

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

MINUTES

JULY 17, 2014

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

Present were Elaine Wolfe, David Schuster, Michael Buettner, Chris Kempton, Mary Powell (arrived at 8:15 a.m.), Clayt Ertel and David Hartzell. Also present were Larry Meckler, Paul Leone, Nathan Neill, Steven Bengart, Jim Rash and Cynthia Rosel. Guests were: Randall Androozzi, Esq., Laura L. Benedetti, CPA and Heather Schmidt, Esq. all from Androozzi Bluestein et al and Beth O'Keefe, Bus. Dev. Officer of the ECIDA.

Minutes of June 19, 2014.

Mr. Hartzell asked for approval of the minutes from the June 19, 2014 meeting. There was a motion by David Schuster to approve the minutes of the June 19, 2014 meeting with a second by Elaine Wolfe. There was nothing on the question.

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

Treasurer's Report.

Mr. Kempton went over the financial report Balance Sheet and Profit & Loss Statement through July 17, 2014. Agency fees received to date are \$19,031.00 and interest income is in the amount of \$529.19. Expenses incurred to date are in the amount of \$45,434.15. There is a negative net income of -\$25,873.96 for the period. The details were attached along with a copy of the 2014 budget.

There was a motion by Clayt Ertel with a second by Michael Buettner to approve the Treasurer's Report of June 19, 2014. There was nothing further on the question.

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

Mr. Kempton passed out copies of the proposed budget for 2015. The budget figures from the 2014 budget were used to create the proposed 2015 budget. Revenues received in 2013 were greater than expenses. The only item that was not included was a cost of living increase for staff. That can be part of the discussion at the next meeting. There was discussion regarding the legal services line item. That item has not been used. There is nothing in contingency. Most of the expenses are contractual...those that are not are in marketing/advertising that has more variables. If there is a need, there can be adjustments. The Budget needs to be approved and in the past, it was adopted at the August meeting. It could be done at the September meeting. It must be submitted by the end of September. Mr. Kempton suggested that the Board members review the budget and if there are any suggestions or comments, to e-mail Chris. He will work something up for the August meeting and the Board can vote at that time if they choose to do so.

Correspondence.

None.

New Business.

Mr. Leone reminded the Board that they decided that the applications should be reviewed and discussed to determine if the project can go forward for inducement.

9141-9145 Main Street-Savant Properties LLC Project.

This project is on the agenda to discuss the new application. The project was originally induced in September of 2013. The project has changed and a new application was submitted to the CIDA for consideration. Mr. Leone introduced Randall Andreozzi, Esq., Partner in the Andreozzi Bluestein Weber Brown Law Firm that occupies 9145 Main Street and is a principal in Savant Properties LLC that owns the building. Mr. Andreozzi introduced Laura L. Benedetti, CPA/CFO and Heather Schmidt, Esq. both with Andreozzi Bluestein et al. Heather Schmidt explained that initially the building at 9141 Main Street was going include a complete façade renovation and completely gut the building. There was going to be an addition put on the back. The entire merged firm was going to move to the 9141 Main St. location and possibly leasing the back building. There were two main concerns with this plan...parking and the neighbor to the west thought the project was too close to the property line. The project was re-evaluated. The changes are to completely demolish the front building and move the proposed addition to the east and put it directly in front of the current 9145 Main St. building. The construction will consist of an approximate 5,000 sq. ft. addition to the existing 9145 Main St building. This allowed the re-working of the parking. The Planning Board approved the project at the meeting last evening, July 16, 2014, and issued a Neg Dec. The project is an enhancement zone. The project is smaller than the original project.

This would be on the August agenda for a Public Hearing. Mr. Neill will prepare the Notice of Public Hearing and the inducement resolution for the August 21, 2014 meeting. Mr. Neill would like to have the benefits outlined in the inducement resolution to include the type of pilot.

There was discussion on what type of Pilot the Board would consider. The 7 year or the 485-b Equivalent includes the school tax abatement. Mr. Leone recommends the 485-b Equivalent. This project is in an enhancement zone. After discussion, the Board decided to go with the 485-b Equivalent pilot for this project.

It was suggested that any new proposal alternative pilots be discussed at the Strategic Plan Meeting.

There was also a brief discussion regarding the joint meeting with the School Board and the Town Board and how the CIDA incentives are perceived at these meetings. It was suggested that David Hartzell give a presentation to explain how the CIDA works. Nothing was decided as to when and how this would be done. This will be discussed again at a future meeting.

