

NOTICE OF PUBLIC HEARINGS
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that public hearings pursuant to Section 859 of the General Municipal Law of the State of New York (the “Act”) will be held by Montgomery County Industrial Development Agency (the “Agency”) on the 24th day of October, 2018 at 6:00 o’clock p.m., local time, at the Municipal Town Building, 134 State Highway 80, Fort Plain, New York 13339 and on the 24th day of October, 2018 at 7:30 o’clock p.m., local time, at 12 Mitchell Street, Canajoharie, New York 13317, respectively, in connection with the following matters:

Mohawk Solar LLC (the “Company”) 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”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in approximately 1,000 acres of land located in the Town of Canajoharie, Montgomery County, New York and the Town of Minden, Montgomery County, New York (collectively, the “Land”), (2) the construction on the Land of a solar-powered electric generating facility, including, but not limited to, PV modules, metal racks and electric equipment with related foundations (collectively, the “Facility”) and (3) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the “Equipment”) (the Land, the Facility and the Equipment hereinafter referred to as the “Project Facility”), all of the foregoing to be operated by the Company as a solar-powered electric generating facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes (the “Financial Assistance”); and (C) the lease of the Project Facility to the Company or such other entity or person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from sales taxes relating to the acquisition, construction, and installation of the Project Facility, (2) exemption from deed transfer taxes on any real estate transfers with respect to the Project, and (3) exemption from real property taxes (not including special assessments and special ad valorem levies), subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency’s uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(b) of the Act prior to granting such portion of the Financial Assistance.

The Agency has not completed its review of the Project pursuant to 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 adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the “Regulations”, and collectively with the SEQR Act, “SEQRA”). After the Agency completes its review under SEQRA, it expects to be able to adopt a resolution determining that the Project will not have a significant effect on the environment.

The Agency will at said times and places hear all persons with views on either the location and nature of the Project or the Financial Assistance being contemplated by the Agency in connection with the Project. A copy of the application filed by the Agency with respect to the Project is available for public inspection during normal business hours at the office of the Agency.

Dated: October 10, 2018.

MONTGOMERY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: s/ John McGlone

Chairman