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## NOTICE OF PUBLIC HEARING

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NOTICE IS HEREBY GIVEN that the County of Chautauqua Industrial Development Agency (the “Agency”) will hold a public hearing on December 18, 2023, at 10:00 a.m., local time, at Fredonia Technology Incubator, Large Conference Room - 1st floor, 214 Central Avenue, City of Dunkirk, County of Chautauqua, New York, pursuant to Section 859-a of the General Municipal Law, as amended (the “Act”). The purpose of the public hearing is to provide an opportunity for all interested parties to present their views with respect to the “Project” and the “Additional Financial Assistance” (as such terms are defined below).

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(ies) 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.

A representative of the Agency will hear and accept any comments that are made orally at the above-stated time and place. Comments may also be submitted to the Agency in writing or electronically to: [strandbr@chqgov.com](mailto:strandbr@chqgov.com).

A representative of the Agency will provide a report or reasonable summary of all such comments to the Agency’s members.

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](http://www.ccida.com).

The public hearing will be streamed on the Agency’s website in real-time and a recording of the public hearing will be posted on the Agency’s website, all in accordance with Section 857 of the New York General Municipal Law, as amended.

Dated: December 7, 2023

COUNTY OF CHAUTAUQUA INDUSTRIAL  
DEVELOPMENT AGENCY



By: Richard E. Dixon  
Chief Financial Officer