

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Wayne County Industrial Development Agency (the “Agency”) on Thursday, August 16, 2018 at 9:30 a.m. local time, in the Town of Ontario Town Hall, 1850 Ridge Road, Ontario, New York, 14519, in connection with the following matter:

The Agency previously undertook a certain project (the “2013 Project”) for the benefit of Brightside 08, LLC (the “Company”) and Optipro Systems, LLC (the “Operator”) consisting of: (i) the acquisition by the Agency of a leasehold interest in an approximately 2.940 acres of real property located at 6368 Dean Parkway in the Town of Ontario, New York (the “2013 Facility Land”, being more particularly described as tax parcel 61117-00-235800) owned by the Company and subleased to the Operator, along with the existing improvements thereon including an approximately 20,000 square foot optics manufacturing facility (the “2013 Existing Improvements”); (ii) the planning, design, construction, and reconstruction of the Existing Improvements to include a 10,000 square foot addition, along with external curbage, sidewalks, and landscaping improvements for continued operation as a manufacturing facility by the Operator (the “2013 Improvements”); (iii) the acquisition of and installation in and around the Existing Improvements and Improvements by the Company and Operator of machinery, equipment, fixtures and other items of tangible personal property (the “2013 Equipment” and, collectively with, the 2013 Facility Land, the 2013 Existing Improvements and the 2013 Improvements, the “2013 Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “2013 Straight Lease Transaction”). In furtherance of the 2013 Straight Lease Transaction, the Agency, Company and Operator entered into (i) an Agent Agreement, (ii) a Lease Agreement, (iii) a Leaseback Agreement, (iv) a PILOT Agreement, and (iv) related documents (collectively, the “2013 Agency Documents”), whereby the Agency appointed the Company and Operator to undertake the 2013 Project and provided the Company and Operator with certain forms of financial assistance (the “2011 Financial Assistance”).

The Company and Operator have submitted an application to the Agency requesting the Agency’s assistance with a certain project (the “Project”) consisting of (i) the retention by the Agency of a leasehold interest in the 2013 Facility Land containing the 2013 Existing Improvements and 2013 Improvements along with the acquisition by the Agency of leasehold interest in an approximately 1.36 additional acres of land to be merged into the 2013 Facility Land (being portions of an adjacent parcel, and together with the 2013 Facility Land, hereinafter, the “Land”, as may be merged and comprising a total of approximately 4.3 acres of real property), along with the approximately 30,000 square feet of building improvements located thereon (and together with the 2013 Existing Improvements and 2013 Improvements, hereinafter, the “Existing Improvements”, all being comprised of approximately 30,000 square feet of existing building space and related exterior improvements); (ii) the planning, design, construction and reconstruction of improvements to the Existing Improvements, including an approximately 15,200 square foot addition to the Existing Improvements for an aggregate total of approximately 45,200 square feet of building space to be owned by the Company and leased to

the Operator for expanded manufacturing operations, along with related utility and site improvements, parking lots, access and egress improvements, signage, curbage, sidewalks, landscaping and stormwater retention improvements (collectively, the “Improvements”); (iii) the acquisition of and installation in and around the Land and Improvements by the Company and Operator of machinery, equipment, fixtures and other items of tangible personal property (the “Equipment” and, collectively with, the Land and the Improvements, the “Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “Straight Lease Transaction”), such Straight Lease Transaction to be undertaken by the Agency, Company and Operator primarily through an Agent and Project and Financial Assistance Agreement (the “Agent Agreement”) and the amendment of the 2013 Agency Documents.

The Agency contemplates that it will provide financial assistance (the “Financial Assistance”) to the Company in the form of (i) an exemption from all State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the construction and equipping of the Facility; (ii) mortgage recording tax exemptions for financings undertaken in connection with the Project; and (iii) a partial real property tax abatement through an amended PILOT Agreement, pursuant to which the Company would continue to make payments in lieu of real property taxes to the Agency for the benefit of each affected tax jurisdiction.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company’s project Application (including a cost-benefit analysis) and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: July 31, 2018

WAYNE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY