



**REGULAR MEETING OF THE
TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY**

*110 Bracken Road
Montgomery, New York 12549
www.montgomeryida.com
(845) 457-2600
Tuesday, March 21 2023*

AGENDA (*Draft Agenda Subject to Change)
1:00 PM

- 1. Call to Order and Declaration of Quorum**
- 2. Approval of the February 14, 2023 Meeting Minutes**
- 3. Public Comment on Items on the Agenda**
- 4. Audit Report Consideration for Approval- Jeffrey Shaver, PKF O'Connor Davies**
- 5. Board Authorization for Executive Director to file PARIS report**
- 6. NYSERDA Presentation**
- 7. Public Hearing- Revised UTEP Policy Discussion**
- 8. Executive Director's Report**
- 9. Financial Report**
- 10. Other Business**
 - Debit Card and Bank Account Online Viewing Authorization
 - Ethics Disclosure Letters
 - Governance Committee is scheduled for Tuesday, April 11 at 12:30 p.m.
- 11. Adjournment**
- 12. Next Regular Board Meeting Scheduled for Tuesday, April 11**

The meeting shall be live-streamed and be available for viewing at the following sites:

<https://www.facebook.com/TownofMontgomeryOfficial/>



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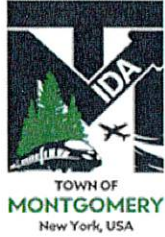
AGENDA (*Draft Agenda Subject to Change)

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 - Debit Card and Bank Account Online Viewing Authorization
 - Ethics Disclosure Letters
 - Board Consideration for Reimbursement Request
 - Governance Committee is scheduled for Tuesday, April 11 at 12:30 p.m.
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TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY
MEETING MINUTES

TUESDAY FEBRUARY 14, 2023 – 1:00pm

MONTGOMERY TOWN HALL

110 BRACKEN ROAD MONTGOMERY, NY 12549

PRESENT:

Jeffrey D. Crist, Chairman
J. Thomas Jones, Second Vice Chairman
Matthew Stoddard, Treasurer
John Dickson, First Vice Chairman
George DeClue, Member
Felicia Kalan, Executive Director TOMIDA
Ashley Torre, Naughton & Torre, TOMIDA Counsel
Lauren Rowley, Secretary TOMIDA
Billy Ibberson, Livestream Services, Acquisitions Marketing
Danielle Christian, Stenographer, Associated Reporters

ABSENT:

NOTE: Conference Call Line – No calls

AGENDA

- 1) Call to Order and Declaration of Quorum
 - 2) Approval of the January 10, 2023 Meeting Minutes
 - 3) Public Comment on Items on the Agenda
 - 4) Public Hearing – Milk Factory, LLC
 - 5) Public Hearing – KCE NY 2, LLC
 - 6) Revised UTEP Policy Discussion
 - 7) Executive Director's Report
 - 8) Financial Report
 - 9) Procurement Request Discussion and Consideration for Approval
 - 10) Other Business
 - a) March Board Meeting Date Discussion
 - b) Debit Card Authorization
 - 11) Adjournment
 - 12) Next Meeting Scheduled for March 21, 2023
-

MEETING

- 1) Jeffrey D. Crist called the meeting to order and introduced board members and others in attendance. A quorum was present.
- 2) A motion was made by John Dickson to approve the January 10, 2023 meeting minutes, which was seconded by George DeClue. All board members were in favor, none opposed.
- 3) There was no public comment.
- 4) Public Hearing- Milk Factory, LLC - Please see transcript of Public Hearing which are attached to these minutes and were done by Danielle Christian, stenographer.
- 5) Public Hearing- KCE NY 2, LLC – Please see transcript of Public Hearing which are attached to these minutes and done by Danielle Christian, stenographer.
- 5a) Jeffrey D. Crist started the discussion on the March 2023 meeting date as it impacts the next agenda item, Revised UTEP Policy Discussion, which requires a public hearing with 30-days notice. The originally scheduled meeting date of March 14, 2023 would only be 28 days away so the following Tuesday, March 21, 2023, is being suggested. A motion was made by John Dickson to move the meeting to March 21, 2023, which was seconded by George DeClue. All board members were in favor, none opposed.
- 6) Jeffrey D. Crist asked everyone to reference the revised draft in their board packets as Felicia Kalan went over the redlined changes.

Felicia Kalan stated that under the 'Technology and Advanced Manufacturing Schedule,' the word 'science' was added so it now reads 'Science and Technology Projects.' The phrase 'emerging industries' was also added. Under the 'Ten Year Schedule,' 'affordable housing' and 'mixed-use development' were added. Under 'Adaptive Reuse of Facilities,' the 'Percent of Exemption' amounts in the schedule were updated. These changes were modeled after the Orange County IDA and how they do their projects because we want to encourage adaptive reuse projects in the Town of Montgomery. Under 'Solar and Small Energy Projects' the word 'small' was taken out and 'energy storage' was also added. The last change was a procedural change to offer further guidance on what to do when there is a noncompliance event so it is clearly spelled out what to do. Ashley Torre had provided language that should be added. Felicia Kalan stated that those were the proposed changes and asked for any other suggested changes or comments.

Ashley Torre made a comment regarding the housing project that came before the IDA about a year or so ago that it's not so much that mixed use would be an issue, but something that is purely residential and non-rental units cannot receive IDA benefits.

Jeffrey D. Crist referenced a training that he and Felicia Kalan attended that eluded to broadening the language and the importance of having people to fill jobs and needing places for those people to live, and that the scope of incentives for housing has changed.

