TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

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

February 9, 2021
10:00 a.m.

TRANSCRIPT OF PROCEEDINGS

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APPEARANCES:

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
the Project (defined below) and the benefits to be granted by the Agency to the Company (defined below) during the Public Hearing, by calling 712-770-5505 and entering access code 884-124. Comments may also be submitted to the Agency in writing or electronically. Minutes of the Public Hearing will be transcribed and posted on the Agency's website, all in connection with the following matters:

Agilitas Energy, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Agilitas Energy, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Developer"), and AE-ESS Cassel, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of AE-ESS Cassel, LLC, and the equity investors in and any tax credit investors in AE-ESS Cassel, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company"), have applied to the Agency, to enter into a transaction in which the Agency will assist in the acquisition of a long term
ground leasehold interest in an approximately 0.13 acre parcel of land located at 550 North Ocean Avenue, Patchogue, New York 11722 (more particularly described as Suffolk County Tax Map No. 0200-953.00-01.00-019.003) (the "Land"), owned by the Town of Brookhaven (the "Town"), and the construction of a battery energy storage system thereon (the "Improvements"), and the equipping thereof (the "Equipment"; and together with the Land and the Improvements, the "Facility"), which Facility will be sub-subleased, subleased and leased by the Agency to the Company and used by the Company for electrical energy storage and discharge to reduce peak electricity load on the Town's power grid (collectively, the "Project"). The Facility will be initially owned, operated and/or managed by the Company.

The Agency will acquire a subleasehold interest in the Land, a leasehold interest in the Improvements and title to or a leasehold interest in the Equipment and will sub-sublease, sublease and lease the Facility to the Company. The Agency contemplates that
it will provide financial assistance to the
Company in the form of exemptions from
mortgage recording taxes in connection with
the financing or any subsequent refinancing of
the Facility, exemptions from sales and use
taxes and abatement of real property taxes,
consistent with the policies of the Agency.

A representative of the Agency will, at
the above-stated time and place, hear and
accept written comments from all persons with
views in favor of or opposed to either the
proposed financial assistance to the Company
or the location or nature of the Facility.

Prior to the hearing, all persons will have
the opportunity to review on the Agency's
website (https://brookhavenida.org/), the
application for financial assistance filed by
the Company with the Agency and an analysis of
the costs and benefits of the proposed
Facility.

Dated: January 29, 2021

TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

By: Lisa MG Mulligan
Title: Chief Executive Officer
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