

Town of Chateaugay

August 3, 2026
Special Meeting

- Special Meeting** A special meeting was called to order at 6:00 PM on August 3, 2026 at the Chateaugay Town Hall by Supervisor Donald Bilow
- Members Present** Supervisor Donald Bilow, Councilman William Trombly, Councilman Irving Monette, Councilman Scott Cowan, Councilman Cory Helm, Town Clerk Phyllis LeMay and highway superintendent Roger LaBombard.
- Visitors** Attorney Eric Gustafson, Kirby Selkirk, Christine Gero, Maitland Robinson and Rob Panasci.
- Minutes** A motion was made by Scott Cowan and seconded by Irving Monette to adopt the minutes of the July 22th board meeting. All in favor, motion carried.
- Notice** There was a notice that the Town of Chateaugay would hold a special meeting on this night to discuss the Valcour Repower project.
- Resolution #36** Amendment to the Host Community Agreement – Discussed the Amendment to the Host Community Agreement between the Town of Chateaugay and Valcour Chateaugay Windpark (Noble), LLC to allow landowners to retain the access roads and concrete pads on their property. A motion was made by William Trombly and seconded by Irving Monette to approve the Amendment, all in favor, motion carried. (Copy Attached)
- Resolution #37** A motion was made by William Trombly and seconded by Irving Monette to approve a Notice of Determination of No Significant Effect on the Environment (Negative Declaration), all in favor, motion carried. (Copy Attached)
- A motion was made by Irving Monette and seconded by Cory Helm to hold a public hearing on August 17th regarding the Valcour Host Community Agreement at 6:30 PM. There will be a notice in the Malone Telegram.
- We will consider approval of the Valcour Host Community Agreement after the public hearing on August 17th.
- Executive Session** A motion was made by William Trombly and seconded by Scott Cowan to go into executive session to discuss Brookside Solar.
- A motion was made by Cory Helm and seconded by William Trombly to come out of executive session.

Bowling
Alley

Grant – We can ask for another year extension or amend and restated GDA.

Equipment – Estimate to install equipment 90 -120 day after we sign the contract.

Parking Lot Would like to get the bus stop in before winter.

Reports

Roger LaBombard – Working on the Jones Road culvert project.

Cory Helm – Lot sale on Route 374

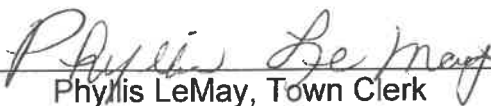
Generator – BGR will connect to the natural gas line and to the town hall electrical entrance.

Bills

A motion was made by Scott Cowan and seconded by Irving Monette to pay the bills.

Adjournment A motion was made by William Trombly and seconded by Scott Cowan to adjourn the meeting. All in favor, motion carried.

Meeting adjourned at 7:50 P.M.


Phyllis LeMay, Town Clerk

DONALD W. BILOW, Supervisor

Oldest Town in Franklin County

TOWN OF CHATEAUGAY

P.O. Box 9, 191 East Main Street
Chateaugay, NY 12920-0009

Town Clerk
PHYLLIS A. LEMAY
(518) 497-6931 Ext#1

Justice of Peace
MARIE A. COOK
(518) 497-3429 Ext#2
Fax: (518) 497-6431

Councilman
WILLIAM TROMBLY
SCOTT COWAN
CORY HELM
IRVING MONETTE

Town Board
Phone: (518) 497-3126
Fax: (518) 497-6052

Town Garage
Phone: (518) 497-6067

Superintendent
of Highways
ROGER LABOMBARD
(518) 497-6067

Town Assessor and
Code Enforcement Officer
(518) 497-6931 Ext#3

Tax Collector
LYNN HARRIGAN
(518) 425-6633

RESOLUTION #36 FOR 2026

At the August 3, 2026 meeting of the Chateaugay Town Board, a motion was made by William Trombly and seconded by Irving Monette to approve an amendment to the Noble Host Community Agreement between the Town of Chateaugay and the Valcour Wind Park, LLC to allow landowners to keep their access roads and concrete pads if they desire to preserve them, regarding the Noble (Valcour) wind project. (copy attached)

All in favor, motion carried.

I certify that the following is a true copy as recorded in the minutes.


Phyllis A LeMay, Town Clerk

**AMENDMENT TO THE HOST COMMUNITY AGREEMENT BETWEEN THE
TOWN OF CHATEAUGAY AND VALCOUR CHATEAUGAY WINDPARK, LLC**

This **AMENDMENT TO THE HOST COMMUNITY AGREEMENT BETWEEN THE TOWN OF CHATEAUGAY AND VALCOUR CHATEAUGAY WINDPARK, LLC** is made as of the 3rd day of August, 2026 (this "Amended HCA"), by and between Valcour Chateaugay Wind Park, LLC, with a mailing address of c/o AES Clean Energy, 2100 South 1300 East, Suite 500, Salt Lake City, UT 84106 hereinafter "Company", and the Town of Chateaugay, a municipal corporation having offices at 191 East Main Street, Chateaugay, New York 12920 hereinafter "Municipality" and amends the Host Community Agreement, executed in October 2007 between Noble Chateaugay Wind Park, LLC and the Municipality. The Company and the Municipality may sometimes be referred to herein individually as "Party" and, collectively as the "Parties".