J. Thomas Jones asked what the thought was between differentiating what housing authorities can do to offer incentives for housing versus IDA's.

Felicia Kalan stated that if a company is coming and building they want to know if there is some kind of workforce housing available. It was a good question about what jurisdiction the MIDA does have and who is it more appropriate for to take on a project like that. A caveat to that would be mixed-use development that also considers affordable housing and the IDA could be a part of that discussion.

Jeffrey D. Crist asked if there were any other comments on the UTEP policy.

J. Thomas Jones commented that the Percent of Exemption for the adaptive reuse is now more favorable than the Fifteen-Year Schedule and was curious what the reasoning for that was.

Felicia Kalan stated that the Fifteen-Year Schedule stayed the same. In talking to other IDAs about how they do their schedules, many developers care most about the first 3-5 years because that is typically their "make or break" time. The adaptive reuse projects tend to have to go through much more of a process than a typical project including following certain requirements (i.e. historical) so further incentivizing those projects could be a good thing.

J. Thomas Jones suggested that the Montgomery IDA fact find a little over the next twelve months and track the long term job creation, see which historical projects benefit us in the longest term, and make sure the incentives are really aligned with the cost.

George DeClue stated that adaptive reuse has more risk involved as it is less easy to predict what your costs are going to be and used the Milk Factory as an example.

Matt Stoddard asked if the Montgomery IDA's schedules mimic Orange County.

Felicia Kalan stated that the adaptive reuse is similar, but Orange County only has two schedules and then uses a scoring system so it isn't exactly 'apples to apples,' but the updated adaptive reuse schedule does closely mimic their most favorable schedule.

Jeffrey D. Crist asked Ashley Torre if these changes discussed today are significant enough to require the process of a public hearing.

Ashley Torre stated yes, that she believed so.

Jeffrey D. Crist asked if other ideas that may be presented between now and the public hearing could be incorporated into the UTEP for the public hearing.

Ashley Torre stated yes, comments from the public, taxing jurisdictions and others can definitely be incorporated.

Jeffrey D. Crist asked if the board would be able to vote on the changes once the public hearing was closed at the March 21st meeting.

Ashley Torre stated that it will really depend where the board stands on the changes and also how extensive public comments may be.

J. Thomas Jones just stated that public perception is important to keep in mind when we are making changes to the UTEP Policy that may also apply to existing projects.

Matt Stoddard wondered if Montgomery IDA's UTEP is "easier" than the Orange County IDA.

Felicia Kalan stated that it could be perceived that it is easier to go through the Orange County IDA than Montgomery.

Matt Stoddard just stated that he doesn't want to see developers skipping the Montgomery IDA and going to the Orange County IDA.

Jeffrey D. Crist stated that he and Felicia Kalan have reviewed Orange County's UTEP and they feel we are on a pretty even playing field.

Jeffrey D. Crist asked Ashley Torre to read the resolution.

Ashley Torre stated that this is a resolution authorizing the Montgomery IDA to hold a public hearing on March 21, 2023 at 1pm at town hall to consider amendments to the UTEP policy and also authorizing Chair, Vice-Chair, or Executive Director to send the required notices to taxing jurisdictions. Notices will also go to the public by publishing the notice in the paper and online as well.

A motion was made by John Dickson to accept the resolution, which was seconded by George DeClue. Jeffrey D. Crist just added that the resolution should state 1pm or soon thereafter. Vote was made by roll call.

John Dickson	Voting	Aye
Matthew Stoddard	Voting	Aye
Robert Santo	Voting	Absent
George DeClue	Voting	Aye

J. Thomas Jones	Voting	Aye
Jeffrey Crist	Voting	Aye

- 7) Felicia Kalan gave her executive director's report to the board. (Attached.)
- 8) Matthew Stoddard read the financial report to the board. (Attached.) A motion was made by J. Thomas Jones to approve the financial report, which was seconded by George DeClue. All board members were in favor, none opposed.
- 9) Felicia Kalan shared the first procurement memo for an event to be on April 27, 2023 at Pleasantly Devine Stables and co-hosted with the Business Council of Greater Montgomery. It would be targeted to small business and people in the community to let them know more about the Montgomery IDA. If this goes through we would reimburse the food and venue cost. A motion was made by John Dickson to approve a sponsorship of up to \$2,500 for this event, which was seconded by George DeClue. All board members were in favor, none opposed.

Felicia Kalan shared the second procurement memo for the EDC conference in March, which would be a reimbursement of \$225 to Felicia. A motion was made by Matt Stoddard to approve this memo, which was seconded by John Dickson. All board members were in favor, none opposed.

Felicia Kalan shared that the Montgomery IDA is issuing the first reimbursement for November/December salaries, health benefits, and insurance to the town.

10a) The date of the March meeting was previously discussed and set for March 21, 2023.

10b) Jeffrey D. Crist shared that checks are not always an acceptable form of payment to vendors and that some type of debit/credit card is now necessary. Examples he shared where checks have been problematic are the email transfer to Google and certain conference registrations.

Ashley Torre suggested that we speak with the bank about the benefits of a debit versus a credit card. We would also need to draw up a policy for usage of the card- when the card can be used, who is authorized, etc.

J. Thomas Jones suggested creating a separate petty cash account with a balance of up to \$2,500 that a debit card is tied to.

John Dickson stated that we should use the debit card when necessary, but still predominantly use checks.

Jeffrey D. Crist suggested that Ashley prepare a policy for usage of the card and he will investigate the debit versus credit card further with the bank.

