

ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPROVING RESOLUTION
 AIR PRODUCTS AND CHEMICALS, INC. *Project Number 4001-23-03*
 Resolution No. IDA-23-10-33
October 24, 2023

A regular meeting of the St. Lawrence County Industrial Development Agency (the “Agency”) was convened on October 24, 2023, at 1:00 P.M., local time, in the Main Conference Room of the Ernest J. LaBaff Industrial Building, 19 Commerce Lane, Canton, New York.

The meeting was called to order by the Chairman, and upon roll being called, the following members of the Agency were:

MEMBER	PRESENT	ABSENT
Blevins, Lynn		X
Hall, Mark C.	X	
LaBaff, Ernest	X	
McMahon, Andrew		X
Morrill, Steven		X
Reagen, James	X	
Staples, Brian W.	X	

The following persons were ALSO PRESENT: Staff (Patrick Kelly, Richard Williams, and Kimberly Gilbert).

After the meeting had been duly called to order, the Chairman announced that, among the purposes of the meeting, was to consider and take action on certain matters pertaining to proposed project for the benefit of Air Products and Chemicals, Inc.

On motion duly made by Mr. LaBaff and seconded by Mr. Reagan the following resolution was placed before members of the St. Lawrence County Industrial Development Agency:

A RESOLUTION:

- (1) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT;**

- (2) **AUTHORIZING FINANCIAL ASSISTANCE TO AIR PRODUCTS AND CHEMICALS, INC. (THE “COMPANY”) FOR THE PROJECT IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND EQUIPPING OF THE PROJECT; AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT (“PILOT AGREEMENT”) IN ACCORDANCE WITH A DEVIATION FROM THE AGENCY’S UNIFORM TAX EXEMPTION POLICY MORE SPECIFICALLY DESCRIBED HEREIN;**
- (3) **ADOPTING FINDINGS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT IN RELATION TO THE PROJECT; AND**
- (4) **APPROVING THE FORM, SUBSTANCE AND EXECUTION OF RELATED DOCUMENTS.**

WHEREAS, Title 1 of Article 18 A of the General Municipal Law of the State of New York (the “State”), as amended, and Chapter 358 of the Laws of 1971 of the State, as may be amended from time to time (collectively the “Act”), and is empowered under the Act to undertake the Project (as hereinafter defined) in order to so promote job opportunities, health, general prosperity and economic welfare of the people of the State and improve their standard of living; and

WHEREAS, the Company previously presented an application (the “**Application**”) to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project, as further described in **Exhibit A** (the “**Project**”) consisting of: (A) the acquisition of a leasehold interest in an approximately 88.5 acre parcel of land located on Pontoon Bridge Road, Town of Massena, St. Lawrence County, New York 13617 (the “**Land**”); (B) the construction on the Land of an approximately 88.5 acre Green Hydrogen Facility designed to produce up to 35 metric tons per day (MTPD) of carbon free Green Hydrogen utilizing renewable power to be supplied by the New York Power Authority consisting of an electrolyzer building, a compressor building, a water treatment building, a control building, a terminal building and an electrical substation with associated parking areas, access roads, emergency generators and pads, all necessary utilities and stormwater basin, security fencing and any other required improvements (the “**Improvements**”); and (C) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “**Equipment**” and, together with the Land and Improvements, the “**Facility**”), and (D) the sub sub-lease of the Agency’s interest in the Facility back to the Company pursuant to a leaseback agreement; and

WHEREAS, the Company further requested a deviation from the Agency’s Uniform Tax Exemption Policy (“**UTEP**”) in the form of a PILOT Agreement with a term of 20 years (the “**Deviation**”), which Deviation exceeds the Agency’s standard 10-year period of abatement under the Agency’s UTEP; and

WHEREAS, as required by the Agency's UTEP the consent of the Town of Massena (the "**Town**"), and the Massena Central School District (the "**School District**") was required prior to the Agency approval of the Deviation; and

