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NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARING FOR FREDERICK J. PIWKO, M.D., P.C.

February 8, 2011

Taken at Newfane Town Hall
2737 Main Street
Newfane, New York 14108

PRESENT: SUSAN LANGDON,
Director of Project Development.

DAWN M. SITERS,
Court Reporter.

1 MS. LANGDON: Would everyone
2 please sign the attendance sheet, even if you do not
3 wish to comment.

4 Good afternoon. My name is Susan
5 Langdon, Director of Project Development for the
6 Niagara County Industrial Development Agency. I'll
7 be serving as hearing officer for this public
8 hearing. It is now 3:32 P.M.

9 The purpose of this hearing is to
10 solicit comments, both written and oral, on the
11 Frederick J. Piwko, M.D., P.C. Project in the Town
12 of Newfane, New York. I have passed out the public
13 hearing notice and project summary to the attendees.
14 For your review, I also have a copy of the project
15 application up here, and the cost/benefit analysis
16 for the project.

17 This project involves the
18 construction of a new medical building at 3805
19 Lockport-Olcott Road in the Town of Newfane.

20 Please be advised that this is not
21 a debate or a question and answer session. I am
22 here to record your comments and present a
23 transcript of these proceedings to the Niagara

1 County Industrial Development Agency Board of
2 Directors for their consideration in their decision
3 relative to this project.

4 Comments can be in support of, or
5 in opposition to, or on the nature or location of
6 the project. All comments are to be limited to the
7 Frederick Piwko, M.D., P.C. Project.

8 This hearing is not for accepting
9 comments on any environmental issues, nor
10 environmental determination, and is not part of New
11 York State SEQRA process.

12 Notice of Public Hearing: Notice
13 is hereby given that a public hearing, pursuant to
14 Article 18-A of the New York General Municipal Law,
15 will be held by the Niagara County Industrial
16 Development Agency (the "Agency"), on the 8th day of
17 February, 2011 at 3:30 P.M., local time, at the
18 Newfane Town Hall, 2737 Main Street, Newfane, New
19 York 14108, in connection with the following matter.

20 Frederick J. Piwko, M.D., P.C.,
21 for itself or on behalf of an entity to be formed
22 (the "Company"), has submitted an application to the
23 Agency (a copy of which is on file at the office of

1 the Agency) requesting the Agency to undertake a
2 certain project (the "Project") consisting of: (A)
3 the acquisition or retention by the Agency of fee
4 title to, or a leasehold or other interest in, an
5 approximately 1.5-acre parcel of vacant land known
6 as 3805 Lockport-Olcott Road in the Town of Newfane,
7 Niagara County, New York (the "Land"); (B) the
8 construction thereon of an approximately 2,600
9 square foot building (the "Improvements"), and (C)
10 the acquisition of and installation in and around
11 the Improvements of certain equipment and items of
12 personal property (the "Equipment", and collectively
13 with the Land and the Improvements, the "Facility"),
14 all to be used by the Company in its business as a
15 family medical practice.

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

1 contemplates that it will provide financial
2 assistance to the Company for qualifying portions of
3 the Project in the form of sales and use tax
4 exemptions and a mortgage recording tax exemption,
5 consistent with the policies of the Agency, a
6 partial real property tax abatement and a mortgage
7 recording tax exemption with respect to a certain
8 payment-in-lieu-of-tax agreement mortgage.

9 A representative of the Agency
10 will be at the above-stated time and place to
11 present a copy of the Application and hear and
12 accept written and oral comments from all persons
13 with views in favor of, or opposed to, the proposed
14 financial assistance.

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

18 Dated: January 6, 2011, Niagara
19 County Industrial Development Agency, by Samuel M.
20 Ferraro, Executive Director.

21 I will open the hearing for
22 comments. Please remember to give your name,
23 address and the organization you represent. Direct

1 all comments to the Chair. And your comments should
2 be made on this project only.

3 Anyone wishing to speak? Sir?

4 LOWELL DICKINSON: My name is
5 Lowell Dickinson, and I live at -- I'd like to start
6 off by saying I oppose this. My name is Lowell
7 Dickinson. I live at 3810 Lockport-01cott Road,
8 directly across from this office, next to a school.

9 This is not what I envisioned when
10 I built my home next door to where I was raised.
11 Our neighborhood has not been in favor of this
12 venture since it started. We've been to the Town
13 Board to speak and present a petition. Supervisor
14 Horanburg told us he wanted this property to be put
15 on the tax rolls.

16 I believe that the doctor put the
17 cart before the horse. You don't build something
18 and then ask for help to finance it. He had the
19 money to build it, that tells me he has the money to
20 pay the taxes. He could have stayed where he was,
21 or moved to the now-closed Founders Clinic for less
22 money; both of which are located in the business
23 district in Wrights Corners, not in a residential

1 neighborhood.

2 I also, from what I can gather,
3 don't believe the doctor is a resident of Niagara
4 County. Should the Niagara County IDA be giving out
5 an IDA package to a non-resident? IDA stands for
6 industrial development, which this is not. All this
7 for the possibility of two new jobs.

8 Lastly, I'd like to say that I'm
9 tired of financing other people's ventures. I have
10 enough trouble financing my own on my own. Thank you.

11 MS. LANGDON: Thank you,
12 sir. Anyone else?

13 CRAIG DOBBINS: My name is
14 Craig Dobbins. I live at 3815 Lockport-01cott Road,
15 right next door to the doctor's office. I guess I
16 feel lucky that I'm not on the parking lot side of
17 the office. It's not so bad for me.

