
NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARING FOR KIPO, INC.

April 3, 2013
3:30 P.M.

Taken at: PORTER TOWN HALL
3265 Creek Road
Youngstown, New York 14174

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PRESENT: SUSAN LANGDON,
As Hearing Officer,
Niagara County Industrial
Development Agency,
Director of Project Development.

REPORTED BY: DAWN M. SITERS,
Court Reporter.

ATTENDANCE NOTED ON ATTACHED SIGN-IN SHEET

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Ernest Lavigueur.....	7
Mert Wiepert.....	8

1 MS. LANGDON: Good
2 afternoon. My name is Susan Langdon. I'm Director
3 of Project Development for the Niagara County
4 Industrial Development Agency. I will be serving as
5 hearing officer for this public hearing. It is now
6 3:35 P.M.

7 The purpose of this hearing is to
8 solicit comments, both written and oral, on the
9 KIP0, Inc., project in the Town of Porter. The
10 project entails the acquisition, renovation and
11 expansion of an auto dealership showroom and service
12 facility at 2534 Youngstown-Lockport Road in the
13 Town of Porter.

14 I have made copies available of
15 the project's cost/benefit analysis, project
16 summary, and project application up here on the
17 table.

18 Comments can be in support of, or
19 in opposition to, or on the nature or location of
20 the project. All comments are to be limited to the
21 KIP0, Inc., project.

22 Notice of Public Hearing: Notice
23 is hereby given that a public hearing pursuant to

1 Article 18-A of the New York General Municipal Law
2 will be held by the Niagara County Industrial
3 Development Agency (the "Agency") on the 3rd day of
4 April, 2013, at 3:30 P.M., local time, at the Porter
5 Town Hall, 3265 Creek Road, Youngstown, New York
6 14174, in connection with the following matter.

7 KIP0 Motors Chevrolet, Inc., for
8 itself, or on behalf of an entity formed, or to be
9 formed (the "Company"), has submitted an application
10 to the Agency, a copy of which is on file at the
11 office of the Agency, requesting that the Agency
12 consider undertaking a project (the "Project"),
13 consisting of: (A) the acquisition or retention by
14 the Agency of fee title to, or other interest in, a
15 parcel of land located at 2534 Youngstown-Lockport
16 Road in the Town of Porter, New York (the "Land"),
17 together with the existing building located thereon
18 (the "Existing Improvements"); (B) the construction
19 on the Land of an approximately forty-three hundred
20 square foot addition to the existing facility,
21 together with the modernization of the existing
22 facility (the "Improvements") to be used for the
23 Company in its retail automobile business; and (C)

1 the acquisition of, and installation in and around
2 the Improvements by the Company of certain equipment
3 and items of personal property (the "Equipment", and
4 collectively with the Land and the Improvements, the
5 "Facility").

6 The Agency will acquire title to,
7 or a leasehold interest in, the Facility and lease
8 the Facility back to the Company. The Company will
9 operate the Facility during the term of the lease.
10 At the end of the lease term, the Company will
11 purchase the Facility from the Agency, or if the
12 Agency holds a leasehold interest, the leasehold
13 interest will be terminated. The Agency
14 contemplates that it will provide financial
15 assistance (the "Financial Assistance") to the
16 Company in the form of sales and use tax exemptions
17 and a mortgage tax exemption, consistent with the
18 policies of the Agency, and a partial real property
19 tax abatement.

20 A representative of the Agency
21 will be at the above-stated time and place to
22 present a copy of the Company's project application,
23 and hear and accept written and oral comments from

1 all persons with views in favor or, or opposed to,
2 or otherwise relevant to the proposed Financial
3 Assistance.

4 This public hearing is being
5 conducted in accordance with Subdivision 2 of
6 Section 859-a of the New York General Municipal Law.
7 Dated, March 13, 2013; by Niagara County Industrial
8 Development Agency, Samuel M. Ferraro, Executive
9 Director.

10 I'll now open the hearing for
11 comments. Please remember to give your name,
12 address, and the organization you may represent.
13 Direct all comments to the Chair. Your comments
14 should be on this project only.

15 Does anyone wish to speak? Okay.
16 They're being no speakers --

17 MERT WIEPERT: May I read my
18 statement?

19 MS. LANGDON: Okay. Give
20 your name and address, please.

21 MERT WIEPERT: I'm Mert
22 Wiepert, Supervisor of the Town of Porter. I think
23 it's a great project, and the Town needs it. The

1 building is old and obsolete, and this will give it
2 room for expansion.