- 10c) Felicia Kalan shared that a request to sign a Termination & Release of Easement was received from the Village of Maybrook.

Ashley Torre stated that her firm is conflicted out of this as they represent the village and she has to recuse her firm from advising the Montgomery IDA on signing it. She reminded everyone that there were talks previously of appointing a new conflicts counsel.

Felicia Kalan advised that she has spoken with Will Frank from Blustein, Shapiro, Frank & Barone and he is willing to act as conflicts attorney for the Montgomery IDA going forward.

A motion was made by Matt Stoddard to appoint Blustein, Shapiro, Frank & Barone as the conflicts attorney going forward, which was seconded by John Dickson. All board members were in favor, none opposed.

Jeffrey D. Crist asked for a motion to approve executing the Termination & Release of Easement on the condition that Will Frank concedes that it's appropriate. A motion was made by George DeClue, which was seconded by John Dickson. All board members were in favor, none opposed.

- 11) John Dickson made a motion to adjourn the meeting, which was seconded by George DeClue. All board members were in favor, none opposed.

These minutes were transcribed by Lauren Rowley, Secretary of the Town of Montgomery IDA.

2/14/2023 - Milk Factory, LLC - Public Hearing
STATE OF NEW YORK

In the Matter of MILK FACTORY, LLC
Application to the Montgomery I.D.A.

PUBLIC HEARING

DATE: February 14, 2023

TIME: 1:04 p.m. to 1:09 p.m.

LOCATION: Montgomery Town Hall

Industrial Development Agency

110 Bracken Road

Montgomery, New York

BEFORE: CHAIRMAN JEFFREY D. CRIST

ALSO PRESENT:

JOHN DICKSON, Vice Chair

ROBERT SANTO, Board Member

FELICIA KALAN, Board Member/Director

J. THOMAS JONES, Board Member

GEORGE DECLUE, Board Member

MATTHEW P. STODDARD, Board Member/ Treasurer

MIKE CARELLA, Key Capture

ASHLEY W. TORRE, Agency Counsel

Reported by Danielle Christian

1 2/14/2023 - Milk Factory, LLC - Public Hearing

2 (The hearing commenced at 1:04 p.m.)

3 CHAIRMAN CRIST: This is a
4 continuation of the public hearing which began on
5 December 13th, 2022 I believe and Felicia, do you
6 have any updates for us on that project?

7 MS. KALAN: Sure, I can give a few
8 updates. The Milk Factory is obviously going through
9 the Planning Board process and they did have an
10 initial public hearing. Their next public hearing is
11 scheduled for February 27th with the Planning Board.

12 They are undergoing some Shippo
13 (phonetic spelling) requirement changes to their
14 project, to the design of the project and that's kind
15 of the hold up right now. So as soon as they get
16 through Shippo, the Planning Board would move forward
17 and we'd hope that that process would be done by the
18 end of April, we're kind of speculating. So just a
19 quick update there. That's all I have for you,
20 Chairman.

21 CHAIRMAN CRIST: And any comments from
22 the public? Not seeing any public here, I'm guessing
23 not. Any comments from Board members? Tom Jones.

24 MR. JONES: Felicia, just wondering --

25 MS. KALAN: Yes?

1 2/14/2023 - Milk Factory, LLC - Public Hearing

2 MR. JONES: -- did you hear any
3 changes on the schedule of the project?

4 MS. KALAN: For --

5 MR. JONES: It's approximate
6 completion.

7 MS. KALAN: I haven't, but I know that
8 they might be a little behind because of the process
9 with the Planning Board. I know that there are --
10 there's kind of certain requirements they have to do,
11 approvals before they can move forward with something
12 because I do know that from our tour, they are using
13 that facility for some storage and things like that.
14 But I think some of the construction is -- is a -- is
15 a bit stalled at the moment.

16 CHAIRMAN CRIST: Any other comments
17 from the Board? Maybe I missed it, Felicia, but I
18 think they're working with Shippo?

19 MS. KALAN: Yes. So there's some
20 issues with Shippo requirements, they want to make
21 changes to the -- to the design of the project,
22 specifically the roof and there's some solar panels.
23 So anyway, we -- we are waiting for them to respond
24 to Shippo so that the process can move forward and
25 there are kind of in -- internal discussion for that.

1 2/14/2023 - Milk Factory, LLC - Public Hearing
2 So hopefully that will move forward and we can close
3 on that project soon or vote on the project.

4 CHAIRMAN CRIST: Yeah, well close the
5 public hearing first and then --

6 MS. KALAN: Yes, exactly.

7 CHAIRMAN CRIST: -- consider the
8 project for approval. And it's my understanding from
9 Felicia's discussion with the Applicant, specifically
10 Noah, they probably won't be ready to continue the
11 public hearing process until May 9th. Does that make
12 sense or should we schedule --

13 MS. KALAN: Right, or --

14 CHAIRMAN CRIST: -- for April?

15 MS. KALAN: I think April with the
16 hopes that --

17 CHAIRMAN CRIST: Okay.

18 MS. KALAN: -- everything would be
19 done with the Planning Board at the end of April. So
20 if that's a good timeline for you to close up the
21 public hearing, you know, if there's no other large
22 changes to the project or other issues that come up.

23 MS. TORRE: Would that be in May,
24 because you said they'll likely or they're
25 anticipating being done at the Planning Board the end

1 2/14/2023 - Milk Factory, LLC - Public Hearing
2 of April?

