

**COUNTIES OF WARREN AND WASHINGTON
INDUSTRIAL DEVELOPMENT AGENCY**

5 Warren Street, Suite 210

Glens Falls, New York 12801

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The January Board Meeting for Warren Washington Industrial Development Agency was held on Tuesday, January 17, 2023 at the Warren County Municipal Building at 4:00 pm. The following were:

PRESENT:

Dave O'Brien	Chair
Craig Leggett	Vice Chair
Juan Gonzales	Member
Ginny Sullivan	Member
Tim Robinson	Member
Brian Campbell	Sec/Treasurer
Dan Bruno	Park Chair
Mike Wild	Member
Nick Caimano	Member

ABSENT:

Mary King	Member
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The following were also present:

Kara Lais, Esq.	FitzGerald Morris Baker Firth, PC
Chuck Barton	WWIDA CEO
Travis Whitehead	Queensbury Resident
Doug Beaty	At Large Supervisor, Town of Queensbury
Dana Haff	Supervisor of Hartford
Scott Whittemore	Business Manager of Queensbury Schools
Claudia Braymer	Supervisor At Large, City of Glens Falls
Rachel Seeber	Supervisor At Large, Town of Queensbury
Alie Weaver	Office Administrator

Minutes were taken by:

Attendance was taken by roll call and quorum was confirmed.

December 2022 Minutes: Mr. Caimano made a motion to approve the December 2022 board meeting minutes and Mr. Cambell seconded. All voted in favor by voice vote.

Accounts Payables and Financial Analysis: Mr. Robinson reviewed the balance sheet and annual comparison income statement.

Mr. Robinson made a motion to approve the January payables and Mr. Gonzales seconded. All voted in favor by roll call vote.

Master Plan Update – Mr. Bruno stated that a review meeting is scheduled for tomorrow with Jarrett Engineers to address LaBella's revised proposal for the sanitary water and sewer system design. He noted that a meeting with LaBella regarding such will be on Friday.

Mr. O'Brien stated that the IDA will be sharing some expenses for the water separation with Hudson Falls as the DEC is requiring Hudson Falls to update their water separation system.

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Staff report – Mr. Barton stated the following activities:

- Met with a prospective applicant from Warren County
- Met with a representative of a solar project in northern Warren County
- Met with Canal Corp, Washington County Sewer District, and the Village of Fort Edward regarding the Master Plan
- Continuous correspondence with Behan Communications regarding IDA messaging
- Continuous correspondence with Black Dog regarding website updates
- Met with a prospective mixed-use workforce housing applicant in northern Warren County
- Met with a prospective hotel applicant in northern Warren County
- Met with the Executive Director of Agriculture Stewardship Association regarding solar impact on agriculture
- Participated in webinar regarding assessing trends and advancing resource for smart solar
- Attended holiday mixer in northern Warren County
- Attended Washington County Finance Committee meeting
- Began Canalside insurance renewal process
- Meeting with Washington County regarding bio-economy development opportunity zones
- Correspondence with a Whitehall business with expansion interests

Mr. Barton noted that there are three applications expected to be received in the near future, two applications are currently on hold, twelve potential applicants, four applicants that have gone quiet, and nine potential applicants from last year that have decided not to move forward with their application.

UTEP – Mr. O'Brien stated that there are forty-five days left to receive input on the proposed UTEP changes. He stated that some towns in Washington County have concerns over potentially losing their opt-out status, referred to as Appendix N. He read aloud the proposed resolution concerning municipal approval in connection with the Uniform Tax Exemption Policy. (Annexed to minutes) Discussion ensued regarding the clarification of this resolution.

Mr. Campbell made a motion to approve the resolution and Mr. Caimano seconded. Mr. Wild abstained and all others approved by voice vote.

Solar, New Leaf – Mr. Barton stated that New Leaf Solar has completed their interconnect and are in the process of working with the Army Corps of Engineers regarding wetland areas.

Etain Completion Date Extension – Ms. Lais stated that the IDA Board approved the extension of Etain/KDBF's sales tax exemption through October 1, 2023 without extending the project completion date to October 1, 2023.

