



**NOTICE LETTER**  
**Notice of Public Hearing**

July 1, 2020

To: The Attached List of Affected Tax Jurisdictions  
Officials Listed on Schedule A

Re: Steuben County Industrial Development Agency and Tyoga Container Company,  
Inc.: Notice of Public Hearing – Proposed Financial Assistance

Ladies and Gentlemen:

On Thursday, July 16, 2020, at 11:00 a.m., local time, at the Agency's offices at 7234 Route 54 North, Bath, New York 14810, the Steuben County Industrial Development Agency (the "Agency") will conduct a public hearing regarding the above-referenced project. 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 Leader* for publication.

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at:

<https://www.steubencountyida.com/docs/2020/06/26/2020-tyoga-container-company-inc/>

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will provide public access to provide oral comments, at the time and on the date indicated above, via toll-free conference bridge at (866) 804-5312, passcode 585-419-8718. The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to Steuben

County Industrial Development Agency, Attention: Jill Staats, Deputy Director of Operations, 7234 Route 54 North, P.O. Box 393, Bath, New York 14810, and/or via email at [jstaats@steubencountyida.com](mailto:jstaats@steubencountyida.com) **no later than Thursday, July 23, 2020.**

The public hearing is being conducted pursuant to Section 859-a of the General Municipal Law. We are providing this notice to you, pursuant to General Municipal Law Section 859-a, as the chief executive officer of an affected tax jurisdiction within which the project is located.

STEUBEN COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

By: James C. Johnson, Executive Director

Schedule A

***CERTIFIED MAIL***

***No. 9498-0090-0027-6250-6123-72***

Steuben County Administrator  
County Office Building  
3 East Pulteney Square  
Bath, New York 14810

***CERTIFIED MAIL***

***No. 9498-0090-0027-6250-6123-96***

Town of Erwin  
Attn: Town Supervisor  
310 Town Center Road  
Painted Post, New York 14870

***CERTIFIED MAIL***

***No. 9498-0090-0027-6250-6124-19***

Corning-Painted Post Area School District  
Attn: Superintendent  
165 Charles Street  
Painted Post, New York 14870

***CERTIFIED MAIL***

***No. 9498-0090-0027-6250-6123-89***

Steuben County Legislature  
Attn: Chair  
3 East Pulteney Square  
Bath, New York 14810

***CERTIFIED MAIL***

***No. 9498-0090-0027-6250-6124-02***

Village of Painted Post  
Attn: Mayor  
261 Steuben Street  
PO Box 110  
Painted Post, New York 14870

***CERTIFIED MAIL***

***No. 9498-0090-0027-6250-6124-26***

Corning-Painted Post Area School District  
Attn: President, Board of Education  
165 Charles Street  
Painted Post, New York 14870



## **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the Steuben County Industrial Development Agency (the "Agency") on Thursday, July 16, 2020, at 11:00 a.m., local time, at the Agency's offices at 7234 Route 54 North, Bath, New York 14810, in connection with the matter described below. **PLEASE NOTE THE SPECIAL PUBLIC HEARING LOGISTICS AND INSTRUCTIONS INCLUDED AT THE END OF THIS NOTICE.**

TYOGA CONTAINER COMPANY, INC. for itself or on behalf of an entity formed or to be formed on behalf of the foregoing (the "Company"), has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project"), consisting of: (a) the acquisition of a leasehold interest in certain vacant land located at 450 West Water Street in the Village of Painted Post, Steuben County, New York (the "Land"); (b) the construction on the Land of (i) an approximately 600,000 sq. ft. distribution and warehouse building, of which 100,000 sq. ft. will be utilized by the Company and 500,000 sq. ft. will be leased to Southern Tier Logistics (the "Tenant"), and (ii) related infrastructure improvements including, but not limited to, roadways, parking lots and utilities (collectively, the "Improvements"), and (c) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interests will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of The Agency contemplates that it will provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, and equipping of the Facility, (b) a partial real property tax abatement structured within a payment-in-lieu-of-tax agreement, and (c) a mortgage recording tax exemption for financing or re-financing related to the Project (collectively, the "Financial Assistance").

### **PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:**

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at: <https://www.steubencountyida.com/docs/2020/06/26/2020-tyoga-container-company-inc/>.

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable

opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will provide public access to provide oral comments, at the time and on the date indicated above, via toll-free conference bridge at (866) 804-5312, passcode 585-419-8718. The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to Steuben County Industrial Development Agency, Attention: Jill Staats, Deputy Director of Operations, 7234 Route 54 North, P.O. Box 393, Bath, New York 14810, and/or via email at [jstaats@steubencountyida.com](mailto:jstaats@steubencountyida.com) **no later than Thursday, July 23, 2020.**

Dated: July 3, 2020

STEBEN COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY