3 roles. For a lot of these construction
4 jobs, we used general laborers and
5 operators.

6 MS. CARTWRIGHT: Okay. Thank you.

7 MR. CLARK: Does anyone else have
8 any questions or comments? I will get
9 back to you in just a minute. I just
10 want to make sure everybody has a chance
11 to speak. Okay. You're back.

12 MR. GERRETSEN: One other question.
13 There are two other counties involved in
14 this project, correct?

15 MR. PERRY: Yep.

16 MR. GERRETSEN: What was the
17 original request for the pilot program,
18 and have you gone back to those
19 counties, and have they approved them?

20 MR. PERRY: So we have gone back to
21 Cattaraugus County. They have not
22 approved anything yet. We're along the
23 same timeline as Allegany County right
24 now.

25 GERRETSEN: The original request

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and the new request?

MR. PERRY: I believe the original request was -- I don't have those numbers off the top of my head, but I can find those out for you. But the cap on the project has grown substantially. I believe, back in 2019, the entire project was going to cost about 650 million, and that has moved up by several 100 million dollars now.

MR. CLARK: It's a little over two times that. And Wyoming County is doing that as well, right?

MR. PERRY: Yes.

MR. CLARK: They already agreed to the pilot?

MR. PERRY: We agreed to a pilot, but we have to go back for another vote.

MR. CLARK: All right. I wasn't trying to avoid you. You know that. Just making sure everybody has a chance to speak.

MR. GERRETSEN: We got all night. That's fine.

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MR. CLARK: Does anyone else have any comments or questions for me or Sean? Either positive or negative. It doesn't matter. Whatever you want to tell us, and like I said, it will be recorded.

MR. WROBLEWSKI: I have one. My name is Tom Wroblewski from Lost Nation Road in Centerville. I understand that the turbines are going to be significantly larger than the ones that we see already. How much bigger are they?

MR. PERRY: So the ones in Sheldon, in Orangeville, I believe, are just under 400 feet. I believe they're about 375 feet. These ones from the base to their tip height at the tallest point will be 591 feet. So the cells will be about as tall as those ones are at the tip. So about 360 feet.

MR. WROBLEWSKI: How much do the turbines cost?

MR. PERRY: Several million dollars

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2 each. Based on the manufacturer and
3 whether they can procure contents
4 locally or not.

5 MR. WROBLEWSKI: That is not
6 installed? That's just --

7 MR. PERRY: That's just to purchase
8 the turbines. Anywhere from four
9 million to seven million dollars per
10 turbine.

11 MR. WROBLEWSKI: How long do you
12 project it will take to re-coupe the
13 money to start returning a profit?

14 MR. PERRY: I don't have that
15 number off the top of my head, but it
16 takes a good amount of time considering
17 how much the construction costs have
18 grown for the project. It's definitely
19 further out than previously anticipated.

20 MR. WROBLEWSKI: And you feel it's
21 practical still?

22 MR. PERRY: Yes. As I said,
23 there's a good wind resource in the
24 area. Obviously, we have turbines in
25 Bliss's weather field up in Wyoming

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2 County and there's a need for it on the
3 grid. Customers have procurement
4 contracts. So the State has a process
5 where they procure a certain number of
6 megawatts for each procurement round.

7 MS. CARTWRIGHT: In the case of any
8 damage to one of them where does that
9 material -- how is that disposed of?

10 MR. PERRY: So that material is
11 typically trucked off-site. If there's
12 any damage to them in terms of, like,
13 blade failure, that's immediately
14 cornered off. We have emergency
15 response management plans and we are
16 mandated by the State to have
17 coordination with the local fire
18 departments.

19 So there's coordination between the
20 OMS guys who are in Freedom and any
21 emergency responders that are within the
22 town in which the failure would occur.
23 Typically, the area of damage is
24 cornered off from the public and cleaned
25 up and trucked out of the site.

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MS. COVERT: My name is Debbie Covert. Talking about coordination with the local fire departments. Our local fire department does not have any equipment that could access a 591-foot on fire turbine. How is that handled then?

MR. PERRY: So fires are pretty uncommon, but they do happen. I would say the response management plan is typically to get the area secure and let the fire burn. If it's encompassing the cell enough that you can't safely get someone up there, and then wait for the fire to go out and then go in and assess the damage.

MS. COVERT: That doesn't sound environmentally correct.