WHEREAS, by Resolution adopted July 19, 2023, the Town consented to the Deviation; and by a Resolution adopted September 21, 2023, the School District consented to the Deviation, and,

WHEREAS, to aid the Agency in making a determination whether the acquisition, construction, installation and equipping of the Facility will be in conformance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "**SEQR Act**") and the regulations (the "**Regulations**") adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively with the SEQR Act, "**SEQRA**"), the Company has submitted to the Agency a completed Full Environmental Assessment (the "**EAF**") with respect to the Project; and

WHEREAS, pursuant to SEQRA, the Agency has been informed that (1) the Town Planning Board (the "**Planning Board**") was designated to act as "lead agency" with respect to the Project, and (2) the Planning Board issued a Determination of Non-Significance on May 18, 2023 (the "**Negative Declaration**") determining that (a) the acquisition, construction and installation of the Project Facility will result in no significant adverse impacts on the environment and (b) an environmental impact statement need not be prepared with respect to the Project;

WHEREAS, a public hearing (the "**Hearing**") was held on October 10, 2023, so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility, could be heard; and

WHEREAS, notice of the Hearing was published in the Watertown Daily Times on September 25, 2023, in the Courier Observer on September 25, 2023, and in the North Country This Week on September 27, 2023 and such notice (together with proof of publication), was substantially in the form annexed hereto as **Exhibit B**; and

WHEREAS, the report of the Hearing is annexed hereto as **Exhibit C**; and

WHEREAS, the Agency has been requested to enter into (a) a sublease agreement by and between the Company and the Agency whereby the Company will sublease the Facility to the Agency (the "**Lease Agreement**") and (b) a leaseback agreement by and between the Agency and Company whereby the Agency sub subleases the Facility back to the Company (the "**Leaseback Agreement**"); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of (i) exemptions from New York State and local sales and use taxes in an amount as listed in Exhibit A and (ii) abatement of real property taxes (as set forth in the Exhibit D hereof), consistent with the policies of the Agency pursuant to the terms of a Payment in Lieu of Tax Agreement (the “PILOT Agreement”) by and between the Agency and the Company; and

NOW, THEREFORE, BE IT RESOLVED by the St. Lawrence County Industrial Development Agency as follows:

Section 1. Based upon the EAF, the Planning Board, as Lead Agency under SEQRA, and coordinated review with Involved and Interested Agencies, determined that the Project, involving the construction, installation and equipping of the Facility, is a Type I action as contemplated by 6 NYCRR Section 617.5(c)(1), and that there will be not have a “significant effect” on the environment and, therefore, an environmental impact statement will not be prepared. This determination constitutes negative declaration for purposes of SEQRA, which is binding on the Agency.

Section 2. The Agency hereby finds and determines:

- a. By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and
- b. The Facility constitutes a “project”, as such term is defined in the Act; and
- c. The acquisition, construction, improvement and equipping of the Facility and the leasing of the Facility to the Company, will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of St. Lawrence County (the “**County**”), and the State and improve their standard of living and thereby serve the public purposes of the Act; and
- d. The acquisition, construction and equipping of the Facility is reasonably necessary to induce the Company to maintain and expand its business operations in the State; and
- e. Based upon representations of the Company and counsel to the Company, the Facility conforms with the local zoning laws and planning regulations and all regional and local land use plans for the area in which the Facility is located; and
- f. The Facility and the operations conducted therein do not have a significant effect on the environment, as determined in accordance with SEQRA; and
- g. It is desirable and in the public interest for the Agency to sublease the Facility back to the Company; and

- h. The Lease Agreement will be an effective instrument whereby the Agency leases the Facility from the Company; and
- i. The Leaseback Agreement will be an effective instrument whereby the Agency leases the Facility to the Company, and by which the Agency and the Company set forth the terms and conditions of their agreement regarding payments-in-lieu of taxes, the Company agrees to comply with all Environmental Laws (as defined therein) applicable to the Facility and will describe the circumstances in which the Agency may recapture some or all of the benefits granted to the Company; and
- j. The Deviation incentivizes the Company to complete the Project by making the Project economically viable, which is expected to have a material positive impact on further economic development projects in the Town and the County; and
- k. Based upon the representations of the Company, the transactions contemplated by the Leaseback Agreement shall not result in the removal of a plant from one area of the State to another area of the State.

