



REPORT OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S PUBLIC HEARING OF PLUG POWER INC., HELD ON MONDAY, MARCH 22, 2021 6:30 P.M. AT THE TOWN OF ALABAMA FIRE DEPARTMENT FIRE HALL, 2230 JUDGE ROAD, BASOM, NEW YORK, AND ELECTRONICALLY VIA VIDEO CONFERENCE

I. ATTENDANCE

Mark Masse, Sr. VP of Operations – GCEDC
Jim Krencik, Director of Marketing and Communications – GCEDC
Penny Kennett, Operations Manager - GCEDC
Robert Crossen, Town of Alabama Supervisor
Robert Klavoon, Wendel
Dave Bencic
Ray Pelton

VIRTUAL ATTENDANCE

Eric Klozbach
Kevin Veazy
Pam Lagrou
Mark Boylan
TK (unknown)
saveourenvironmentlimited@yahoo.com (unknown)
99960695013 (unknown)
Chris Suozzi, VP of Business & Workforce Development – GCEDC

II. CALL TO ORDER

The public hearing of Plug Power Inc. Project was opened at 6:30 pm electronically via video conference and in person at the Town of Alabama Fire Department Fire Hall.

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at: <https://www.gcedc.com/index.php/news/gcedc-approved-projects>

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live: <https://zoom.us/j/99960695013>, with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: 1-929-205-6099, passcode 999 6069 5013. The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record.

Any written comments may be sent to GCEDC, Attention: Mark Masse, Senior Vice President of Operations, 99 MedTech Drive, Suite 106, Batavia, New York 14020, and/or via email at mmasse@gcedc.com no later than Friday, March 26, 2021.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

III. PROJECT SUMMARY

The company is proposing a \$232 million project on 30 acres at the Western New York Science & Technology Advanced Manufacturing Park on the west side of Crosby Road in the town of Alabama.

The operation will produce green hydrogen using an electrolysis process of water utilizing clean hydropower. The production facility will produce approximately 45 metric tons of liquid hydrogen that produces no pollution and creates essentially no waste. The hydrogen is sold to customers to replace fossil fuels in on-road applications such as heavy-duty freight and forklifts.

The project has pledged the creation of 68 full-time jobs at an average salary of \$70,000. These jobs will include one plant manager, 37 operators/technicians and 30 drivers.

1. Description of incentives
 - a. Sales tax exemption/abatement on building materials and office equipment
 - b. Payment in lieu of taxes agreement (PILOT) along with Community Investment Agreements
2. Details of incentives being offered
 - a. The sales tax abatement is estimated to be \$1,113,680 based on the estimated project costs provided by the company. They are not allowed to go over that number without prior approval from our Board. If they go over that amount the GCEDC is required to claw back the overage and remit to NYS.
 - b. The proposed property tax abatement over 20 years is approximately \$118,000,000. That abatement was calculated assuming that the assessed value would be based on the total construction costs of \$232 million, which is highly unlikely. We had to use that as the basis to be conservative since this project is new to NYS and are unsure how the actual assessment will be calculated. When complete, the actual full value assessment of the property is estimated at 60 to 90 million dollars. This lower number is because assessments do not include the value of equipment just the value of the real property. Thus, the actual property tax abatement will be a fraction of the \$118,000,000 that we are required to publish at this time.
 - c. The PILOT/Community Investment Agreements will total \$2,300,000 in annual payments for 20 years. The payments will be split as follows:
 - i. \$900,228 for additional infrastructure improvements at the STAMP site
 - ii. \$220,805 to the Town of Alabama
 - iii. \$513,599 to Genesee County
 - iv. \$665,368 to the Oakfield Central School District
 - v. Based on the current tax rate, the fire district fees paid by this project will be between \$50,000 and \$200,000 annually depending on the final assessed value.
 - d. The entire STAMP site prior to acquisition by the GCEDC was generating approximately \$104,000 in property taxes for all three jurisdictions. That is an increase 13 times over what the approximate 1,200 acres was paying.
 - e. The total levy for the Town of Alabama is \$607,381. This number includes the fire tax and all the water district costs. The Town's payments from this project represent approximately 36% of the Town's total levy.
 - f. According to data from the Genesee County Office of Real Property this project will be the largest single parcel property tax payer in Genesee County outside of public utilities (National Grid, National Fuel).

IV. COMMENTS

M. Masse began the public hearing by introducing himself as the Sr. VP of Operations of the Genesee County Economic Development Center. He then stated the purpose and guidelines for the public hearing. The purpose of the public hearing is to solicit comments and feedback from the public regarding the proposed incentives on the above outlined project. It is not a question-and-answer session. There were no written comments received ahead of time to be included with the written record.

Dave Bencic stated these concerns:

- 1) The stability of Plug Power
 - a. He saw online that Plug Power may be in financial trouble. Their yearly tax returns had not been done on time last year.
 - b. He also saw that Plug Power was requested to amend their yearly reports for the last three years.
 - c. There is a class action lawsuit being filed against Plug Power.
- 2) Use of State/Federal/County Tax money to aid Plug Power
- 3) Risk that the Town could get "stuck with something if the project goes belly up"

In summary, Dave Bencic stated that he is not against the project but advised the Agency to be careful with tax dollars.

For clarification, M. Masse stated that Plug Power is not receiving money from the County, Town or School District. Plug Power is receiving an abatement under the program and there is a portion of the taxes that Plug Power will not pay. Additionally, the Town of Alabama does not have any responsibility for this project. The Town of Alabama is the backstop for the Water & Sewer Works Corporations that were formed under the NYS Transportation Law. The Corporations will own and operate the water and sewer systems. A Town of Alabama representative will serve on the Water and Sewer Works Corporation Boards so that the Town will remain involved and informed in the process.

M. Masse concluded by stating that any additional written comments may be sent via email to gcedc@gcedc.com until 4:00 p.m. on March 25, 2021. Any additional comments received by this time will be presented to the Board, in addition to those comments stated tonight.

V. ADJOURNMENT

The public hearing was closed at 6:50 pm.

Save Our Environment Limited

P. O. Box 264
14005

Alexander, New York
585-591-9272

saveourenvironmentlimited@yahoo.com

GCEDC
Mark Masses, Senior Vice President of Operations
99 Med Tech Drive
Suite 106
Batavia, NY 14020

March 25, 2021

Dear Mr. Masses,

Our group would like to comment on the Plug Power Inc. Project. We are very Concern about the safety and the environmental issues with this project.

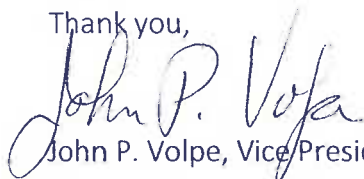
In 2019, Korea had an explosion, in 2019 and 2020 Norway had an explosion, in 2020, Long View N.C had an explosion that was felt 10 miles away.

Storage issue of hydrogen, besides the explosive and flammable problems with hydrogen, Is the Fire Dept. in Alabama have the equipment and trained in case of an explosion or fire? Hydrogen flames are almost invisible to the naked eye and hydrogen is also odorless which further presents challenges for safety and detection.

The huge amount of water and electric needed to make hydrogen.

We feel that this Hydrogen plant should not be put in this area because of the amount of Danger with the safety of having a plant like this in Genesee County.

Thank you,



John P. Volpe, Vice President of Save Our Environment limited