

Niagara County Industrial Development Agency

NOTICE LETTER

September 28, 2011

Hon. Jeffrey M. Glatz, County Manager
Philo J. Brooks Building
59 Park Avenue
Lockport, New York 14094

Hon. William L. Ross, Chairman
Niagara County Legislature
175 Hawley Street
Lockport, New York 14094

Mr. John Shoemaker, Director
Niagara County Real Property Tax Services
59 Park Avenue
Lockport, New York 14094

Hon. Paul Dyster, Mayor
Niagara Falls City Hall
745 Main Street
P.O. Box 69
Niagara Falls, New York 14302-0069

Ms. Cynthia Bianco, Superintendent
Niagara Falls School District
630 - 66th Street
Niagara Falls, New York 14304

Mr. James Bird, Assessor
Niagara Falls City Hall
745 Main Street
P.O. Box 69
Niagara Falls, New York 14302-0069

Re: **Franks Vacuum Truck Service Inc.**

Ladies and Gentlemen:

On **Monday, October 24, 2011, at 4:30 p.m.**, at the Niagara Falls City Hall, Room 117, 745 Main Street, Niagara Falls, New York 14302, the Niagara County Industrial Development Agency (the "Issuer") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to the *Niagara Gazette* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. The public hearing is being conducted in accordance with Section 147(f) of the Code and subdivision 2 of Section 859-a of the New York General Municipal Law. We are providing this notice to you, pursuant to General Municipal Law Section 859-a, as the chief executive officer of an affected tax jurisdiction within which the project is located.

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By: 
Samuel M. Ferraro
Executive Director

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 **24th day of October, 2011, at 4:30 p.m.** local time, at the Niagara Falls City Hall, Room 117, 745 Main Street, Niagara Falls, New York 14302, in connection with the following matter:

FRANKS VACUUM TRUCK SERVICE INC., for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application (the "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") for the benefit of the Company consisting of: (A)(i) the acquisition or retention by the Agency of fee title to or a leasehold interest in an approximately 11-acre parcel of land located at 1717 New Road in the City of Niagara Falls, Niagara County, New York (the "Land"); (ii) the construction of an approximately 25,000 square foot facility thereto (the "Improvements"); and (iii) the installation of certain equipment and items of personal property including, but not limited to, foot terminal, office and parts warehouse for utilization in the company's transportation and management of hazardous and non-hazardous waste transportation throughout the United States and Canada (the "Equipment" and collectively with the Land, and the Improvements, the "Facility"); (B) the leasing of the Project back to the Company, and (C) the providing of financial assistance to the Company for qualifying portions of the Project in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, a partial real property tax abatement and a mortgage recording tax exemption with respect to a certain payment-in-lieu-of-tax mortgage.

The Agency will acquire or retain 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 for qualifying portions of the Project in the form of sales and use tax exemptions and a mortgage recording tax exemption for financing related to the Project, consistent with the policies of the Agency, a partial real property tax abatement and a mortgage recording tax exemption with respect to a certain payment-in-lieu-of-tax agreement mortgage.

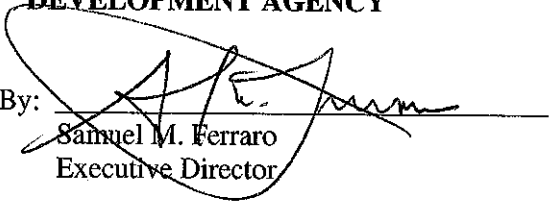
A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

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

DATED: September 28, 2011

**NIAGARA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____


Samuel M. Ferraro
Executive Director