Section 3. The Agency has assessed all material information included in connection with the application for financial assistance submitted by the Company, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the Agency a reasonable basis for its decision to provide the Financial Assistance to the Company.

Section 4. In consequence of the foregoing, the Agency hereby determines to: (i) sublease the Land and the Improvements from the Company pursuant to the Lease Agreement, (ii) execute, deliver and perform the Lease Agreement, (iii) sub sublease the Facility to the Company pursuant to the Leaseback Agreement, (iv) execute, deliver and perform the Leaseback Agreement, (v) do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed, and (vi) to approve ratify and confirm all acts heretofore taken by the Agency with respect to such acquisition.

Section 5. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the construction, improvement and equipping of the Facility in the form of (i) exemptions from sales and use taxes in an amount listed in Exhibit A in connection with the purchase or lease of equipment, building materials, services or other personal property and (ii) the abatement of real property taxes (as set forth in Exhibit D hereof), consistent with the policies of the Agency.

Section 6. Subject to the provisions of this resolution, the Company is herewith and hereby appointed the agent of the Agency to acquire, construct, improve and equip the Facility. The Company is hereby empowered to delegate its status as agent of the Agency to its agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors, and such other parties as the Company may choose in order to acquire, construct, improve and equip the Facility. The Agency hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company as agents of the Agency solely for purposes of making sales or leases of goods, services and supplies to the Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company, as agent of the Agency, shall be deemed to be on behalf of the Agency and for the benefit of the Facility.

Section 7. The Company hereby agrees to comply with Section 875 of the Act. The Company further agrees that the exemption of sales and use tax provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this Authorizing Resolution is subject to termination and recapture of benefits pursuant to Section 875 of the Act and the Leaseback Agreement.

Section 8. The form and substance of the Agency Documents, as hereinafter defined, to which the Agency is a party (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 9.

- a. The Chairman, the Executive Director of the Agency or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Lease Agreement, the Leaseback Agreement, the PILOT Agreement to which the Agency is a party, all in substantially the forms thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, the Director of the Agency or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Executive Director and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”). The execution thereof by the Chairman, the Executive Director of the Agency or any member of the Agency shall constitute conclusive evidence of such approval.
- b. The Chairman, the Executive Director of the Agency or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Leaseback Agreement).

Section 10. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 11. Any expenses incurred by the Agency with respect to the Facility shall be paid by the Company. By acceptance hereof, the Company agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 12. This Resolution shall take effect immediately.

MEMBER	YEA	NAY	ABSTAIN	ABSENT
Blevins, Lynn				X
Hall, Mark C.	X			
LaBaff, Ernest	X			
McMahon, Andrew				X
Morrill, Steven				X
Reagen, James	X			
Staples, Brian W.	X			

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)

COUNTY OF ST. LAWRENCE) ss.:

I, the undersigned Secretary of the St. Lawrence County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the St. Lawrence County Industrial Development Agency (the "Agency"), including the resolution contained therein, held on October 24, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the Directors of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand of said Agency as of October 24, 2023.