MR. PERRY: In terms of human safety it's the best scenario. You know, you're not going to send somebody up the tower that is on fire.

MS. COVERT: But you don't have regional fire response that could come

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2 and deal with that?

3 MR. PERRY: So I guess the regional
4 response would be the OMS would be
5 onsite first securing the area. Then
6 they would work with the Centerville
7 fire department and Rushford, Freedom,
8 wherever the incident occurred, and make
9 sure that the area is secured, until it
10 is assessed and they say that it is safe
11 to go up there.

12 If it's a small fire they can send
13 somebody up there. If it's encompassing
14 the entire cell or tower they would just
15 let it burn. And we have setbacks that
16 are mandated both by town laws and the
17 State in order to ensure that we're not
18 close to anything that could be -- you
19 know, if a turbine fell over there's
20 nothing around that immediate area
21 within one times the tip height of
22 distance that it could impact.

23 MS. COVERT: A lot of them are
24 situated in hay fields and other fields.

25 MR. PERRY: Yep.

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MR. CLARK: If you have a question we need to know who is speaking, please.

MR. JAKUBOWSKI: Ax1 Jakubowski. Just to touch on that, what is the setback requirement?

MR. PERRY: The setback requirements -- it varies from town to town, but typically nothing in terms of residences or any structures that could be occupied for daily use. It's 1.1 times the tip height. So for a turbine this size, 591 feet tall, you're looking at about 650 feet from the radius of the turbine.

MR. CLARK: Any other questions or comments? Could I have you sign in before you leave as well?

MR. JAKUBOWSKI: I apologize for my tardiness as well.

MR. CLARK: You're fine. I just want to make sure we have all the names spelled right.

MR. JAKUBOWSKI: I do have a question. Now, is there some sort of

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2 engineering or physics that's been, you
3 know, has the physics been figured out
4 as far as, you know, there's obviously
5 issues with other turbines that their
6 brakes have failed and they've
7 freewheeled and a turbine blade has
8 broken off and crashed onto the lower
9 property. Now, based on, you know,
10 obviously I am not a mathematician or
11 physicist, I don't know, I mean, what is
12 the potential of one them blades coming
13 off and landing on a piece of property
14 if the turbine is only 1,100 feet away
15 from someone's barn or house?

16 MR. PERRY: So I am not an
17 engineer. I don't know that
18 specifically, but our engineers vet
19 those setbacks and ensure that not only
20 do they comply with the local wind laws,
21 and state wind laws, but that there is
22 nothing that is immediately in the area
23 of concern. Regardless of its setback,
24 if there's something that is close
25 enough, then the turbine is either moved

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2 or that location is removed from the
3 project. They will pull an alternative.
4 Obviously, things happen. Like, with
5 anything there can be accidents. We've
6 seen them before in this area, but they
7 are uncommon and there's a lot of
8 vetting and engineering that goes into
9 the placement of each turbine. Both
10 with respect to the resource, making
11 sure that we can produce a lot, but also
12 that it is put in a safe location.

13 MR. JAKUBOWSKI: So it wouldn't be
14 possible for --

15 MR. PERRY: Yeah. We would not
16 want that to happen. So we would put it
17 far enough back that -- and down wind
18 making sure that there is nothing in
19 that area that, if we did have a blade
20 failure, that you're minimizing any
21 impact to surrounding properties.

22 MR. JAKUBOWSKI: Only reason I ask
23 is as far as it being uncommon, is I've
24 personally seen multiple numbers of
25 blades broken and laying in fields in

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our surrounding areas with other establishments or turbine companies.

MR. PERRY: Yeah.

MR. JAKUBOWSKI: So it kind of seems like it was getting to a point where it was a little more common.

MR. PERRY: Yeah. I would say it's uncommon, but common enough we need to take that into consideration when you're placing the turbines that, you know, they're a safe distance away from other structures.

MR. GERRETSEN: I'd like to make one comment on that. In one of the previous meetings with Invenergy, they handed out maps where the turbines were going to be located and my house was not even on the map. That I live in year-round.

I questioned Invenergy about it and they said, "Oh, your house must sit back off the road. So we probably didn't even realize it was there." So if your engineers are making sure my house is

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safe, they don't even know it exists.

MR. PERRY: I can't speak for what other folks have said, but I can say that, you know, if I got your information, I could point out your house on the map and say "All right. You're right here."

MR. GERRETSEN: It was not there on the previous map. I can tell you it was not there.

