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TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY

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PUBLIC HEARING  
HELD BY CONFERENCE CALL  
RE: AE-ESS CASSEL, LLC

-----x

February 9, 2021  
10:00 a.m.

TRANSCRIPT OF PROCEEDINGS

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

TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY  
One Independence Hill  
Farmingville, New York 11738

BY: LISA M.G. MULLIGAN,  
CHIEF EXECUTIVE OFFICER

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MS. MULLIGAN: It's ten a.m. on February 9, 2021. This is the public hearing of the Town of Brookhaven Industrial Development Agency for the AE-ESS Cassel project. This is Lisa Mulligan. I'm going to read the public hearing notice for the record.

NOTICE IS HEREBY GIVEN that due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Public Hearing scheduled for February 9, 2021, at 10:00 a.m., local time, being held by the Town of Brookhaven Industrial Development Agency (the "**Agency**"), in accordance with the provisions of Article 18-A of the New York General Municipal Law will be held electronically via conference call instead of a public hearing open for the public to attend. Members of the public may listen to the Public Hearing, and comment on

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2

the Project (defined below) and the benefits

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to be granted by the Agency to the Company

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(defined below) during the Public Hearing, by

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calling 712-770-5505 and entering access code

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884-124. Comments maybe also submitted to the

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Agency in writing or electronically. Minutes

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of the Public Hearing will be transcribed and

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posted on the Agency's website, all in

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connection with the following matters:

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Agilintas Energy, LLC, a Delaware

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limited liability company, on behalf of itself

13

and/or the principals of Agilintas Energy, LLC

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and/or an entity formed or to be formed on

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behalf of any of the foregoing (collectively,

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the "**Developer**"), and AE-ESS Cassel, LLC, a

17

Delaware limited liability company, on behalf

18

of itself and/or the principals of AE-ESS

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Cassel, LLC, and the equity investors in and

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any tax credit investors in AE-ESS Cassel, LLC

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and/or an entity formed or to be formed on

22

behalf of any of the foregoing (collectively,

23

the "**Company**"), have applied to the Agency, to

24

enter into a transaction in which the Agency

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will assist in the acquisition of a long term

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2

ground leasehold interest in an approximately

3

0.13 acre parcel of land located at 550 North

4

Ocean Avenue, Patchogue, New York 11722 (more

5

particularly described as Suffolk County Tax

6

Map No. 0200-953.00-01.00-019.003) (the

7

**"Land"**), owned by the Town of Brookhaven (the

8

**"Town"**), and the construction of a battery

9

energy storage system thereon (the

10

**"Improvements"**), and the equipping thereof

11

(the **"Equipment"**; and together with the Land

12

and the Improvements, the **"Facility"**), which

13

Facility will be sub-subleased, subleased and

14

leased by the Agency to the Company and used

15

by the Company for electrical energy storage

16

and discharge to reduce peak electricity load

17

on the Town's power grid (collectively, the

18

**"Project"**). The Facility will be initially

19

owned, operated and/or managed by the Company.

20

The Agency will acquire a subleasehold

21

interest in the Land, a leasehold interest in

22

the Improvements and title to or a leasehold

23

interest in the Equipment and will

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sub-sublease, sublease and lease the Facility

25

to the Company. The Agency contemplates that

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it will provide financial assistance to the

3

Company in the form of exemptions from

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mortgage recording taxes in connection with

5

the financing or any subsequent refinancing of

6

the Facility, exemptions from sales and use

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taxes and abatement of real property taxes,

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consistent with the policies of the Agency.

9

A representative of the Agency will, at

10

the above-stated time and place, hear and

11

accept written comments from all persons with

12

views in favor of or opposed to either the

13

proposed financial assistance to the Company

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or the location or nature of the Facility.

15

Prior to the hearing, all persons will have

16

the opportunity to review on the Agency's

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website (<https://brookhavenida.org/>), the

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application for financial assistance filed by

19

the Company with the Agency and an analysis of

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the costs and benefits of the proposed

21

Facility.

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Dated: January 29, 2021

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TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY

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By: Lisa MG Mulligan

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Title: Chief Executive Officer

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Has anyone joined the call who would like to make comment?

(No response.)

MS. MULLIGAN: Hearing none, I'm going to leave this call open.

(Pause.)

MS. MULLIGAN: It is 10:30 a.m. on February 9, 2021. This is the Town of Brookhaven Industrial Development Agency public hearing for AE-ESS Cassel.

Hearing no comment, I am closing this public hearing. Thank you.

(Time noted: 10:30 a.m.)

I, JOANN O'LOUGHLIN, a Notary Public for and within the State of New York, do hereby certify that the above is a correct transcription of my stenographic notes.

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JOANN O'LOUGHLIN