

Public Hearings
Wells Enterprises Inc.
Fredonia Technology Incubator
214 Central Ave
Dunkirk, NY 14048
December 18, 2023
10:00 AM



County of Chautauqua Industrial Development Agency

Public Hearing Attendance Sheet

Project: Wells Enterprises Inc.

Public Hearing Location: Fredonia Technology Incubator – 214 Central Ave., Dunkirk, NY 14048

Public Hearing Date and Time: December 18, 2023 10:00 a.m.

Full Name (Please Print)

Signature

Affiliation

- | | | | |
|-----|---------------|--|-----------------|
| 1. | Kate Udowiasz | | City of Dunkirk |
| 2. | Vincent DeJoy | | City of Dunkirk |
| 3. | | | CCIDA |
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MS. STRANDBURG: Good morning. My name is Rosemarie Strandburg. I am a Project 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 December 18, 2023 and the time is now 10:00 a.m. We are at Fredonia Technology Incubator, 2nd Floor Conference Room, 214 Central Avenue, City of Dunkirk, County of Chautauqua, New York.

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

WELLS ENTERPRISES, INC., a corporation duly organized and existing under the laws of the State of Iowa and qualified to do business in the State of New York as a foreign corporation (including an entity to be formed for the purposes described herein, collectively, the “Applicant”), previously presented an application for financial assistance (the “Original Application”) to the Agency, which Original Application requested that the Agency consider undertaking a project (the “Original Project”) consisting of, inter alia, the following: (A)(1) the acquisition of an interest in an approximately 2.9 acre parcel of land located at 115 West Doughty Street Extension, City of Dunkirk, County of Chautauqua, New York (the “Land”), (2) the construction and installation of a power substation and related improvements on the Land (collectively, the “Improvements” and together with the Land, the “Facility”), and (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “Equipment”) necessary for the completion thereof (collectively, the “Project Facility”), all of the foregoing for use by the Applicant and/or its affiliates as an electrical substation 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 in the form of potential exemptions or partial exemptions from real property taxes (collectively, the “Original Financial Assistance”); and (D) 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.

Pursuant to an application for financial assistance submitted to the Agency by the Applicant on or about August 18, 2023 (the “Application”), the Applicant has requested that the Agency consider undertaking a new project with respect to the Project Facility (collectively, the “Project”), consisting of the following: (A) the extension of the term of the Agency’s interest in the Facility; and (B) the granting of certain additional “financial

assistance” (within the meaning of Section 854(14) of the Act) in the form of an amended exemption from real property taxes (collectively, the “Additional Financial Assistance”).

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

The Applicant (or such other designated entity(ies)) would receive the Additional Financial Assistance from the Agency in the form of potential exemptions or partial exemptions from real property taxes.

Notice of this public hearing was published in *The Observer* on December 8, 2023 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 7, 2023.

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 Additional 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: strandbr@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 Additional Financial Assistance?

Vince DeJoy – I am Vince DeJoy, Director of Planning and Development, for the City of Dunkirk, and I am here to support this application/projects by Wells Enterprises Incorporated, on behalf of the City of Dunkirk. It's a significant investment in our community and we appreciate all that they're doing and they have been very easy to work with and they are a very good community minded company. So, City of Dunkirk whole heartedly endorses this project that Wells is undertaking.

Rosemarie Strandburg – Thank you sir. Does anyone else from the public wish to speak?

MS. STRANDBURG: It is now 10:06 a.m. Let the record show that, no other members of the public have indicated a desire to comment with respect to the Project or the Additional Financial Assistance. No written comments have been received by the Agency with respect to the Project or the Additional Financial Assistance. I therefore call this hearing to a close.

(TIME NOTED: 10:06 a.m.)

MS. STRANDBURG: Good morning. My name is Rosemarie Strandburg. I am a Project 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 December 18, 2023 and the time is now 10:07 a.m. We are at Fredonia Technology Incubator, 2nd Floor Conference Room, 214 Central Avenue, City of Dunkirk, County of Chautauqua, New York.

