

1 THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
2 STATE OF NEW YORK

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3 In The Matter of

4 Re: WEST WARWICK ENERGY STORAGE 3 LLC

5 -----x

6 March 7, 2022  
7 1:30 p.m.  
8 Zoom Meeting

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12 B E F O R E: WILLIAM FIORAVANTI  
13 CEO OCNYIDA  
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22 FRANCES ROTH  
23 Court Stenographer  
24 168 North Drury Lane  
25 Newburgh, New York 12550  
Telephone (845) 566-1641

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## 2 A P P E A R A N C E S:

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WILLIAM FIORAVANTI  
CEO OCNIDA  
4 Crotty Lane  
New Windsor, New York 12553

6

ALSO PRESENT: Kelly Reilly  
Project Manager

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Dennis Brady  
Audio/Visual Consultant

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Daniel Spitzer, Esq.

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Kristin Kurylak  
Convergent Energy Systems

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Michael Torelli, Chairman  
IDA Board

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Noel Spencer, IDA Board Member  
Robert Kennedy, IDA Board Member

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## WEST WARWICK ENERGY STORAGE 3 LLC

1 MR. FIORAVANTI: Good afternoon and welcome  
2 to the public hearing for West Warwick Energy  
3 Storage 3 LLC, my name is Bill Fioravanti, CEO of  
4 the Orange County Industrial Development Agency,  
5 we are hosting this public hearing per the public  
6 notice that was issued for a meeting to start now  
7 at 1:30 p.m. I would like to forego the Pledge  
8 of Allegiance, we have done that at our earlier  
9 hearing that just proceeded this one. I'll jump  
10 instead to introducing our attendees, again, my  
11 name is Bill Fioravanti from the Orange County  
12 Industrial Development Agency, also fellow staff  
13 member, Kelly Reilly, our Project Manager is on  
14 with us, we have board members, Chairman Michael  
15 Torelli and members Noel Spencer and Robert  
16 Kennedy. Frances Roth is our stenographer, she's  
17 here as well and our AV Specialist Dennis Brady  
18 and we have two representatives for the  
19 applicant, attorney Dan Spitzer has joined us and  
20 Kristin Kurylak. So thank you for joining us if  
21 we have any questions that, or comments that we  
22 may ask you to provide some clarity for we will  
23 do that at the end as needed. I'm going to read  
24 the public hearing notice that I mentioned  
25 earlier that was issued for this meeting. West

## WEST WARWICK ENERGY STORAGE 3 LLC

1 Warwick Energy Storage 3 LLC, a Delaware limited  
2 liability company or an entity to be formed,  
3 collectively known as the Company, requested the  
4 Agency, the IDA Agency undertake a project known  
5 as the Project consisting of (A), the acquisition  
6 of a (sub)leasehold interest in some or all of an  
7 approximately 29.2 acre vacant parcel located at  
8 28 Church Street, Warwick, New York, known as the  
9 Land, the construction of an approximate 17,500  
10 square foot four megawatt/17.9 megawatt hour  
11 battery storage system, including an auxiliary  
12 switchboard and a metal enclosed switchgear  
13 located on the Land to service the local  
14 distribution grid and provide improvements to the  
15 distribution system's reliability and resiliency  
16 as well as providing emission free energy to the  
17 residents of Orange County, collectively the  
18 Facility. And the acquisition and installation  
19 in and on the Facility of furniture, fixtures and  
20 equipment, the Equipment, and together with the  
21 Land and the Facility known as the Project  
22 Facility, the granting of certain financial  
23 assistance in the form of exemptions from state  
24 and local sales and use tax and real property  
25 tax, collectively the Financial Assistance, the

## WEST WARWICK ENERGY STORAGE 3 LLC

1 appointment of the Company or its designee as an  
2 agent of the Agency in connection with the  
3 acquisition, construction, equipping and  
4 completion of the Project Facility, and the  
5 acquisition of an interest in the Land and  
6 Facility by the Agency pursuant to a sublease  
7 agreement and the acquisition of an interest in  
8 the Equipment pursuant to a bill of sale from the  
9 Company to the Agency and the (sub)sublease of  
10 the Project Facility back to the Company pursuant  
11 to a sublease agreement. The stored energy from  
12 the Project Facility will be utilized by Orange  
13 and Rockland Utilities. The Company will be the  
14 initial manager/owner of the Project. The Agency  
15 will at the above-stated time hear all persons  
16 with views with respect to the proposed Financial  
17 Assistance to the Company, the proposed  
18 owner/operator, the location of the Project  
19 Facility and the nature of the Project. A copy  
20 of the application filed by the Company with the  
21 Agency with respect to the Project including an  
22 analysis of the cost and benefits of the Project  
23 are available for public inspection during  
24 business hours at the office of the Agency  
25 located at 4 Crotty Lane, Suite 100, New Windsor,