3 Plus, the looks of the building,
4 with respect to the whole front, this makes it look
5 more presentable. I've already heard that if
6 they're going to do some updating of the face of the
7 building, some of the other stores will do the same
8 thing, they'll update.

9 To keep the facility in
10 Ransomville, brings people to Ransomville. The
11 hardware store, drug store, it's all in one
12 location.

13 That's all I have. I hope the IDA
14 takes this into consideration.

15 MS. LANGDON: Thank you.
16 Sir?

17 ERNEST LAVIGUEUR: Ernest
18 Lavigueur; 3451 East Avenue, Youngstown.

19 I realize that KIP0 Chevrolet has
20 to be updated, the facilities there. I just want to
21 put on the record, because of the new State budget
22 that was passed, that the IDA considers and looks
23 into it, to make sure the program comes under their

1 auspices, so they don't get censured by the State if
2 it doesn't, and any repercussions that might come
3 from it.

4 But they definitely do need to
5 update the facility. Thank you.

6 MS. LANGDON: Okay. Thank
7 you. Anybody else wish to speak?

8 MERT WIEPERT: Can you give
9 us an update on what the new State budget is
10 presenting or proposing?

11 MS. LANGDON: There's a
12 retail prohibition that's just been passed. The IDA
13 cannot do retail projects, except for three
14 instances; if it's a tourism destination, if it's in
15 a depressed area or distressed area, or if it offers
16 a product or service which is not readily available
17 in that area. So it has to fit one of those.

18 MERT WIEPERT: Fit one of
19 those criteria?

20 MS. LANGDON: Yes. The IDA
21 will look and see that this project does.

22 MERT WIEPERT: When does that
23 go into effect?

1 MS. LANGDON: I believe that
2 was signed yesterday.

3 MERT WIEPERT: So the budget
4 was passed?

5 MS. LANGDON: Yes.

6 MERT WIEPERT: So is this
7 grandfathered in, I hope?

8 MS. LANGDON: Well, not
9 really. The only way they can do the project is if
10 the Board thinks it fits one of the exceptions; and
11 that's what they'll be discussing at the board
12 meeting.

13 MERT WIEPERT: This was in
14 the pipeline?

15 MS. LANGDON: This was in
16 the pipeline prior to that.

17 MERT WIEPERT: Grandfathered
18 in?

19 MS. LANGDON: Not that I'm
20 aware of. The agency counsel will be talking this
21 over with the Board, and the ramifications of the
22 legislation, at the board meeting before they vote.

23 MERT WIEPERT: Okay.

1 MS. LANGDON: Okay. If we
2 don't have any other speakers, then I will now
3 close -- are you done?

4 MERT WIEPERT: I'm all set.

5 MS. LANGDON: Okay. I will
6 now close the hearing. It's now 3:40 P.M.

7 Thank you very much for attending.

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**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
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 Niagara County Industrial Development Agency (the "Agency") on the 3rd day of April, 2013, at 3:30 p.m., local time, at the Porter Town Hall, 3265 Creek Road, Youngstown, New York 14174, in connection with the following matter:

KIPO MOTORS CHEVROLET INC., for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of: (A) the acquisition (or retention) by the Agency of fee title to or other interest in a parcel of land located at 2534 Youngstown-Lockport Road in the Town of Porter, New York (the "Land"), together with the existing building located thereon (the "Existing Improvements"); (B) the construction on the Land of an approximately 4,300 square foot addition to the existing facility, together with modernization of the existing facility (the "Improvements") to be used for the Company in its retail automobile business; and (C) the acquisition of and installation in and around the Improvements by the Company of certain equipment and items of personal property (the "Equipment" and collectively with the Land and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a mortgage tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project application 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.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

DATED: March 13, 2013

**NIAGARA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____

Samuel M. Ferraro
Executive Director

PUBLIC HEARING SIGN IN SHEET

KIPO Motors Chevrolet Inc.

April 3, 2013, 3:30 p.m.

Town of Porter Town Hall

3265 Creek Rd., Youngstown, NY 14174

Name	Address	Affiliation	Do you Wish to Speak?
ERNEST A. LANIGUEVA	3451 EAST AVE. YOUNGSTOWN		
Norm Ault	Town of Porter		
MERT WIEPERT	Town of Porter		
Susan Driscoll	Town of Porter		