

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law, will be held by the Oneida County Industrial Development Agency (the "Agency") on the 6th day of October 2022 at 10:00 a.m., local time, at New Hartford Town Hall, 8635 Clinton Street, New Hartford, New York in connection with the following matters:

The Indium Corporation of America, on behalf of itself and/or the principals of The Indium Corporation of America, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") has applied to the Agency to enter into a transaction in which the Agency will assist in the acquisition and renovation of a three-story, 124,000± square foot office building (the "Improvements") situated on a 13.5± acre parcel of land located at 301 Woods Park Drive, Town of New Hartford, Oneida County, New York (the "Land") and acquisition and installation of equipment in the Improvements (the "Equipment"), all for the purpose of providing a corporate headquarters to support, expand and better utilize the Company's current manufacturing facilities in Oneida County (the Land, the Improvements and the Equipment are referred to collectively as the "Facility" and the acquisition, renovation and equipping of the Facility is referred to as the "Project").

AX NY Office L.P. ("AX NY") owns the Land and Improvements and leases the same to the Agency pursuant to a lease agreement, and the Agency leases the Land and Improvements back to AX NY pursuant to a leaseback agreement (collectively, the "Existing Leases"). AX NY subleases a 41,500± square foot portion of the Facility to the Company for its operation, and subleases an 82,000± square foot portion of the Facility to Hartford Fire Insurance Company for its operation (the "Hartford Sublessee"). The Facility is the subject of a PILOT Agreement dated as of March 13, 2008 (the "Existing PILOT Agreement") by and among AX NY, the Hartford Sublessee and the Agency. PILOT Payments under the Existing PILOT Agreement are collected and allocated by the Agency under the terms of an Agreement Allocating PILOT Payments dated as of October 15, 2008 (the "Allocation Agreement") by and among the Agency, the Town of New Hartford (the "Town"), the New Hartford Central School District and the County of Oneida (collectively, the "Affected Tax Jurisdictions"). AX NY will sell the Land and Improvements to the Company, assign to the Company its interest under the Existing Leases and the Existing PILOT Agreement, and the Company and the Agency will amend the Existing Leases and the Existing PILOT Agreement to add and include the Project and the proposed financial assistance to the Facility (described below). PILOT Payments will continue to be collected and allocated in accordance with the Allocation Agreement until such time as the Town is made whole for the Town's Actual Debt Service pertaining to the Public Improvements to develop the New Hartford Business Park (as said terms are defined in the Allocation Agreement). After the final allocation is made to the Town, the Allocation Agreement will terminate and the Affected Tax Jurisdictions will bill, collect and allocate PILOT Payments in the same proportion that taxes would have been allocated but not for the Agency's involvement. At the end of the lease term, the Agency will terminate its leasehold interest in the Facility. The Agency is contemplating providing financial assistance to the Company in support of the Project in the form of exemptions from sales and use taxes, exemptions from mortgage recording taxes and reduction of real property taxes for a period of eleven years, during which time taxes will be reduced by a fixed amount each year, which financial assistance is a deviation from the Agency's Uniform Tax Exemption Policy, to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. Members of the public may listen to the Public Hearing by calling 1-408-418-9388 (Access code: 263 414 02671). Comments may also be submitted to the Agency in writing or electronically. Minutes of the Public Hearing will be transcribed and posted on the Agency's website. A copy of the Application for Financial Assistance filed by the Company with the Agency, including an analysis of the costs and benefits of the proposed Project, is available for public inspection at the offices of the Agency, 584 Phoenix Drive, Rome, New York.

ONEIDA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

Dated: September 19, 2022

By: /s/ Shawna M. Papale, Executive Director

Mark Kaucher

From: Ruberto, Laura <RubertL@bsk.com>
Sent: Monday, September 19, 2022 11:30 AM
To: Anthony J. Picente; nhsupervisor@town.new-hartford.ny.us; pking@board.nhart.org; ctangorra@nhart.org
Cc: Romano, Linda; Shawna Papale; realproperty@ocgov.net; Carvelli, Anthony; Pilbeam, Kathy; Daisy Morales-Hernandez; Mark Kaucher; 'Billard, Mike'; cherylj@townofnewhartfordny.gov; Tim Fitzgerald; Robin Kennedy; Kim Schweitzer; mmandel@nhart.org
Subject: Notice of Public Hearing: The Indium Corporation of America/Oneida County IDA
Attachments: notice of public hearing (Indium WPD)(14814532.2).pdf

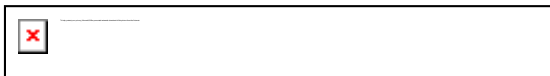
On **October 6, 2022 at 10:00 a.m.**, local time, the Oneida County Industrial Development Agency (the "Agency") will conduct a public hearing regarding a project for **The Indium Corporation of America**. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to the *Observer-Dispatch*, Utica, New York for publication.

You are welcome to attend such hearing and provide comments on the nature of the Facility and the provision of financial assistance. We are providing this notice to you, pursuant to Chapters 356 and 357 of the Laws of 1993, as the chief executive officer of an affected tax jurisdiction within which the project is located.

Should you desire to discuss this matter or if you have any questions concerning this notice please feel free to contact Shawna Papale at the Agency at telephone number 315-338-0393.

Laura S. Ruberto

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Business
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