

**Jefferson County Industrial Development Agency  
Alternative Energy Ad hoc Committee Meeting Minutes  
December 16, 2021**

**Present:** William Johnson, Chair; John Jennings, Christine Powers  
Zoom: Paul Warneck

**Excused:** None

**Also Present:** David Zembiec, Marshall Weir, Peggy Sampson, Jay Matteson, Ed Walldroff  
Zoom: Justin Miller, Esq.

- I. Call to Order:** Chair Johnson called the meeting to order at 11:02 a.m.
- II. Pledge of Allegiance**
- III. Update on Solar Projects** – Mr. Zembiec said that Black River Solar (Nexamp) reassignment request was considered and approved at the December board meeting because they were anxious to close on December 22<sup>nd</sup>. However, he said that we were informed recently that they will not close on that date nor even this month. They will inform us when they establish a new date.

Convergent (Norbut) ó Mr. Zembiec said that he and Mr. Weir have spoken to Valerie Rust from the Village of Chaumont over her concern for keeping the snowmobile trail open. Mr. Zembiec said that Mr. Norbut has given an easement to the Village for this year, but Mr. Zembiec noted that we would like to make sure its permanent since there has been an impact on businesses when it was closed last winter. Mr. Zembiec said Attorney Miller will contact the legal counsel for Convergent to see if they would provide a permanent trail easement if given a PILOT.

Mr. Zembiec said that he sent an email to Cammy Morrison, Superintendent at Lyme Central, explaining that the village is coming to the IDA looking for a PILOT for the project. He noted that we do not need the school to approve the PILOT. Mr. Warneck said that we don't want to ignore the school because they will be considering two projects that will be deviations. Mr. Zembiec will follow up with Ms. Morrison.

- IV. Fee Schedule** – Mr. Zembiec said that we are proposing to adjust our fee from 2% to 1.5% and will institute the annual administrative fees (\$1,000 for Lease-leaseback and \$1,500 for Renewable Energy projects). He said that other IDAs have a fee range between 1% and 1.25% and also have an administrative fee. Mr. Zembiec said that we are also proposing an \$2,000 fee for re-assignment of benefits to new ownership for all project types. Committee members agreed to the proposed fee schedule and recommended it to the full board for consideration.
- V. Renewable Energy Application information** – Mr. Zembiec said that we are proposing adding "community adder" to the renewable energy page in the application. Mr. Warneck suggested that we also add "community or market transition credit". All agreed.

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Mr. Warneck asked Attorney Miller if there is information on how to handle battery storage. Attorney Miller said that he has seen it treated like production side, but also seen an add-on formula to PILOT payments. Mr. Johnson said that it is an additional income stream.

Mr. Warneck said that he is concerned that taxing jurisdictions may not understand the 60-day response time they have when they receive notice on a project. He asked Attorney Miller if a project can send notice to the taxing jurisdictions before they receive zoning approval. Attorney Miller said yes. Mr. Warneck pointed out that the notices may get missed and suggested that we help educate the taxing jurisdictions.

- VI. Real Property (land values)** – Attorney Miller said that he sent a detailed message to the county attorney and Roxanne Burns at Jefferson County Real Property. He said that he would like to see outreach with local assessors to have uniform treatment of land values related to IDA PILOTs. He said that they aren't exempting land values and assign the PILOTs to improvements. Attorney Miller said that Mr. Eaton comes up with a value and is billing it, but noted that it should be the assessor doing that. He said that he would like to see if we can get caught up with projects that are already online.

Attorney Miller said that he is sending out PILOTs with RP-412a along with a survey to the taxing entities. Mr. Warneck said that maybe we should add a requirement in the application for a GIS shape file before closing occurs. He said that if there is an Ag exemption, then Soil and Water will need the GIS shape file. Mr. Matteson said that we should require shape files be sent to the Jefferson County Planning Department. Mr. Zembiec said that we will update the application.

- VII. Decommissioning** – Mr. Matteson mentioned the draft plan that he previously sent out that includes seven areas for municipalities to consider regarding decommissioning guidance. Mr. Matteson noted that the effort has blossomed beyond Jefferson County and indicated that the NY Farm Bureau adopted the guidelines. He said the committee will meet next week to finalize the plan and determine how to deploy it.

Mr. Matteson said that the guidance calls for an environmental monitor. He said that person will check the site up to two years after it is decommissioned to check for problems with drainage or fertility. Mr. Walldroff asked who is going to do it, who is going to pay for it, and will it get done. Mr. Matteson said the baseline should go into the project, the developer will hire the environmental monitor, and the environmental monitor will follow the decommissioning plan. He said that the municipality, developer and landowner should have the decommissioning plan.

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**VIII. Other/Unfinished Business:**

- 1. Host Community Agreements:** Mr. Zembiec asked if the committee wanted to discuss host community agreements for future renewable energy projects. Mr. Warneck said that he will look into and report back.
- 2. Deferiet Mill Site –** Mr. Zembiec said that we and the County have signed the MOU and it has been sent to NYSERDA to be executed. He said Phase I will begin and will help identify the strategy going forward. He noted that half of the site is developable.

Mr. Zembiec said that we may get to the point where the IDA will create an LDC to hold ownership.

- IX. Adjournment:** With no further business before the committee, Mr. Jennings made a motion to adjourn the meeting, seconded by Mr. Warneck. The meeting adjourned at 12:09 p.m.

Respectfully submitted,

*Peggy Sampson*