

PUBLIC COMMENT POLICY

PRACTICES AND PROCEDURES OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY RELATING TO PUBLIC HEARINGS

In connection with each public hearing convened by the Niagara County Industrial Development Agency pursuant to law in order to present a proposed project for which the Agency has received an application, the Agency shall do the following:

I. Pre-Public Hearing Procedures

In accordance with and pursuant to Article 18-A of the New York General Municipal Law ("NYGML") and in accordance with subdivision 2 of Section 859-A of NYGML, the following procedures shall be followed:

- a. The Agency shall publish in at least one newspaper of general circulation in the municipality in which the proposed project is located a notice (the "Published Notice") providing the time and place of the hearing, contain a general, functional description of the project, describe the prospective location of the project, identify the initial owner, operator or manager of the project and generally describe the financial assistance contemplated by the Agency with respect to the project, and providing that the public shall have the opportunity at the hearing to review the project application, which shall include an analysis of the costs and benefits of the proposed project ("application" shall be deemed to mean the filed application as redacted by the Agency's staff to the extent necessary to protect confidential proprietary information of applicants and the privacy of individuals);
- b. The Agency shall post a notice on its website providing the same information that was provided in the Published Notice, and shall post the application and the analysis of the costs and benefits of the proposed project on its website;
- c. The Agency shall provide the information in the Published Notice to each chief executive officer of each affected tax jurisdiction in whose municipality the project is to be situated;
- d. The Agency shall provide, upon request, copies of the applications and cost-benefit analyses referred to in the Published Notice to members of the public, members of the community boards and elected officials;

- e. The Agency shall make available to all persons attending its hearings, upon request, copies of the applications and cost-benefit analyses; and
- f. The Agency shall record oral testimony, if any, given at public hearings and record copies of the written testimony, if any, submitted at the public hearing.

II) Public Hearing Procedures

- a. Executive Director or appointed staff (the “Hearing Officer”) to order as required by GML Section 859-a. Hearing Officer states that any person in attendance at the public hearing will be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the Project. Hearing Officer states that if members of the public hearing would like an opportunity to speak at this public hearing or to submit a written statement or other documents, they may do so by signing in at the sign-in table. Hearing Officer states that names will be called in the order in which they are signed in.
- b. Hearing Officer states that copies of the Project Application, including a cost-benefit analysis, are available at the sign-in table and will be made available for public review and inspection upon request.
- c. Hearing Officer summarizes the Project which is the subject of the public hearing.
- d. Hearing Officer describes the financial assistance that the Agency contemplates providing to the Company.
- e. Hearing Officer states that notice of the public hearing was duly published in [newspaper] on [date] as required by GML Section 859-a. Such notice and an affidavit of publication of [newspaper] are submitted and entered into the record of the public hearing. The Hearing Officer submits the notice of public hearing affidavit of publication of [newspaper] to Secretary as Exhibit A.
- f. The Hearing Officer states the public hearing “rules” including that speakers behave and speak appropriately, that speakers are limited to 3 minutes of comments, that duplicity of prior comments will be discouraged, that comments must be limited to the project/application at hand.

- g. The Hearing Officer accepts and records oral and written comments. Such written comments are submitted and entered into the record of the public hearing. The Hearing Officer submits written comments to Secretary as Exhibit B.
- h. There being no further comments, the Hearing Officer adjourns the meeting.