3 MS. KALAN: Right, right. So our
4 public hearing can still stay open and then we can
5 close it after that, correct?

6 CHAIRMAN CRIST: Yeah.

7 MS. KALAN: Or we have to wait for
8 Planning Board --

9 CHAIRMAN CRIST: The --

10 MS. KALAN: -- to close --

11 MS. TORRE: So the Planning Board's
12 the -- the lead agency, so you certainly have to wait
13 for them to complete the SEQAR process before you
14 could vote on anything --

15 MS. KALAN: Right.

16 MS. TORRE: -- that you've been -- I
17 think in the past you usually keep your public
18 hearings open until there's a resolution at the
19 Planning Board level --

20 MS. KALAN: Got it.

21 MS. TORRE: -- because there are
22 changes to the project or --

23 MS. KALAN: Okay.

24 MS. TORRE: -- or things like that.

25 MS. KALAN: Got it. May might be a

1 2/14/2023 - Milk Factory, LLC - Public Hearing

2 little safer, but I don't want to delay --

3 CHAIRMAN CRIST: I don't think there's
4 any harm done to reconvene the public hearing on
5 April 11th --

6 MS. TORRE: And then you could always
7 --

8 CHAIRMAN CRIST: -- recognizing we
9 might very well need to continue it again to our May
10 9th meeting. So I would ask for a vote to adjourn
11 the public hearing for Milk Factory today and
12 reconvene on the 11th of April, did I work that well
13 enough?

14 MS. TORRE: Perfect.

15 CHAIRMAN CRIST: Okay. Would anyone
16 care --

17 MR. STODDARD: Motion.

18 CHAIRMAN CRIST: Motion by Matt
19 Stoddard, second to that motion, John Dickson. Other
20 discussion? Being none, all in favor please say aye.

21 ALL: Aye.

22 CHAIRMAN CRIST: Opposed, the same.
23 We have five in favor and nobody opposed.

24 (The hearing concluded at 1:09 p.m.)

25

1 2/14/2023 - Milk Factory, LLC - Public Hearing

2 STATE OF NEW YORK

3 I, DANIELLE CHRISTIAN, do hereby certify that the
4 foregoing was reported by me, in the cause, at the time
5 and place, as stated in the caption hereto, at Page 1
6 hereof; that the foregoing typewritten transcription
7 consisting of pages 1 through 6, is a true record of all
8 proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 22nd day of February, 2023.

11

12 DANIELLE CHRISTIAN, reporter

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2/14/2023 - KCE NY 2 - Public Hearing
STATE OF NEW YORK

In the Matter of KCE NY 2, LLC
Application to the Montgomery I.D.A.

PUBLIC HEARING

DATE: February 14, 2023

TIME: 1:09 p.m. to 1:24 p.m.

LOCATION: Montgomery Town Hall

Industrial Development Agency

110 Bracken Road

Montgomery, New York

BEFORE: CHAIRMAN JEFFREY D. CRIST

ALSO PRESENT:

JOHN DICKSON, Vice Chair

ROBERT SANTO, Board Member

FELICIA KALAN, Board Member/Director

J. THOMAS JONES, Board Member

GEORGE DECLUE, Board Member

MATTHEW STODDARD, Board Member/Treasurer

MIKE CARELLA, Key Capture

ASHLEY TORRE, Agency Counsel

Reported by Danielle Christian

1 2/14/2023 - KCE NY 2 - Public Hearing

2 (The hearing commenced at 1:09 p.m.)

3 CHAIRMAN CRIST: The continuation of
4 the public hearing for KCE, K.C.E. New York Two, it's
5 the Battery Storage Project that was also an open
6 public hearing in December 2022. I welcome Mike --
7 Mike Carerra (phonetic spelling) here from the
8 Project and I would ask Mike to update us with
9 anything pertinent to our thought process and
10 deliberations. Mike?

11 MR. CARERRA: Sure. Thank -- thank
12 you. Yeah, I'll be -- I'll be short. We -- you
13 know, we heard some concerns from the public and we
14 are currently working to address those concerns. So
15 we haven't made any progress with the town -- with
16 the Planning Board just yet, but intend to in -- in
17 the coming weeks.

18 CHAIRMAN CRIST: Very good. And is
19 there some changes that are taking place with the
20 Project?

21 MR. CARERRA: We -- we are -- yeah, I
22 mean due -- due to the public comment and, you know,
23 what we've heard from the public, again, we're --
24 we're trying to accommodate some of the concerns that
25 -- that were expressed. So yes, that -- that entails

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2 some potential changes and, you know, these -- these
3 are complex systems which, if you make one change, it
4 can -- it has kind of a cascading effect where you
5 need to make a lot of changes and especially for the
6 reports and studies that are required for the
7 Planning Board, we need to update those. So it's --
8 it's a pretty comprehensive process, so we're in --
9 in the midst of that now.

10 CHAIRMAN CRIST: Very good. Questions
11 for Mike? You good, Tom? Go ahead.

12 MR. JONES: Yeah, just a quick
13 question. Mike, I'm just curious, what's the
14 projected pricing schedule or changes on the
15 batteries at this point, because I knew they were
16 going through severe escalation previously, have they
17 leveled off, are they coming down, continuing to grow
18 --

19 MR. CARERRA: More --

20 MR. JONES: -- and would they --

21 MR. CARERRA: More recently -- so
22 they're still going up after -- for -- for ten years
23 it was going down, you know, much similar -- if
24 you've heard about solar or wind, there was a
25 precipitous drop off for ten years and then they --

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2 and they have come back up and now it's more and more
3 at a plateau right now. There's -- there's a lot of
4 compete -- competition for the batteries with the
5 Inflation Reduction Act that was just passed, so, you
6 know, these -- these batteries, as I said before,
7 they're the same batteries that go into electric
8 vehicles. There's also other -- many other
9 stationary storage projects that are going up all
10 over the nation, whether it's coupled with renewable
11 energy or stand alone, like our project. So a lot of
12 demand and, you know, the same supply chain issues
13 that -- that everyone has felt, you know, for many of
14 the products. So right now it's -- it's more of a
15 plateau from what we've -- we we were seeing a few
16 months ago.

