

ORIGINAL

NIAGARA COUNTY CENTER FOR ECONOMIC DEVELOPMENT

PUBLIC HEARING

In the Matter

of

MAWHINEY TRUCKING, INC.

LOCATION: WILSON TOWN HALL
375 Lake Street
Wilson, New York 14172

DATE: November 3, 2011

TIME: 4:08 p.m.

REPORTED BY: KELLY MAJCHRZAK



Apex Reporting, Inc.

403 Main Street, Suite 300 Buffalo, New York 14203
(716) 854-8900

1 Present: Susan Langdon
2 Ken Hoffman
3 Pat Kelahan

4 MS. LANGDON: Good afternoon. My name
5 is Susan Langdon, Director of Project
6 Development for the Niagara County Industrial
7 Development Agency. I'll be serving as the
8 hearing officer for the Public Hearing. It is
9 now 4:08 p.m.

10 The purpose of this hearing is to
11 solicit comments, both written and oral, on the
12 Mawhiney Trucking, Inc. Project in the Village
13 of Wilson. The Project entails the construction
14 of a new 12,800 square foot pole barn. In
15 addition, an existing 5,600 square foot
16 maintenance building will be renovated and 1,440
17 square feet of office space will be added.

18 Please note that I have copies of The
19 Project summary/cost benefit and The Project
20 application available for review.

21 Comments can be in support of or in
22 opposition to, or on the nature or location of
23 The Project. All comments are to be limited to

1 the Mawhiney Trucking, Inc. Project.

2 I'll read the notice of public hearing:

3 Notice is hereby given that a public
4 hearing pursuant to Article 18-A of the New York
5 General Municipal Law will be held by the
6 Niagara County Industrial Development Agency
7 (the "Agency") on the 3rd day of November, 2011,
8 at 4:00 p.m., local time, at the Wilson Town
9 Hall, 375 Lake Street, Wilson, New York 14172,
10 in connection with the following matter:

11 Mawhiney Trucking, Inc., for itself or
12 on behalf of an entity formed or to be formed
13 (the "Company"), has submitted an application
14 (the "Application") to the Agency, a copy of
15 which is on file at the office of the Agency,
16 requesting that the Agency consider undertaking
17 a project (the "Project") for the benefit of the
18 Company consisting of: (A) the acquisition or
19 retention of a fee or leasehold interest in an
20 approximately 25-acre parcel of land presently
21 known as 425 Lake Street in the Village and Town
22 of Wilson, New York (the "Land"); (B) the
23 construction on the Land of two new commercial

1 buildings consisting in the aggregate of 11,600
2 square feet (the "Improvements"); and (C) the
3 acquisition and installation of related
4 machinery, equipment and personal property (the
5 "Equipment" and, together with the Land, the
6 Existing Improvements and the Improvements, the
7 "Facility"); and (D) the leasing of the Project
8 back to the Company, and (E) the providing of
9 financial assistance to the Company for
10 qualifying portions of the Project in the form
11 of sales and use tax exemptions and a mortgage
12 recording tax exemption, consistent with the
13 policies of the Agency, a partial real property
14 tax abatement and a mortgage recording tax
15 exemption with respect to a certain
16 payment-in-lieu-of-tax mortgage.

17 The Agency will acquire or retain title
18 to, or a leasehold interest in, the Facility and
19 lease the Facility back to the Company. The
20 Company will operate the Facility during the
21 term of the lease. At the end of the lease
22 term, the Company will purchase the Facility
23 from the Agency, or if the Agency holds a

1 Leasehold interest, the leasehold interest will
2 be terminated. The Agency contemplates that it
3 will provide financial assistance (the
4 "Financial Assistance") to the Company for
5 qualifying portions of the Project in the form
6 of sales and use tax exemptions and a mortgage
7 recording tax exemption for financing related to
8 the Project, consistent with the policies of the
9 Agency, a partial real property tax abatement
10 and a mortgage recording tax exemption with
11 respect to a certain payment-in-lieu-of-tax
12 agreement mortgage.

13 A representative of the Agency will be
14 at the above-stated time and place to present a
15 copy of the Company's project application and
16 hear and accept written and oral comments from
17 all persons with views in favor of or opposed to
18 or otherwise relevant to the proposed Financial
19 Assistance. This public hearing is being
20 conducted in accordance with Subdivision 2 of
21 Section 859-a of the New York General Municipal
22 Law.

23 Dated October 2011, Niagara County

1 Industrial Development Agency, by Samuel M.
2 Ferraro, Executive Director.

3 I will now open the hearing for
4 comments. Please remember to give your name,
5 address and organization you represent. Direct
6 all comments to the chair and your comments
7 should be made on this Project only.

8 Anybody wishing to speak?

9 MR. HOFFMAN: My name is Ken Hoffman.
10 I lived in or around Wilson all my life. I'm 64
11 years old. I'm all in favor of it. I was on
12 the planning board for quite a few years, too.
13 I can tell you by the lack people here, that
14 means there isn't any opposition because the
15 folks here either show up and cry or shut and
16 stay home.

17 I'm all for it. It's a great idea. It
18 provides jobs in our town. There isn't a better
19 employer that I know in town than Mawhiney, and
20 the money that goes to him stays here in town.
21 It's a very important Project. That's it for
22 me.

23 MR. KELAHAN: My name is Pat Kelahan.

1 I'm the Mayor of the village of Wilson. The
2 Village of Wilson is also very much in favor of
3 The Project, is very appreciative of all the
4 work that Mawhiney Trucking does. It's a
5 beautiful building. It's an absolute capstone
6 of the work that Mawhiney Trucking does in the
7 village of Wilson. I know the Village Board, if
8 they were here, would also voice their approval
9 of The Project. That's all I have.

10 MS. LANGDON: Thank you very much.

11 Anybody else wishing to speak?

12 There being no further comments, I'll
13 close the hearing. It's now 4:14 p.m. Thank
14 you.

15 * * * * *

1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

4
5 I, KELLY MAJCHRZAK, a Notary Public in
6 and for the State of New York, County of Erie,
7 DO HEREBY CERTIFY, that the proceedings were
8 taken down by me in a verbatim manner by means
9 of Machine Shorthand on November 3, 2011,
10 that the proceedings were taken to be used in
11 the above-entitled action.

12 I further CERTIFY that the
13 above-described transcript constitutes a true,
14 accurate and complete transcript of the
15 testimony.

16
17
18 
19 _____
20 KELLY MAJCHRZAK
21 Notary Public
22
23

PUBLIC HEARING SIGN IN SHEET

Mawhiney Trucking

November 3, 2011 - 4:00 p.m.

Wilson Village Hall

Name	Address	Affiliation
Ken Hoffman	1363 River View Dr Wilson	Homeowner
Pat Kelahan	508 Lake St Wilson	Mayor - Village of Wilson