

Town of Chateaugay

Minutes November 24, 2025

Public Hearing	There was a legal notice in the Malone Telegram that a public hearing would be held on this night for the Battery Law. A motion was made by Scott Cowan and seconded by Kirby Selkirk to open the public hearing at 6:20 PM. All in favor, motion carried. No interested persons appeared. A motion was made by Kirby Selkirk and seconded by Kirby Cook to close the public hearing at 6:30 PM. All in favor, motion carried.
Meeting	The regular meeting of the Chateaugay Town Board on 11/24/2025 was called to order by Supervisor Donald Bilow at 6:30 P.M.
Members Present	Supervisor Donald Bilow, Councilman William Trombly, Councilman Scott Cowan, Councilman Kirby Selkirk, Councilman Kirby Cook, Highway Superintendent Roger LaBombard and Town Clerk Phyllis LeMay.
Visitors	Irving Monette, Cory Helm, Josh Larisy from Blue Wave Battery Storage, town attorney Eric Gustafson and David Hejl.
Minutes	A motion was made by Bill Trombly and seconded by Kirby Selkirk to adopt the minutes of the November 10, 2025 meeting. All in favor, motion carried.
Battery Law Resolution #46	Town attorney Eric Gustafson discussed the Resolution of the Town of Chateaugay determining that the action to execute the Town of Chateaugay Battery Energy Storage System Local Law is an unlisted action and will not have a significant adverse effect on the environment. A motion was made by Kirby Selkirk and seconded by Scott Cowan to approve the Resolution of the Town of Chateaugay determining that the action to execute the Town of Chateaugay Battery Energy Storage System Local Law and to authorize the Supervisor to sign the EAF, #1 and 3. A roll call vote was taken with the following results: Councilman Bill Trombly – Aye Councilman Scott Cowan – Aye Councilman Kirby Cook – Aye Councilman Kirby Selkirk – Aye Supervisor Donald Bilow – Aye All in favor, motion carried.
US Light	Supervisor Bilow reported that the decommissioning plan will need additional work. Town attorney Eric Gustafson will work with US Light and Energy on the decommissioning plan.
Blue Wave Battery	A motion was made by Bill Trombly and seconded by Scott Cowan to approve a letter of support for the Bluewave Willis Road Battery Energy Storage project, motion carried, all in favor.

Resolution #47 Brookside Pilot – A motion was made by Bill Trombly and Kirby Selkirk to approve the Brookside Pilot consent resolution. A roll call vote was taken with the following results:

Councilman Bill Trombly – Aye
Councilman Scott Cowan – Aye
Councilman Kirby Cook – Aye
Councilman Kirby Selkirk – Aye
Supervisor Donald Bilow – Abstain

Motion carried. (copy attached)

Clinton Wind Town attorney Eric Gustafson reported that the notice from Clinton Wind/Notice Valcour has nothing to do with the Town of Chateaugay, other than the lay down yard is in the Town of Chateaugay.

Barton & Loguidice A. North County Wind – Supervisor Bilow and board reviewed the Barton and Loguidice proposal and no action was taken. We will review when we receive funding.
B. A motion was made by Bill Trombly and seconded by Scott Cowan to approve the Battery Law SEQRA, Barton & Loguidice contract, all in favor, motion carried.
C. Brookside Solar – A motion was made by Bill Trombly and seconded by Scott Cowan to approve the Barton & Loguidice contract to inspect the Brookside Solar Project.

Resolution #48 Board of Assessment A motion was made by Scott Cowan and seconded by Kirby Selkirk to approve the reappointment of James Jones to the Board of Assessment and Review. All in favor, motion carried.

Theater A motion was made by Kirby Selkirk and seconded by Scott Cowan to sell the old speakers and boards from the theater in the amount of \$1 to the CRC, all in favor, motion carried.

Budget A motion was made by Kirby Selkirk and seconded by Kirby Cook to Resolution #49 approve the budget amendments for the general and highway funds, all in favor, motion carried. (copy attached)

NYSEG The transmission line will not affect the town roads. The line goes from the substation on Route 11 to the Willis Road station then south to Bellmont, then to Malone.

Water Line A motion was made by Bill Trombly and seconded by Kirby Selkirk to accept the proposal from MCS Solutions in the amount of \$5,722 to bore and install a sleeve for the waterline under the Baily Brook, all in favor, motion carried.

CEO Supervisor Donald Bilow reported that Code Enforcement Officer Jim Dumont is retiring on December 31, 2025. We will put a notice in the paper to hire a code enforcement officer.

Bowling Supervisor Donald Bilow reported that Fuller Excavation will not be able to bid the project.

