

NOTICE OF SECOND PUBLIC HEARING
ON PROPOSED PROJECT
AND **AMENDED** FINANCIAL ASSISTANCE
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 Allegany County Industrial Development Agency (the “Agency”) on the 7th day of August, 2024 at 7:00 o’clock p.m., local time, at the Town of Rushford Town Hall located at 8999 Main Street in the Town of Rushford, Allegany County, New York, and on the 6th day of August, 2024 at 7:00 o’clock p.m., local time, at the Town of Centerville Town Hall located at 8902 County Road 3 in the Town of Centerville, Allegany County, New York in connection with the following matters:

Alle-Catt Wind Energy LLC, a State of Delaware limited liability company (the “Company”), submitted a **revised** Application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting 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 multiple parcels of land located in the Towns of Centerville and Rushford, Allegany County, New York, together with various parcels of land scattered amongst approximately 15,000 leased acres located in the northwestern corner of the Town of Rushford and throughout the Town of Centerville, Allegany County, New York (collectively, the “Land”), (2) the construction and installation on the Land of approximately twenty-eight (28) wind turbine generators averaging 4.5 MW each, for a total of 126 MW (collectively, the “Facility”), (3) the construction of associated access roads and electrical interconnect infrastructure (collectively, the “Infrastructure”) and (4) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the “Equipment”), all of the foregoing to constitute a wind energy generating facility to be owned and operated by the Company (the Land, Facility, the Infrastructure and the Equipment being collectively referred to as the “Project Facility”); (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 (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. **The Project and the Financial Assistance were the subject of previous public hearings conducted by the Agency on the 30th day of December, 2019. The purpose of the scheduling of this Public Hearing is to provide for the consideration of the Amended Financial Assistance.**

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 mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Allegany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the **Amended** 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(4) of the Act prior to granting such portion of the **Amended** Financial Assistance.

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 each of the Company or its designee make certain payments to the Agency.

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 (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), the Agency determined that the Project is exempt from review under SEQRA pursuant to the provisions of Article 10 of the Public Service Law of the State of New York, as amended, and therefore a determination by the Agency as to whether the Project may have a “significant effect on the environment” (as said quoted term is defined under SEQRA) is not required.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the **Amended** Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application 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 hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Dr. Craig Clark, Executive Director, Allegany County Industrial Development Agency, Crossroads Commerce and Conference Center, 6087 NYS Route 19N, Suite 100, Belmont, New York 14813; Telephone: (585) 268-7472.

Dated: July 18, 2024.

ALLEGANY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

BY: /s/ Dr. Craig Clark
Dr. Craig Clark, Executive Director