Mr. Leggett made a motion to approve the project completion date to October 1, 2023 and Mr. Campbell seconded. All voted in favor by voice vote.

Other – Mr. O'Brien stated that the IDA has submitted a letter of intent to apply for the FAST NY Shovel-Ready Grant Program.

Mr. O'Brien stated that correspondence was received regarding supply shortages and pricing disruptions.

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Public Comments – Mr. Whitehead read aloud some of his comments that he presented to the IDA via email (Annexed to minutes). He noted false or misleading information presented at the December 12, 2022 IDA meeting, questioned the IDA Solar Policy, and quoted some excerpts of the General Municipal Law.

Mr. Haff requested that the resolution that was passed at this meeting to be amended to mention Appendix N. He noted that the 487 exemption is considered to cover solar, wind, and farm waste energy. He referred to past IDA references regarding verbiage differences between the term “solar” and the term “renewable energy” and he requested clarity on these terms.

Doug Beaty expressed concerns over the loss of county, town, and school taxes with the CVE Solar PILOT. He noted that Upstate New York produces the least amount of carbon produced in the nation.

Adjournment – There being no further business to discuss, Mr. O’Brien adjourned the January IDA Board meeting at 4:56 pm.

WWIDA
Profit & Loss Prev Year Comparison
January through December 2022

	Jan - Dec 22	Jan - Dec 21	% Change
Ordinary Income/Expense			
Income			
Non-Operating Revenue			
Donations - Land	10,500,000	589,882	1,680%
Investment Earnings			
2401 - Interest Income	-0	501	-100%
2401.1 - Interest Income CDs	174	-378	146%
2401 - Interest Income - Other			
Total 2401 - Interest Income	174	123	42%
Total Investment Earnings	174	123	42%
Other nonoperating revenue			
Grant Funds from CDC	1,238,240	118,000	949%
Total Other nonoperating revenue	1,238,240	118,000	949%
10001 - Canalside Sale/Misc Income	2,094	0	100%
2675 - Lot Sales			
Sale of Land	81,164	34,158	138%
Total 2675 - Lot Sales	81,164	34,158	138%
Total Non-Operating Revenue	11,821,672	742,162	1,493%
Operating Revenue			
Canalside Lease Income	9,750	0	100%
Charges for Services			
2116.1 - Project Fees - Existing	45,919	5,250	775%
2116.2 - Project Fees - New	910,996	268,545	239%
2116.4 - Application Fees	7,500	19,761	-62%
Total Charges for Services	964,415	293,556	229%
Grant Income - NBRC	12,875	0	100%
Grant Revenue - National Grid	86,597	0	100%
Grant Revenue - USDA	0	99,000	-100%
Total Operating Revenue	1,073,637	392,556	174%
2770 - Project - Legal	21,142	30,447	-31%
2770.2 - Misc Income - operating	0	0	0%
Total Income	12,916,451	1,165,165	1,009%
Gross Profit	12,916,451	1,165,165	1,009%
Expense			
Nonoperating Expenses			
Other Nonoperating expenses	0	5	-100%
107 - Airport Industrial Park			
Property/Sewer/Water Taxes AIP	11,837	7,573	56%
107 - Airport Industrial Park - Other	2,800	-44,746	106%
Total 107 - Airport Industrial Park	14,637	-37,173	139%
Total Nonoperating Expenses	14,637	-37,168	139%
Operating Expenses			
Other operating expenses			
Interest	3,217	0	100%
Miscellaneous	-0	0	-100%
1910.4 - Insurance			
Disability Insurance	1,225	638	92%
Liability/Commercial Insurance	10,831	-47	23,100%
Public Officials Liability	1,719	1,719	0%
Workers' Comp Insurance	426	734	-42%
Total 1910.4 - Insurance	14,201	3,045	367%
2675.1 - Sale of Lots			
Land conveyance	386	0	100%
Legal Exp. for Lot Sales 3.4	0	19,962	-100%
Total 2675.1 - Sale of Lots	386	19,962	-98%
6460.4 - Contractual Services			
Advertising/Marketing	16,194	713	2,173%
Computer & Website Related	9,136	2,749	232%
Dues	1,813	369	391%
Misc Services	0	-29	100%
Rent	12,000	9,600	25%
Subscriptions	1,642	1,819	-10%
Telephone and Internet	1,890	1,721	10%
6460.4 - Contractual Services - Other	4,782	6,873	-30%
Total 6460.4 - Contractual Services	47,457	23,814	99%

