

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDED APPLICATION
FOR A PROJECT
AND FINANCIAL ASSISTANCE TO BE
CONSIDERED BY THE AGENCY
RELATING THERETO

Notice is hereby given that a 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 Town of Montgomery Industrial Development Agency (the "Agency") on the 22nd day of June, 2020 at 3:00 o'clock p.m., local time, at the office of the Agency located at 110 Bracken Road in the Town of Montgomery, Orange County, New York in connection with the matters described below.

PLEASE TAKE NOTICE: Pursuant to the Emergency Declaration issued by the Town Supervisor on March 13, 2020 and Governor Cuomo's Executive Order 202.15, as amended by Executive Order 202.39, the public may participate by dialing 844.219.5837 and when prompted entering Code 2166376598# to be afforded the opportunity to comment. The public is encouraged to submit written comments prior to the public hearing, which will be made part of the official record of the proceedings. Such comments may be e-mailed Agency's Executive Director (executivedirector@montgomeryida.com) on or before 12:00 p.m. on June 22, 2020 or mailed to: Town of Montgomery Industrial Development Agency, Town of Montgomery Government Center, 110 Bracken Road, Montgomery, NY 12549. Additional instructions for the participation by the public (either remotely or in person) may be posted to the Agency's website (www.montgomeryida.com) and on the bulletin board in Town Hall **on or before June 18, 2020**. Questions on the public's participation may also be emailed to the Agency's Executive Director (executivedirector@montgomeryida.com) on or before 12:00 p.m. on June 22, 2020. Statements or opinions received prior to the public hearing will be read at the public hearing.

SUBJECT MATTER OF PUBLIC HEARING: Matrix Maple, LLC a New York limited liability company (the "Company") or such other person(s) or entities as may be designated by the Company and agreed upon by the Agency (collectively, the "Company"), submitted an application (the "Application") to the Agency in November 2019, a copy of which Application is on file at the office of the Agency and on the Agency website (www.montgomeryida.com), requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) the acquisition of an interest in an approximately 26 acre portion of an approximately 59.70 acre parcel of land located at 59 Maple Avenue (currently being a portion of tax map no. 31-1-94.2) in the Town of Montgomery, Orange County, New York (the "Land"), (2) the construction on the Land of an up to 4.9 MWAC solar community solar project (the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a community solar system 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, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency. By resolution adopted by the members of the Agency on November 12, 2019 (the "First Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project. After due notice and publication as required by Section 859-a of the Act, the First Public Hearing was held on December 3, 2019 at 6:00 o'clock p.m., local time at the office of the Agency located at 110 Bracken Road in the Town of Montgomery, Orange County, New York. A report of the First Public Hearing (the "First Hearing Report")

fairly summarizing the views presented at such First Public Hearing was made and posted to the Agency website (www.montgomeryida.com).

The Applicant presented a modification (i) to its Application, and (ii) the requested Financial Assistance, at the Agency regular meeting held on May 12, 2020 and thereafter. On June 9, 2020, the Agency determined to issue a notice of deviation from its existing Uniform Tax Exempt Policy (“Notice of Deviation”) for the Project to the appropriate taxing jurisdictions. The Agency believes that it is appropriate to conduct a second public hearing (the “Second Public Hearing”) to inform the public of the Application amendments and the proposed deviation from the Agency’s existing Uniform Tax Exempt Policy. The amendments to the Application and the Notice of Deviation to the appropriate taxing jurisdictions will be posted to the Agency website (www.montgomeryida.com).

The Agency is considering whether (A) to undertake the Project, and (B) to provide to the Company a certain payment in lieu of taxes agreement (set forth in the Notice of Deviation described above). If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the “Agreement”) requiring that the Company or its designee make certain payments to the Agency.

During the Second Public Hearing the Agency will hear all persons with views on either the location and/or nature of the proposed Project, the amendments to the Application, or the proposed Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application amendments filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the Second Public Hearing will be made available to the members of the Agency and posted to the Agency website (www.montgomeryida.com).

Additional information can be obtained from, and written comments may be addressed to: Conor Eckert, Executive Director, Town of Montgomery Industrial Development Agency, 110 Bracken Road, Montgomery, New York 12549; Telephone: 845-457-2600; executivedirector@montgomeryida.com.

Dated: June 10, 2020

TOWN OF MONTGOMERY INDUSTRIAL
DEVELOPMENT AGENCY

/s/ Jeffrey D. Crist, Chairperson
BY: _____
Jeffrey D. Crist, Chairperson