

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: COUNTY FACILITIES**

**DATE: APRIL 1, 2021**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS: MAGOWAN  
BRUNO  
WILD  
SHEPLER  
STROUGH

**OTHERS PRESENT:**

KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS  
RACHEL E. SEEGER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
MARY ELIZABETH KISSANE, COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
FRANK E. THOMAS, BUDGET OFFICER  
SUPERVISORS BEATY  
BRAYMER  
DIAMOND  
DRISCOLL  
FRASIER  
GERAGHTY  
HOGAN  
LEGGETT  
MCDEVITT  
MERLINO  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
JAMES LAFARR, SHERIFF  
MICHAEL SWAN, COUNTY TREASURER  
GINELLE JONES, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES  
CHRISTIAN HANCHETT, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES  
ELIZABETH McLAUGHLIN, COMMISSIONER (D) BOARD OF ELECTIONS  
WILLIAM VANNESS, COMMISSIONER (R) BOARD OF ELECTIONS  
MICHAEL COLVIN, DIRECTOR, INFORMATION TECHNOLOGY  
JACKIE FIGUEROA, HUMAN RESOURCES DIRECTOR  
PATRICIA NENNINGER, PERSONNEL OFFICER  
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY  
TAMMIE DeLORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
JEREMY SCRIME, SENIOR COMPUTER SYSTEMS ANALYST/PROGRAMMER  
TOSHA BROWNELL, HELP DESK TECHNICIAN  
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

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*Please note, the following contains a summarization of the April 1, 2021 meeting of the County Facilities Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:*  
<https://warrencountyny.gov/mma>

*Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed". All of the Committee members were in attendance aside from Supervisor Strough who participated remotely.*

Mr. Magowan called the meeting of the County Facilities Committee to order at 9:14 a.m

Motion was made by Mr. Bruno, seconded by Mr. Strough and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Airport agenda were distributed to those in attendance and those participating virtually accessed the agenda via the Warren County website; *a copy of the agenda is on file with the meeting minutes.*

Privilege of the floor was extended to Kevin Hajos, *Superintendent of Public Works*, who commenced review of the Airport agenda with a request for a new contract with Nexamp Solar for a twenty-five year solar land lease, with an option term to commence upon execution of the option agreement, at a fixed cost of \$170 per month for a period not to exceed 36 months. He added that upon completion of construction the twenty-five year lease would commence, with a five year extension option, at the cost of \$3,765 per acre at Site 1 and \$4,607 per acre at Site 2, with a 2% annual increase per site for the duration of the term. He said the only responses to the RFP (*Request for Proposal*) were land leases for solar purposes from eight different solar companies, informing the negotiation team posed questions to the top three proposers which were discussed. He explained because of the incentives available to the solar companies provided by NYSERDA (*New York State Energy Research and Development Authority*) and National Grid a very fine time line was created. He advised the Block Grants were filling up quickly, adding as each Block Grant expired the following Block Grant had less incentives than the previous one. He indicated Block Grant 17, which opened in January was already exhausting funds and would close by June or July of 2021. He stated the RFP was for 32 months at a rate of \$170 per month and it would take roughly 12-18 months for the solar companies to acquire permits and complete setup. He informed Site 1 had 28 acres while Site 2 had 22 acres and they planned a 6.5 megawatt system for each site. He said that Nexamp Solar required a verbal confirmation from the County before they could move forward with National Grid. He remarked they included a Decommissioning Performance Bond for \$290,000 which meant at the end of the project if they did not extend the lease they would remove all the material; however, he noted, if they did not remove the material the \$290,000 would be provided to the County and the County would remove the material. He apprised there was a 2% annual escalator over the term of the twenty-five year lease. Mr. Hajos mentioned the Real Property Tax Law provided guidelines which pertained to whether they paid taxes or provided a payment in lieu of taxes which equated to \$5,000 per megawatt that equaled \$35,000-\$40,000 in taxes per year for the property. He conveyed that there were caveats with each company that said if they did not get into a certain block their numbers could change. He apprised that for the first year the total combined revenue was \$206,838, stating the estimated total revenue would be roughly \$6.6 million over the twenty-five year term. Mr. Bruno asked how they determined the amount per acres and Mr. Hajos replied they took the number of megawatts and divided them to get the per acre price.

Motion was made by Mr. Wild, seconded by Mr. Bruno and carried by majority vote, with Supervisor Shepler abstaining, to approve the request and the necessary resolution was authorized for the April 16<sup>th</sup> Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Mr. Hajos introduced a request to set a Public Hearing to be held at the April 16, 2021 Board Meeting regarding solar land leases. Mary Elizabeth Kissane, *County Attorney*, notified under General Municipal Law Section 352, any lease at the Airport required a Public Hearing with ten days notice.

Motion was made by Mr. Bruno, seconded by Mr. Strough and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the April 1<sup>st</sup> Special Board Meeting. *A copy of the resolution request forms is on file with the minutes.*

Regarding Action Agenda/New Business Item No. 3, which pertained to a request Enacting Local Law 3 of 2021

Dispensing with the Requirements under New York State General Municipal Law, Section 352 and authorizing a lease of Airport Real Property and authorizing a Public Hearing to be held at the April 16, 2021 Board Meeting, Ms. Kissane informed Airports could enter into leases for forty years. She advised the lease had to be necessary for the efficient and proper operation for the landing fields. She said a solar land lease did not fit that definition, indicating that was the reason for the Local Law which would allow the County to use the land for purposes other than what was necessary for the efficient and proper operation for the landing fields. A brief conversation ensued.

Motion was made by Mr. Strough, seconded by Mr. Bruno and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the April 16<sup>th</sup> Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Hajos notified that the new Airport Manager was selected and would start April 26, 2021.

Mr. Magowan inquired if there was any public comment and Don Lehman, *Director of Public Affairs*, replied in the negative.

As there was no further business to come before the County Facilities Committee, on motion made by Mr. Bruno, seconded by Mr. Strough and carried unanimously, Mr. Magowan adjourned the meeting at 9:40 a.m.

Respectfully submitted,  
Molly Ganotes-Gleason, Legislative Office Specialist