

PUBLIC HEARING SCRIPT

**1016 East Delavan, LLC and/or
Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or
to be formed on its behalf Project**

Public Hearing to be held on February 26, 2024, at 9:00 a.m.
at the Erie County Industrial Development Agency's offices located at
95 Perry Street, Suite 403, Buffalo, NY 14203

ATTENDANCE:

Enrico D'Abate – McGuire Development
Ben Tsujimoto – The Buffalo News
Carrie Hocieniec – ECIDA
Brian Krygier – ECIDA

1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 9:03 a.m. My name is Grant Lesswing. I am the Director of Business Development of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at www.ecidany.com.

2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the 1016 East Delavan, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Tuesday, February 13, 2024.

3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 1016-1044 East Delavan Avenue, City of Buffalo, Erie County, New York, and all other lands in the City of Buffalo where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (ii) the construction on the Land of an approximately 61,000+/- square-foot, single-story commissary kitchen for the sole use of the Buffalo Public Schools involving the installation of two industrial kitchens with meal preparation tables and commercial ovens as

well as office spaces for administration and a "test kitchen" that will serve as a conference room/community space for local community meetings and training for food service employees (the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"). The Facility will be initially owned by the Company.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and mortgage recording tax exemption benefits (in compliance with Agency's uniform tax exemption policy).

4. FORMAT OF HEARING: Review rules and manner in which the hearing will proceed.

Hearing Officer: All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes on March 26, 2024. There are no limitations on written statements or comments.

5. PUBLIC COMMENT: Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: If anyone is interested in making a statement or comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes, and if possible, 3 minutes.

Enrico D'Abate – Project Manager, McGuire Development, 455 Cayuga Road, Buffalo, NY 14225. I am here today to have our benefits reassessed both for the mortgage recording tax and the sales tax benefits. As a result of costs increasing from where the project was when we first received approval of these benefits to what the costs are now to date. Looking ahead to hopefully start construction soon.

6. ADJOURNMENT:

As there were no further statements and/or comments, the Hearing Officer closed the public hearing at 9:07 a.m.

**SIGN IN SHEET
PUBLIC HEARING**

February 26, 2024, at 9:00 a.m.
at the the Erie County Industrial Development Agency's offices located at
95 Perry Street, Suite 403, Buffalo, NY 14203, regarding:

**1016 East Delavan, LLC and/or Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 1016-1044 East Delavan Avenue, City of Buffalo, Erie County, New York

Name	Company and/or Address	X box to speak/ comment
Enrico D'Abate	McGuire Development 455 Cayuga Road Buffalo, New York 14225	X
Ben Tsujimoto	The Buffalo News 726 Exchange Street Buffalo, New York 14203	
Carrie Hocieniec	ECIDA 95 Perry Street, Suite 403 Buffalo, New York 14203	
Brian Krygier	ECIDA 95 Perry Street, Suite 403 Buffalo, New York 14203	