

**Jefferson County Industrial Development Agency
Alternative Energy Ad hoc Committee Meeting Minutes
April 28, 2025**

Present: Paul Warneck, Chair; William Johnson, John Condino

Absent: Dawn Robinson

Also Present: Marshall Weir, Lyle Eaton, Peggy Sampson, Robin Stephenson, Rob Aiken, Ryan Piche (Jefferson County Administrator)
Zoom: Rob Aliasso

I. Call to Order: Chair Warneck called the meeting to order at 2:45 p.m.

II. Discuss:

- a. UTEP discussion** – Chairman Warneck said we are here to come up with a uniform policy for how we are going to approach alternative energy projects moving forward to make it smoother and put us in a better position to make demands and after reading what Mr. Piche sent him from the Power Authority which talked about them purchasing projects, owning them and living up to existing PILOT agreements. He wondered what that means if they buy a project before there is a PILOT in place, and whether there will be a tax uniform approach with uniform payments coming to jurisdictions moving forward. He thinks this is an appropriate time to do this. Mr. Piche said not just for potential NYPA projects, because there are a few out there that have skirted the County's position altogether. He said that his vision would be that the IDA is the one-stop shop for solar companies that want to figure out what their taxes are going to be. He said that he and Mr. Johnson have been talking about this with the rest of the legislators and indicated that he had a conversation with the school superintendents recently. He said no one is really happy with how energy companies can go from jurisdiction to jurisdiction and negotiate separate deals. He thinks the County and the school districts (he is not sure about the town supervisors) feel that a better avenue would be something that draws them to the IDA for one deal that speaks for everybody.

Chairman Warneck said as long as they try to circumvent the IDA and attack one taxing jurisdiction and the state lets them get away with opting in and opting out all in a meeting, we're going to have problems. He thinks there are two options: 1) we stop doing PILOTs and force everything 487, which he thinks is a huge mistake, or 2) it's time for the County to think about getting out of 487 and that way if they don't come to us there is full taxation for the County which is less than 35%, schools are like 55%, so that may force them if the County's not in 487 where they are going to want to come to us because that's the only way they can get the County on board for a large chunk.

Jefferson County Industrial Development Agency
Alternative Energy Ad hoc Committee Meeting Minutes
April 28, 2025

Chairman Warneck asked if it is time to revisit our UTEP. He said he looks at us as a county agency and asked what the County wants us to do when it comes to tax exemptions because currently everyone agrees or there is no PILOT, but noted that it could be problematic going forward unless we will be willing to impose a PILOT. Mr. Piche said yes, we should impose a PILOT, in his opinion. He said he is new to Jefferson County and doesn't know how upsetting it would be. Chairman Warneck said that with previous legislators, we would be replaced. Mr. Piche said the towns have had no problem leaving us out, leaving school districts and the County to fend for themselves. Chairman Warneck said he doesn't have a problem with it as long as we are doing what the majority of the legislators want, but he wouldn't want to do it against elected officials because we are a tool for elected officials. He said the school has a problem with the tax cap. Mr. Piche said PILOTs can be structured in such a way that it's not a huge cliff for them. Mr. Weir said we do. Chairman Warneck said he is looking to Mr. Johnson for discussion of imposing PILOTs if the legislators think it is a way to move forward. Mr. Johnson is not so sure that it is as clear as yes, they want the IDA to take care of it. Mr. Piche said solar is one thing. Chairman Warneck said we have specific language for alternative energy projects in our UTEP. He said that we could accomplish it with Attorney Miller's help. Mr. Piche said his belief is that if you are not willing to impose then it is the same thing as inviting the developers to start picking us off one at a time. He said if a town is willing to talk to the developers, they will. The developer will go around and make a donation to the fire department and library and buy all the good will that they can and the school district and County will get whatever is left. Chairman Warneck said as long as we structure the amount they are paying and the distribution levels and he thinks what Mr. Piche is talking about is structuring a PILOT. He said it is going to be that the County and school will receive less up front and more at the end – the two that will have to make the biggest concessions to make a sliding scale. He said that imposing in the past is something this agency hasn't been faced with. Mr. Piche asked if each jurisdiction has to pass a resolution approving the PILOT. Chairman Warneck said only if it is a deviation. Mr. Piche said that they need to have more explicit conversations with the legislators and asked Mr. Johnson what he thought about it. Mr. Johnson said that we should move in that direction and agreed that they need to be brought up to speed.

Mr. Aliasso said that Attorney Miller made a compelling argument about why host community agreements aren't necessarily a terrible thing. He wants to make sure we address a host community benefit that it's either part of the pro rata distribution or outside of it for a particular purpose.

Mr. Aliasso left the meeting.

Ms. Sampson left the meeting.

Jefferson County Industrial Development Agency
Alternative Energy Ad hoc Committee Meeting Minutes
April 28, 2025

There was discussion on 487. Mr. Piche said the problem with it is, it's on us. He said if we miss the pitch for a second, the assumption is it's tax-exempt, which he said should never be the case. He said the assumption should always be that you have to pay some property tax - you are going to pay taxes unless we negotiate something else. Mr. Piche said that for host community agreements, the total tax benefit is being deducted.

Mr. Johnson said that he sat in a couple of classes with ORES, and they were promoting host community agreements for developers. Chairman Warneck said the ORES regulations require them to put a certain amount into a host community agreement.

