

**Counties of Warren and Washington
Industrial Development Agency**

Special Meeting

**Tuesday December 28, 2021
Immediately following the CHPE/TDI Public Hearing**

**Washington County Municipal Building
383 Broadway, Fort Edward NY 12828
And also via Zoom**

Members of the public may also listen/view/comment via the livestreaming on YouTube under Warren Washington IDA.

Minutes of this Warren Washington Industrial Development Special Meeting will be transcribed and posted on the WWIDA website.

Agenda

- Call Meeting to Order
- Review and approval of CHPE/TDI resolution to accept project
- Adjournment

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

SUPPLEMENTAL HEARING

Notice is hereby given by the Counties of Warren and Washington Industrial Development Agency (the "Agency") that a public hearing (the "Public Hearing") pursuant to Section 859-a of the General Municipal Law of the State of New York will be held by the Agency on the 28th day of December, 2021 at 6:00 o'clock p.m., local time, in connection with the CHPE LLC Project, as described below. The Public Hearing will be held electronically via video conference call and in person. Members of the public may attend the Public Hearing by viewing or attending in person at the Washington County Municipal Building located at 383 Broadway in the Town of Fort Edward, New York and comment on the Project and the benefits to be granted to CHPE LLC, a New York State limited liability company (the "Company") by the Agency during the Public Hearing by joining the Zoom meeting or calling in:

Join Zoom Meeting

<https://us02web.zoom.us/j/89908741859?pwd=UUxLVURmV0Z1VUIRbmRkVHI4TUdJUT09>

Meeting ID: 899 0874 1859

Passcode: 152794

One tap mobile

+16465588656,,89908741859#,,, *152794# US (New York)

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 899 0874 1859

Passcode: 152794

Find your local number: <https://us02web.zoom.us/j/89908741859?pwd=UUxLVURmV0Z1VUIRbmRkVHI4TUdJUT09>

On July 8, 2021, the Agency conducted a public hearing for the benefit of the Company with respect to a project (the "Project") outlined in an application (the "Application") submitted to the Agency, a copy of which Application is on file at the office of the Agency, said Project consisting of the following: (A)(1) the acquisition of an interest in the Company's interest in certain upland parcels of land and in the Company's interim permit and easement issued or to be issued by the New York State Office of General Services ("OGS") in relation to submerged State-owned land, such upland and submerged lands located in the Towns of Putnam, Dresden, Whitehall, Fort Ann, Hartford, Kingsbury and Fort Edward, and Villages of Whitehall, Fort Ann and Fort Edward, Washington County, New York (collectively, the "Land"), (2) the construction, installation and equipping on or under the Land of a fully-buried, up to 1,250-megawatt ("MW") high-voltage direct current ("HVDC") electric transmission line and related infrastructure (collectively, the "Improvements") and (3) the acquisition and installation thereon and therein of certain related machinery and equipment, including but not limited to, two (2) five-inch diameter HVDC transmission cables (collectively, the "Equipment") (the Land, the Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to be used and operated by the Company as a portion of an electric power transmission line from the U.S.-Canada border to New York City; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

Subsequently, the Agency received additional information from the Company relating to the Project (the "Additional Information"), which describes revised Project costs resulting in the need for the Agency, pursuant to Section 859-a of the Act, to hold a supplemental public hearing with respect to the Project and the amount of the Financial Assistance.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Washington County, New York or elsewhere, (2) exemption from transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, equipping and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, equipped and installed by the Agency and will be leased by the Agency to the Company or its designee pursuant to a lease agreement requiring the Company or its designee to make certain payments to the Agency (the "Lease Agreement") and consistent with a project agreement (the "Project Agreement") regarding the terms of the granting by the Agency of the Financial Assistance to the Company.

The Agency has made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") that the Project constitutes a "Type II" action within the meaning of the SEQR Act.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Dave O'Brien, Chairman, Counties of Warren and Washington Industrial Development Agency, 5 Warren Street, Suite 210, Glens Falls, New York 12801; Telephone: 518-792-1312 and electronically at info@warren-washingtonida.com.

Dated: December 14, 2021.

COUNTIES OF WARREN AND WASHINGTON
INDUSTRIAL DEVELOPMENT AGENCY

BY: /s/ David O'Brien
Chairman