MR. PERRY: Okay. Well, I'm happy to take your information and --

MR. GERRETSEN: They may have revised it now, but the original map, it was not on the map. I know where my house is. It was not there.

MR. WROBLEWSKI: Are those maps still available?

MR. PERRY: Yes. We've got a map here. We can update it with our final 76 turbine layout, as well as any components in terms of access roads, or collection lines.

MR. GERRETSEN: You can update it,

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or it is updated?

MR. PERRY: This one is not. This one is the amended layout that shows 83 sites. So that's our 76 primary turbines, plus any alternates.

MR. CLARK: Glad you thought through this. Thank you. No. I'm serious.

MR. GERRETSEN: You need to think about these things also.

MR. CLARK: That's why it's good to bring them up.

MR. GERRETSEN: It was just -- that was absolutely ridiculous when I saw that. I'm, like, worried about my property and my house.

MR. CLARK: If you give Sean the address --

MR. GERRETSEN: It wasn't even on the map. I don't know -- that was back in 2019, or whatever year it was.

MR. CLARK: Any other questions or comments? I don't mind staying here, but I'm not going to stay if everyone is

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2 done.

3 MR. JAKUBOWSKI: Is there more
4 meetings coming up, or is this the final
5 one?

6 MR. CLARK: The process for the IDA
7 is that we have to hold one hearing for
8 this financial assistance piece.
9 Everything else has already been
10 approved by the State or town. We're
11 only looking at the financial assistance
12 part. Then we'll have another one
13 tomorrow night in Rushford.

14 MR. JAKUBLOWSKI: How does
15 everybody get informed of that?

16 MR. CLARK: It was published on the
17 websites and it was also published in
18 the paper, and it was also on our
19 website. I've got a copy up here if you
20 want to see it. I can give you a copy
21 of the actual publication. Tomorrow
22 night at 7 o'clock in Rushford.

23 MR. PERRY: In terms of the
24 project's status, as far as approval, is
25 it has been fully permitted by the State

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2 of New York. What we're doing right now
3 is submitting compliance files, showing
4 final layout and design, and compliance
5 with our certificate conditions. We
6 have about 136 conditions that come
7 along as part of the permit that we have
8 to meet in order to remain in compliance
9 with the State. So between now and the
10 end of the year we're filing those to
11 show that we can build a safe project.

12 MR. JAKUBOWSKI: So as far as any
13 changes or amendments on the layout or
14 the plans, it's already too far gone to
15 make any changes?

16 MR. PERRY: Yeah. At this point
17 we've submitted our compliance filings
18 for civil construction, tree clearing,
19 and our transmission line.

20 MR. CLARK: But those are available
21 if somebody wants to review them, right?

22 MR. PERRY: Yeah. Those are all on
23 Department of Public Services website
24 under Alle-Catt. There's every file
25 document there, as well as maps that are

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detailing engineering drawings that folks can review as well.

MR. JAKUBOWSKI: Do you have a project for reseeding the trees that you take out?

MR. PERRY: We do not. We've got projects for reseeding of the areas that are disturbed, and what's typically used is a native seed mix that landowners typically have some control over. If it's something that is going to go back into agriculture, or if it's going to be pasture or meadow, landowners typically have something put there.

MR. JAKUBOWSKI: Really at the end of the day, that was my only problem. Obviously, I'm not going to stop a whole windmill project or anything of that sort, but what's happening on my property is just a right-of-way access road. I'm not getting a turbine. My neighbor is getting two. So my neighbor is getting two turbines and the woods that I do have on my property is now

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2 going to have a 100, 150-foot
3 right-of-way clearcut straight through
4 my property when there's alternate
5 routes. I went back and forth for the
6 last year-and-a-half and nothing was
7 ever able to be accommodated, or worked
8 through, or anything like that.

9 You know, it was strictly a lot of
10 the sub T-line for it was being
11 directional drilled, obviously. So I
12 thought maybe that would be a
13 possibility, but the only reason the
14 woods are getting clearcut is to not
15 have to break the crane down one last
16 time and move it to the left windmill,
17 which is actually closer to County
18 Route 3. You know, I get it. It saves
19 Invenergy a couple of days of breakdown
20 and set up, but at the end of the day I
21 mean, isn't this whole project for green
22 energy and reducing carbon footprint?
23 Now, the right-a-way is 30 feet into my
24 wood line, you know?