Ernest LaBaff, Secretary

EXHIBIT A

1.	Applicant Name/Project Number: Air Products and Chemicals, Inc. Project [#4001-23-03]	
2.	<p>Project Description (the “Project”):</p> <p>Air Products & Chemicals, Inc. proposes the construction and operation of a green hydrogen production facility on an approximately 88.5-acre parcel located on Pontoon Bridge Road in Massena. The facility is designed to produce up to 35 MT/day carbon free Green Hydrogen using renewable hydropower and electrolysis of water.</p> <p>The facility will consist of an electrolyzer building, a compressor building, a water treatment building, a control building, a terminal building and an electrical substation with associated parking areas, access roads, emergency generators and pads, all necessary utilities and stormwater basin, security fencing and any other required improvements as well as the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property.</p>	
3.	Type of Financial Assistance Requested:	<p>Exemption from sales and use taxes on purchases and rentals of goods and services relating to the undertaking of the “Project” as described, above.</p> <p>Partial Real Property Tax Abatement through a PILOT.</p>
4.	Total Amount of Project:	\$425,000,000
5.	Estimated value of NYS Sales & local sales and use tax exemption to be provided to the Company for this Project:	\$9,444,320
6.	PILOT Structure	Proposed PILOT has 20-year term based on fixed \$29,000,000 and abatement schedule starting at 95% and decreasing in 5% increments each year of the PILOT.
7.	Mortgage Recording Tax Exemption	N/A
8.	Full-time Equivalent Jobs to be Retained as a Result of the Project:	N/A
9.	Full-Time Equivalent Jobs to be Created as a Result of the Project:	90
10.	Expiration of the Financial Assistance:	2047

EXHIBIT B

ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing (the “Public Hearing”) pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”) will be held by the St. Lawrence County Industrial Development Agency (the “Agency”) on the 10th day of October, 2023 at 11:00 a.m., local time, in-person at the Massena Town Hall, Room 30, 60 Main Street, Massena, NY 13662 and via Zoom meeting. Members of the public may attend by viewing, and commenting on the Project and the benefits to be granted to the Company (as defined below) by the Agency during the Public Hearing, by logging into the Zoom meeting as follows:

Topic: Air Products & Chemicals, Inc. - Public Hearing
Time: Oct 10, 2023 11:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87940812159?pwd=aXExODgwUXg2VzQyMk5ZQzB4S0R0QT09>

Meeting ID: 879 4081 2159

Passcode: 347907

One tap mobile

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+16469313860,,87940812159#,,,,*347907# US

Dial by your location

- +1 929 205 6099 US (New York)
- +1 646 931 3860 US
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 301 715 8592 US (Washington DC)

Air Products & Chemicals, Inc., a Delaware corporation with authority to do business in the State of New York (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) consisting of: (A) the acquisition of a leasehold interest in an approximately 88.5 acre parcel of land located on Pontoon Bridge Road, Town of Massena, St. Lawrence County, New York 13617 (the “Land”); (B) the construction on the Land of an approximately 88.5 acre Green Hydrogen Facility to harvest up to 35 metric tons per day (MTPD) of Green Hydrogen utilizing renewable power to be supplied by the New York Power Authority consisting of an electrolyzer building, a compressor building, a water treatment building, a control building, a terminal building and an electrical substation with associated parking areas, access roads, emergency generators and pads, all necessary utilities and stormwater basin, security fencing and any other required improvements (the “Improvements”); and (C) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment” and, together with the Land and Improvements, the “Facility”), and (D) the sublease of the Agency’s interest in the Facility back to the Company pursuant to a leaseback agreement.

The Company will own a fee interest in the Facility and the Agency will acquire a leasehold interest in the Facility. The financial assistance contemplated by the Agency will consist generally of the exemption from taxation expected to be claimed by the Company as a result of the Agency taking an interest in, possession or control (by lease, license or otherwise) of the Facility, and/or of the Company acting as the agent of the Agency, consisting of (i) an exemption from New York state and local sales and use tax with respect to the construction, installation and equipping of the Facility; and (ii) an exemption from general real property taxation with respect to the Facility, which exemption shall be offset, in whole or in part, by contractual payments in lieu of taxes (the "PILOT") by the Company for the benefit of the affected tax jurisdictions.