17 CHAIRMAN CRIST: Anybody else? I was
18 wondering, Mike, if you would just briefly review,
19 since at the opening of the public hearing in
20 December, like you just referred to, there was quite
21 a few negative comments and concerns. But if you
22 could briefly review the benefits of battery storage
23 related to energy and power plants and reliability of
24 electricity in our area.

25 MR. CARERRA: Sure, absolutely. So,

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2 you know, the electric grid is a pretty complex thing
3 that we -- I think a lot of people take for granted,
4 but the -- boiling it down to --

5 UNIDENTIFIED SPEAKER: Turn your mike
6 on.

7 MR. CARERRA: Oh. To -- to a very
8 simple concept is supply always needs to -- sorry --
9 so yes, supply always needs to equal demand. So as
10 demand is going up and down, supply needs to follow
11 that and, you know, historically when we had all
12 dispatchable power, all fossil fuel, nuclear hydro,
13 it was a little easier to ramp up and ramp down to
14 follow that demand.

15 Now that we have more intermittent
16 resources in the form of solar and wind, which
17 sometimes are full bore and then they drop off, you
18 know, like that, it's very important to have fast
19 acting supply or even demand sometimes on the grid
20 and that's exactly what these -- what -- what these
21 battery storage units can do. They can respond in a
22 millisecond, I mean they're really faster than any
23 other resource that's on the grid.

24 In addition to, you know, just the
25 benefits from the grid side, we are entering into a

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2 Pilot Agreement, so that's a thousand dollars per
3 megawatt that would go to the I.D.A. and distribute
4 to the town, county, however -- however it is
5 distributed. And -- and also, we would be doing a
6 Host Community Agreement in the amount of five
7 hundred dollars per megawatt and that will go
8 straight to the town.

9 CHAIRMAN CRIST: And the Host
10 Community Agreement is not a requirement of our
11 process, but certainly viewed as a benefit to the
12 community and can weigh in with our cost benefit
13 analysis.

14 MR. CARERRA: Right.

15 CHAIRMAN CRIST: That's helpful. I
16 hadn't thought of batteries almost like a shock
17 absorber on the grid, is that a --

18 MR. CARERRA: Exactly.

19 CHAIRMAN CRIST: -- good way to term
20 it?

21 MR. JONES: Just --

22 CHAIRMAN CRIST: Tom?

23 MR. JONES: Yeah, just to go along
24 with these questions, so can you confirm whether or
25 not the system can now discriminate as far as sending

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2 power to the local community over -- and prioritize
3 it versus going Downstate? Because before, I think
4 the last time you covered it, you said there was no
5 way to actually ensure --

6 MR. CARERRA: Yeah --

7 MR. JONES: -- that this community,
8 the Town of Montgomery, was actually prioritized in
9 energy distribution.

10 MR. CARERRA: So unfortunately the
11 way, you know, the way the grid works is, it's kind
12 of a bathtub --

13 MR. JONES: A hundred percent,
14 understood.

15 MR. CARERRA: -- is the analogy, so
16 you put water in and then there's many drains in the
17 form of people pulling power. So it's not -- it's
18 not that clear, but Ohm's Law is a -- a -- a physics
19 law for electricity which an electron will follow the
20 path of least resistance. So presumably if we're
21 putting power on the grid that's in the community of
22 Montgomery, then the residence of Montgomery are
23 going to use that power. Unfortunately there's no
24 way to trace each individual electron.

25 MR. JONES: But yeah, that's assuming

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2 it's this Town's experience in the deficiency in
3 energy.

4 MR. CARERRA: Yeah or just the load at
5 the time.

6 MR. JONES: Understood. And then the
7 other thing too is, is there anything that you're
8 doing to partner -- to increase the use of solar and
9 doing any direct storage of solar alternative
10 energies with your facility or is it just --
11 generally just pulling energy off the grid through
12 the combined sources?

13 MR. CARERRA: So that's a good
14 question, you know, where a lot of these projects are
15 paired with solar, this one is not. But the way, you
16 know, getting back to kind of the intermittency of
17 renewables, that is really fundamentally changing the
18 way the grid is and the way the -- the market is.
19 And so, I mean if you look at places that are a
20 little bit further along in the proliferation of --
21 or -- or the development of renewable projects like
22 California, in the middle of the day, their power
23 prices go to zero or close to because there's so much
24 solar on the grid. And it's in the afternoon hours,
25 in the early evening and afternoon hours, when the

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2 prices start to go -- go up very quickly. And, you
3 know, we -- while, you know, this isn't California so
4 there are some different dynamics here, so I don't
5 know if it's going to follow that exact market
6 dynamic, but the way the batteries respond a lot of
7 times in California is they're charging in the middle
8 of the day when there is excess solar because that
9 drives the price down and then discharging when
10 there's no solar or as the suns coming down.

11 So it's not a direct relationship with
12 wind and solar, but I would say it's a very closely
13 correlated in direct relationship because as there's
14 more renewables that are on the system, they, you
15 know, the -- the issue with them is that they're
16 passive and they're going to generate when they
17 generate. And so as there's more and more solar,
18 that's going to bring the price down which is when
19 we're going to charge. And then as there's no -- as
20 there's no solar on the system, that's when we would
21 discharge.