25 MR. PERRY: I can check on the map

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where your property is and go back to the team and see if there's any resources that had to be avoided there, but at this point there's not much that can be done with the compliance files being submitted.

MR. JAKUBOWSKI: They claimed that it was due to wetlands. In my opinion, I mean, the Army Corp engineers, that's where they claimed that's where it came from. I know they do a lot of that through satellite imaging and everything.

I don't know if there was ever boots on the ground to actually deem that. I gave plenty of drawings and, you know, other options that I thought were viable. You know, nothing that was too far outside the bounds, but it was never really -- you know, if it was taken into consideration, I don't know. I wasn't on that side of things, but that's the only problem I have.

I live, you know, 1,200 feet back

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in the woods. I got a beautiful little spot and now they'll have to break down a crane or cut 100 foot right-of-way through my woods and I'm not even getting a turbine and honestly the money to extradite that is not even close to suitable for what, you know --

MR. PERRY: Yeah. I can check, like I said. In terms of delineations we have folks that have boots on the ground in a delineation area saying "Okay. We're mapping out wetlands that are here and here."

The only time satellite imagery ever comes into play is if there is a small area to do, like, a desktop delineation where you can visibly see from satellite imagery that there's no trees, there's plantings of typical wetland species, and then that's gone out and verified in the field and typically can't get out of that delineation cover because there could be wetlands there that are unmapped and for

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2 cultural resources. That one you
3 actually have to have boots on the
4 ground as well and they have to go
5 within that area and shovel test.

6 So, you know, any changes at that
7 point would -- you're getting into
8 reopening the permit with the Army Corps
9 engineers. So the wetland permit and
10 then you're getting into reopening our
11 host determination for cultural
12 avoidance on the project.

13 MR. JAKUBOWSKI: Just for a little
14 perspective, the wetland that they had
15 drawn was maybe a little bit bigger than
16 this room and the property line was
17 running, let's say, down the center of
18 this room, and instead of staying on the
19 neighbor's property hooking to the right
20 they hooked to the left to go straight
21 through my property. You know, it
22 didn't make a lot of sense when I wasn't
23 the one benefiting from the said
24 turbines.

25 MR. PERRY: Gotcha. Yeah. I can

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take a look at the map and get back to you there.

MR. JAKUBOWSKI: Thank you.

MR. CLARK: Any other questions?

MR. WROBLEWSKI: One last question.

MR. CLARK: You're good.

MR. WROBLEWSKI: The original, if I have this right, the original pilot program was \$700,000?

MR. CLARK: For what?

MR. WROBLEWSKI: The original tax.

MR. CLARK: Well, there was actually three things. There was sales tax. There was also property tax.

MR. WROBLEWSKI: So and it is now from that to 4.4 million. The benefit to the town I was told is \$600,000. Does that remain constant?

MR. CLARK: That's per year.

MR. WROBLEWSKI: Does that the remain constant or is that increased now with the three times amount of pilot program?

MR. PERRY: So that property

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2 benefit for the town has remained
3 constant. What increased is there's an
4 IDA fee with any financial assistance
5 and that increased substantially with
6 our Capex. So that's a percentage of
7 the total amount of dollars that we're
8 spending to build the project and that
9 was previously way lower, because we
10 were anticipating our construction cost
11 being significantly lower.

12 MR. CLARK: The numbers that I read
13 to you went up because of the cost of
14 the project. Correct.

15 MR. WROBLEWSKI: The request went
16 up?

17 MR. CLARK: The request went up
18 because the cost went up almost 2.25.
19 Yes.

20 MR. WROBLEWSKI: So Invenergy not
21 getting the project done is going to --
22 they're asking for more money?

23 MR. CLARK: Correct.

24 MR. WROBLEWSKI: I get it.

25 MR. CLARK: I know. I'm just

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2 clarifying. That's fine.

3 MR. WROBLEWSKI: We're paying for
4 -- where in the building did you get
5 project done?

6 MR. PERRY: I will say without the
7 real-property benefit the alternative
8 taxation is the State uniform appraisal
9 methodology for wind projects and the
10 bucket of dollars is about the same,
11 maybe a little bit less than Invenergy
12 would have to pay. Especially, over of
13 the length of the project because with
14 the tax methodology the developers are
15 able to write off the depreciation of
16 the site over 20 years. So it could
17 start off at, you know, \$500,000 a year,
18 and then by the end the town is getting
19 \$50,000 a year. Whereas, with the pilot
20 it escalates by 2 percent each year.