## WEST WARWICK ENERGY STORAGE 3 LLC

1 New York 12553 or on our website at  
2 www.ocnyida.com. As I mentioned with the prior  
3 public hearings we had earlier this afternoon,  
4 the cost benefit analysis is not complete, you  
5 will see the application on our website or  
6 available here at the IDA's offices but a cost  
7 benefit analysis requires additional information  
8 to be verified by the County's Real Property  
9 Department and as well as the local assessor for  
10 the Town of Warwick. So we will provide that and  
11 as a result because it's not yet available for  
12 your review we're going to keep this public  
13 hearing open after we've heard all comments and  
14 we'll look to adjourn targeting Friday morning  
15 but if more time is needed it will be next week,  
16 all that information will be updated on the  
17 Orange County IDA website again at ocnyida.com.  
18 Now I will read any comments that we have  
19 received. We only received one from the Town  
20 Supervisor related to the comments I just made.  
21 Dear Mr. Fioravanti. I am writing in regards to  
22 the application for West Warwick Energy Storage  
23 1, 2, 3 LLC requesting sales tax exemptions and a  
24 PILOT agreement. A hearing is scheduled for  
25 March 7th, yet their application online with your

## WEST WARWICK ENERGY STORAGE 3 LLC

1 office shows no data regarding the amount of  
2 taxes lost to the Town if the PILOT was granted.  
3 While we all support projects that increase the  
4 reliability of our energy system, without  
5 complete information it is hard to weigh the  
6 benefits versus those costs. It is therefore  
7 hard for the Town to support this without having  
8 done that analysis. Sincerely, Michael Sweeton,  
9 Town Supervisor. The supervisor is prepared to  
10 update his comments when the information is  
11 complete, so again, we have been in full  
12 communication with him on that. We have received  
13 no other comments yet, I'm just checking to make  
14 sure no one else outside of the attendees that I  
15 listed before has requested to be part of the  
16 meeting or to make comment. Does anyone that is  
17 part of this call, anyone else like to make a  
18 comment or ask a question? Hearing none I am  
19 going to adjourn this public hearing for West  
20 Warwick Energy System number three at 1:36 p.m.  
21 and again, please check back with our website,  
22 [www.ocnyida.com](http://www.ocnyida.com) for further details about the,  
23 when we resume this public hearing and provide  
24 further information on this project.

## WEST WARWICK ENERGY STORAGE 3 LLC

Thanks very much. Have a good day.

(Proceedings concluded at 1:36 p.m.)

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## C-E-R-T-I-F-I-C-A-T-I-O-N

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I, FRANCES ROTH, a Stenographic Reporter and Notary Public  
of the State of New York, do hereby certify:

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That the foregoing is an accurate record of the testimony,  
as given, to the best of my knowledge and belief, the same  
having been stenographically recorded by me and transcribed  
under my supervision.

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12

That I am not related to any of the parties involved in  
this matter, and that I have no personal interest  
whatsoever in the outcome thereof.

13

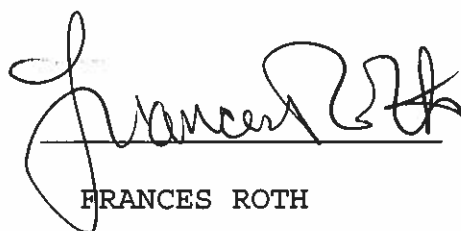
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FRANCES ROTH

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1 THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
2 STATE OF NEW YORK

-----X

3 In The Matter of

4 Re: WEST WARWICK ENERGY STORAGE 3 LLC

-----X

6 June 7, 2022

7 12:48 p.m.

Zoom Meeting

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10 CONTINUATION OF MARCH 7, 2022 HEARING

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12 B E F O R E: WILLIAM FIORAVANTI  
13 CEO OCNYIDA

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WILLIAM FIORAVANTI

CEO OCNYIDA

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4 Crotty Lane

New Windsor, New York 12553

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ALSO PRESENT: Kelly Reilly

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Project Manager

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Dennis Brady

Audio/Visual Consultant

9

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Daniel Spitzer, Esq.