22 MR. JONES: And have you been able to
23 reconsider or rethink the approach to putting full-
24 time employment on the site?

25 MR. CARERRA: Full-time employment?

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2 MR. JONES: Full-time employment,
3 yeah, local employment on the site?

4 MR. CARERRA: So we -- you know, so
5 we'll have a few O and M providers and then we have
6 in-house, you know, in our office in Albany. We have
7 a commissioning team and an M and M team and they
8 would probably be servicing this site, it's an hour-
9 and-a-half away. So that would be, from our
10 perspective, you know, from -- from the K.C.E. --
11 from the Key Capture Energy and then, you know, we
12 will have specialists that will be working with a
13 gen-tie-line with high voltage equipment. We'll
14 have, you know, the battery provider will be coming
15 in maybe quarterly or, you know, semi-annually to --
16 to work with and check on the system itself.

17 MR. JONES: Thank you.

18 MR. DICKSON: If I may?

19 CHAIRMAN CRIST: John?

20 MR. DICKSON: I was just wondering,
21 let's say we have a total power outage like has
22 happened, how long would the batteries last?

23 MR. CARERRA: Depends on how much
24 they're charged. So we have two --

25 MR. DICKSON: All right. Let's say

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2 they're a hundred percent charged, all of them and
3 the power went out, how long --

4 MR. CARERRA: Well then it depends on
5 how much you want to -- what power you want to
6 discharge at, what load you want to serve.

7 MR. DICKSON: Oh.

8 MR. CARERRA: Because we have -- so
9 right now we -- we have a hundred and sixty-nine
10 megawatts, now -- right now the projected system is a
11 hundred and sixty-nine megawatts, two -- two hours.
12 So if it was fully charged, it could discharge a
13 hundred and sixty-nine megawatts for two hours.

14 MR. DICKSON: Okay.

15 MR. CARERRA: But if there was, you
16 know, let's say there was a ten megawatt load that
17 was seen as a critical load, we could serve that for
18 almost seventeen hours, right? We could throttle the
19 power and then -- and then, you know, the capacity
20 would last longer.

21 MR. DICKSON: So you could -- you
22 could like -- things that are crucial, you could
23 still power longer instead of powering everything.

24 MR. CARERRA: Exactly, yeah, if there
25 was a -- if -- yeah.

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2 MR. DICKSON: Okay. Thank you.

3 CHAIRMAN CRIST: Interesting question
4 and answer. Anything else, Board members? Felicia,
5 you good?

6 MS. KALAN: No, I would just -- I just
7 wanted to thank you, Mike and John, I think that was
8 a good point because if there was a natural disaster
9 -- have you seen other examples in other areas where
10 there was a natural disaster and then battery storage
11 was then used to help power hospitals, for example?

12 MR. CARERRA: Well certainly, yeah, I
13 mean, you know, hospitals have -- have battery backup
14 on, you know, on site, you know, there was -- there's
15 plenty of stories now about the blackout that
16 happened in Texas in 2020 where people were -- were
17 powering their homes from their cars, from the Ford
18 F-150, the E.B. version of that. So because those
19 are huge batteries, you can imagine, it's a very big
20 truck so you need to have a big battery -- and they
21 were able to power their homes for three or four days
22 that power was out. So absolutely that, you know,
23 there -- these -- these batteries can serve as backup
24 in the -- in the form of a blackout. And a black
25 start, I don't know if -- I know your -- I think

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2 you're an electrician?

3 MR. DICKSON: Yes.

4 MR. CARERRA: So the black start is
5 another thing that -- that it can help with, you
6 know, if the grid fail -- if the grid is -- if
7 there's a complete collapse, you need -- you need
8 power to start the grid up.

9 CHAIRMAN CRIST: Oh.

10 MR. CARERRA: And it's very hard to do
11 that, you know, a lot of times have to bring in
12 generators --

13 MR. DICKSON: You can't do it all at
14 once.

15 MR. CARERRA: -- and it's a whole
16 process. And so there's -- there's that capability
17 too, if there's a charge then, you know, it's -- can
18 discharge and the District can follow whatever the
19 load is pretty, you know, pretty easily so.

20 CHAIRMAN CRIST: Anybody else? You
21 good, Ashley?

22 MS. TORRE: I guess just one question
23 procedurally, I know last time you were here you were
24 going to be before the Z.B.A., have you --

25 MR. CARERRA: We --

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2 MS. TORRE: -- gone before them?

3 MR. CARERRA: We did, yeah.

4 MS. TORRE: Is that still pending?

5 MR. CARERRA: We were -- yeah, we were
6 in front of them and, you know, we -- we had a good -
7 - a good hearing with them. None of the proposed
8 changes that we are looking at will affect any of the
9 -- the Z.B.A., the -- the height variances that we
10 need. So we're confident that when we go back with
11 the -- the -- the updated iteration of the product --
12 of the project, excuse me, we will be able to go
13 straight to the Planning Board and go through the
14 process, start to finish.

15 CHAIRMAN CRIST: Good question. Well
16 I would suggest, unless there's any final questions,
17 comments for today, we entertain a motion to adjourn
18 this public hearing for today and reconvene it.
19 Would you have a thought on what date that should be,
20 Mike?