21 Another thing with that is that
22 under the tax methodology the taxes are
23 split based on the village rate of the
24 town, and the town will get short
25 changed by a significant amount of

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2 money. So under the pilot host
3 community agreement arrangement the town
4 gets over 60 percent of total dollars.
5 Whereas, under the tax methodology it's
6 town village rate. You could be looking
7 at anywhere from 15 to 25 percent in
8 total dollars.

9 MR. WROBLEWSKI: And that \$600,000
10 is anticipated and based on the
11 production of the windmills?

12 MR. PERRY: So it's based on the
13 capacity installed.

14 MR. CLARK: Yeah. It doesn't
15 matter if it produces. Someone
16 mentioned earlier about them not
17 turning. If it's installed, it's
18 installed.

19 MR. PERRY: And if you have a
20 turbine that goes down, or for whatever
21 reason get's moved, it's still 4.5
22 megawatts per turbine installed in the
23 town and the town gets that 600 grand.
24 So with pilot that's \$5,000 per megawatt
25 that's installed as well. So the total

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bucket comes to just under \$1,100 per megawatt that's paid to the town, county, and school district.

MR. CLARK: Yes.

MR. BLISS: Mark Bliss. So the money that comes to the town is not just the pilot money. It's the host community agreement?

MR. PERRY: Right.

MR. BLISS: So can you tell us the grand total, 600 by what we have every year for 20 years, that combined total?

MR. PERRY: So I don't have that off the top of my head. I think, in our original projections it was between the host community agreement and year one, just under a million dollars year one. There was a string of turbines that were on the western -- no. Eastern side of North Hill Road, about six turbines that were dropped from the project. So the total megawatts capacity was reduced to 99 megawatts in the town of Centerville. So with that you've got \$600,000 in host

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2 community agreements. That's just for
3 the town, and then for the pilot that's
4 split amongst the town, school district,
5 and county. I believe, Centerville's is
6 about 20 percent. So I think year one,
7 I'm spit balling, might be just shy of
8 \$800,000, and then it's escalating 2
9 percent annually.

10 MR. JAKUBOWSKI: Why are you
11 dropping windmills?

12 MR. CLARK: Your name, please?

13 MR. JAKUBOWSKI: Rich Jakubowski.

14 MR. PERRY: Some of those were
15 dropped for setback purposes. Others
16 for production. What we've done over
17 the last few years is collect wind data
18 from the wind measuring towers in the
19 area. And when you look at a wind
20 resource map in the State you've got,
21 okay, this is a windy area. So you put
22 turbines where you think they're going
23 to go and then over the course of
24 several years you collect data and say,
25 "All right. We've got more wind in

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2 these areas. We'll prioritize these."
3 And then engineers can do production
4 analysis of each one based off wind
5 speed and direction, how many windy days
6 you have each year, and the manufacturer
7 of the turbine itself and then say,
8 "Okay. We can reasonably expect this
9 one to produce this much power and this
10 one to produce this much." So the
11 turbines that get dropped are typically
12 due to low production.

13 I know out of the string that was
14 out in Centerville we had a couple of
15 folks decline to participate that were
16 necessary for setback reasons and that
17 killed those turbines. So we had a
18 combination of setbacks and low
19 production over there.

20 MR. JAKUBOWSKI: Then you were
21 saying about transmission lines, I
22 thought you were going to bury them?

23 MR. PERRY: Yep. So all of the
24 turbine generated electricity is buried
25 and then that goes underground to the

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collection substation over in Freedom.
And then from the substation to the
point of interconnection, which is where
we break National Grid line, that is
above ground.

MR. JAKUBOWSKI: So it's buried in
Centerville?

MR. PERRY: Yeah. Everything in
Centerville would be buried.

MR. JAKUBOWSKI: Now, the
contractor, I know it's already been
awarded and everything, O'Connell, doing
the substations and the transmission
line. Now, are they, I know, they're GC
on that side of things, are you guys GC?
Are they subcontracting from Invenergy?

MR. PERRY: So we have hired
O'Connell Electric to do -- they're the
GC for the substation, T-line, and
switch yard. For the wind farm is
Wesson Group and they're out of
Johnstown. They procure local
contractors and they subcontract things
like access roads, foundations,

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2 electrical connection, things like that.
3 The contracts are all for the general
4 contractor. Invenergy just oversees the
5 project. It's Wesson that's doing the
6 wind farm and the O'Connell's are still
7 doing the T-line.