Attorney for Project

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Van Neils

Convergent Energy Systems

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Vince Galligan

O &amp; R Utilities

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Michael Torelli, Chairman

IDA Board

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## WEST WARWICK ENERGY STORAGE 3 LLC

1 MR. FIORAVANTI: Alright, we're ready to  
2 open up the last resumption of the last public  
3 hearing. Good afternoon, it's 12:48 p.m. and we  
4 are resuming the public hearing for the OCIDA  
5 project West Warwick 3, a renewable battery  
6 storage project from Convergent Energy and Power.  
7 This was a public hearing started a couple months  
8 ago while the IDA did further research and  
9 working with both the applicant and the county on  
10 the incentives, we are resuming this public  
11 hearing for additional questions. Present with  
12 us again, my name is Bill Fioravanti, I'm CEO of  
13 the Orange County IDA, our project manager, Kelly  
14 Reilly, is with us as well, our consultants,  
15 Frances Roth is our stenographer today, Dennis  
16 Brady handles audio/visual, our Chairman Mr. Mike  
17 Torelli is present as well and from the applicant  
18 representing the applicant Mr. Dan Spitzer of  
19 Hodgson Russ, attorneys, and I'm sorry, Van Neils  
20 representing Convergent Energy and Power and  
21 Mr. Vincent Galligan from Orange & Rockland  
22 Utilities. We appreciate you being here. And am  
23 I missing anyone else? I think that's everyone  
24 that's present. I'm going to read the notice of  
25 public hearing one last time, this time for West

## WEST WARWICK ENERGY STORAGE 3 LLC

1 Warwick 3. The subject of this public hearing,  
2 West Warwick Energy 3 LLC, a Delaware limited  
3 liability company or an entity to be formed  
4 collectively known as the Company, requested the  
5 agency to undertake a project, known as the  
6 Project, consisting of (a), the acquisition of a  
7 (sub)leasehold interest in some or all of an  
8 approximately 29.2 acre vacant parcel located at  
9 28 Church Street, Warwick, New York, that's the  
10 village, known as the Land, the construction of  
11 an approximate 17,500 square foot 4 megawatt/17.9  
12 megawatt hour battery storage system, including  
13 an auxiliary switchboard and a metal enclosed  
14 switchgear located on the Land to service the  
15 local distribution grid and provide improvements  
16 to the distribution system's reliability and  
17 resiliency as well as providing emission free  
18 energy to the residents of Orange County,  
19 collectively known as the Facility and the  
20 acquisition and installation in and on the  
21 Facility of furniture, fixtures and equipment,  
22 known as the Equipment, and together with the  
23 Land and the Facility known as the Project  
24 Facility, (b) the granting of certain financial  
25 assistance in the form of exemptions from state

## WEST WARWICK ENERGY STORAGE 3 LLC

1 and local sales and use tax and real property  
2 tax, collectively the Financial Assistance, (c)  
3 the appointment of the Company or its designee as  
4 an agent of the Agency in connection with the  
5 acquisition, construction, equipping and  
6 completion of the Project Facility and (d) the  
7 acquisition of an interest in the Land and  
8 Facility by the Agency pursuant to a sublease  
9 agreement and the acquisition of an interest in  
10 the Equipment pursuant to a bill of sale from the  
11 Company to the Agency and the (sub)sublease of  
12 the Project Facility back to the Company pursuant  
13 to a sublease agreement. The storage energy from  
14 the Project Facility will be utilized by Orange &  
15 Rockland Utilities. The Company will be the  
16 initial manager/owner of the Project. And at  
17 this time we will hear from all persons with  
18 views with respect to the proposed Financial  
19 Assistance to the Company, the proposed  
20 owner/operator, the location of the Project  
21 Facility and the nature of the Project. Lastly,  
22 a copy of the application filed by the Company  
23 with the Agency with respect to this Project  
24 including an analysis of the costs and benefits  
25 of the Project are available for public

## WEST WARWICK ENERGY STORAGE 3 LLC

1 inspection during business hours at the office of  
2 the Agency located here at 4 Crotty Lane, Suite  
3 100, New Windsor, New York or on our website at  
4 www.ocnyida.com. With that said, I'm going to  
5 open it back up to any questions from the public  
6 at this time on West Warwick 3 or any related  
7 questions on these projects. Any additional  
8 questions? Mr. Cheney?

9 MR. CHENEY: Yes, just for clarification so  
10 the comments that were made in the first hearing  
11 which were attributable to Warwick number three  
12 that would be provided to the board I assume?