18 However, I pay upwards of
19 thirty-four hundred dollars a year for not a very
20 big home. And my taxes are only going to go up over
21 the next ten years. I make -- I'm an electrician, I
22 make an okay salary. I'm sure the doctor makes two
23 to three times more than me. And I have a tough

1 time paying my bills, and I don't see why I have to
2 support a business that's not going to pay any taxes
3 towards the town, my school taxes are just going
4 keep on going up.

5 And I think that the doctor can
6 afford to pay his taxes. I just think it's wrong.
7 I think he should be ashamed of himself for asking
8 for this tax abatement, really. I don't have any
9 problem with the doctor being there next to my home.
10 I want to be a good neighbor with him, but I also
11 want him to do the same thing I have to do, which is
12 pay my taxes and support our local community. And
13 I think it's wrong for him to ask for him to be let
14 out of that. Thank you.

15 MS. LANGDON: Thank you,
16 sir. Anyone else?

17 GARTH GREENAWALT: My name is
18 Garth Greenawalt. I'm a neighbor of these gentlemen
19 here, and I pretty much agree with what they said.
20 I've lived at 3790 Lockport-Olcott Road for
21 forty-six years, and I've never had a tax break from
22 the Town of Newfane.

23 And I think this doctor's on the

1 wrong track. I think he did put the cart before the
2 horse, like Mr. Dickinson said.

3 MS. LANGDON: Thank you.

4 Anyone else wish to speak.

5 TIM HORANBURG: Tim

6 Horanburg, Town of Newfane Supervisor. This is not
7 a tax-exempt project, he's paying his share of
8 taxes, but it's only in-lieu-of-taxes. Whether we
9 create one job or six jobs, every single job in this
10 community is important to me.

11 I think Dr. Piwko is a good
12 neighbor. He's done everything we've asked of him,
13 and the Town of Newfane and the Town Board are
14 certainly in support.

15 MS. LANGDON: Thank you.

16 Anyone else wish to speak. Ma'am?

17 DONNA PIESZALA: Hi, good

18 afternoon. I'm Donna Pieszala, 6643 Heather Drive,
19 Lockport, New York. Although my address does not
20 reflect it, I am a resident of the Newfane School
21 District, and a former board president of the
22 Newfane School Board.

23 And I would like to share with you

1 a little bit about the demographics of our school
2 district before I finish my comments. Our district
3 is mostly residential and agricultural based. We
4 have very little business taxes here, and we have
5 basically no manufacturing or industry. Therefore,
6 we rely on the residential taxes and the residents
7 of this district to support our school district, and
8 they pay their county taxes also, of course.

9 We are the second-poorest district
10 in the county, second to Niagara Falls; meaning we
11 have a very high level of poverty. Many of our
12 children get free and reduced lunches on a daily
13 basis. It's no secret that the governor is going to
14 cut state aid to our school. Our district will need
15 more tax dollars than ever from our residents. And
16 because the county raised our taxes this year, I
17 feel that it's not appropriate to issue a tax PILOT
18 for this project.

19 Our medical community had some
20 increases over the years, and I understand that, but
21 the residents also from paid for those increases
22 through their medical bills. This has been passed
23 on to us many times.

1 I do have to agree with the
2 gentleman back here who said that they could have
3 used the Founders Clinic in Wrights Corners. And I
4 also have to agree that this PILOT isn't going to
5 make or break the project, because it's built and
6 it's almost ready to be open, it appears.

7 I did some quick math, and I know
8 that the project is coming in at somewhere around
9 three hundred and ninety thousand just in the
10 construction, not to mention the cost of the land.
11 If this project were to be assessed at three hundred
12 thousand, the taxes to the school district alone
13 appear to be somewhere in the neighborhood of seven
14 thousand dollars a year. That's seventy thousand
15 dollars every ten years, unless there's a sliding
16 scale that I'm not aware of.

17 The application also claims it's
18 going to create jobs. I would like to ask the IDA
19 to -- if you do approve this, put something in the
20 PILOT that guarantees that we get these jobs, and if
21 there isn't, then there has to be a penalty to be
22 paid.

23 I agree that the practice is not

1 moving here, it's been here.

2 And on your paperwork that you
3 just handed out it says this project, as a new
4 investment, increases the tax base in Newfane and
5 Niagara County. And I wish we were seeing the
6 increase in our tax base, at least for the school
7 district immediately, we desperately need it.

8 Therefore, I have to tell you that
9 I'm opposed to this project. I'm opposed to the
10 financial assistance that the IDA has put forward.
11 Thank you.

12 MS. LANGDON: Thank you.
13 Anyone else wishing to speak?

14 PAM SANTORELLI: My name is
15 Pam Santorelli, and I am in support of the project.
16 I think it's important we keep the businesses we
17 have. And he's been -- Dr. Piwko's been here, and
18 it's important that he's staying here, building a
19 business here and hiring new people.

20 MS. LANGDON: Thank you.
21 Anyone else wish to speak?

22 JOHN SYRACUSE: Yes. My name
23 is John Syracuse. I live at 6091 Condren Road in

1 Newfane.

2 I'm hear to speak in support of
3 the IDA project to Dr. Piwko.

4 And I'd encourage the IDA to
5 continue in its efforts to increase the tax base for
6 this county. And I appreciate all that IDA has done
7 under the chairmanship of Henry Sloma. We've got
8 the ability to deliver better services to this
9 community with this facility, and we should
10 appreciate when somebody does wish to take a risk
11 and invest their potential future on a project such
12 as this.

13 And from my perspective, I highly
14 support this project, and those that the IDA has
15 worked through in the past. I encourage them to
16 continue searching out those programs and projects.
17 Thank you.

18 MS. LANGDON: Thank you.
19 Anyone else wish to speak?

20 Okay. It's now three forty-four,
21 and I will close the public hearing. Thank you for
22 all your comments, and for attending.

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