WWIDA
Profit & Loss Prev Year Comparison
January through December 2022

	Jan - Dec 22	Jan - Dec 21	% Change
Other operating expenses - Other	0	1,252	-100%
Total Other operating expenses	65,260	48,072	36%
Professional service contracts			
Accounting	14,100	13,900	1%
Engineering-Phase II & Wetlids	0	4,800	-100%
Engineering - Phase I & General	13,559	-22,955	159%
Legal			
Fees for Project	116,462	48,559	140%
Total Legal	116,462	48,559	140%
Total Professional service contracts	144,122	44,303	225%
Reimbursable Prof. Svc Contract	9,642	99,000	-90%
6460.45 · Staff Payroll - WWIDA	149,416	56,427	165%
6460.5 · Supplies and Materials			
Misc Office Expenses			
Bank Fees	102	39	166%
Misc Office Expenses - Other	20	245	-92%
Total Misc Office Expenses	122	283	-57%
Office Supplies	3,175	7,070	-55%
Postage	529	252	110%
Total 6460.5 · Supplies and Materials	3,826	7,606	-50%
9000 · Employee Benefits			
Employee Benefit - Retirement	14,347	0	100%
Medicare - Company	2,826	859	229%
Social Security - Company	7,540	3,654	106%
Unemployment Insurance	357	863	-59%
VEHICLE ALLOWANCE	2,825	1,500	88%
6460.47 · Staff Telephone Allowance	380	240	58%
Total 9000 · Employee Benefits	28,274	7,117	297%
Operating Expenses - Other	0	0	0%
Total Operating Expenses	400,540	262,525	53%
10000 · Canalside Energy Park			
10100 · Dewatering Expenses			
10110 · Dues & Subscriptions	25	0	100%
10115 · Dewatering Insurance	10,838	1,910	467%
10125 · Land & Building Maintenance	55,169	190,764	-71%
10130 · Dewatering Taxes	1,235,130	0	100%
10135 · Dewatering Gas & Electric	28,258	439	6,341%
Total 10100 · Dewatering Expenses	1,329,420	193,113	588%
10000 · Canalside Energy Park - Other	42	0	100%
Total 10000 · Canalside Energy Park	1,329,461	193,113	588%
66900 · Reconciliation Discrepancies	-0	-345	100%
9010 · Employee Benefits/Health Ins.	1,816	6,304	-71%
Total Expense	1,746,455	424,430	312%
Net Ordinary Income	11,169,996	740,735	1,408%
Net Income	11,169,996	740,735	1,408%

01/09/23

WWIDA
Profit & Loss YTD Comparison
January through December 2022

	<u>Jan - Dec 22</u>	<u>Jan - Dec 21</u>	<u>\$ Change</u>
Ordinary Income/Expense			
Income			
Non-Operating Revenue	11,821,672	742,162	11,079,510
Operating Revenue	1,073,637	392,556	681,081
2770 · Project - Legal	21,142	30,447	-9,305
2770.2 · Misc Income - operating	0	0	0
Total Income	<u>12,916,451</u>	<u>1,165,165</u>	<u>11,751,286</u>
Gross Profit	12,916,451	1,165,165	11,751,286
Expense			
Nonoperating Expenses	14,637	-37,168	51,805
Operating Expenses	400,540	262,525	138,015
10000 · Canalside Energy Park	1,329,461	193,113	1,136,349
66900 · Reconciliation Discrepancies	-0	-345	345
9010 · Employee Benefits/Health Ins.	1,816	6,304	-4,489
Total Expense	<u>1,746,455</u>	<u>424,430</u>	<u>1,322,025</u>
Net Ordinary Income	<u>11,169,996</u>	<u>740,735</u>	<u>10,429,261</u>
Net Income	<u><u>11,169,996</u></u>	<u><u>740,735</u></u>	<u><u>10,429,261</u></u>