WHEREAS, the Company has been developing the Chateaugay Repowering Project ("Project"), pursuant to Article VIII of the New York Public Service Law; and

WHEREAS, prior to construction of the Project, Company proposes to decommission the existing wind facility ("Facility") in the Town of Chateaugay, Franklin County, New York; and

WHEREAS, the Company and Town agreed on a Host Community Agreement, dated October 2007 ("Original HCA"), which included various provisions relating to the operation and decommissioning of the Facility.

WHEREAS, since the Original HCA was approved for the existing facility, technology and means and methods for decommissioning have evolved and now require modifications to the decommissioning requirements of the Original HCA; and

WHEREAS, as a result of these changes, the Company is seeking to modify Original HCA Exhibit B: Windfarm Decommissioning Plans which describes components to be removed as part of decommissioning of the facility; and

WHEREAS, to prevent the disruption of renewable energy generation, the Parties agree and seek to modify Exhibit B: Windfarm Decommissioning Plans to allow the currently existing facility to remain operational while constructing the new facility to the greatest extent possible; and

WHEREAS, on August 3rd, 2026 the Town determined that a waiver of Sections 10(10)(6) and 17(A) pursuant to the Town's authority in Section 28(A) of Local Law No. 7 of 2006 was not required; and

NOW THEREFORE, in consideration of the mutual promises hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties herein agree as follows:

1. The Town and Company agree that whether or not certain Facility components are removed shall be determined from landowner agreements obtained by the Company.
2. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A(1): Turbine Removal of the Original HCA and add the following statement: "Turbines may also be removed using an energetic or cut and fell method."
3. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A(2): Pad

Mount Removal of the Original HCA to add the following statement: "Upon agreement by the host landowner, as determined by their executed response to the Company's landowner survey, the Turbine Pad Mount may be left in place. Company shall provide a copy to the Town of the executed response to the Company's landowner survey with any business terms being redacted. In the event the landowner does not agree or no response is received by the landowner within 60-days of Notice to Proceed (NTP) of Construction, Company will remove the Turbine Pad Mount per the requirements of this section."

4. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A(2): Pad Mount Base of the Original HCA to add the following statement: "Upon agreement by the host landowner, as determined by their executed response to the Company's landowner survey, the Pad Mount Base may be left in place. Company shall provide a copy to the Town of the executed response to the Company's landowner survey with any business terms being redacted. In the event that landowner does not agree or no response is received by the landowner within 60-days of Notice to Proceed (NTP) of Construction, Company will remove the Pad Mount Base down to 3' below grade and 4' below grade in agricultural land per the requirements of this section."
5. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A (Underground Electrical Collection System) to add the following statement, "Upon agreement by the host landowner, as determined by their executed response to the Company's landowner survey, the underground collection system may be left in place. Company shall provide a copy to the Town of the executed response to the Company's landowner survey with any business terms being redacted. In the event the landowner does not agree or no response is received by the landowner within 60-days of Notice to Proceed (NTP) of Construction and the collection system is buried less than 3' below grade and 4' below grade in agricultural land, Company will remove the underground collection system per the requirements of this section."
6. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A (Roadways/Rigging Pads) to add the following statement, "The access roads will be kept in place unless the landowner requests that they be removed. The gates will remain in place if requested by the landowner." Company will provide written confirmation of the approval from each applicable landowner, with any business terms being redacted.
7. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A (Overhead Collection Lines) to add the following statement, "In the event that the Facility is repowered, the Overhead Collection Lines can be left in place and the repowered facility may use the Overhead Collection Lines, eliminating the need to decommission them."
8. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A (Substation) add the following statement, "In the event that the Facility is repowered, the Substation will be left in place and the repowered facility will use the Substation, eliminating the need for it to be decommissioned."
9. The Town agrees to amend Exhibit B: Windfarm Decommissioning Plans Section A (Substation Areas) to add the following statement, "In the event that the Facility is repowered, the Substation Area will be left in place and the repowered facility will use the Substation Area, eliminating the need for it to be decommissioned."
10. Further, the Town agrees to amend Section 11 of the Original HCA to modify subsection g

to add the following statement: "The Decommissioning Security shall remain in place until 6 months after the date on which Substantial Decommissioning occurs."

11. In consideration of the Original HCA and this amendment to the HCA, the Town hereby confirms no waiver of Sections 10(10)(6) and 17(A) pursuant to the Town's authority in Section 28(A) of Local Law No. 7 of 2006 is required.
12. The Town agrees and understands that decommissioning of the Project may occur subsequent to the commencement of construction of the Facility and that Company intends to operate the Project as long as commercially practicable.
13. Company will reimburse the Town up to the amount of \$71,000 to employ professional services and an On-Site Monitor pursuant to the terms and conditions of this agreement. The On-Site Monitor will be responsible for: (a) reviewing the Company's decommissioning plans, (b) ensuring the Company's compliance with the decommissioning plans, and (c) ensuring that all decommissioning activities comply with any applicable local, state and federal laws. Any professional and/or the On-Site Monitor will present monthly detailed invoices to the Town for the reimbursement of such fees, and the Town shall present such invoices to the Company.