21 MR. CARERRA: Well, we've seemed to
22 have followed the Milk Factory so far.

23 CHAIRMAN CRIST: Yeah, you still are.

24 MR. CARERRA: I think that two -- two
25 months might be good, yeah.

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2 CHAIRMAN CRIST: Okay.

3 MR. CARERRA: It might be -- April
4 might be -- might be a good --

5 CHAIRMAN CRIST: April 11th then at
6 our regular Board meeting as soon as the matter can
7 be brought into our agenda. So would anyone care to
8 make that motion? You good, George?

9 MR. DECLUE: Yup.

10 CHAIRMAN CRIST: Second by John. All
11 in favor, please say aye.

12 ALL: Aye.

13 CHAIRMAN CRIST: Opposed, the same.
14 Motion carried. Thank you for being here, Mike.

15 MR. CARERRA: Thank you very much.

16 CHAIRMAN CRIST: We'll see you in two
17 months.

18 MR. CARERRA: Yup.

19 MS. KALAN: Thank you, Mike.

20 (The hearing concluded at 1:24 p.m.)

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2 STATE OF NEW YORK

3 I, DANIELLE CHRISTIAN, do hereby certify that the
4 foregoing was reported by me, in the cause, at the time
5 and place, as stated in the caption hereto, at Page 1
6 hereof; that the foregoing typewritten transcription
7 consisting of pages 1 through 15, is a true record of all
8 proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 22nd day of February, 2023.

11

12 DANIELLE CHRISTIAN, Reporter

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Executive Director Monthly Report

Meetings/Events

- 2/23 ABG (Alliance for Business Growth Meeting) attended by ED, Chairman Crist and George
 - Main topic focused around Community Engagement for IDA/Developers
- 2/28 Meeting with Village of Montgomery Mayor Steve Brescia
- 3/1 EDC Conference, Albany NY
 - Focused on education around energy, infrastructure and site readiness
- 3/9 Conor Eckert, OC Partnership, Supervisor Feller re: Greenhouse Project
- 3/9 OC Partnership Networking Event at City Winery
 - 18 manufacturing leads, 4 hospitality leads, 8 distribution leads, 1 agribusiness lead, 2 office-space leads
- 3/14 Hudson Valley Economic Development Corporation Intro Meeting
 - Albany based, assist developers with liasoning with the legislature/advocate
 - Assist developers in finding the right partners/site selection in Hudson Valley region
- Reached out to the Superintendent & School Board President for an intro meeting, have not yet received a reply.

General Updates

- Binghamton University won a \$116 million grant to create the Koffman Southern Tier Incubator's Soft Landing Program, battery storage manufacturing and clean energy job attraction- a projected 2 billion impact on New York's economy. The grant will expand research, development, testing and workforce assets to meet the demand of the emerging battery manufacturing industry.

Business Development

- KCE Energy- still pending
- Milk Factory- they have updated their plans and will be resubmitting to SHPO, SHPO has 30 days to respond
- Project G- application in process, not yet received
- Project X- site selection in review
- 29 Grant Street- application in process, not yet received

- RDM Warehouse- Neelytown Rd- no application, however they are working to fill tenant and we will review tenants to see if they may be eligible for IDA benefits
- 18 Leonards Drive Warehouse- 80,000 sq ft- actively engaged to fill tenant and see if they may be eligible for IDA benefits
- Hawkins Drive, LLC - in conversation for several months, they expressed interest in the IDA application.

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Executive Director Report

This report highlights the ideas, efforts and actions taken by executive staff since the last MIDA Board meeting on 1/10/2023.

Key Actions:

- Worked with PKF to issue 1099s to all necessary parties for 2022
- Working on audit and PARIS reporting on an ongoing basis, all project letters have been mailed
- Launched Social Media Marketing Plan for 2022 with Acquisitions Marketing

Business Development

- 29 Grant Street is a Mixed Adaptive Reuse Development, and will be submitting an MIDA application.
- Confidential project related to a golf course facility and spa
- Hawkins Drive, LLC (I84 Logistics) would also like to apply for MIDA benefits
- Confidential project currently a speculative project has also expressed interest in pursuing MIDA benefits

Community Events

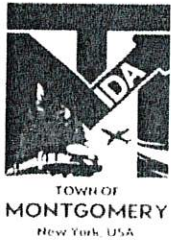
1/12- Orange Chamber "Meet the Candidates" Event & SUNY tour

2/6- FoodTEC conference

2/16- Will be attending Business Council Mixer at City Winery

Matters to Take Note Of:

- Met with Supervisor Ron Feller to discuss potential Park projects and conference call with Ashley to discuss legal parameters.
- MIDA Bond Counsel presentation will need to be scheduled in March
- Email Conversion to GoogleSuite
- 4/27 Business Council Economic Development Summit sponsored by MIDA RFP



TOWN OF MONTGOMERY
MONTGOMERY
INDUSTRIAL DEVELOPMENT AGENCY
110 BRACKEN ROAD
MONTGOMERY, NY 12549

Monthly Statement
1/31/2023

PUBLIC FUND MUNI (3366)

Orange Bank & Trust

Checkbook Beginning Balance from last report----- \$ 191,217.19

ADD:

CHECKS

1783	Naughton & Torre LLP---#30334-----	\$ 570.00
1785	Acquisitions Marketing---2022 coverage-----	\$ 200.00
1786	Naughton & Torre LLP---#30445-----	\$ 1,770.00

Checking Account Balance

31-Jan-23

\$ 188,677.19

SAILFISH ESCROW ACCT (8008)

