

**PUBLIC HEARING
FREDONIA TECHNOLOGY INCUBATOR
214 Central Avenue, Suite 124
Dunkirk, NY 14048
Via Zoom Video and Teleconference
June 18, 2020
10:00 a.m.**

ECR PROPERTIES, INC.

Attendance:

Rosemarie Strandburg, CCIDA Executive Assistant

Kristine Morabito, CCIDA Business Development Manager and Hearing Officer

Milan Tyler, Phillips Lytle/CCIDA Counsel

Rebecca Wurster, City of Dunkirk Planning & Development Director

MS. MORABITO: Good morning. My name is Kristine Morabito. I am a Business Development Manager and duly authorized hearing officer of the County of Chautauqua Industrial Development Agency (the "Agency") and I have been authorized to hold a public hearing. Today is June 18, 2020 and the time is now 10:03 a.m. This is a public hearing pursuant to Section 859-a of the New York General Municipal Law, as amended (the "Act"), and is being held from the offices of the Agency, 214 Central Avenue, Suite 124, City of Dunkirk, County of Chautauqua, New York. Because of the restrictions on meetings and gatherings in effect pursuant to Executive Orders issued by the Governor of the State of New York as a result of the COVID-19 pandemic, this public hearing is being held via Zoom meeting and telephone conference call rather than a public hearing open for the public to attend in person.

The Agency has undertaken a project for ECR Properties, Inc., a corporation duly organized and existing under the laws of the State of New York (together with its affiliates, collectively, the "Company"), consisting of the following: (A)(1) the acquisition of a leasehold interest in an approximately 10.6 acre parcel of land located at 85-87 Middle Road in the City of Dunkirk, Chautauqua County, New York (the "Land"), together with three (3) buildings containing in the aggregate approximately 177,681 square feet of space located thereon (collectively, the "Existing Facility"), (2) the renovation of a portion of the Existing Facility, (3) the construction to the Existing Facility of an approximately 21,800 square foot addition (the "Addition" and collectively with the Existing Facility, sometimes referred to as the "Facility") and (4) the acquisition and installation of certain machinery and equipment (the "Equipment") therein and thereon, all of the foregoing to constitute a manufacturing facility (the Land, the Existing Facility, the Addition and the Equipment being collectively referred to as the "Project Facility"); (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 sales and use taxes, real property transfer taxes, mortgage recording taxes and real estate taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company.

The Project Facility was initially and is currently owned, operated and/or managed by the Company.

The Company has submitted an application for financial assistance (the “Application”) requesting that the Agency consider undertaking a new project with respect to the Project Facility (the “New Project”), consisting of the following: (A)(1) the repair and renovation of portions of the Facility, and (2) the acquisition of certain furniture, fixtures, machinery and equipment necessary for the completion thereof, all of the foregoing in connection with the Company’s manufacturing operations at the Project Facility; and (B) the granting of certain additional “financial assistance” (within the meaning of Section 854(14) of the Act) in the form of additional exemptions from sales and use taxes and an amended exemption from real property taxes consisting of an extension of the existing payment-in-lieu-of-taxes agreement for an additional ten (10) fiscal tax years (collectively, the “Additional Financial Assistance”).

Notice of this public hearing was published in *The Observer* on June 6, 2020 and provided to the Chief Executive Officer of each affected tax jurisdiction within which the Project Facility is or will be located by letter dated June 4, 2020.

The purpose of this public hearing is to provide an opportunity for all interested parties to present their views, both orally and in writing, with respect to New Project and the granting of the Additional Financial Assistance contemplated by the Agency. The notice of this public hearing stated that members of the public may view or listen to this public hearing and provide their comments during the public hearing by logging into the Zoom meeting and/or using the dial-in information set forth in the notice of this public hearing. As set forth in the notice of this public hearing, comments may also be submitted to the Agency in writing or electronically at the following email address: morabtk@co.chautauqua.ny.us. That’s m-o-r-a- (as in “apple”), b- (as in “boy”) i-t-k-@-c-o-dot-c-h-a-u-t-a-u-q-u-a-dot-n-y-dot-u-s.

Subject to applicable law, copies of the Application, including an analysis of the costs and benefits of the New Project, are available for review by the public online at www.ccida.com.

This public hearing is being streamed on the Agency’s website in real-time and a video recording of this public hearing is being made and will be posted on the Agency’s website, all in accordance with Section 857 of the New York General Municipal Law, as

amended. In addition, a transcript or summary of this hearing will be made and posted on the Agency's website and such transcript or summary of all comments received by the Agency shall be provided to the Agency's members. Comments received in writing will be also be included in the transcript and any summary of this public hearing.

If any member of the public wishes to make comments via the Zoom meeting or the conference call, I would ask that such person identify himself or herself and provide his or her address. I request the patience and cooperation of all participants in allowing each person to finish their comments before anyone else identifies himself or herself and begins speaking.

Is there anyone wishing to be heard with respect to the New Project or the Additional Financial Assistance?

Ms. Wurster: Rebecca Wurster, 214 Pierce Avenue, Hamburg, New York 14075. I'm here on behalf of the City of Dunkirk, Mayor Rosas, and the Planning & Development Department to show our support for this project ECR is doing today. ECR has been great partner, business and asset to our community. We really look forward to all of the improvements they are going to be making and their continued commitment to the city, especially during this tough time. I'm just here to show our support, and we are excited about the project.

MS. MORABITO: I'm just double-checking... I don't see anyone else logged on.

MS. MORABITO: Is there anyone else wishing to be heard with respect to the New Project or the Additional Financial Assistance?

MS. MORABITO: It is now 10:13 a.m. Thank you. Let the record show that, other than comments submitted in writing, no other members of the public have indicated a desire to comment with respect to the New Project or the Additional Financial Assistance. I therefore call this hearing to a close.

(TIME NOTED: 10:13 a.m.)

Respectfully submitted by: Kristine Morabito, CCIDA Business Development Manager