

REPORT OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S PUBLIC HEARING OF NY CDG GENESEE 4, LLC., HELD ON WEDNESDAY, JANUARY 4, 2023 3:30 P.M. AT THE PAVILION TOWN HALL, 1 WOODROW DRIVE, PAVILION, NEW YORK, GENESEE COUNTY, NEW YORK

I. ATTENDANCE

Jim Krencik, Director of Marketing and Communications – GCEDC
Lauren Casey, Finance Assistant – GCEDC
John Rudgers, Town of Pavilion Board Member

II. CALL TO ORDER

The public hearing of NY CDG Genesee 4, LLC was opened at 3:30 p.m. at the Pavilion Town Hall, 1 Woodrow Drive, in Pavilion, New York, Genesee County, New York.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

III. PROJECT SUMMARY

NY CDG Genesee 4, LLC is proposing to construct a community solar farm project on Shepard Road in the Town of Pavilion. The solar project will be located on approximately 31 of 39 acres on the property to convert the sun's energy into 4.275 MW of AC power.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$6,000/MWAC + a 2% annual escalator in payments to the Genesee County, Town of Pavilion and the Pavilion School District. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs. average market rates for the generated power.

IV. COMMENTS

J. Krencik began the public hearing by providing a summary of the above-outlined project. The purpose of the public hearing is to solicit comments and feedback from the public regarding the proposed incentives on the above outlined project. There were no written comments received ahead of time to be included with the written record.

There was no public comment.

V. ADJOURNMENT

As there were no other comments, the public hearing was closed at 3:40 p.m.



**PUBLIC HEARING NOTICE LETTER
(NY CDG Genesee 4 LLC – Town of Pavilion)**

December 6, 2022

To: Chief Executive Officers Listed
on Schedule A attached hereto

Re: **Genesee County Industrial Development Agency d/b/a Genesee County
Economic Development Center and NY CDG Genesee 4 LLC**

Notice of Public Hearing

Ladies and Gentlemen:

On Wednesday, January 4, 2023, at 3:30 p.m., local time, at Town of Pavilion Town Hall, 1 Woodrow Drive, Pavilion, New York 14525, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to *The Daily News* for publication.

The Agency will broadcast the public hearing live at <https://vimeo.com/event/2673792>.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

**GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER**

SCHEDULE A

GENESEE COUNTY

Certified Mail No.
7020 2450 0001 6551 9124
Genesee County Manager
Old Courthouse
7 Main Street
Batavia, New York 14020

Certified Mail No.
7020 2450 0001 6551 9131
Genesee County Legislature
Attn: Chair
Old Courthouse
7 Main Street
Batavia, New York 14020

TOWN OF PAVILION

Certified Mail No.
7020 2450 0001 6551 9148
Town of Pavilion
Attn: Supervisor
1 Woodrow Drive
Pavilion, New York 14525

PAVILION CENTRAL SCHOOL DISTRICT

Certified Mail No.
7020 2450 0001 6551 9155
Pavilion Central School District
Attn: Superintendent
7014 Big Tree Road
Pavilion, New York 14525

Certified Mail No.
7020 2450 0001 6551 9162
Pavilion Central School District
Attn: President, Board of Education
7014 Big Tree Road
Pavilion, New York 14525

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Wednesday, January 4, 2023, at 3:30 p.m., local time, at Town of Pavilion Town Hall, 1 Woodrow Drive, Pavilion, New York 14525, in connection with the following matter:

NY CDG GENESEE 4 LLC, for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application (the "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 certain real property located at 6464 Shepard Road in the Town of Pavilion, New York (the "Land", being more particularly described as a portion of tax parcel No. 15.-1-38.11, as may be subdivided); (ii) the planning, design, construction and operation of a 4.275MWac PV 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").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions, a mortgage recording tax exemption consistent with the policies of the Agency, and a partial real property tax abatement.

The Agency will broadcast the public hearing live at <https://vimeo.com/event/2673792>.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: December 10, 2022

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY D/B/A
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER

AFFIDAVIT OF PUBLICATION
Batavia Daily News

State of New York,

County of, Genesee,

The undersigned is the authorized designee of **Batavia Daily News**, a **Daily** Newspaper published in **Genesee County, New York**. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

December 10, 2022

This newspaper has been designated by the County Clerk of **Genesee County**, as a newspaper of record in this county, and as such, is eligible to publish such notices.



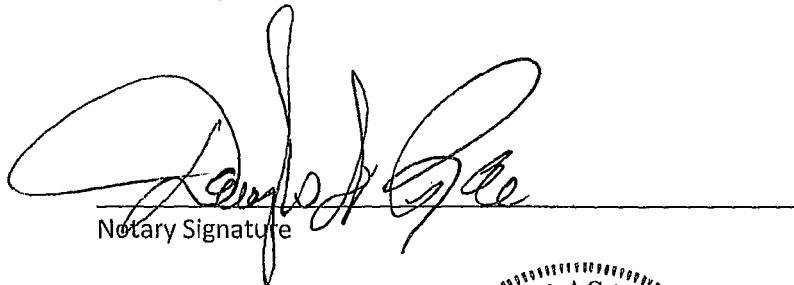
Signature

Eliot T. Putnam

Printed Name

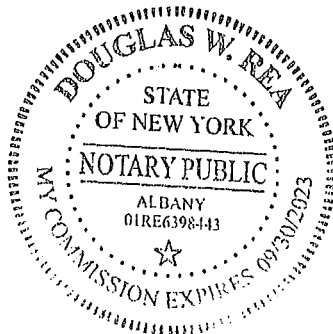
Subscribed and sworn to before me,

This 15 day of December 2022



Notary Signature

Notary Public Stamp



AFFIDAVIT OF PUBLICATION

Batavia Daily News

GENESEE COUNTY

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