

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 Ulster County Industrial Development Agency (the "Agency") on the 30th day of September, 2019 at 7:00 o'clock p.m., local time, at the Town of Marlborough Town Hall located at 21 Milton Turnpike in the Town of Marlborough, Ulster County, New York in connection with the following matters:

Brooklyn Bottling of Milton, New York, Inc., a New York State business corporation ("Brooklyn Bottling") and Ham III Realty, LLC, a New York State limited liability company ("Ham" and collectively with Brooklyn Bottling referred to as the "Company") have presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting 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) a portion of an approximately 21.20 acre parcel of land located at 9 Riverview Drive in the Town of Marlborough, Ulster County, New York (tax map number 109.1-2-5.111) (the "Riverview Drive Land"), together with an approximately 118,000 square foot building located thereon (the "Riverview Drive Existing Facility") and (b) a portion of two parcels of land containing in the aggregate approximately 15.3 acres located at 643 South Road (tax map number 103.1-3-52) and 34 Dock Road (tax map number 103.1-3-29) in the Town of Marlborough, Ulster County, New York (collectively, the "South Road Land," and, collectively with the Riverview Drive Land, the "Land"), together with an approximately 100,000 square foot building located thereon (the "South Road Facility") (2) the construction to the Riverview Drive Existing Facility of an approximately 52,716 square foot addition (the "Addition") (the Addition and the Riverview Drive Existing Facility hereinafter collectively referred to as the "Riverview Drive Facility"), (3) the renovation and upgrade of the South Road Facility (the "Riverview Drive Facility and the South Road Facility being collectively referred to as the "Facility") and (4) the acquisition and installation at (a) the Riverview Drive Facility of certain machinery, equipment and other personal property (collectively, the "Riverview Drive Equipment") and (b) the South Road Facility of certain machinery, equipment and other personal property (collectively, the "South Road Equipment" and collectively with the Riverview Drive Equipment, the "Equipment"), (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company as a contract manufacturing beverage and food operation, and any 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 Ulster 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.

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 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: Rose Woodworth, Chief Executive Officer, Ulster County Industrial Development Agency, PO Box 4265, Kingston, New York 12402; Telephone: (845) 943-4600.

Dated: September 17, 2019.

ULSTER COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY

BY: /s/ Randall Leverette  
Chair