

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 County of Chautauqua Industrial Development Agency (the "Agency") on the 7<sup>th</sup> day of February, 2019 at 2:00 o'clock p.m., local time, at the SUNY Fredonia Technology Incubator, in the Large Conference Room located at 214 Central Avenue in the City of Dunkirk, Chautauqua County, New York in connection with the following matters:

DFT Local Service Corporation, a State of Delaware corporation (the "Company"), has 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 several parcels of land scattered amongst the City of Dunkirk, the Town of Arkwright, the Town of Charlotte, the Town of Chautauqua, the Town of Sheridan, the Village of Cassadaga, the Town of Stockton and the Town of Pomfret, Chautauqua County, New York (collectively, the "Land"), together with approximately 2,400 existing utility poles located thereon (collectively, the "Existing Utility Poles"), (2) the installation on the Land of approximately 600 new utility poles (collectively, the "New Utility Poles" and with the Existing Utility Poles, sometimes referred to as the "Utility Poles"), (3) the installation on the Utility Poles of approximately 145 miles of fiber optic cables (collectively, the "Cables"), (4) the connection of the Cables to individual residences and businesses (collectively, the "Connection") and (5) the acquisition and installation thereon and therein of certain related machinery and equipment (the "Equipment") (the Land, the Utility Poles, the Cables, the Connection and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a broadband/fiber optic route; (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 real property 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, 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.

Copies of the Application, including an analysis of the costs and benefits of the Project, are available for review by the public online at [www.ccida.com](http://www.ccida.com), or at the offices of the Agency located at 201 West Third Street, Suite 115, Jamestown, NY 14701 and 214 Central Avenue, Suite 124, Dunkirk NY 14048 by appointment. To schedule an appointment, or for additional assistance, contact the Agency at (716) 661-8900.

Dated: January 24, 2019.

COUNTY OF CHAUTAUQUA INDUSTRIAL  
DEVELOPMENT AGENCY

BY: \_\_\_\_\_  
Mark Geise, Chief Executive Officer