

WEBSITE  
AFFIDAVIT OF POSTING  
OF NOTICE OF PUBLIC HEARING  
ON PROPOSED PROJECT  
AND FINANCIAL ASSISTANCE  
RELATING THERETO

STATE OF NEW YORK        )  
  ) SS.:  
COUNTY OF LEWIS        )

The undersigned, being duly sworn, hereby states:


1. That on October 11, 2022, I posted a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed Domagala Solar LLC Project to be undertaken by County of Lewis Industrial Development Agency (the "Agency") for the benefit of Domagala Solar LLC (the "Company") on the Agency's website.

2. That the Notice of Hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was posted on such website.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of October, 2022.

  
\_\_\_\_\_

Sworn to before me this  
11 day of October, 2022.

  
\_\_\_\_\_  
Notary Public

KRISTEN F. AUCTER  
Notary Public, State of New York  
Reg. No. 01AU6384577  
Qualified in Lewis County  
Commission Expires 12/17/2022

BULLETIN BOARD  
AFFIDAVIT OF POSTING  
OF NOTICE OF PUBLIC HEARING  
ON PROPOSED PROJECT  
AND FINANCIAL ASSISTANCE  
RELATING THERETO

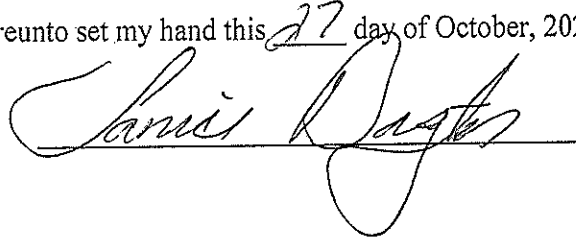
STATE OF NEW YORK     )  
  ) SS.:  
COUNTY OF LEWIS     )

The undersigned, being duly sworn, hereby states:

1. That on October 18, 2022, I posted a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed Domagala Solar LLC Project to be undertaken by County of Lewis Industrial Development Agency (the "Agency") for the benefit of Domagala Solar LLC on a public bulletin board at the Town of Leyden Town offices located at 6606 School Road in the Town of Leyden, Lewis County, New York.

2. That the Notice of Hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was posted on such bulletin board.

IN WITNESS WHEREOF, I have hereunto set my hand this 27 day of October, 2022.



Sworn to before me this  
27 day of October, 2022.

Mandy J. Evans  
Notary Public

MANDY J. EVANS  
Notary Public, State of New York  
No. 01EV6209869  
Qualified in Lewis County  
Commission Expires Aug. 3, 2025

EXHIBIT A

COPY OF THE NOTICE OF HEARING

NOTICE OF PUBLIC HEARING  
ON PROPOSED PROJECT  
AND 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 County of Lewis Industrial Development Agency (the "Agency") on the 27<sup>th</sup> day of October, 2022 at 1:00 o'clock p.m., local time, at Town of Leyden Town Offices located at 6606 School Road in the Town of Leyden, Lewis County, New York in connection with the following matters:

Domagala Solar LLC, a New York State limited liability company (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested 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 a 30 acre portion of an approximately 88.10 acre parcel of land located at 3127 East Road (tax map no. 353.00-01-23.100) in the Town of Leyden, Lewis County, New York (the "Land"), (2) the construction on the Land of an approximately 4.5 MWac solar energy generating facility comprised of new electrical equipment, accessories, concrete pads for equipment and a new gravel access driveway (collectively with the improvements, the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, Facility 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, 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.

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 Lewis 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 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 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 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”), by resolution adopted by the members of the Agency on October 6, 2022 (the “SEQR Resolution”), the Agency (A) concurred in the determination that the Town of Leyden Planning Board (the “Planning Board”) was designated to act as the “lead agency” with respect to the Project and (B) acknowledged receipt of a negative declaration from the Planning Board issued on July 1, 2021 (the “Negative Declaration”) in which the Planning Board determined that that the Project is a “Type I” which will not have a “significant effect on the environment” and, therefore, that an “environmental impact statement” is not required to be prepared with respect to the Project.

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 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: Brittany Davis, Executive Director of Economic Development, County of Lewis Industrial Development Agency, 7551 South State Street, P.O. Box 106, Lowville, New York 13367; Telephone: (315) 376-3014.

Dated: October 7, 2022.

COUNTY OF LEWIS INDUSTRIAL  
DEVELOPMENT AGENCY

BY: /s/ Brittany Davis  
Brittany Davis,  
Executive Director of Economic  
Development