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NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**RECEIVED**  
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**PUBLIC HEARING FOR SOPS, LLC**

April 2, 2012  
4:00 P.M.

Newfane Town Hall  
2737 Main Street  
Newfane, New York

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

**REPORTED BY:** JUDITH V. BICHELER  
Court Reporter

JUDITH V. BICHELER  
Court Reporter.

1 MS. LANGDON: Good afternoon.  
2 My name is Susan Langdon, Director of Project  
3 Development for the Niagara County Industrial  
4 Development Agency and I will be serving as Hearing  
5 Officer for this Public Hearing. It's now 4:01 P.M.

6 The purpose of this Hearing is  
7 to solicit comments, both written and oral, on the  
8 SOPS, LLC Project in the Town of Newfane. The  
9 project entails the construction of a 24,000 square  
10 foot addition to an existing building located at  
11 2087 Transit Road. I have made copies available of  
12 the project's cost/benefit analysis, project summary  
13 and project application on the table in the back of  
14 the room.

15 Comments can be in support of or  
16 in opposition to, or on the nature or location of  
17 the project. All comments are to be limited to this  
18 SOPS project.

19 Notice is hereby given that a  
20 public hearing pursuant to Article 18-A of the New  
21 York General Municipal Law will be held by the  
22 Niagara County Industrial Development Agency (the  
23 "Agency") on the 2nd day of April, 2012 at 4:00 p.m.

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1 local time, in the Meeting Room at the Town of  
2 Newfane Town Hall, 2737 Main Street, Newfane, New  
3 York, 14108, in connection with the following  
4 matter:

5 SOPS, LLC (Sun Orchard Fruit  
6 Company), a New York limited liability company, with  
7 offices at 2087 Transit Road, Burt, New York 14028,  
8 for 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 2087 Transit Road in the  
16 Town of Newfane, Niagara County, New York (the  
17 "Land"); (B) the construction of an approximately  
18 24,000 square foot addition to the existing facility  
19 to be used for the expansion of the Company's fresh  
20 apple packing and shipping facility (the  
21 "Improvements"); and (C) the acquisition of and  
22 installation in and around the Improvements of  
23 certain manufacturing machinery, equipment and items

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1 of personal property (the "Equipment") and  
2 collectively, with the Land and the Improvements  
3 (the "Facility").

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

18           A representative of the Agency  
19 will be at the above-stated time and place to  
20 present a copy of the Application and hear and  
21 accept written and oral comments from all persons  
22 with views in favor of or opposed to the proposed  
23 financial assistance.

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

4 Dated March 12, 2012. Niagara  
5 County Industrial Development Agency. By Samuel M.  
6 Ferraro, Executive Director.

7 I will now open the hearing for  
8 comments. Please remember to give your name,  
9 address and organization you represent, direct all  
10 comments to the chair, and your comments should be  
11 made on this project only.

12 Does anyone wish to speak?  
13 Okay. There being no comments, I'll close the  
14 hearing. It's now 4:05 p.m. Thank you very much.

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JUDITH V. BICHELER  
Court Reporter