A representative of the Agency will be at the above stated place and time to hear all persons with views in favor of or opposed to either the location or nature of the Facility, or the proposed financial assistance being contemplated by the Agency. At the hearing, all persons will have the opportunity to review the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Project. In addition, at, or prior to, such hearing, interested parties may submit to the Agency written materials pertaining to such matters. Such materials may be submitted to the Agency at 19 Commerce Lane, Suite 1, Canton, New York 13617, or at [REDACTED] and must be received no later than 10:00 a.m. one day prior to Public Hearing. Written statements provided to the Agency regarding the project will also become part of the record of public hearing. A transcript of the public hearing will be made available at a later date.

Please check the meeting information posted on the Agency website (www.slcida.com) to access instructions to join the meeting and to find copies of the application and the cost benefit analysis.

DATED: September 25, 2023

ST. LAWRENCE COUNTY
INDUSTRIAL DEVELOPMENT

EXHIBIT C

MINUTES OF PUBLIC HEARING HELD ON OCTOBER 10, 2023 ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY RE: Air Products and Chemicals, Inc.

Patrick J. Kelly, Chief Executive Officer of the St. Lawrence County Industrial Development Agency calls the public hearing to order at 11:04 AM, local time on October 10, 2023, in-person at the Massena Town Hall, Room 30, 60 Main Street, Massena N.Y., and via Zoom Meeting.

Present for the Hearing: Patrick J. Kelly, Bob Ahlfeld, and Lori Sibley from the St. Lawrence County IDA; and Trip Oliver, Fred Schreider, and Harry Johnston from Air Products & Chemicals, Inc.; and Genevieve Trigg from Barclay Damon LLP.; and other members of the community as noted in the attached sign-in sheet.

Join Zoom Meeting

<https://us02web.zoom.us/j/87940812159?pwd=aXExODgwUXg2VzQyMk5ZQzB4S0R0QT09>

Meeting ID: 879 4081 2159

Passcode: 347907

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+19292056099,,87940812159#,,,,*347907# US (New York)

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Dial by your location

- +1 929 205 6099 US (New York)
- +1 646 931 3860 US
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 301 715 8592 US (Washington DC)

Mr. Kelly Notes:

We are in-person and streaming live via zoom.

Air Products & Chemicals, Inc. has submitted an application to the Agency, a copy of which is available here today, and has been posted to our website and will continue to be on file at the office of the Agency upon request. The Application requests that the Agency consider undertaking a project (the "Project") for the benefit of the company.

The Projects consists of: (A) the acquisition of a leasehold interest in an approximately 88.5 acre parcel of land located on Pontoon Bridge Road, Town of Massena, St. Lawrence County, New York 13617; (B) the construction on the Land of an approximately 88.5 acre Green Hydrogen Facility to harvest up to 35 metric tons per day (MTPD) of Green Hydrogen utilizing renewable power to be supplied by the New York Power Authority consisting of an electrolyzer building, a compressor building, a water treatment building, a control building, a terminal building and an electrical substation with associated parking areas, access roads, emergency generators and pads, all necessary utilities and

stormwater basin, security fencing and any other required improvements (the “Improvements”); and (C) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment” and, together with the Land and Improvements, the “Facility”), and (D) the sublease of the Agency’s interest in the Facility back to the Company pursuant to a leaseback agreement.

All of the foregoing, the Company will own a fee interest in the Facility and the Agency will acquire a leasehold interest in the Facility. The financial assistance contemplated by the Agency will consist generally of the exemption from taxation expected to be claimed by the Company as a result of the Agency taking an interest in, possession or control (by lease, license or otherwise) of the Facility, and/or of the Company acting as the agent of the Agency,

The Agency is considering whether (A) to undertake the Project and (B) to provide an exemption from taxation which may include (1) an exemption from New York state and local sales and use tax with respect to the construction, installation and equipping of the Facility; and (2) an exemption from general real property taxation with respect to the Facility, which exemption shall be offset, in whole or in part, by contractual payments in lieu of taxes (the “PILOT”) by the Company for the benefit of the affected tax jurisdictions.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project. This will be addressed at the next Board meeting of the Agency.

