
1
2 NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
3 PUBLIC HEARING FOR LAKE EFFECT ICE CREAM

4 March 27, 2013
5 3:30 P.M.

6 Taken at: Lockport Municipal Building
7 Council Chambers
8 One Locks Plaza
9 Lockport, New York 14094

10 PRESENT: SUSAN LANGDON,
11 As Hearing Officer,
12 Niagara County Industrial
13 Development Agency,
14 Director of Project Development.

15 ERIK BERNARDI,
16 Owner, Lake Effect Ice Cream.

17 REPORTED BY: DAWN M. SITERS,
18 Court Reporter.
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1 MS. LANGDON: Good
2 afternoon. My name is Susan Langdon, Director of
3 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 3:30 P.M.

7 The purpose of this hearing is to
8 solicit comments, both written and oral, on the Lake
9 Effect Ice Cream project in the City of Lockport.
10 The project entails the acquisition and renovation
11 of a building at 79/81 Canal Street to serve as a
12 production and retail outlet facility for Lake
13 Effect Ice Cream.

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

17 Comments can be in support of, or
18 in opposition to, or on the nature or location of
19 the project. All comments are to be limited to the
20 Lake Effect Ice Cream project.

21 This hearing is not for accepting
22 comments on any environmental issues, nor
23 environmental determination; and this is not a part

1 of the New York State SEQRA process.

2 Since only Mr. Bernardi of Lake
3 Effect Ice Cream is in attendance at this time, I
4 will forego the reading of the Notice of Public
5 Hearing; however, a copy will be submitted as an
6 attachment to the transcript.

7 We will go off the record for a
8 few minutes, in case someone shows up.

9 (A recess was then taken.)

10 It is now 3:40 P.M. There being
11 no one else in attendance, I will close the hearing.

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PUBLIC HEARING SIGN IN SHEET

Lake Effect Ice Cream

March 27, 2013 3:30 p.m.

Lockport Municipal Building, Council Chambers, Lockport, NY

Name	Address	Affiliation	Do you Wish to Speak?
ERIK BERNARDI	26 INDEPENDENCE DR	OWNER	NO

**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 27th day of March, 2013, at 3:30 p.m., local time, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York 14094, in connection with the following matter:

LAKE EFFECT CANAL STREET, LLC, for themselves and/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 79/81 Canal Street in the City of Lockport, New York (the "Land"); (B) the renovation on the Land of an existing building (the "Existing Improvements"); (C) the construction of an approximately 450 square foot addition to the existing facility (the "Improvements") to be used for the Company in its manufacturing and retail of premier ice cream business; and (D) 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, the Existing Improvements 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