

Clinton County Capital Resource Corporation
Report of the Public Hearing
Regarding CIDC Plattsburgh, LLC
November 8, 2024

The public hearing was called to order by Molly Ryan, Executive Director of the Clinton County Capital Resource Corporation at 9:30 a.m., at the Town of Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York 12901.

Present: Molly Ryan, Executive Director, Clinton County Capital Resources Corporation
Dorothy Brunell, Administrative Assistant, Clinton County Capital Resource Corporation

My name is Molly Ryan, and I am the Executive Director of the Clinton County Capital Resource Corporation (the "Issuer") in connection with the project which is the subject of this public hearing.

I am also the Public Hearing Officer for this Public Hearing, and we are holding this Public Hearing to allow citizens to make a statement, for the record, relating to the sponsorship and involvement of the Issuer with a project (the "Proposed Project") for the benefit of CIDC Plattsburgh, LLC, a New York State limited liability company (the "Borrower").

I will begin by providing the description of the Proposed Project and the Borrower's request for Financial Assistance, along with further information regarding the purpose of the public hearing, the Issuer's legal authority, and the Issuer's next steps. Following that introduction, I will then open up this Public Hearing for comments.

Project Description

The Proposed Project consists of the following: (A) (i) the construction of an approximately 154,000 square foot building, an approximately 11,373 square foot ancillary building and associated parking (collectively, the "Initial Facility") on an approximately 17.1 acre parcel of land located at Rugar Street and Industrial Boulevard in the Town of Plattsburgh, Clinton County, New York (the "Initial Land") and (ii) the acquisition of and installation thereon and therein of machinery and equipment (the "Initial Equipment") (the Initial Facility, the Initial Land and the Initial Equipment being hereinafter collectively referred to as the "Initial Project Facility"), all of the foregoing to be owned by the Borrower and leased to Clinton-Essex-Warren-Washington BOCES d/b/a Champlain Valley Educational Services ("BOCES") for use as an administrative/educational facility and any other directly and indirectly related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of tax-exempt and/or taxable revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Initial Project, together with necessary incidental costs in connection therewith, then estimated to be \$68,250,000 and in any event not to exceed \$75,000,000 (the "Obligations"); (C) the paying a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations, any reserve funds as may be necessary to secure the Obligations and capitalized interest during the construction period; (D) the granting of certain other financial assistance with respect to the foregoing, including exemption from certain mortgage recording taxes; and (E) the making of a loan (the "Loan") of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer.

For clarification purposes, I would like to state that the Obligations of the Issuer issued with respect to the Proposed Project will not be obligations of the State of New York or any municipality thereof, including Clinton County, New York (the "County"), the municipality for whose benefit the Issuer was

created. In addition, the Obligations of the Issuer will not be a general obligation of either the Issuer or the County. **The Obligations are not an obligation of the County or the taxpayers of the County.**

This Public Hearing is being held by the Agency to satisfy the provisions of Section 147(f) of the Internal Revenue Code and Section 859-a(1) of said General Municipal Law of the State of New York (the "Act").

The Executive Director of the Issuer caused notice of this Public Hearing to be published on October 29, 2024 in the Press Republican, a newspaper of general circulation available to the residents of the Town of Plattsburgh, Clinton County, New York. In addition, the Executive Director of the Issuer caused notice of this Public Hearing to be mailed on October 28, 2024 to the affected tax jurisdictions. The Executive Director of the Issuer also caused a certified copy of the Preliminary Inducement Resolution to be mailed on October 25, 2024 to the affected tax jurisdictions.

As noted above, the Borrower has requested the issuance of tax-exempt and/or taxable revenue bonds with respect to the undertaking of the Proposed Project.

The Issuer will consider the Borrower's requests at a subsequent meeting of the Issuer, currently scheduled for November 13, 2024 at 12:00 p.m., and at such meeting the Issuer will also consider the comments received at the public hearing held this morning. Such meeting, like all meetings of the Issuer, are open to the general public.

We have made arrangements for a stenographer to be present in order to accurately make a record of the public comments. Copies of the notice of this Public Hearing are available on the table.

Information regarding the legal authorization and powers of the Issuer, and the legal requirements and procedures regarding this Public Hearing is attached hereto as Schedule A.

Purpose of this Public Hearing

Pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), if any portion of the Obligations is intended to be issued as federally tax-exempt obligations (the interest on which will be excludable from the gross income of the holders thereof for federal income tax purposes), then prior to issuing such portion of the Obligations, (A) the Issuer must hold a public hearing on the nature and location of the Project Facility and the issuance of such Obligations (the "Public Hearing") and (B) thereafter the County Legislature of Clinton County, New York (the "County Legislature") must approve the issuance of such Obligations. Additionally, pursuant to the Certificate of Incorporation of the Issuer, prior to the Issuer providing the Financial Assistance, the Issuer, among other things, must hold a public hearing in accordance with the guidelines set forth in Section 859-a of the General Municipal Law with respect to the Proposed Project.