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

WELLS ENTERPRISES, INC., a corporation duly organized and existing under the laws of the State of Iowa and qualified to do business in the State of New York as a foreign corporation (including an entity to be formed for the purposes described herein, collectively, the “Applicant”), previously presented an application for financial assistance (the “Original Application”) to the Agency, which Original Application requested that the Agency consider undertaking a project (the “Original Project”) consisting of, inter alia, the following: (A)(1) the acquisition of an interest in approximately 23 parcels of land aggregating approximately 18.3 acres located at 1 Ice Cream Drive, City of Dunkirk, County of Chautauqua, New York (the “Existing Land”), (2) the renovation of the existing approximately 234,000 square foot building located on the Existing Land (collectively, the “Existing Building” and together with the Existing Land, collectively, the “Existing Facility”), together with related improvements to the Existing Land, and (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “2020 Existing Facility Equipment”) necessary for the completion thereof (collectively, the “Existing Project Facility”), all of the foregoing for use by the Applicant and/or its affiliates as a manufacturing facility; (B)(1) the acquisition of an interest in an approximately 2.9 acre parcel of land located at 115 West Doughty Street Extension, City of Dunkirk, County of Chautauqua, New York (the “New Land” and together with the Existing Land, the “Land”), (2) the construction and installation of a power substation and related improvements on the New Land (collectively, the “New Improvements” and together with the New Land, the “New Facility;” the Existing Facility and the New Facility are referred to herein collectively as the “Facility”), and (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “2020 New Facility Equipment” and together with the 2020 Existing Facility Equipment, the “2020 Equipment”) necessary for the completion thereof (collectively, the “New Project Facility” and together with the Existing Project Facility, the “Project Facility”), all of the foregoing for

use by the Applicant and/or its affiliates as a power substation in connection with the operation of the Existing 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 in the form of potential exemptions or partial exemptions from real property taxes and sales and use taxes (collectively, the “Financial Assistance”); and (D) 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.

Pursuant to an application for financial assistance submitted to the Agency by the Applicant on or about August 18, 2023 (the “Application”), the Applicant has requested that the Agency consider undertaking a new project with respect to the Project Facility (collectively, the “Project”), consisting of the following: (A)(1) the extension of the term of the Agency’s interest in the Existing Land, (2) the renovation and redevelopment of the Existing Building, together with related improvements to the Existing Land, and (3) the acquisition of certain additional building materials, furniture, fixtures, machinery and equipment (the “2023 Existing Facility Equipment” and together with the 2020 Existing Facility Equipment, the “Existing Facility Equipment”) necessary for the completion of the Existing Project Facility, all of the foregoing for use by the Applicant and/or its affiliates as a manufacturing facility; (B)(1) the extension of the term of the Agency’s interest in the New Land, (2) the renovation of the New Improvements, and (3) the acquisition of certain additional building materials, furniture, fixtures, machinery and equipment (the “2023 New Facility Equipment” and together with the 2020 New Facility Equipment, the “New Facility Equipment”) necessary for the completion of the New Project Facility, all of the foregoing for use by the Applicant and/or its affiliates as a power substation in connection with the operation of the Existing Project Facility; and (C) the granting of additional certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential additional exemptions or partial exemptions from sales and use taxes (collectively, the “Additional Financial Assistance”).

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

The Applicant (or such other designated entity(ies)) would receive the Additional Financial Assistance from the Agency in the form of potential exemptions or partial exemptions from sales and use taxes.

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

Kate Wdowiasz – Kate Wdowiasz, City of Dunkirk. Obviously the City of Dunkirk is in support of this endeavor and we whole heartedly back our involvement, whatever you guys need from us, we are more than happy to provide.

Rosemarie Strandburg – Thank you. Would anyone else from the public like to make comment?

MS. STRANDBURG: It is now 10:15 a.m. Let the record show that, no other members of the public have indicated a desire to comment with respect to the Project or the Additional Financial Assistance. No written comments have been received by the Agency with respect to the Project or the Additional Financial Assistance. I therefore call this hearing to a close.

(TIME NOTED: 10:14 a.m.)

MS. STRANDBURG: Good morning. My name is Rosemarie Strandburg. I am a Project 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”).

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

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

Vince DeJoy – Director of Planning and Development, for the City of Dunkirk. Would like to, again, state the City of Dunkirk’s support for the financial assistance that has been applied for and agreed to by the Chautauqua County IDA. Wells Enterprises has been a great addition to Dunkirk, with a significant investment and they’ve been a great community partner. So, on behalf of the City of Dunkirk, we support this application of financial assistance.

Rosemarie Strandburg – Thank you. Does any other members of the public wish to make comment?

MS. STRANDBURG: It is now 10:19 a.m. Let the record show that, no other members of the public have indicated a desire to comment with respect to the Project or the Financial Assistance. No written comments have been received by the Agency with respect to the Project or the Financial Assistance. I therefore call this hearing to a close.

(TIME NOTED: 10:19 a.m.)