WWIDA
Balance Sheet Prev Year Comparison
As of December 31, 2022

	Dec 31, 22	Dec 31, 21	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
200 · Cash			
- ICS Money Market Acct	1,300,000	0	1,300,000
Checking - NOW-10459405	198,982	509,047	-310,064
Escrow - PILOTs 3528097	12,107	1,243	10,864
Total 200 · Cash	1,511,089	510,290	1,000,799
220 · Checking GFNB 0736	0	0	0
250 · Certificates of Deposit			
251 · CD - GFNB - #842819	0	101,837	-101,837
253 · CD - GFNB - #842821	0	255,184	-255,184
Total 250 · Certificates of Deposit	0	357,021	-357,021
Total Checking/Savings	1,511,089	867,310	643,779
Accounts Receivable			
380A · Accounts Receivable	12,039	-22,260	34,298
380B · Accounts Receivable - PILOTS	-170	0	-170
Total Accounts Receivable	11,869	-22,260	34,128
Other Current Assets			
210 · Petty Cash	55	143	-88
480 · Prepaid Insurance	4,265	4,265	0
Total Other Current Assets	4,320	4,408	-88
Total Current Assets	1,527,278	849,459	677,819
Fixed Assets			
101 · Land	1,126,948	1,126,948	0
102 · Land-Canalside Energy Park	10,500,000	0	10,500,000
104 · Machinery and Equipment			
Furniture and Equipment	357	357	0
Office Equipment	1,614	1,614	0
Signs & Mailboxes	7,584	7,584	0
104 · Machinery and Equipment - Other	-357	-357	0
Total 104 · Machinery and Equipment	9,198	9,198	0
114 · Accumulated Depreciation	-9,198	-9,198	0
Total Fixed Assets	11,626,948	1,126,948	10,500,000
TOTAL ASSETS	13,154,226	1,976,407	11,177,819
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
600 · Accounts Payable	-733	-916	183
Total Accounts Payable	-733	-916	183
Other Current Liabilities			
602 · Payroll Liabilities			
Federal W/H	2,206	649	1,557
Medicare - Employee	-318	111	-429
Social Security - Employee	2,346	465	1,881
State W/H	651	1,174	-523
602 · Payroll Liabilities - Other	576	576	0
Total 602 · Payroll Liabilities	5,461	2,974	2,487
615 · Customers' Deposit	1,500	1,500	0

01/09/23

WWIDA
Balance Sheet Prev Year Comparison
As of December 31, 2022

	Dec 31, 22	Dec 31, 21	\$ Change
631 · Due to other governments	15,418	595	14,823
Total Other Current Liabilities	22,379	5,069	17,309
Total Current Liabilities	21,646	4,153	17,493
Total Liabilities	21,646	4,153	17,493
Equity			
924 · Net Assets - Unrestricted	1,972,253	1,231,519	740,735
Net Income	11,160,327	740,735	10,419,592
Total Equity	13,132,580	1,972,253	11,160,327
TOTAL LIABILITIES & EQUITY	13,154,226	1,976,407	11,177,819

Counties of Warren and Washington Industrial Development Agency

Adopted: January 17, 2023

Introduced by _____
who moved its adoption.

Seconded by _____

**RESOLUTION CONCERNING MUNICIPAL APPROVAL IN CONNECTION WITH
THE UNIFORM TAX EXEMPTION POLICY**

WHEREAS, the Agency has previously adopted a Uniform Tax Exemption Policy pursuant to the provisions of General Municipal Law; and

WHEREAS, the Agency has proposed revisions to its Uniform Tax Exemption Policy and has sought the input from the taxing jurisdictions in accordance with the provisions of General Municipal Law; and

WHEREAS, based on the initial feedback, the Agency has determined that it is in the best interests of the residents of Warren and Washington County to maintain the provision of the Uniform Tax Exemption Policy that requires the Agency to obtain approval of certain municipalities in which a proposed project is to be located.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Agency hereby agrees to maintain the provision of the Uniform Tax Exemption Policy that requires the Agency to obtain approval of certain municipalities in which a proposed project is to be located.
2. This Resolution shall take effect immediately.