The purpose of this public hearing is to solicit public comment with respect to the Issuer's involvement with the Proposed Project. We are not here to answer questions, although in the course of the hearing we will consider questions if we have the information to answer the question and there is sufficient time to consider such questions. Further, questions or comments regarding the environmental, planning, zoning, design and related issues regarding the Proposed Project are outside the scope of this public hearing. Lastly, general comments regarding capital resource corporations are not relevant to this Public Hearing.

As previously stated, copies of the notice of this Public Hearing are available on the table.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of

this Public Hearing, and instead request that the full text of the notice of this Public Hearing be inserted into the record of this Public Hearing.

Public Hearing Notice

Notice is hereby given by Clinton County Capital Resource Corporation (the “Issuer”) that a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and, as required by the Issuer’s certificate of incorporation and Section 859-a of the General Municipal Law of the State of New York (the “Public Hearing”), has been scheduled and will be held by the Issuer on the 8th day of November, 2024 at 9:30 o’clock a.m., local time at the Town of Plattsburgh Town Hall located at 151 Banker Road in the Town of Plattsburgh, Clinton County, New York in connection with the following matters:

CIDC Plattsburgh, LLC, a New York State limited liability company (the “Borrower”), submitted an application (the “Application”) to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the “Initial Project”) for the benefit of the Borrower, said Initial Project consisting of the following: (A) (i) the construction of an approximately 154,000 square foot building, an approximately 11,373 square foot ancillary building and associated parking (collectively, the “Initial Facility”) on an approximately 17.1 acre parcel of land located at Rugar Street and Industrial Boulevard in the Town of Plattsburgh, Clinton County, New York (the “Initial Land”) and (ii) the acquisition of and installation thereon and therein of machinery and equipment (the “Initial Equipment”) (the Initial Facility, the Initial Land and the Initial Equipment being hereinafter collectively referred to as the “Initial Project Facility”), all of the foregoing to be owned by the Borrower and leased to Clinton-Essex-Warren-Washington BOCES d/b/a Champlain Valley Educational Services (“BOCES”) for use as an administrative/educational facility and any other directly and indirectly related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of tax-exempt and/or taxable revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Initial Project, together with necessary incidental costs in connection therewith, then estimated to be \$68,250,000 and in any event not to exceed \$75,000,000 (the “Obligations”); (C) the paying a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations, any reserve funds as may be necessary to secure the Obligations and capitalized interest during the construction period; (D) the granting of certain other financial assistance with respect to the foregoing, including exemption from certain mortgage recording taxes; and (E) the making of a loan (the “Loan”) of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer.

The Issuer is considering whether (A) to undertake the Initial Project, (B) to finance the Initial Project by issuing, from time to time, the Obligations, (C) to use the proceeds of the Obligations to pay the cost of undertaking the Initial Project, together with necessary incidental costs in connection therewith, and (D) to provide certain exemptions from taxation with respect to the Initial Project, including exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Issuer with respect to the Initial Project in the office of the County Clerk of Clinton County, New York or elsewhere.

If issuance of the Obligations is approved, with respect to any portion of the Obligations to be intended to be issued as federally tax-exempt obligations (such portion being referred to hereinafter as the “Tax-Exempt Obligations”), the interest on such Tax-Exempt Obligations will not be excludable from gross income for federal income tax purposes unless (A) pursuant to Section 147(f) of the Code and the regulations of the United States Treasury Department thereunder (the “Treasury Regulations”), the issuance of the Tax-Exempt Obligations is approved by the County Legislature of Clinton County, New York (the “County Legislature”) after the Issuer has held a public hearing on the nature and location of the Initial Project Facility and the issuance of the Tax-Exempt Obligations; and (B) pursuant to Section 145(a) of the

Code, all property which is to be provided by the net proceeds of the Tax-Exempt Obligations is to be owned by a Section 501(c)(3) organization or a governmental unit and at least ninety-five percent (95%) of the net proceeds of the Tax-Exempt Obligations are used with respect to (1) governmental units and/or (2) the activities of Section 501(c)(3) organizations which do not constitute “unrelated trades or businesses” (as defined in Section 513(a) of the Code) with respect to such Section 501(c)(3) organizations.

If the Issuer determines to proceed with the Initial Project and the issuance of the Obligations, (A) the proceeds of the Obligations will be loaned by the Issuer to the Borrower pursuant to a loan agreement (the “Agreement”) requiring that the Borrower or its designee make payments equal to debt service on the Obligations and make certain other payments to the Issuer and (B) the Obligations will be a special obligation of the Issuer payable solely out of certain of the proceeds of the Agreement and certain other assets of the Issuer pledged to the repayment of the Obligations. THE OBLIGATIONS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR CLINTON COUNTY, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR CLINTON COUNTY, NEW YORK SHALL BE LIABLE THEREON.