13 MR. FIORAVANTI: Yes, sir, the board will  
14 receive the full transcript of this meeting and  
15 it, obviously we clarified in there that some of  
16 those questions, you did when you posed them,  
17 that some of these questions are for additional  
18 projects. They will see it all in its entirety  
19 the full transcript from all three hearings.

20 MR. CHENEY: Okay, thank you.

21 MR. FIORAVANTI: Other questions at all?  
22 Hearing none, we'll close the public hearing.

23 MR. NEILS: I just wanted one additional  
24 clarification.

25 MR. FIORAVANTI: Sure.

## WEST WARWICK ENERGY STORAGE 3 LLC

1 MR. NEILS: In terms of the permitting the  
2 projects do not yet have a permit from the town  
3 and are awaiting permits from the New York State  
4 Department of Education, so just to clarify my  
5 additional statement they're not completely fully  
6 permitted.

7 SUPERVISOR SWEETON: Okay, I believe you  
8 would need permits from us for construction but  
9 you can pursue that with the building department.  
10 We exempted the state from zoning, we agreed to  
11 that determination.

12 MR. SPITZER: We have provided that to the  
13 IDA as part of our package, thank you,  
14 Supervisor. I think what Van was referring to in  
15 terms of the DOE because the project is located  
16 on school property the DOE has its own, State Ed  
17 has its own role.

18 SUPERVISOR SWEETON: I understand that, I  
19 just wanted to clarify, thank you.

20 MR. SPITZER: Thank you.

21 MR. FIORAVANTI: Anything else at all?  
22 Okay, and I do want to say one more time this  
23 project goes before the IDA board next Wednesday,  
24 June 15th, for their consideration, likely to  
25 vote on approval or denial of these proposed



## WEST WARWICK ENERGY STORAGE 3 LLC

1 incentives, we have until then if you have  
2 additional questions, I do want to keep the line  
3 of communications open. I do apologize for how  
4 long it took to get some of these figures  
5 together, it was a laborious process but we  
6 wanted to get it right. But again any other  
7 questions? Again, the lines of communication  
8 remain open, please contact me, I can get any  
9 other answers from the applicant as needed. But  
10 again, the board will consider the incentives for  
11 this project on Wednesday, June 15th. Without  
12 any, hearing any other comments or questions, it  
13 is 12:54 p.m., we'll close the public hearing for  
14 West Warwick 3 Energy Storage. Thank you all for  
15 joining us and have a good day. Thanks very  
16 much.

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19 (Proceedings concluded at 12:54 p.m.)  
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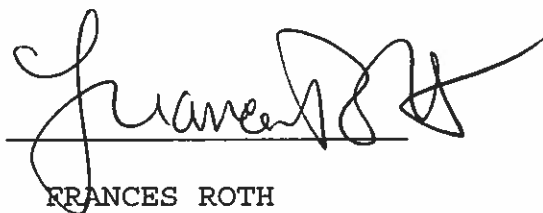
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## C-E-R-T-I-F-I-C-A-T-I-O-N

I, FRANCES ROTH, a Stenographic Reporter and Notary Public  
of the State of New York, do hereby certify:

That the foregoing is an accurate record of the testimony,  
as given, to the best of my knowledge and belief, the same  
having been stenographically recorded by me and transcribed  
under my supervision.

That I am not related to any of the parties involved in  
this matter, and that I have no personal interest  
whatsoever in the outcome thereof.



FRANCES ROTH

-	attributable [1] 6/11	Dennis [2] 2/8 3/15
-----	audio [2] 2/8 3/16	department [2] 7/4 7/9
1/2 1/5	audio/visual-[2]-x2[8] 3/16	designee [1] 5/3
1	auxiliary [1] 4/13	determination [1] 7/11
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again [4] 3/12 8/6 8/7 8/10	certify [1] 9/6	financial [3] 4/24 5/2 5/18
agency [7] 1/1 4/5 5/4 5/8	Chairman [2] 2/14 3/16	FIORAVANTI [3] 1/12 2/4 3/12
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Attorney [1] 2/10	Dan [1] 3/18	hereby [1] 9/6
attorneys [1] 3/19	Daniel [1] 2/9	Hodgson [1] 3/19
	day [1] 8/15	hour [1] 4/12
	Delaware [1] 4/2	hours [1] 6/1
	denial [1] 7/25	

<b>H</b>	Mr. Cheney [1] 6/8 Mr. Dan [1] 3/18 Mr. Mike [1] 3/16 Mr. Vincent [1] 3/21 much [1] 8/16 my [4] 3/12 7/4 9/9 9/11	public [11] pursuant [3] 5/8 5/10 5/12 pursue [1] 7/9
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