On 12/12/22, a Public Hearing (PH) was conducted. linked here: <https://www.youtube.com/watch?v=dE8lobw00e8&t=2195s> Notations like (YT 7:50) point to 7 minutes 50 seconds into that video. The PH was required prior to the adoption of the proposed PILOT for a Solar Farm to be sited in Queensbury, Warren County, NY. A copy of the notice that was sent to the affected taxing districts is attached. The Warren-Washington Industrial Development Agency (WWIDA) has a Policy regarding these Solar farms which can be found here: https://warren-washingtonida.com/wp-content/uploads/2018/07/June-2018-IDA-Board-Meeting-Minutes_0001.pdf. I have asked for any documents that might alter this Policy and none have been provided to date. Key in that Policy is the notion that it would be the Towns and not the WWIDA that would decide on how to handle a Solar proposal. 2 of the 3 affected taxing districts attended the PH and stated their reluctance to accept the proposed PILOT. The third had already stated in a letter to the developer and land owner that they were ready to negotiate, but never received a response. These local representatives had every reason to expect that their wishes would be respected. Also at the PH several key claims regarding the cost-benefit calculations were challenged and while some points were addressed, and found to be false or misleading, the document on the floor that contained those elements was not modified. After some debate, largely about whether or not the allegations of false, missing or misleading claims should be further examined or not rather than about the just stated local objections, a vote was taken and the unaltered PILOT agreement, as included in the attached PH notice, was adopted.

I can't even begin to explain how a cost-benefit ratio of 7.04% was determined (and neither could the Board) as when I pointed out the flaws at the public hearing (YT 36:00) and asked for an explanation I got nothing beyond that "this was the methodology we followed"(YT 57:30). Metaphorically speaking, that methodology added apples and oranges, which we were told yielded bananas. There has been no attempt to clarify that cost-benefit "methodology" I believe because it is indefensible. As there are no claimed jobs to be created and no new income streams, there clearly are no monetary benefits unless you assume that on a busy commercial thoroughfare and right next to a Walmart, there would be no other development on that lot. The owner of that lot has recently demonstrated to a judge that the lot is very valuable in a suit against the county and this should be examined. This analysis is a critical and mandatory element of any request for financial assistance per GMU § 859-a.

It is also stated on the spreadsheet presented to us at the Public hearing that there were zero dollars of "Other Public Funding", yet when questioned about that it was admitted that the State would be granting an exemption of 100% of their sales tax and there was no denial that the project would also take advantage of NYSERDA program funding and also the Federal 30% tax credit provisions. It should have been made more clear that in the end our taxes will not only pay for the bulk of the project cost, but that the project would then asked to be excused from paying their fair share of taxes to any of the taxing entities themselves, Federal, State or Local. Instead, it was clearly stated as zero on the PILOT agreement passed that day.

It was also stated at the PH that the original project cost estimate of roughly \$10,475,000 was increased to \$14,447,500 and duly noted as part of the questionable "benefit" calculation. However when figuring out the cost of the tax forgiveness that figure was not updated. With the updated figure the lost property taxes will increase by over 50%, meaning we will not be losing \$2.5 Million, but nearly \$4 Million. The assumed tax rates were not escalated over the 15 year period either, and even a modest 2% inflation rate would take that loss to well over \$4 Million. This is another example of how the document was and remains false and misleading in a meaningful way.

Even though there was discussion but no explanation of what was called a 'flawed' methodology in determining the cost-benefit of the project and also that the resolution on the floor stated that there was \$0 of "Other Public Funding" and that at minute 48, Carson Weinand stated that there was additional public funding from at least 3 other sources, and that neither that entry nor the cost-benefit calculation was changed prior to the vote that was taken and for that reason alone it can be stated that the resolution, as passed, knowingly contained false and misleading information.