Checkbook Beginning Balance----- \$ 3,055.00

ADD

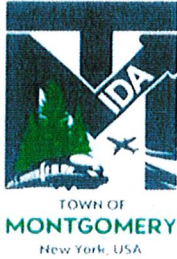
CHECKS

Checking Account Balance

31-Jan-23

\$ 3,055.00

	CURRENT 1/31/2023	LAST REPORT 12/31/2022	CHANGE
Orange Bank & Trust (3366)-----	\$ 188,677.19	\$ 191,217.19	\$ (2,540.00)
Orange Bank & Trust - Sailfish Escrow Acct (8008)-----	\$ 3,055.00	\$ 3,055.00	\$ -
Orange Bank & Trust Money Market (4593)-----	\$ 456,333.33	\$ 456,293.33	\$ 40.00
TOTAL	\$ 648,065.52	\$ 650,565.52	\$ (2,500.00)



TOWN OF MONTGOMERY
MONTGOMERY
INDUSTRIAL DEVELOPMENT AGENCY
110 BRACKEN ROAD
MONTGOMERY, NY 12549

Monthly Statement
2/28/2023

PUBLIC FUND MUNI (3366)

Orange Bank & Trust

Checkbook Beginning Balance from last report----- \$ **188,677.19**

ADD:

CHECKS

1789	NYS Economic Development Council----Inv# 14048 1/1/2023-----	\$	850.00
1790	Acquisitions Marketing----email conversation-----	\$	2,150.00
1791	Lauren Rowley----December 2022-----	\$	250.00
1793	Acquisitions Marketing----Inv 2/3/2023-----	\$	1,050.00
1797	Acquisitions Marketing----Inv 2/13---email conversation-----	\$	2,150.00

Checking Account Balance	28-Feb-23	\$	182,227.19
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SAILFISH ESCROW ACCT (8008)

Checkbook Beginning Balance-----	\$	3,055.00
<u>ADD:</u> Deposit-----	\$	160.00

Checking Account Balance	28-Feb-23	\$	3,215.00
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KEY CAPTURE ENERGY (4109)

Checkbook Beginning Balance	28-Feb-23	\$	2,040.00
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ADD:

CHECKS

	\$	2,040.00
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CITY WINERY ESCROW (4112)

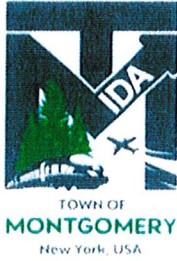
Checkbook Beginning Balance	28-Feb-23	\$	2,600.00
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ADD

CHECKS

	\$	2,600.00
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	CURRENT 2/28/2023	LAST REPORT 1/31/2023	CHANGE
Orange Bank & Trust (3366)-----	\$ 182,227.19	\$ 188,677.19	\$ (6,450.00)
Orange Bank & Trust - Sailfish Escrow Acct (8008)-----	\$ 3,215.00	\$ 3,055.00	\$ 160.00
Orange Bank & Trust Money Market (4593)-----	\$456,368.34	\$ 456,333.33	\$ 35.01
Orange Bank & Trust Key Capture Energy Escrow (4109)-----	\$2,040.00	\$ 2,040.00	\$ -
Orange Bank & Trust City Winery Escrow (4112)-----	\$2,600.00	\$ 2,600.00	\$ -
TOTAL	\$ 646,450.53	\$ 652,705.52	\$ (6,254.99)



TOWN OF MONTGOMERY
MONTGOMERY
INDUSTRIAL DEVELOPMENT AGENCY
110 BRACKEN ROAD
MONTGOMERY, NY 12549

Monthly Statement
2/28/2023

PUBLIC FUND MUNI (3366)

Orange Bank & Trust

Checkbook Beginning Balance from last report----- \$ 188,677.19

ADD:

CHECKS

1789	NYS Economic Development Council---Inv# 14048 1/1/2023-----	\$	850.00
1790	Acquisitions Marketing---email conversation-----	\$	2,150.00
1791	Lauren Rowley---December 2022-----	\$	250.00
1793	Acquisitions Marketing---Inv 2/3/2023-----	\$	1,050.00
1797	Acquisitions Marketing---Inv 2/13---email conversation-----	\$	2,150.00

Checking Account Balance	28-Feb-23	\$ 182,227.19
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SAILFISH ESCROW ACCT (8008)

Checkbook Beginning Balance-----	\$	3,055.00
<u>ADD</u> Deposit-----	\$	160.00

Checking Account Balance	28-Feb-23	\$ 3,215.00
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KEY CAPTURE ENERGY (4109)

Checkbook Beginning Balance	28-Feb-23	\$ 2,040.00
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ADD:

CHECKS

\$ 2,040.00

CITY WINERY ESCROW (4112)

Checkbook Beginning Balance	28-Feb-23	\$ 2,600.00
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ADD

CHECKS

\$ 2,600.00

	CURRENT 2/28/2023	LAST REPORT 1/31/2023	CHANGE
Orange Bank & Trust (3366)-----	\$ 182,227.19	\$ 188,677.19	\$ (6,450.00)
Orange Bank & Trust - Sailfish Escrow Acct (8008)-----	\$ 3,215.00	\$ 3,055.00	\$ 160.00
Orange Bank & Trust Money Market (4593)-----	\$456,368.34	\$ 456,333.33	\$ 35.01
Orange Bank & Trust Key Capture Energy Escrow (4109)-----	\$2,040.00	\$ 2,040.00	\$ -
Orange Bank & Trust City Winery Escrow (4112)-----	\$2,600.00	\$ 2,600.00	\$ -
TOTAL	\$ 646,450.53	\$ 652,705.52	\$ (6,254.99)