

PUBLIC HEARING

**Fredonia Technology Incubator
214 Central Avenue
1st Floor Large Conference Room
Dunkirk, NY 14048
January 12, 2022
1:30 p.m.**

ATWATER CAPITAL, LLC

Attendees:

Kristine Morabito, CCIDA Staff

Rosie Strandburg, CCIDA Staff

Jeanette LoBello, CCIDA Staff

Gregory Peterson, CCIDA Counsel

MS. MORABITO: Good afternoon. My name is Kristine Morabito. I am a Business Development Manager and a duly authorized hearing officer of the County of Chautauqua Industrial Development Agency (the "Agency") and I have been authorized to hold a public hearing pursuant to Section 859-a of the New York General Municipal Law, as amended (the "Act").

Today is January 12, 2022 and the time is now 1:32 p.m. We are at Fredonia Technology Incubator, 214 Central Avenue, 1st Floor Large Conference Room, City of Dunkirk, County of Chautauqua, New York.

The Agency has received an application for financial assistance in connection with the following matter:

ATWATER CAPITAL, LLC, a limited liability company duly organized and existing under the laws of the State of Florida and qualified to do business in the State of New York as a foreign limited liability company (the "Applicant"), presented an application for financial assistance (the "Application") to the Agency, which Application requested that the Agency consider undertaking a project (the "Project") consisting of the following: (A)(1) the acquisition of an interest in a parcel of land located at 181 Stegelske Avenue, Town of Dunkirk, Chautauqua County, New York (collectively, the "181 Stegelske Parcel"), (2) the renovation of the existing approximately 186,000 square foot warehouse/distribution facility located on the 181 Stegelske Parcel (collectively, the "181 Stegelske Improvements"), and (3) the acquisition and installation of certain furniture, fixtures, machinery and equipment necessary for the completion thereof (the "181 Stegelske Equipment"), all of the foregoing for use by the Applicant and/or its affiliates as a warehouse and distribution facility (the 181 Stegelske Parcel, the 181 Stegelske Improvements and the 181 Stegelske Equipment being referred to herein collectively as the "181 Stegelske Project Facility"); (B)(1) the acquisition of an interest in a parcel of land located at 6 Stegelske Avenue, City of Dunkirk, Chautauqua County, New York (the "6 Stegelske Parcel" and together with the 181 Stegelske Parcel, the "Land"), (2) the renovation of the existing approximately 500 square foot pump house located on the 6 Stegelske Parcel (collectively, the "6 Stegelske Improvements" and together with the 181 Stegelske Improvements, the "Improvements"), and (3) the acquisition and installation of certain furniture, fixtures, machinery and equipment necessary for the completion thereof (the "6 Stegelske Equipment" and together with the 181 Stegelske Equipment, the "Equipment"), all of the foregoing for use by the Applicants and/or its affiliates as a pump house facility (the 6 Stegelske Parcel, the 6 Stegelske Improvements and the 6 Stegelske Equipment being referred to herein

collectively as the "6 Stegelske Project Facility" and together with the 181 Stegelske Project Facility, the "Project Facility"); (C) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing; and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity(ies) as may be designated by the Applicant and agreed upon by the Agency.

The Project Facility would be initially owned, operated and/or managed by the Applicant (or such other designated entity or entities).

The Applicant (or such other designated entity(ies)) would receive financial assistance from the Agency in the form of potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the "Financial Assistance").

Notice of this public hearing was published in *The Observer* on January 1-2, 2021 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 December 27, 2021.

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 the granting of the Financial Assistance contemplated by the Agency or the location or nature of the Project. 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: morabitk@chqgov.com.

Subject to applicable law, 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.

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

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

MS. MORABITO: Let the record show that, other than comments submitted in writing, no members of the public have indicated a desire to comment with respect to the Project or the Financial Assistance. I therefore call this hearing to a close. It is now 1:38 p.m.

Respectfully submitted by: Kristine Morabito, CCIDA Business Development Manager



County of Chautauqua Industrial Development Agency

Public Hearing Attendance Sheet

Project: Atwater Capital, LLC (City of Dunkirk Public Hearing)

Public Hearing Location: Fredonia Technology Incubator, 214 Central Avenue, 1st Floor Large Conference Room, Dunkirk, NY 14048

Public Hearing Date and Time: January 12, 2022 1:30 p.m.

Full Name (Please Print)	Signature	Affiliation
1. <u>GREG PETERSON</u>		<u>CCIDA</u>
2. <u>Rosie Strandburg</u>		<u>CCIDA</u>
3. <u>Jeanette La Bello</u>		<u>CCIDA</u>
4. <u>Kristine Morabito</u>		<u>CCIDA</u>
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		