Dog Control Supervisor Donald Bilow reported that Dog Control Officer Shirley Morton is retiring on December 31, 2025 and that the Bangor shelter is interested in becoming the new Dog Control Officer in 2026.

Reports Highway Superintendent Roger LaBombard – Roger reported the following:

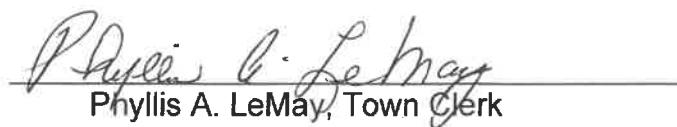
1. Working on the water line on the Commons Road.
2. Men have been plowing the roads.
3. Decorations were put up.

Bills A Motion was made by Kirby Selkirk and seconded by Scott Cowan to pay the bills. Motion carried, all in favor.

Adjournment A Motion was made by Kirby Selkirk and seconded by Scott Cowan to adjourn the meeting. Motion carried, all in favor.

Meeting adjourned at 7:00 P.M.

Next Meeting December 15, 2025.



Phyllis A. LeMay, Town Clerk

PILOT CONSENT RESOLUTION
(County of Franklin IDA with Brookside Solar, LLC Project)

A regular meeting of the Town Board of the Town of Chateaugay (the "Town") convened on November 24, 2025 at 6:30 p.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. 47 of 2025

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CHATEAUGAY
CONSENTING TO A PROPOSED PILOT AGREEMENT TO BE PROVIDED
BY THE COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT
AGENCY (THE "AGENCY") IN CONNECTION WITH A CERTAIN
PROJECT (AS DESCRIBED BELOW) TO BE UNDERTAKEN BY
BROOKSIDE SOLAR, LLC**

WHEREAS, **BROOKSIDE SOLAR, LLC** (the "Company") has submitted an application (the "Application") to the to the County of Franklin Industrial Development Agency (the "Agency") requesting the Agency's assistance with a certain project (the "Project") consisting of (i) the acquisition by the Agency of a leasehold interest in an approximately 1,460 acres of real property located in the Towns of Burke and Chateaugay, New York (the "Land", being more particularly described as all or portions of the tax parcels as listed within the Application); (ii) the planning, design, construction and operation of a 100MWac PV solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the "Improvements"); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the "Equipment" and, collectively with, the Land and the Improvements, the "Facility"); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the "Straight Lease Transaction"); and

WHEREAS, in connection with the Application, and in accordance with the Agency's Uniform Tax Exemption Policy ("UTEP") for renewable energy facilities with a rated capacity in excess of 25 megawatts, the Agency and Company have negotiated a proposed Payment-in-lieu-of-Tax Agreement ("PILOT Agreement") with the Affected Tax Jurisdictions, which include the County of Franklin (the "County"), the Town, the Town of Burke, and the Chateaugay Central School District (the "School", along with the County, Town, and Town of Burke, the "Affected Tax Jurisdictions"); and

WHEREAS, the Agency, Company and Affected Tax Jurisdictions have negotiated a PILOT Agreement for the Project that will (i) require payment of full taxes on the Land as a Base Payment per the UTEP; (ii) require an additional fixed dollar amount per MWAC with a

Two Percent (2.0%) annual escalator for the Improvements and Equipment; and carry an abatement term of twenty-five (25) years (the "PILOT Terms", details of which are set forth within Exhibit A, attached hereto); and

WHEREAS, in furtherance of the Project, and in accordance with the UTEP, the Agency and Company have requested the Town's approval of the proposed PILOT Terms, which include the Agency's collection of a blend of formulaic ("Base Payment") and fixed PILOT Payments for the Improvements and Equipment ("Improvement Payment") from the Company, with annual distribution thereof by the Agency as follows: (i) for the Base Payment, distributed in accordance with Section 858(15) of the General Municipal Law, whereby PILOT Payments shall be allocated among the Affected Tax Jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each Affected Tax Jurisdiction had the Project not been tax exempt due to the status of the Agency's involvement in the Project, and (ii) for the Improvement Payment, the Agency shall distribute fixed payments to each Affected Tax Jurisdiction as delineated within Exhibit A, hereto; and

WHEREAS, in connection with the Project, and in consideration of the Town's approval of the proposed PILOT Terms, the Agency has agreed to pay or cause the Company to pay to the Town a one-time community impact fee in the amount of \$131,643.00 (the "Impact Fee"), which shall be paid to the Town commensurate with the execution of the PILOT Agreement by the Agency and Company; and

WHEREAS, in furtherance of the Project, and in accordance with the UTEP, the Agency and Company have requested the Town's approval of the proposed PILOT Terms; and

WHEREAS, the Town desires to approve the proposed PILOT Terms, subject to the Agency and/or Company's delivery of the Impact Fee to the Town at the time of execution of the PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHATEAUGAY AS FOLLOWS:

Section 1. The Town hereby authorizes and consents to the proposed PILOT Terms, as more particularly outlined within Exhibit A, hereto, subject to Agency and/or Company's delivery of the Impact Fee to the Town at the time of execution of the PILOT Agreement.

