

TOWN OF CLARENCE, ERIE COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES  
November 21, 2013

Mr. Hartzell called the meeting to order at 8:00 a.m.

Mr. Hartzell announced that Governor Andrew Cuomo will be at Adam's Mark in downtown Buffalo this morning to make a special announcement on a big initiative for the area. Chairman Hartzell added that he received an invitation to attend and was able to get seats for the rest Board if they wish to attend. They would have to leave no later than 9:30 a.m. as there will be a security check and everyone must arrive no later than 10:15 a.m.

Present were Elaine Wolfe, David Schuster, Michael Buettner, Chris Kempton, Mary Powell (arrived at 8:03 a.m.) Clayt Ertel and Chairman David Hartzell. Also present were Paul Leone, Nathan Neill, Steven B. Bengart, Pamela Cuvillo, Jim Rash and Cynthia Rosel. Rafael Pignataro from Hodgson Russ Law Firm representing Dynabrade.

**Minutes of October 17, 2013.**

A motion was made by Clayt Ertel with a second by Michael Buettner to approve the minutes of the October 17, 2013 meeting. There was nothing on the question

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

**Treasurer's Report.**

Mr. Kempton went over the financial reports through November 21, 2013. He reported on the balances in the checking account and the money market account. Expenses for the year are \$55,692.13. Net Income is \$73,075.61 to date. Mr. Kempton also went over the 2013 Budget. Mr. Buettner added that it shows that there is a balance due on the Niagara Produce Project. Mr. Kempton added that is a payment and the wording should be changed reflecting that it was a payment and Pam Curvillo was asked to correct that on the Profit and Loss Detail.

There was a motion by David Schuster with a second by Elaine Wolfe to approve the Treasurer's report as submitted by Chris Kempton. There was nothing further on the question.

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

Mr. Kempton asked if there are any projects that will close before the end of this year and are there any projects coming up in the first six months of next year? Mr. Neill said that 9141-9145 Main Street Project is still open. Mr. Leone added that they have not returned the fee agreement to date. He added that he and the Chairman have met with some other companies but there is nothing definite yet.

Mr. Kempton would like to transfer \$70,000 from the Bank of Akron checking account to the First Federal Account. He wanted to know if we need a motion. Mr. Hartzell does not think we do. Mr. Buettner and Ms. Powell said it should be noted in the record that the transfer has been made. For the record Mr. Kempton said that a transfer will be made in the amount of \$70,000 from the checking account to the money market account.

### **Correspondence.**

Ms. Rosel reported on the invitation from Bank of Akron for the rededication and ribbon cutting ceremony at the Clarence Center Branch. It is the 20<sup>th</sup> Anniversary of this location. If the members are going to attend, they need to RSVP by December 2<sup>nd</sup>. The event is on December 5<sup>th</sup>.

### **New Business.**

Mr. Leone mentioned that he and the Chairman have met with several companies but it is a little too early to talk about proposed projects. There are no applications submitted as of yet.

He also reported that the Community Choice Act being sponsored by NYS Senator Patrick Gallivan and NYS Assemblyman Dennis Gabryszak is on the agenda for the legislator in January 2014. They are going forward with it.

### **Dynabrade.**

Mr. Neill has a resolution authorizing a release of a portion of the leased premises from the 2003 Dynabrade, Inc. Project. Dynabrade, Inc. would like to sell a 1.6+/-A of vacant land to the business located directly behind the property. Dynabrade has no use for that portion. The resolution authorizes the release of that portion.

There was motion by Mary Powell with a second by Elaine Wolfe to approve authorize the resolution to authorize the release of a portion of 1.6+/- A of vacant land from the 2003 Dynabrade, Inc. Project as presented by Mr. Neill.

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

### **Old Business.**

None.

### **EDO Report.**

Mr. Rash has had to reschedule some meetings while he was dealing with his health issue. He thanked the Board members and everyone for the well wishes.

He has had to re-schedule the meetings with the Seneca Nation Coalition for Economic Development. This would be an informational meeting to find out what it is all about.

He has mentioned that article regarding the low percentages of tax exempt properties in various Towns in Erie and Niagara Counties. Clarence is the second lowest Town in Erie and Niagara counties with tax exempt properties. Mr. Rash submitted an article that was in the Source regarding this topic.

He also discussed the Town economic goal and the CIDA. Mr. Hartzell said there is mention in the Town's Master Plan but the CIDA was not aware of it. He thinks it would be a good idea for the Town to have it in the Master Plan. Mr. Ertel asked if the CIDA could have a meeting the Planning Board to discuss commercial/economic development in the Town. Mr. Hartzell said they could arrange for a meeting. He said there is an Executive Committee of the Planning Board that meets every Monday. Mr. Hartzell said that he could speak with the Chairman to see if a joint meeting can be arranged.

He is working on the real estate listings and the development of the CIDA webpage.

He also talked about the revitalization of the Hollow and the possibility of doing a study of the Hollow and the development of a Master Plan for the Hollow area. Mr. Henderson did a architectural plan for the Hollow a few years ago. He has arranged a meeting with the Hollow Association to discuss this.

Mr. Hartzell went to the Leadership Council meeting that was called by Richard Tobe. The purpose of the meeting was to discuss the revised recaptures policy that was handed out the CIDA members a few meetings ago. There was further discussion regarding the claw back policy. Mr. Tobe is going to shorten the policy that he is working on to one page and will schedule another meeting.

Ms. Wolfe had a positive article regarding IDA's that she passed out.

Mr. Hartzell said he has received three requests from local law firms to become Bond Counsel for the CIDA. He will set up interviews for the December meeting.

There was a friendly motion to adjourn at 8:56 a.m.

Respectfully submitted: Cynthia M. Rosel