Property Taxes Calculation										
YEAR	Land Value + Improvements	School Tax rate	School Full Taxes	County Tax rate	County Full Taxes	Town Tax rate	Town Full Taxes	Full Taxes	PILOT	net exemption
1	\$14,447,500	16.091	\$232,475	3.974	\$57,414	0.821	\$11,861	\$301,750	\$32,500	\$269,250
2	\$14,447,500	16.413	\$237,124	4.053	\$58,563	0.837	\$12,099	\$307,785	\$33,150	\$274,635
3	\$14,447,500	16.741	\$241,867	4.135	\$59,734	0.854	\$12,341	\$313,941	\$33,813	\$280,128
4	\$14,447,500	17.076	\$246,704	4.217	\$60,929	0.871	\$12,587	\$320,220	\$34,489	\$285,731
5	\$14,447,500	17.417	\$251,638	4.302	\$62,147	0.889	\$12,839	\$326,624	\$35,179	\$291,445
6	\$14,447,500	17.766	\$256,671	4.388	\$63,390	0.906	\$13,096	\$333,157	\$35,883	\$297,274
7	\$14,447,500	18.121	\$261,804	4.475	\$64,658	0.925	\$13,358	\$339,820	\$36,600	\$303,220
8	\$14,447,500	18.484	\$267,040	4.565	\$65,951	0.943	\$13,625	\$346,616	\$37,332	\$309,284
9	\$14,447,500	18.853	\$272,381	4.656	\$67,270	0.962	\$13,898	\$353,549	\$38,079	\$315,470
10	\$14,447,500	19.230	\$277,829	4.749	\$68,615	0.981	\$14,175	\$360,620	\$38,841	\$321,779
11	\$14,447,500	19.615	\$283,385	4.844	\$69,988	1.001	\$14,459	\$367,832	\$39,617	\$328,215
12	\$14,447,500	20.007	\$289,053	4.941	\$71,388	1.021	\$14,748	\$375,189	\$40,410	\$334,779
13	\$14,447,500	20.407	\$294,834	5.040	\$72,815	1.041	\$15,043	\$382,693	\$41,218	\$341,475
14	\$14,447,500	20.815	\$300,731	5.141	\$74,272	1.062	\$15,344	\$390,346	\$42,042	\$348,304
15	\$14,447,500	21.232	\$306,745	5.244	\$75,757	1.083	\$15,651	\$398,153	\$42,883	\$355,270
GTW 1/16/23			\$4,020,282		\$992,891		\$205,124	\$5,218,297	\$562,036	\$4,656,261
									WWIDA estimate at PH	\$2,549,417
									difference	\$2,106,844
									% difference	54.8 %
Local Benefits to CVE			Other Public Funding to CVE							
Property Taxes			\$4,656,261	4% State sales tax *			\$480,000	Total Public		
3% Sales Tax *			\$360,000	30% Federal Tax Credit			\$4,334,250	Funding		
Mortgage Tax			\$162,844	NYSERDA programs **			\$4,575,000	estimate		
estimates			\$5,179,105				\$9,389,250	\$14,568,355		

* Sales tax based on estimated \$12 Million in material costs

** NYSERDA adder based on 5 cents on 15*6.1M KWh

Regarding Costs and Benefits: As the project includes no new jobs, the only monetary benefit that has been put forward is that over 15 years the PILOT will produce \$562,036 more than the undeveloped land, but that assumes that the parcel, with direct access to Quaker Rd, a busy commercial artery, would not otherwise be developed in that time frame. Note there is an issue with comparing payments over 15 years time series need to be discounted by the inflation rate. I did add a modest inflationary adder to the tax rates which was ignored. The clear and immediate costs of sales and mortgage tax revenues are (local) \$522,844 plus (state) \$480,000. In addition, there are incentives from NYSERDA estimated at over \$4 Million and federal tax credit also greater than \$4 Million though the WWIDA has failed to pin these numbers down and I am forced to estimate here.