Section 2. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
William Trombly	[X]	[]	[]	[]
Kirby Selkirk	[X]	[]	[]	[]
Scott Cowan	[X]	[]	[]	[]

Kirby Cook [X] [] [] [X]
Donald Bilow [] [] []

The Resolutions were thereupon duly adopted.

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

Phyllis A. LeMay
Phyllis A LeMay, Town Clerk

EXHIBIT A

AGENCY COST BENEFIT ANALYSIS AND PROPOSED PILOT TERMS

Renewable Energy PILOT Worksheet

Project Name: AES Brookside Solar
Project Address: Towns of Burke and Chateaugay
Town of Chateaugay Summary

10/10/2025

COUNTY OF FRANKLIN

Table 2: Town of Chateaugay Tax Rates

Table 1: Project Information	
2020/2015 Assessed Value (Base Value)	\$3,819,900
2020/2015 Initialization Rate (ER)	100%
2020/2015 Full Market Value	\$3,819,900
2020/2015 Tax Rate	15.572017
Projected Valuation	\$19,560,000
Finished Value (Added Value + Base Value)	\$23,419,600
Estimated Base Value (BV) Payment	\$80,678
Remaining Megawatt Capacity	58.5
Nameplate Payment (MW) F. Charlesbury:	\$3,500
Pilot Payment (MW) Franklin County:	\$450
Pilot Payment (MW) Chatfieldbury CSD	\$17,000
Combined PILOT Payment per Megawatt	\$2,500
Total Improvement Value (IV) Payment	\$148,250
Improvement Value PILOT Payment Escalator	2%

Table 3: PII OT search results

Notes:

1. During the interim years regular taxes are paid.

2. Actual Improvement Value PILOT Payments shown here, without future pro-rata adjustment

3. Estimated Full Taxes were calculated by the company using the NY's Wind and energy appraisal

4. Estimated Base Value Payments shown, which are based on a presumed 1% increase in tax rates each year and will be distributed pro-rata each PILOT year.

Renewable Energy PILOT Worksheet

Project Name: AES Brookside Solar
Project Address: Towns of Burke and Chateaugay
Town of Chateaugay Summary

10/10/2025

COUNTY OF FRANKLIN

INDUSTRIAL DEVELOPMENT AGENCY

Table 2: Town of Chateaugay Tax Rates

Table A: Town of Chatsaway Tax Rates		% of Total
Town of Chatsaway 2025 Roll		Tax Rate
General - Townwide		0
General - Outside		0
Highway - Outside		0.6459592
Highway - Townwide		0.9889592
BOE - Townwide		0.0829255
Town Subtotal 2025 Roll		1.722239
County - General 2025 Roll		3.288028
Chatsaway v/ CSD 2025-2028 Roll		10.167752
Total		18.572017

Table 1: Project Information

Project Information		\$3,819,900	
2020/2025 Assessed Value	Base Value	100%	100%
2020/2025 Equalization Rate (ER)		\$3,819,900	
2020/2025 Full Market Value		16,672,017	
2020/2025 Tax Rate			
Projected Valuation		\$3,819,900	
2020/2025 Finished Value	Added Value + Base Value	\$23,479,900	
2020/2025 Estimated Base Value	(By) Payment	\$80,679	
2020/2025 Nameplate Megawatt Capacity		58.5	
2020/2025 PILOT Payment per MW	Chateaugay	\$350	
2020/2025 PILOT Payment per MW	Franklin County	\$1,4700	
2020/2025 PILOT Payment per MW	Chateaugay	\$1,4700	
2020/2025 Combined PILOT Payment per Megawatt		\$2,500	
2020/2025 Total Improvement Value (IV) - Payment		\$146,250	
2020/2025 Total Improvement Value PILOT - Payment			
2020/2025 Total Improvement Value Escalator			

Table 3: PII OT scripted

Note

Notes:

1. During the Interim years regular taxes are paid.
2. Actual Improvement Vatius PILOT Payments shown here, without future pro-rata adjustment.
3. Estimated Full Taxes were calculated by the company using the 2003 wind and energy appraisal methodology.
4. Estimated Base Value Payments shown, which are based on a presumed 1% increase in fair value each year and will be distributed annually each BH CNT user.

