

**TOWN OF CLARENCE, ERIE COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY**

**MINUTES**

**February 15, 2018**

Chris Kempton called the meeting to order at 8:15 a.m.

Present at the meeting were Elaine Wolfe, David Schuster, Clayt Ertel and Chris Kempton. Mary Powell was not able to make the meeting. Also present were Paul Leone, Nathan Neill, Steve Bengart, Kimberly Ignatowski, and Cynthia Rosel. (There was a quorum present.)

**Public Hearing for 10885 Main Street-Kelly Schultz Project.**

Mr. Kempton opened the public hearing for the 10885 Main Street-Kelly Schultz Project. Paul Leone led the hearing and introduced the applicant, Kelly Schultz and his son Ben Schultz. Mr. Schultz is requesting assistance from the Agency in the form of a lease with mortgage transaction in an amount not to exceed \$1,700,000 that will include a mortgage tax abatement, sales tax exemption, and real property tax abatement for the equivalent of the 485-b tax abatement. The project will include the renovation of an existing 7,800 square foot building located at 10885 Main Street which building previously housed a Dodge dealership and an apartment. The project will also include a 4,200+/- square foot addition and the purchase and installation of machinery, equipment, furnishings and fixtures required for the project. The project will consist of a mixed use commercial facility consisting of a first floor retail portion to a retail occupant and a seven apartment portion to residential tenants. The Project will involve the adaptive reuse of a former automobile dealership which has been vacant for more than three years. Agency assistance is necessary because the rehabilitation costs would be prohibitive without such assistance. The Project will be subleased by the Lessee to a number of tenants.

The members were provided a copy of the application and a copy of the IMPLAN Analysis before the meeting. Mr. Leone asked if there were any questions. Mr. Ertel asked about the estimated jobs and if they were on the conservative side. The IMPLAN Analysis shows 5 new full-time jobs and 2 part time jobs within 2 years of the completion of the project. They anticipate the generation of 6 additional positions through business activity onsite and resident spending patterns. There will also be construction related positions during the project renovation and the construction of the addition. The applicant is very excited about the project.

There was a motion to close the public hearing by Clayt Ertel with a second by Elaine Wolfe. There was nothing on the question.

**Vote: Ayes: Wolfe, Schuster, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell**

**Minutes of January 18, 2018.**

The minutes were sent to the members via-e-mail. Mr. Kempton asked if everyone had a chance to review the minutes. There was a motion to approve the minutes of the January 18, 2018 meeting by Elaine Wolfe with a second by Clayt Ertel. There was nothing on the question. The Board voted as follows:

**Vote: Ayes: Wolfe, Schuster, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell Unanimous.**

**Treasurer's Report**

Mr. Schuster, Treasurer, reported on the balances in the Money Market and the Checking Accounts as of 2/15/18. There was a fee of \$500 collected in January of 2018 and interest earned to date is \$181.78. The net income is -1,323.96.

A motion was made by Clayt Ertel with a second by Elaine Wolfe to accept the financial report through February 15, 2018 as presented. There was nothing on the question. A vote was taken as follows:

**Vote: Ayes: Wolfe, Schuster, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell Unanimous.**

**Correspondence.**

None.

**New Business**

10885 Main Street Project.

A public hearing was held at the beginning of the meeting for the 10885 Main Street-Kelly Schultz project. The applicant is asking for assistance from the agency in the form of a mortgage tax abatement, sales tax exemption and real property tax abatement. The details were presented at the public hearing.

Mr. Kempton asked the Board if they would consider moving to approve the project as presented at the public hearing and adopt the authorizing resolution as prepared by Nathan Neill. There was no further discussion on the project. There was a motion by Clayt Ertel to approve the project and adopt the authorizing resolution as prepared by Bond Counsel, Nathan Neill. There was a second by Elaine Wolfe. There was nothing on the question. The vote was as follows:

**Vote: Ayes: Wolfe, Schuster, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell Unanimous.**

There was a motion to go into Executive Session at 8:25 a.m. under section 105(d) of the Open Meeting Law to discuss proposed, pending or current litigation and attorney/client privilege by Clayt Ertel with a second by David Schuster.

There was motion to move out of the Executive Session and move back into the regular meeting by Clayt Ertel with a second by Elaine Wolfe at 9:10 a.m.

**Vote: Ayes: Wolfe, Schuster, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell Unanimous.**

The meeting resumed under New Business.

Mr. Leone was contacted by the ECIDA about a Clarence Business, the Tree Doctor located at 4752 Shisler Road. The owner is Jeff Phillips contacted the ECIDA as he is looking at property in Pembroke to relocate there. Mr. Leone will contact him.

Mr. Leone also reported on an e-mail that he received regarding the County Road property. There is nothing happening immediately on this project.

Mary Morris who is the Pilot Administrator for the CIDA reported briefly on the 2017 Pilots and the tax impact. The information provided on the spread sheet shows what the project would pay in taxes without the pilot and what it is paying with the pilot. The School District collects and keeps track of its portion of the pilot payments for the school taxes. The auditor collects that information from the School District and inputs it on PARIS. The projects get three tax bills. One is manually generated by Mary Morris for the Town and County taxes. The Town/County taxes are paid to the Supervisors Office. One is the manually generated by the School District and the project pays the School District directly. The third bill is from the Town Clerk which is the Special District bill. Payments are due on or before February 15, 2018 for 2017. School taxes are due date for the School Taxes are October 15<sup>th</sup> of the year they are due.

It was suggested that another column be added that would show right before the project was incentivized, what the taxes were on the properties prior to the incentive being applied. This would show the revenue collected is greater than if the improvement was never made to the property. The value in increased so the tax obligation. Mary will work on this and report back in June or July.

### **Old Business.**

Update on “Vision Main Street Project-Economic Consultant Meeting

Mr. Kempton said that he, Clayt Ertel, Elaine Wolfe and Jonathan Bleuer met with Rob Camoin and Victoria Storrs on February 12, 2018. Mr. Camoin and Ms. Storrs went over what they will be doing on the project. The group then proceed to tour Main Street. Mr. Kempton said that Jonathan led the tour. Camoin will be attending the March meeting and update the Board on the project. After the meeting March CIDA meeting, Mr. Camoin and Ms. Storrs will be conducting interviews with stakeholders throughout the Town. Mr. Ertel, Ms. Wolfe and Jonathan Bleuer

came up with a list of who to contact. They will follow through and then Jonathan and Ms. Rosel will follow-up with scheduling the interviews and confirm.

**Items not on the Agenda.**

There was discussion regarding the two openings on the Board. The Board members mentioned some possible candidates to fill the positions. Peter DiCostanzo, Councilman and liaison for the Town Board, also will contact a couple of potential prospects.

There being nothing further, there was a motion by Elaine Wolfe with a second by Clayt Ertel to adjourn the meeting.

**Vote: Ayes: Wolfe, Schuster, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell Unanimous**

The meeting was adjourned at 9:37 a.m.

Respectfully submitted.

Cynthia M. Rosel