

NOTICE OF PUBLIC HEARING ON PROPOSED FINANCING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to §859-a of the New York General Municipal Law will be held by the Tompkins County Industrial Development Agency (the “IDA”) on the 24th day of January, 2018, at 3:10 p.m. at the Newfield Town Hall, 166 Main Street, Newfield, New York, in connection with the following matter:

Delaware River Solar, LLC (the “Company”), a New York State limited liability company, its successors or designees, has requested that the IDA provide financial assistance for the following project: to construct and equip on approximately 12.62 acres of real property leased by the Company on Millard Hill Road (currently designated as tax parcel number 3.-1-42.255) in the Town of Newfield, County of Tompkins (“the Property”) a 2-megawatt community solar array (known as Newfield V) to be used to generate electricity that will allow residential and commercial subscribers to receive renewable energy that will offset traditional power sources for the equivalent of 400 homes (“the Improvements”); the Property and Improvements are collectively referred to as “the Facility.”

The financial assistance contemplated by the IDA will consist generally of exemption from taxation expected to be claimed by the Company as a result of the IDA taking title to, possession or control (by lease, license or otherwise) of the Facility, or of the Company acting as an agent of the IDA, consisting of: (a) exemption from state and local sales and use tax with respect to the qualifying personal property portion of the Facility; (b) exemption from real estate transfer tax with respect to the transfer of the Facility or a portion thereof to the IDA; (c) exemption from mortgage recording tax with respect to any qualifying mortgage on the Facility, which exemption shall be offset, in part, by contractual payment in lieu of a portion of the mortgage recording tax; and (d) 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 (“PILOT” payments) by the Company for the benefit of tax affected jurisdictions.

In accordance with §875(3) of the New York General Municipal Law, and if the Company’s application is approved, any New York State and local sales and use tax exemption claimed by the Company and approved by the Agency in connection with the above-described project may be subject to recapture by the Agency under the terms and conditions set forth in §875(3) and as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Company.

The proposed exemption from state and local sales and use tax is expected to exceed \$100,000.00. The proposed PILOT Agreement is consistent with the standard property tax abatement schedule offered under the IDA’s Off-Site Commercial Solar Photovoltaic Policy.

Members of the public are invited to review the project application containing an analysis of the costs and benefits of the proposed project at the IDA’s office (401 East State/MLK Jr. Street, Suite 402B, Ithaca, New York) during regular business hours.

The IDA will, at the above-stated time and place, hear all persons with views in favor of or opposed to either the location or nature of the Project, or the proposed financial assistance being contemplated by the IDA. In addition, at, or prior to, such hearing, interested parties may submit to the IDA written materials pertaining to such matters.

A report of the hearing will be made available to the Tompkins County Industrial Development Agency Board of Directors. Approval of the financing by the IDA through its Board of Directors is necessary.

Dated: January 15, 2018 TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY