

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") will be held by the Hamburg New York Land Development Corporation (the "Issuer") on Wednesday, March 6, 2024, at 8:30 a.m., local time, at Hamburg Town Hall Conference Room 1 at 6122 South Park Avenue, Hamburg, New York, in connection with the following matters described below and as more fully set forth below, the public hearing will also be held via Zoom teleconference.

FeedMore WNY Foundation, Inc., a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), which is exempt from federal income taxation pursuant to Section 501(a) of the Code, having an office at 100 James E. Casey Drive, Buffalo, New York 14206 (the "Institution"), has applied to the Issuer requesting that the Issuer issue its Revenue Bonds, Series 2024 (FeedMore WNY Foundation, Inc. Project), as qualified 501(c)(3) bonds under Section 145 of the Code, in an aggregate maximum principal amount not to exceed \$50,000,000 (the "Bonds") to be used by the Institution for the purpose of financing, as part of a plan of financing, a certain project (the "Project") known as "FeedMore WNY Consolidated Campus" located at 4832 Camp Road, Hamburg, New York 14075 in the Town of Hamburg, Erie County, New York (the "Land") consisting of: (A) an aggregate maximum principal amount of Bonds not to exceed \$50,000,000 will be applied to (i) the planning, design, engineering, construction and operation of a facility relating to the Institution's activities of providing meals for the needy, containing approximately 197,700 sq. ft. of space including warehouse space, commissary, growing spaces, office and meeting space and repacking space, including building improvements, modifications, upgrades, and related site and exterior improvements (collectively the "Improvements") and (ii) the acquisition and installation of certain items of equipment, machinery and other tangible personal property in and around the Improvements (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and (B) funding a debt service reserve fund, if any, paying capitalized interest, if any, and paying certain other costs incidental to the issuance of the Bonds (the costs associated with items (A) through (B) above being hereinafter collectively referred to as the "Project Costs").

The Institution is and will continue to be the owner and operator of the Facility to be financed by the proceeds of the Bonds. The Issuer will loan the proceeds of the Bonds to the Institution to finance all or a portion of the Project Costs pursuant to a Loan and Trust Agreement, executed and delivered contemporaneously with the issuance of the Bonds (the "Loan Agreement"), by and between the Issuer, the Institution and [Trustee].

The Institution has requested that the Issuer issue the Bonds. The Bonds will be special limited obligations of the Issuer payable solely from the revenues derived from the payments made by the Institution pursuant to the Loan Agreement and secured by certain assets of the Institution pledged to the repayment of the Bonds.

The Issuer will at the above-stated time and place provide a reasonable opportunity to all interested persons to present their views, either orally or in writing, on the location and nature of the Project and the proposed plan of financing for the Project by the issuance of the Bonds.

Under the Code, approval of the issuance of the Bonds by the Town Supervisor of The Town of Hamburg is necessary under Section 147(f) of the Code in order for the interest on the Bonds to be excluded from the gross income for federal income tax purposes.

THE BONDS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE TOWN OF HAMBURG, AND NEITHER THE STATE OF NEW YORK NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE TOWN OF HAMBURG, SHALL BE LIABLE THEREON.

The Issuer will broadcast the public hearing live via Zoom teleconference at:

Meeting ID: 863 2000 7532

Passcode: 14075

To participate via audio conferencing (using a traditional phone) please dial +1 646 931 3860. The meeting ID is 863 2000 7532, and the passcode is: 14075.

Furthermore, the public is encouraged to offer its comments in writing to the Issuer by e-mail [HamburgIDA@TownofHamburgNY.gov](mailto:HamburgIDA@TownofHamburgNY.gov) or via USPS mail sent to: Hamburg New York Land Development Corporation (Attn: Sean Doyle), 6122 South Park Avenue, Hamburg, New York, no later than March 12, 2024.

Minutes of the hearing will be made available to the Town Supervisor of the Town of Hamburg. Approval of the issuance of the Bonds by the Town Supervisor of the Town of Hamburg is necessary in order for the interest on the Bonds to be excluded from gross income for federal income tax purposes.

HAMBURG NEW YORK LAND  
DEVELOPMENT CORPORATION

By: Sean Doyle  
Title: Executive Director

Dated: February 15, 2024