PUBLIC HEARING MINUTES

Herkimer County Industrial Development Agency
January 22, 2019 @ 9:00 AM
Higby Gold, Inc.
Town of Frankfort, Town Hall, 201 Third Avenue
Frankfort, NY   13340

John J. Piseck, Jr. introduced himself as the Executive Director of the Herkimer County Industrial Development Agency and opened the public hearing at 9:02AM.

Mr. Piseck appointed Stacey Holleran to record the minutes of the hearing.

Mr. Piseck also introduced Mr. Jerry Stucchi and Mr. John Dillon of Higby Gold.

Mr. Piseck stated that on January 11, 2019, a Public Hearing Notice was published in the legal section of the Times Telegram as well as being posted on the Agency's website. The Agency also provided a copy to the CEO of all affecting taxing jurisdictions. The following is the published notice:

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 Herkimer County Industrial Development Agency (the "Agency") on the 22nd day of January 2019, at 9:00 AM, local time at the Town Hall, Village of Frankfort, 201 Third Avenue, Herkimer County, New York, in connection with the following matter:

HIGBY GOLD, INC. (the "Company") has requested that the Agency consider undertaking a project for the benefit of the Company as follows: (i) to provide assistance through sales tax and mortgage tax incentives for the constructing, equipping, and financing of the below described project Facility and real property tax relief in the form of a Payment In Lieu of Tax Agreement (the "Assistance"), (ii) to acquire, construct, equip, and finance the Facility or to cause the Facility to be constructed, equipped, and financed; and (iii) to lease (with an obligation to purchase) or sell the Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency. If any portion of the Assistance being offered by the Agency is inconsistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy in accordance with the provisions of the GML.

The Facility will consist of the acquisition, construction, and equipping of a complete truck stop/retail convenience outlet providing diesel fuel, gasoline, driver amenities, convenience store, restaurant, truck wash, reserved parking, and CAT Scales, operation and office space located on the east side of Country Mile in the Town of Frankfort, Herkimer County, State of New York, known as Lot 19 and Lot 20. The Project has an estimated cost of Three Million Three Hundred Sixty Eight Thousand and 00/10 Dollars ($3,368,000.00) (the "Project Costs)". The Facility will be owned and operated by the Company.

A representative of the Agency will be at the above-stated time and place to review the project application, and hear comments and accept written statements from any persons with

views in favor of or opposed to either the proposed Assistance to the Company or the location or nature of the Facility. A copy of the Application filed by the Company with the Agency with respect to the Facility, 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 John J. Piseck, Jr., Executive Director, Herkimer County Industrial Development Agency, 420 E. German Street, Suite 101A, Herkimer, New York 13350; Telephone 315-866-3000.

The agency is in receipt of census and economic data relevant to this project. The data provides income and employment information on the county and the town. The data suggests that the Town of Frankfort is an economically distressed area.

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Mr. Piseck invited public comments.

Being no public comment, the public hearing was closed at 9:10 AM.

Respectfully Submitted,

Stacey J. Holleran
Office Manager

Attachment: Sign in sheet