

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

Notice is hereby given that a public hearing (the "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 Otsego Industrial Development Agency (the "Agency") on the 10th day of August, 2020 at 4:00 o'clock p.m., local time. As a result of the Novel Coronavirus (COVID-19) Emergency and the state ban on meetings or gatherings pursuant to Executive Order 220.10 issued on March 23, 2020, the suspension of the Open Meetings Law relating to public meetings pursuant to Executive Order 220.1 issued on March 12, 2020 and the authorization to hold public hearings by remote access pursuant to Executive Order 220.15 issued on April 9, 2020, the Public Hearing scheduled for August 10, 2020 in connection with the matter described below (the "Project") will be held electronically via conference call and video conference rather than in person. Members of the public may listen to, view and participate in the Public Hearing and comment on the Project and the financial assistance requested by the Project applicant from the Agency by dialing in by telephone number: **1 (408) 650-3123 and entering access code 151-137-157** or you can join this Public Hearing from your computer, tablet or smartphone via **GoToMeeting video conference call by logging into <https://global.gotomeeting.com/join/151137157>**. If you are new to GoToMeeting, you can get the app now and be ready when the Public Hearing starts: <https://global.gotomeeting.com/install/151137157>. 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.

Systematic Power Manufacturing, LLC d/b/a Ioxus, a Delaware 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 approximately 11.2 acres of land located at 18 Stadium Circle (Tax Map No. 299.00-1-11.01) in the Town of Oneonta, Otsego County, New York (the "Land"), together with the existing improvements containing in the aggregate approximately 35,445 square foot of space in the Main Building and 5,000 square foot of space in the Pole Barn located thereon (the "Existing Facility"), (2) the renovation and reconstruction of the Existing Facility, to include a 25,000 square foot addition to the existing building (the "Facility") and (3) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the "Equipment") (the Land, the Existing Facility, the Facility and the Equipment hereinafter referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company to produce ultracapacitor products for transportation, government, and industrial applications as a manufacturing, development, warehousing, sales and distribution 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.

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 Otsego 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, reconstruction, 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, reconstructed, renovated 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.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location or 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: Jody Zakrevsky, Chief Executive Officer, County of Otsego Industrial Development Agency, 189 Main Street, Suite 500, Oneonta, New York 13820; Telephone: (607) 267- 4010.

Dated: July 27, 2020.

COUNTY OF OTSEGO INDUSTRIAL
DEVELOPMENT AGENCY

BY: /s/ Jody

Zakrevsky

Jody Zakrevsky, Chief Executive Officer

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 OTSEGO)

The undersigned, being duly sworn, hereby states:

1. That on July 28, 2020, 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 Systematic Power Manufacturing, LLC d/b/a Ioxus Project to be undertaken by County of Otsego Industrial Development Agency (the "Agency") for the benefit of Systematic Power Manufacturing, LLC d/b/a Ioxus on a public bulletin board located at 3966 State Hwy 23 in the Town of Oneonta, Otsego 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 28th day of July, 2020.

Sara Robinson

Sworn to before me this
28th day of July, 2020.

Paula Morell
Notary Public

PAULA MORELL
Notary Public, State of New York
Reg. No. 01MO6189947
Qualified in Otsego County
Commission Expires July 7, 2024