Mr. Kelly then introduces Mr. Trip Oliver, Director of Government and Community Relations for Air Products and Chemicals Inc., who provides background information on the company and further details regarding the proposed project. Mr. Oliver states that the company currently employs 20,000 people worldwide and is the world’s leading industrial gas company and the largest producer of hydrogen in the world. Plans include building a 35 metric ton green hydrogen facility on Pontoon Bridge Road in Massena, powered by hydropower supplied by the New York Power Authority. Initial steps have been taken to contract with the Village of Massena Water Department for 1 to 1.2 million gallons of water each day, with about 300,000 in excess water going back into the St. Lawrence River cleaner than it was when it came out. Mr. Oliver outlines the building improvements that will be developed on the property and the designated delivery route the trucks will take leading to and from the facility. The project is expected to be completed by the end of 2026 and operational in 2026 or early 2027. The company anticipates hiring 90 employees for the Massena facility (64 to work on-site and another 26 that will either be on-site or in another office building). There will be about 300-350 construction jobs during peak construction, which is expected to be in 2025. This project is expected to support New York State’s Climate and Energy Emission Goals and reduce about 6 million tons of CO2 over the life of the project and replace 600 million gallons of diesel fuel over the life of the project.

Public Comment: Mr. James Hidy, resident of Massena, asks for clarity about what hydrogen does and what the market is for this product. Mr. Harry Johnston, Senior Business Development Manager for Air Products and Chemicals Inc. answers the question, stating liquid hydrogen is used a lot in the transportation industry (mobility market which includes buses, trucks, fleet vehicles) and industrial processes. He adds that municipalities are also interested in decarbonizing and will use liquid hydrogen. Mr. Bill Fiacco then asks if hydrogen is currently being produced in this way in other plants. Mr. Johnston replies no, the Massena facility will be one of the first where water electrolysis will be

used, but there are other facilities that are contemplating the use of electrolysis as well. Mr. Fred Schreider, Northern Regional Line Manager for Air Products, adds that there is a distinction between using water electrolysis to make hydrogen today versus how it has been made in the past. Mr. Hidy comments on how Massena used to be the jewel of the north country with all the industry we had here. He asks if there could be any spin off companies that could take advantage of Air Products and Chemicals being here that may want to locate here as well. Mr. Johnston adds that they have been approached by other companies when they have been building facilities in other areas to see if there could be any synergies to keep costs down. It is possible that this facility could draw others. Mr. Scott Hillard from Laborers Local 1822, the North Country Building Trades, expresses his gratitude for the work this project will bring to the area. Mr. Hidy inquires about the environmental impacts of the project and asks if all the required permitting has been cleared. Mr. Oliver responds that back in May the Planning Board in Massena determined very little impact on the environment and a negative declaration was issued. Delivery trucks will have air emissions, and they are considering converting their diesel trucks to air emissions in the future, so there will be very few impacts to the environment. Permitting is still on-going, but they don't anticipate any issues.

Mr. Kelly then asks if there are any comments from the attendees using the Zoom platform. No comments were given. Mr. Oliver refers to an FAQ document that is located on the website: www.cscos.com/massena-green-hydrogen-facility/ if attendees would like to view more content relative to the project. Mr. Hassan Fayad asks about the sanitation requirements since the purchase of water was mentioned, and if the sanitation will be run on-site. He also wonders if the plant can be expanded in the future. Mr. Oliver believes the plant can be expanded, but it will depend on the demand for the market and adds that an on-site septic system will be used for the sewer. Mr. Hidy asked how the company decided on Massena. Mr. Oliver said there are several factors, including the availability of green power which is needed for green hydrogen, water supply, and the need for a good workforce, which he believes this area is capable of supplying. Additionally, the northeast regional markets are near for delivery purposes. Mr. Hidy asks if rail will be used and Mr. Oliver responds, no, it is all by truck. Mr. Patrick Casey states the cooling process seems pretty energy intensive and wonders if that is taken care of by the hydrogen that will be produced. Mr. Schreider states that while there is some complexity it's not all that different from a standard air conditioning system, but you cool and expand on a larger scale, and that electricity will be utilized for that purpose.

