

## 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 9th day of June 2020 at 9:00 a.m., local time, at 584 Phoenix Drive, City of Rome, New York in connection with the following matters:

63 Wurz Ave., LLC, on behalf of itself and/or the principals of 63 Wurz Ave., LLC, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") has applied to the Oneida County Industrial Development Agency (the "Agency") to enter into a transaction in which the Agency will assist in the construction of a 9,600± square foot, six-bay, state-of-the-art fleet maintenance facility together with all infrastructure to service the same (collectively, the "Improvements") situated on parcels of land measuring 4.50± acres in the aggregate located at 55 – 63 Wurz Avenue, City of Utica, Oneida County New York (the "Land") and the acquisition and installation of equipment in the Improvements (the "Equipment"), all for the purpose of providing specialized service and repair of equipment used in the related recycling and containerized shipping businesses operated by Empire Recycling Corporation ("Empire Recycling Corporation") and ERL Intermodal ("ERL Intermodal") (the Land, the Improvements and the Equipment are referred to collectively as the "Facility" and the construction and equipping of the Improvements is referred to as the "Project"). The Facility will be initially operated and/or managed by the Company.

The Company owns the Land and Existing Improvements, and will lease the Facility to the Agency. The Agency will lease the Facility back to the Company pursuant to a leaseback agreement. At the end of the lease term, the Agency will terminate its leasehold interest in the Facility. The Company will further sublease the Facility to Trucks 63, LLC (the "Sublessee") for its operation pursuant to a sublease agreement. The Agency is contemplating providing financial assistance in the form of exemptions from real property taxes for a period of ten years, during which time the Company will make fixed PILOT Payments and exemptions from sales tax on materials and equipment acquired and installed in connection with the Project, 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.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Public Hearing will be held electronically via conference call instead of a public hearing open for the public to attend. Members of the public may listen to the Public Hearing and comment on the Project and the benefits to be granted to the Applicant by the Agency during the Public Hearing by calling 1-408-418-9388 (Access code: 795 442 547). 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: May 22, 2020

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