8175 Sheridan Drive Rockledge.

The project applicant is asking for a 6 month extension on the Rockledge Project. Mr. Leone had Jim Rash go out to the site to see if the buildings are up. One building is complete and has committed tenants. The second is about halfway completed. After they complete the second building they will start on the third. Chris Kempton moved to approve the 6-month extension on the sales tax with a second by David Schuster. On the question,

Mary Powell asked if the CIDA received any fees on this project. They have made the down payment. Mr. Neill will work on getting this project closed.

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

EDO.

Jim Rash spoke to Anthony Cimato regarding the infrastructure costs for the Cimato Business Park about a sales tax abatement. He is going to meet with a Craft Brewer who is interested in commercializing his hobby.

Jim Rash attended a lunch meeting on June 30 with Chairman Hartzell, Elaine Wolfe, Paul Leone and Lynn Marinelli, the Western New York Director of Intergovernmental Relations at Empire State Development. Mr. Hartzell arranged the meeting and the group discussed possible ESD assistance promoting Clarence for new business. It was a very general meeting and nothing specific was discussed regarding the CIDA.

Mr. Rash visited the Rockledge Professional Park site as Mr. Leone mentioned previously at the meeting today.

Mr. Rash also spoke with a start-up, small wood furniture builder who would like to locate in the old Rothenmeyer Hardware Bldg. located in the Hollow. Paul Leone and Jim Rash will meet with this individual on July 29th to discuss possible CIDA benefits that might be available for this project.

The date was set for the Strategic Planning session for Thursday, Sept. 11, 2014 at 6 p.m. in the Hallock conference room. Discussion will include the use of CIDA funds, professional marketing systems and CIDA produced elements of the Town's master plan.

Mr. Ertel is working on the numbers for what the Towns' assessed valuation is commercially now vs. what has to be predicted for the future. The Town has a source of revenue but we do not know what percentage of that revenue is from commercial development vs. residential.

He will attend the Hollow/Main St. Corridor revitalization committee meeting on Aug. 6th and the Clarence Heritage Meeting on July 24th.

Non Agenda Items.

Elaine Wolfe reported that the wrap-up sessions for the mapping sessions that were held in February will be held next week on Monday in Lockport and on Tuesday at ECC City Campus. Ms. Wolfe had a flyer with all the information if anyone was interested in attending.

Mr. Schuster wanted to know if there was a way that the current assessed value of a proposed project could be made available at the time of discussion on the application to gauge what a property would be worth after added value...for example it is assessed at \$2M currently and they are adding \$2M or \$50,000 additional value to the project. What would it be assessed at after adding the \$2M addition?

Mr. Kempton said that also it would also be helpful to have the amount of town taxes and school taxes before a project is induced. Is there a way that it could be part of the application process? Mr. Leone said that he can have that on the application.

Mr. Neill said at the public hearing one of the other Towns has this information available on a classification sheet. The IMPACT Analysis has some of this information but not all of it.

Chairman Hartzell discussed the recent ABO Annual report. The report showed that the Town of Clarence lost 563 jobs between 2009/2013. In an attempt to find out what happened with the numbers, the Chairman contacted the auditor, Drescher and Malecki, and met with Elisa Fernbach who prepares the report for PARIS. Ms. Fernbach was asked if they look at the reporting numbers before submitting them. She said no they do not, that is management's job. They just report the current numbers.

Mr. Hartzell would like to have this done in house. Send out the letters and compare the figures. After looking at the figures and comparing them to previous years, the error seems to be in the Wilson Greatbatch reporting. Mr. Ertel will contact them to see if they reported the number of full time employees incorrectly. Some of their key people moved to Texas and perhaps the form went to a person who was not familiar with the NYS reporting system. There are a couple of projects and they may have only reported the number for just one project.

Mr. Kempton added that there is an Audit Committee that could do that. Mr. Ertel added that Ms. Rosel suggested that yesterday at the meeting and thought it was a good idea. Ms. Rosel added that this could be put on a spread sheet. The Audit Committee will meet and discuss how to proceed in the future.

Ms. Rosel will contact Ms. O'Keefe from the ECIDA to get an example of the ECIDA form and discuss the ECIDA process.

Mr. Hartzell also added that he e-mailed Erin Cole who is the new President of the World Trade Center Buffalo Niagara to get together for lunch at the Protocol. He will let the Board know when she is available so they can attend if they would like to.

Mr. Hartzell wanted to let the Board know that WBBV TV that is located in the Eastern Hills Mall has a game show called "Bragging Rights." It is a Trivia Game with 2 teams of three...they call David on short notice when they need someone to fill a spot on one of the teams. It is great fun and he asked if anyone from the ECIDA would like to be on the program.

Meeting adjourned at 9:14 a.m.

Respectfully submitted: Cynthia M. Rosel