There being no other comments the Public Hearing closes at 11:30 AM.

By: Patrick J. Kelly
For: St. Lawrence County Industrial Development Agency

PUBLIC HEARING
St. Lawrence County Industrial Development Agency
Air Products and Chemicals, Inc.

October 10, 2023 at 11:00 AM
Massena Town Hall, Room 30, 60 Main Street
Massena, New York 13662
Project 4001-23-03

No.	Printed Name	Organization/Representation (Optional)
1.	Patrick Kelly	St. Lawrence County IDA
2.	Robert Ahlfeld	St. Lawrence County IDA
3.	Lori Sibley	St. Lawrence County IDA
4.	[REDACTED]	Labors Local 1822
5.	[REDACTED]	
6.	[REDACTED]	Town Council
7.	[REDACTED]	
8.	[REDACTED]	MASSENA
9.	[REDACTED]	Barclay Dama
10.	[REDACTED]	Sustainable PR
11.	[REDACTED]	Sustainable PR
12.	[REDACTED]	Air Products
13.	[REDACTED]	Air Products
14.	[REDACTED]	Air Products
15.	[REDACTED]	MASSENA
16.	[REDACTED]	Via Zoom
17.	[REDACTED]	Via Zoom
18.	[REDACTED]	Massena Elec Dept.
19.	[REDACTED]	-
20.	[REDACTED]	Via Zoom

PUBLIC HEARING
St. Lawrence County Industrial Development Agency
Air Products and Chemicals, Inc.

October 10, 2023 at 11:00 AM
Massena Town Hall, Room 30, 60 Main Street
Massena, New York 13662
Project 4001-23-03

No.	Printed Name	Organization/Representation (Optional)
1.	[REDACTED]	Watutown Daily Times
2.	[REDACTED]	
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EXHIBIT D

Table for In-Lieu-of-Taxes Payment:
St. Lawrence County, Town of Massena, and Massena Central School District

The St. Lawrence County Industrial Development Agency will bill the amounts listed on the table below to the respective taxing authority based upon the pro rata share for the current tax year.

Taxable Status Date: March 1, 2024
Tax Year Beginning: School District 2024/2025
Town and County 2025

PILOT term would be 20 years

<u>Tax Year</u>	<u>Exemption Percentage</u>	<u>School District Tax Year</u>	<u>County and Town Tax Year</u>	<u>Total Tax Payment</u>
Interim		2024-25, 2025-26, & 2026-27	2025, 2026, & 2027	Base Valuation Payment+
1	95%	2027-28	2028	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
2	90%	2028-29	2029	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
3	85%	2029-30	2030	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
4	80%	2030-31	2031	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
5	75%	2031-32	2032	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
6	70%	2032-33	2033	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
7	65%	2033-34	2034	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
8	60%	2034-35	2035	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
9	55%	2035-36	2036	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
10	50%	2036-37	2037	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
11	45%	2037-38	2038	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
12	40%	2038-39	2039	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
13	35%	2039-40	2040	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
14	30%	2040-41	2041	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
15	25%	2041-42	2042	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
16	20%	2042-43	2043	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
17	15%	2043-44	2044	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
18	10%	2044-45	2045	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
19	5%	2045-46	2046	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)
20	0%	2046-47	2047	(Base Valuation Payment), plus \$29,000,000 *(1-Exemption %* tax rate)

+Based Valuation Payment=Assessed value of land * applicable tax rate.