IN WITNESS WHEREOF, the Parties have caused their respective duly authorized officers to execute this Agreement under seal as of the date reflected hereon.

Dated: August 3, 2026

Town of Chateaugay

Dated: _____

Valcour Chateaugay Wind Park,
LLC

By:

Donald W Bibow

Name: DONALD W Bibow

Title:

Town Supervisor

By:

Name:

Title:

DONALD W. BILOW, Supervisor

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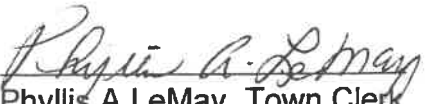
Tax Collector
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RESOLUTION #37 FOR 2026

At the August 3, 2026 meeting of the Chateaugay Town Board, a motion was made by William Trombly and seconded by Irving Monette to approve a Notice of No Significant Effect on the Environment, (Negative Declaration) regarding the Valcour Repower Wind Project. (copy attached)

All in favor, motion carried.

I certify that the following is a true copy as recorded in the minutes.


Phyllis A LeMay, Town Clerk

**Resolution Declaring Town Board of the Town of Chateaugay as Lead Agency for Type I
Action and Issuing a Negative Declaration of Environmental Significance
For the Decommissioning of the Existing Noble Chateaugay Windpark**

WHEREAS, Valcour Chateaugay NewCo, LLC ("Valcour Chateaugay NewCo") has submitted an Application under Article VIII of the New York Public Service Law to the Office of Renewable Energy Siting and Electric Transmission ("ORES") for a Siting Permit (the "Permit") to repower an existing wind electric generating facility (the "Project") in the Town of Chateaugay, Franklin County; and

WHEREAS, in order to construct the Project, Valcour Chateaugay Windpark, LLC must decommission the existing wind electric generating facility ("Existing Facility") in the Town of Chateaugay, Franklin County; and

WHEREAS, in October 2007, Noble Chateaugay Windpark, LLC ("Valcour Chateaugay Windpark, LLC") entered into a Host Community Agreement ("HCA") with the Town of Chateaugay; and

WHEREAS, Exhibit A of the HCA outlined terms related to the decommissioning of the Existing Facility; and

WHEREAS, wind turbine technology, recommended standards, and New York State recommendations for decommissioning have changed over the twenty years since the HCA was executed; and

WHEREAS, on August 3rd, 2026, the Town Board amended the HCA to update the decommissioning provisions; and

WHEREAS, on or about March 15th, 2026, Valcour Chateaugay Windpark, LLC submitted an Environmental Assessment Form (EAF) Part I that addressed the potential environmental impacts that will occur from decommissioning the Existing Facility; and

WHEREAS, the decommissioning of the Existing Facility is considered a Type I action under the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Town Board declared its intent to be lead agency and conducted a coordinated review of the Application pursuant to SEQRA, and circulated said intent to all involved and interested agencies; and

WHEREAS, all involved and interested agencies either consented to the Town Board being lead agency or allowed the thirty (30) day period stipulated by SEQRA to lapse, and the Town Board as lead agency conducted a thorough review of Project carefully examining any potential adverse environmental impacts of the proposed Project; and

WHEREAS, the Town Board has reviewed EAF Parts I and II and has:

(1) Considered the action as defined in sections 617.2(b) and 617.3(g) of SEQRA;

- (2) Reviewed the criteria contained in subdivision (c) of SEQRA at 6 NYCRR Part 617.7 (Criteria for determining significance) and any other supporting information to identify the relevant areas of environmental concern;
- (3) Thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and
- (4) Set forth its determination of significant in written form containing a reasoned and elaboration and providing reference to any supporting documentation and a Draft Environmental Impact Statement ("DEIS") need not be prepared; and

WHEREAS, the Town Board has determined that the decommissioning of the Existing Facility will not create any significant adverse environmental impacts and that a Draft Environmental Impact Statement ("DEIS") need not be prepared; and

NOW THEREFORE BE IT RESOLVED THAT, the Town Board hereby declares itself lead agency, approves the FEAF Part 2, and issues a SEQRA Negative Declaration that is attached to this Resolution finding that the decommissioning of the Existing Facility will not create any significant adverse environmental impacts and that a Draft Environmental Impact Statement ("DEIS") need not be prepared.

RESOLVED, that this resolution will take effect immediately

ROLL CALL VOTE:	Supervisor	<u>Don Bilow</u>	Aye
	Board Member	<u>W. Trombly</u>	Aye
	Board Member	<u>T. Monette</u>	Aye
	Board Member	<u>S. Cavan</u>	Aye
	Board Member	<u>C. Helm</u>	Aye

PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWN OF CHATEAUGAY on the ___ of ~~June~~, 2026.

August 3,

Phyllis LeMay
Town Clerk