The following remedy applies.

**New York Consolidated Laws, General Municipal Law - GMU § 859-a.
Additional prerequisites to the provisions of financial assistance**

4.(i) a statement acknowledging that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of agency involvement in the project.

5. Each agency shall develop, and adopt by resolution, uniform criteria for the evaluation and selection for each category of projects for which financial assistance will be provided. At a minimum, the criteria shall require that, for each project, the following must occur prior to the approval of the provision of financial assistance:

(a) an assessment by the agency of all material information included in connection with the application for financial assistance, as necessary to afford a reasonable basis for the decision by the agency to provide financial assistance for the project;

(b) a written cost-benefit analysis by the agency that identifies the extent to which a project will create or retain permanent, private sector jobs; the estimated value of any tax exemptions to be provided; the amount of private sector investment generated or likely to be generated by the proposed project; the likelihood of accomplishing the proposed project in a timely fashion; and the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts; and any other public benefits that might occur as a result of the project;

Subsequent to the PH, several additional claims were found to be false..

Regarding claim that the 5MW system would reduce carbon by as much as 14,000 acres of forest:

Using conversion constants from <https://www.epa.gov/egrid/data-explorer> and <https://www.seia.org/initiatives/whats-megawatt>

A 5MW Solar Field in NY will generate 5×1.22 or about 6.1 Million KWh of electricity annually. Also that NY gas powered plants generate 839.57lbs of CO₂ per MWh and that the average forest sequesters 1.06×2200 lbs or about 2350 lbs of CO₂ per acre annually. Taken together, the proposed project would provide the same benefit as $840 \times 6100 / 2350$ or about 2,200 acres which is a far cry from the 14,000 acres claimed at the Public hearing (YT 7:50).

Regarding claim that the 5MW system would supply enough energy to power 10,000 cars:

Using conversion constants from <https://us.sunpower.com/blog/2022/05/05/how-many-solar-panels-do-i-need-charge-my-electric-car> and <https://www.seia.org/initiatives/whats-megawatt>

A 5MW Solar Field in NY will generate 5×1.22 or about 6.1 Million KWh of electricity annually. Also that a typical EV driving an average 14,000 miles a year will consume about 4666 KWh.

Taken together, the proposed project would power $6,100,000 / 4666$ or about 1,310 cars which is even a further cry from the claimed environmental benefit of 10,000 cars (YT 54:30).

In a private conversation with Mr. Barton, he stated that he had contacted CVE and that they admitted that their calculations were mistaken and the stated benefits were much higher than their revised calculations.

Also on its face this statement as recorded by the newspaper can be seen to be ridiculous.

Carson Weinand, senior business developer for CVE, said that a benefit of sustainable energy is that customers could save 10% of their monthly energy bill, and low-income residents could save up to \$50,000 over 25 years.

For that to be true, each 'low-income' resident would have to be saving \$2000 a year and therefore spending \$20,000 a year for electricity, every year for 25 years. And no one picks that up? No one??

It can be said that mistakes happen, but if these were honest mistakes you would expect just as many mistakes that make the project look unfavorable as favorable. When they are all in the same direction it looks to be fraudulent, or at least misleading.

And consider this <https://www.downtoearth.org.in/news/energy/china-to-dominate-95-of-solar-panel-supply-chain-83651> . China presently controls 80% of the Solar panel supply chain and its grip is increasing. These panels, which will be untaxed, are being produced in a country that is adding coal fired power plants faster than anywhere else in the world. <https://www.newscientist.com/article/2317274-china-is-building-more-than-half-of-the-worlds-new-coal-power-plants/> In a final piece of irony, that is what we are supporting.

While a work in progress and subject to change, please include this in the record of this meeting and consider this a request to correct any false or misleading content in the inducement agreement and vote on it again. If not corrected prior to 4/1/23, this is also to serve as a notice of claim per GMU-880.

G. Travis Whitehead PE 1/17/2023