8 MR. JAKUBOWSKI: This might be a
9 question for the town. I haven't been
10 involved so I'm sure. Are there going
11 to be any direct tax breaks or
12 incentives for landowners due with the
13 property taxes?

14 MR. PERRY: I would say that's more
15 for the town. I know that in Sheldon
16 for some time they were doing -- they
17 completely wiped the town tax bill. So
18 they didn't -- residents didn't pay any
19 property taxes. There's many ways the
20 town can go about it. Sometimes there
21 -- I heard of wind projects that they
22 get their revenue and they will send out
23 checks to every resident. Some just
24 completely wipe or reduce the tax levy
25 for property taxes, and then others just

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2 spend it on highways, roadwork,
3 emergency services, things like that.
4 But yeah that's more of a question --
5 and, but what we learn as a developer, I
6 mean, we've been developing projects for
7 over 25 years. There's been some
8 projects that have arrangements where
9 it's just "Okay. We're going to cover
10 the tax levy," and others where we just
11 pay the, you know, the host community
12 agreement and give revenue. Typically,
13 those projects that just get revenue,
14 they have better, reviews isn't the
15 right word, but the local municipalities
16 are happier with it because they get a
17 choice of what they do with the money.

18 MR. CLARK: Any other questions on
19 the financial assistance? The IDA only
20 gets involved when there's a host
21 agreement. We don't go looking for
22 projects. We go looking to help
23 communities.

24 Well, if not, if there's no further
25 questions, I am sure you can still ask

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Sean some questions afterwards. I am going to close the Second Public Hearing at 7 -- I guess we didn't quite make 8.

MR. JAKUBOWSKI: Just one more.

MR. CLARK: Whoops. Almost.

MR. JAKUBOWSKI: As far as in the event that there's probably slim to almost no change being made as far as that right-of-way, is there going to be a point where somebody is in contact with the landowner to show me "Hey, this is the exact path of the right-of-way," and mark it off with me so I can do my own clearing and logging of my woods before you have contractors come in and just make a mess, or, you know, what does that look like?

MR. PERRY: Yeah. So we typically, and over the last year, year-and-a-half, we've been doing pre-construction surveys with landowners. That's to 'A' make sure that people know what's going on the property and then gaining any feedback from landowners on reseeding or

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2 if there's anything that was missed in
3 our alta surveys. If there's any buried
4 utilities, structures that we've missed.
5 You know, those are what we're looking
6 and want to make sure the landowner is
7 aware of that.

8 In terms of cutting trees, I think
9 we've said -- we kind of, like, held off
10 on giving landowners the go ahead there
11 because once there are stakes on the
12 ground, it's kind of -- DPS sees that as
13 you're flagging your LOD now, and then
14 we're subject to the environmental
15 regulations that come along with that.
16 If we don't have our notice to proceed
17 with the State the Developer can get in
18 trouble. With tree clearing
19 specifically, there's some landowners
20 that we've gone out and said, "All
21 right. This is where it's going to go."
22 And said, "All right. If you want to do
23 any clear cutting or timber harvest you
24 can do so." But we discourage landowners
25 to do their own clear cutting because if

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DPS goes out there and sees right where our right-of-way is and where our turbines are going, cleared outside of that window we get a stop order.

But in terms of your particular situation we can certainly have somebody go out there and say, "All right. This is roughly where the road is going to be." If you're interested in doing the timber harvest or, like, cutting standing dead for firewood we can point that. But we very much discourage clearing outside of the window.

MR. GERRETSEN: What if he says he don't want you guys even on there?

MR. PERRY: What's that?

MR. GERRETSEN: What if he doesn't even want you on his land? He's not benefitting. He says he doesn't want you guys clear cutting my woods.

MR. PERRY: He's got a lease.

MR. GERRETSEN: Okay. That takes care of that.

MR. CLARK: Any other comments?

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Good question.

MR. GERRETSEN: Good answer.

MR. CLARK: If there's no further comments I'll close the second. And we did make it before 8 o'clock. It's 7:56, I guess. Other than that I want to thank everybody for coming.

(Hearing concluded.)

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CERTIFICATION:

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause and that this is a correct transcript of the same to the best of my ability.

RENAYE M. SIRIANNI