The Issuer 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 Initial Project.

The Issuer will at said time and place hear all persons with views on the location and nature of the proposed Initial Project Facility, the financial assistance being contemplated by the Issuer in connection with the proposed Initial Project or the proposed plan of financing the proposed Initial Project by the issuance from time to time of the Obligations. A copy of the Application filed by the Borrower with the Issuer with respect to the Initial Project, including an analysis of the costs and benefits of the Initial Project, is available for public inspection during business hours at the offices of the Issuer. A transcript or summary report of the hearing will be made available to the members of the board of directors of the Issuer and to the County Legislature. Approval of the issuance of the Tax-Exempt Obligations by Clinton County, New York, acting through its elected County Legislature, is necessary in order for the interest on the Obligations to qualify for exemption from federal income taxation.

Additional information can be obtained from, and written comments may be addressed to: Molly Ryan, Executive Director, Clinton County Capital Resource Corporation, 137 Margaret Street, Suite 209, Plattsburgh, New York 12901; Telephone: (518) 565-4600.

Dated: October 25, 2024

The comments received today at this Public Hearing will be presented to the members of the Board of Directors of the Issuer at or prior to the meeting currently scheduled for November 13, 2024, at which meeting the members of the Board of Directors of the Issuer will consider whether to approve the undertaking of the Proposed Project by the Agency and the granting by the Agency of the “financial assistance”.

Written Comments

The notice of this Public Hearing indicated that written comments could be addressed to: Molly Ryan, Executive Director of the Issuer. No written comments have been received by the Issuer prior to this Public Hearing.

We will keep the comment period open until 5:00 p.m. on November 11, 2024. Any comments received by such time will be included in the record to be considered by the Issuer.

Remarks by the Borrower

The borrower was not present at this public hearing.

Remarks by the Affected Tax Jurisdictions

There were no representatives of the affected tax jurisdictions present at this public hearing.

Open Public Hearing to the Floor for Comments

I will now open this Public Hearing for public comment at 9:36 o'clock, a.m.

By way of operating rules, if you wish to make a public comment, please raise your hand, and I will call on you. Please wait to be recognized, once recognized, please stand and state your name and address for the record.

When everyone has had the opportunity to speak, I will conclude this Public Hearing. As indicated above, a record of this Public Hearing will be prepared and reviewed by the members of the Issuer in connection with the Issuer's consideration of the Proposed Project. Also as indicated above, a copy of the record of this Public Hearing will also be presented to the County Legislature.

Again, the purpose of this Public Hearing is to solicit public comment. We are not here to answer questions. However, we will in the course of this Public Hearing consider questions if we have the information to answer the questions and there is sufficient time to consider such questions.

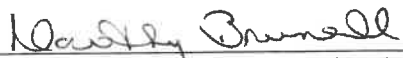
I will now ask if there is anyone in attendance who wishes to comment on either on the nature and location of the Project Facility or the proposed "financial assistance" being contemplated by the Issuer with respect to the Proposed Project, including but not limited to the issuance of the Obligations for the purpose of assisting in financing the Proposed Project.

For the record, please state your name and indicate your comments on either the Proposed Project or the proposed "financial assistance" being contemplated by the Issuer with respect to the Proposed Project.

Formal closure of the public hearing

So, if there are no further comments, I will now close this Public Hearing at 9:45 o'clock, a.m.

Thank you all for attending.


Dorothy Brunell, Administrative Assistant
Clinton County Capital Resource Corporation

SCHEDULE A

PROVISIONS TO BE INSERTED IN THE PUBLIC HEARING RECORD

Legal Authorization and Powers of the Issuer

The Issuer is a New York not-for-profit corporation, created pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the “Enabling Act”). Pursuant to the provisions of the Enabling Act and Revenue Ruling 57-187 and Private Letter Ruling 200936012, the County Legislature of Clinton County, New York adopted a resolution on November 10, 2010 (the “Sponsor Resolution”) (1) authorizing the incorporation of the Issuer under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer. In December, 2010, a certificate of incorporation was filed with the New York Secretary of State’s Office (the “Certificate of Incorporation”) creating the Issuer as a public instrumentality of the County.

Because the Borrower is located within the County, the Borrower is eligible for assistance from the Issuer.

Requirements/Procedure Regarding Public Hearing

As provided in the Certificate of Incorporation, notice of said Public Hearing must also be given in the manner set forth in the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York (the “GML”).

After consideration of the Application received from the Borrower, the members of the Board of Directors of the Issuer adopted a resolution on October 21, 2024 (the “Preliminary Inducement Resolution”) authorizing, among other things, the Executive Director of the Issuer to conduct this Public Hearing with respect to the Proposed Project pursuant to Section 147(f) of the Code.