

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Niagara County Industrial Development Agency (the "Agency") on the 23rd day of August, 2012 at 4:00 p.m., local time, at the Niagara County Center for Economic Development, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132, in connection with the following matter:

**SUSTAINABLE BIOELECTRIC, LLC**, for itself or on behalf of an entity to be formed (the "Company"), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition or retention by the Agency of fee title to or a leasehold or other interest in an approximately 7-acre parcel of land on Liberty Drive in the Town of Wheatfield, Niagara County, New York (the "Land"); (B) the construction thereof of an approximately 3,000 square foot facility (the "Improvements"); and (C) the acquisition of and installation in and around the Improvements of certain equipment and items of personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"), all to be used by the Company in its business as a renewal energy company.

The Agency will acquire (or retain) title to, or 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 Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance to the Company for qualifying portions of the Project in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, a partial real property tax abatement and a mortgage recording tax exemption with respect to a certain payment-in-lieu-of-tax agreement mortgage.


A representative of the Agency will be at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed financial assistance.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

DATED: August 7, 2012

**NIAGARA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY**

By: \_\_\_\_\_

  
Samuel M. Ferraro  
Executive Director