Chairman Warneck said that we need to know from the County if they want us to redo our UTEP and give us the authority to remove the language that says all taxing jurisdictions have to agree to alternative energy projects. Mr. Piche said that his preference would be to find a lane where there is general buy-in is that the IDA is the place to go for solar projects. Chairman Warneck said you can't get a 487 deal with an IDA PILOT (with the IDA, it's all or nothing, and with 487, you can have a different deal with each jurisdiction). Mr. Piche asked if you can have a PILOT with the County and school and the town has full taxation. Chairman Warneck said yes, but pointed out that it needs to be specified in the PILOT agreement because the IDA takes title of the property through the lease leaseback and it goes on the tax roll which is driven by the PILOT.

Mr. Piche said that he can go back and talk to the legislators about imposing PILOTs. He said that even if we don't impose, as long as there is a strong rule of thumb when you have the one-offs that don't want to play ball, but they shouldn't be able to ruin it for everybody. Chairman Warneck said he thinks we can structure the UTEP where we don't say we are going to impose but we take out the language.

Chairman Warneck asked Mr. Piche what he thinks about the County opting out of 487 so they don't end up being missed. Mr. Piche said there has to be more of a regional approach to siting and getting engaged in the land use element, making sure these guys are playing by the right rules, doing things the way we want them to do things, following all of the best practices that are out there. He said that having them come to the IDA guarantees that we have a clearinghouse for each of the projects and that we are checking the boxes because they are not going to get a deal, and we are not going to sign off if they are doing irresponsible things. Mr. Condino said more jurisdictions have begun to understand that their planning boards are not equipped to deal with solar developers. Mr. Piche said even with placement, that gives us the final hammer on location.

Jefferson County Industrial Development Agency
Alternative Energy Ad hoc Committee Meeting Minutes
April 28, 2025

Chairman Warneck mentioned a meeting at the rift camp several years ago when Greg Gardner talked about identifying where the logical places they will go because of distribution and where in that logical distribution do we want them and not want them and push them to an area that would not have an impact on agriculture nor the environment. Mr. Piche said that both St. Lawrence and Lewis counties have already done that. He said they have a map on their website and submitted them to ORES, which is already forcing projects to shift around based on preferred solar areas.

Chairman Warneck asked Mr. Piche how we deal with NYPA and what is coming if they start purchasing projects. Mr. Piche indicated that they said they would do a tax deal for us.

Chairman Warneck asked if we should have a preliminary conversation with Boralex or Riverside (AES). Mr. Piche said that we should be making the first contact anytime we hear about a solar project. Mr. Weir agreed. Chairman Warneck asked Mr. Piche what he would like us to do. Mr. Piche said to bring them all in and let them know that if they want a tax deal, then they have to deal with us. He doesn't want the towns to start panicking. He said that he may need to talk with the county's counsel to get legal advice about opting out of 487. Chairman Warneck said that we should draft a letter to send out to developers stating that any PILOT tax agreement for County purposes will have to be negotiated through the IDA.

Mr. Weir said that he received a letter from the Village of Black River informing him that the Village declined and disapproved of the Honeyridge Solar Project. They said they are not in favor of the proposed PILOT. Mr. Weir said he talked with them to tell them that we do not have an application for this project. Mr. Piche asked how many megawatts are being proposed. Mr. Weir said 100MW. Mr. Piche said that even though it is going to ORES, if our position is town, school and county united – you are not going to get a tax deal unless you think about the size the scope the location; he said that we have some ability to stay in the game a little bit. Mr. Weir said there is no infrastructure, and it is next to a scenic byway, with a lot of exposure. Mr. Condino asked if they had already submitted to ORES. Mr. Weir said yes. Mr. Piche said this is another example as the county as a whole is reasonable about we have other solar projects going on right now, its not that we don't like solar, its this particular one we find particularly offensive and much more likelihood of making an actual impact with ORES is you have something to prove that or something to work with, which he said is a county planning responsibility. He said that we do need to have some overarching Jefferson County regional approach to solar.

**Jefferson County Industrial Development Agency
Alternative Energy Ad hoc Committee Meeting Minutes
April 28, 2025**

Mr. Piche said that the takeaway for today is that this committee could convene again next month. He said the county has a upcoming meeting and they need to make sure that there is better understanding on the whole idea of imposing a PILOT versus not. He said the thinks solar is different than an industrial PILOT. This is something that is truly a county-wide strategy. He said for solar it doesn't bother him to impose but it doesn't mean we have to impose on every single project. Chairman Warneck said even imposing is going to be the last gap; everything else would be exhausted. Mr. Piche said there is a lot in this for the IDA, and the revenue potential is huge. Chairman Warneck said the revenue is not worth approving a poor project. Mr. Piche agreed. Mr. Piche said that they will come back with a more cohesive direction in terms of imposing a PILOT but suggested the IDA take a stab at some language that leaves the door open. He said they will also talk about 487.

Chairman Warneck thinks we are ahead of the game with NYPA because that is the only way they are going to come close to what the State is requiring by 2030.

Chairman Warneck suggested sending a letter to AES first to get them in to talk about what they are thinking.

Mr. Condino said this agency needs to be more aggressive. He said we need to be reaching out early on and letting them know that they will be dealing with us.

III. Other/Unfinished Business: None.

IV. Adjournment: With no further business before the committee, Mr. Condino made a motion to adjourn the meeting, seconded by Mr. Johnson. The meeting was adjourned at 4:05 p.m.

Respectfully submitted,

Peggy Sampson