DATE: November 24, 2025

HIGHWAY FUND - DA

BUDGET AMENDMENT NO. #1

OFFERED BY THE SUPERVISOR

RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS:

RESOLVED: That the following amount (s) be and the same hereby

Is (are) appropriated/transferred

\$80.05 from Account No. DA5142.4

\$ _____ from Account No. _____

\$ _____ from Account No. _____

as follows:

\$ 80.05 To Account No. DA5142.6

MOTION made by Kirby Selkirk and

SECONDED BY Kirby Cook

That this resolution be adopted. All members voted in the affirmative and the resolution was

Declared adopted.

DATE: November 24, 2025

HIGHWAY FUND - DB

BUDGET AMENDMENT NO. #1

OFFERED BY THE SUPERVISOR

RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS:

RESOLVED: That the following amount (s) be and the same hereby

Is (are) appropriated/transferred

\$7,312.00 from Account No. DB5110.4

\$ _____ from Account No. _____

\$ _____ from Account No. _____

as follows:

\$ 5,730.00 To Account No. DB5112.2

\$ 1,582.00 To Account No. DB9060.8

MOTION made by Kirby Selkirk and

SECONDED BY Kirby Cook

That this resolution be adopted. All members voted in the affirmative and the resolution was

Declared adopted.

DATE: November 24, 2025

GENERAL FUND

BUDGET AMENDMENT NO. G1

OFFERED BY THE SUPERVISOR

RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS:

RESOLVED: That the following amount (s) be and the same hereby

Is (are) appropriated/transferred

\$ 29,002.00 from Account No. A1990.4 (Contingent)

\$ _____ from Account No.

\$ _____ from Account No.

\$ _____ from Account No. _____

as follows:

\$ 1200.00	To Account No. A1620.42
\$ 1400.00	To Account No. A1910.4
\$ 6000.00	To Account No. A5132.42
\$ 5100.00	To Account No. A7140.11
\$ 15302.00	To Account No. A7520.4

MOTION made by: Kirby Selkirk AND SECONDED BY Kirby Cook

That this resolution be adopted. All members voted in the affirmative and the resolution was

Declared adopted.

RESOLUTION OF THE TOWN OF CHATEAUGAY TOWN BOARD DETERMINING THAT THE ACTION TO EXECUTE THE TOWN OF CHATEAUGAY BATTERY ENERGY STORAGE SYSTEM LOCAL LAW IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Town of Chateaugay Town Board (the "Town Board") is reviewing issuance of proposed Town of Chateaugay Battery Energy Storage System Local Law (the "Action"), which will regulate battery energy storage systems within the Town of Chateaugay;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations at 6 NYCRR Part 617 (the "Regulations"), the Town Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Town of Chateaugay Town Board is identified as the agency directly undertaking the proposed Action, and the Town Board is completing an uncoordinated review of the Action under the SEQRA Regulations; and

WHEREAS, pursuant to the Regulations, the Town Board has considered the significance of the potential environmental impacts of the Action by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the Full Environmental Assessment Form ("FEAF") for the Action, including the facts and conclusions of Parts 1, 2 and 3 of the FEAF, together with the proposed Local Law and other available supporting information, to identify and thoroughly analyze the relevant areas of environmental concern; and

WHEREAS, the proposed adoption of the Town of Chateaugay Battery Energy Storage System Local Law is an Unlisted Action, as defined by 6 NYCRR Section 617.2(al);

WHEREAS, there are no other Involved Agencies in connection with the issuance of the Town of Chateaugay Battery Energy Storage System Local Law, as that term is defined in 6 NYCRR Section 617.2(t), and, as such, no notification to other agencies is required;

NOW THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in the SEQRA Regulations, the Town of Chateaugay Town Board hereby confirms that the proposed Action meets the criteria for classification as an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, the Town Board makes the following findings and determinations:

- No significant adverse environmental impacts are noted in the FEAF for the Action and none are known to the Town Board; and
- All future Battery Energy Storage System projects proposed within the Town will be subject to their own approvals and compliance with the SEQRA (6 NYCRR Part 617), during which the potential environmental impacts specific to each project will be reviewed in detail. If any adverse environmental impacts are identified during such a review, the applicant will be

required to implement appropriate minimization and mitigation measures to ensure that such impacts are avoided and/or reduced; and

- The Action will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Action; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Town Board directs the Town Supervisor to sign and complete Parts 1 and 3 of the FEAF for the Action, in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Kirby Selkirk and seconded by Scott Cowan the foregoing resolution was put to a vote as follows:

Councilman Bill Trombly – Aye
Councilman Scott Cowan – Aye
Councilman Kirby Cook – Aye
Councilman Kirby Selkirk – Aye
Supervisor Donald Bilow – Aye

The foregoing resolution was thereupon declared duly adopted.

Dated: November 24, 2025

Dylan G. Lemay

Phyllis A. LeMay, Town Clerk