

TOWN OF CLARENCE, ERIE COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES OF SPECIAL MEETING  
October 25, 2018

Chris Kempton called the meeting to order at 8:01 a.m.

Present at the meeting were Patrick Johnson, Robert Dixon, Elaine Wolfe, Mary Powell, Clayt Ertel, and Chairman Kempton. Also present were Paul Leone, Jennifer Strong, Steven Bengart and Cynthia Rosel.

**Minutes of September 20, 2018 Meeting.**

The minutes were not approved at the last meeting due to there not being a quorum present. Mr. Kempton said that the minutes can be approved today and asked if there are no questions regarding the minutes, a motion would be needed. There was a motion by Patrick Johnson with a second by Elaine Wolfe to approve the September 2018 minutes. There was nothing on the question.

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

**Treasurer's Report.**

At the last meeting, Patrick Johnson reported on the balances in the Money Market and the Checking Account. The fees collected to date are in the amount of \$51,500.00 and interest earned is \$4,428.49. The expenses to date are \$74,655.42. There is a Net Income of -18,726.93. Mr. Kempton asked for a vote to accept the financial report through October 18, 2018. There was a motion by Elaine Wolfe with a second by Robert Dixon to approve the Treasurer's Report of October 18, 2018. There was nothing on the question.

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

**Correspondence.**

None.

**10075 Main Street-ICE Project**

Mr. Leone reviewed the project with the members and explained that the applicants are requesting assistance from the Agency in the form of a lease only or lease with mortgage transaction in an amount not to exceed \$3,500,000. The incentives will include mortgage tax

abatement, sales tax exemption on any materials and/or equipment purchased for incorporation into the Project and real property tax abatement in accordance with existing Agency Uniform Tax Exemption Policy and Guidelines, as amended. The project consists of the construction of an approximately 35,000 square foot building on a 4.5 acre parcel of land located at 10075 Main Street, in the Town of Clarence, New York, to expand Innovative Concepts in Entertainment, Inc.). ICE is currently out of space. The acquisition and installation of machinery, equipment, furnishings and fixtures required in connection therewith, all for a manufacturing/distribution facility (the "Project"). The Project will allow the Sublessee to expand its current business and maintain their level of sales and employment, making the project affordable with a competitive lease rate and keeping the Sublessee in the Town of Clarence. The Project will be subleased to the Lessee for sub-sublease to the Sublessee which will be the sole occupant of the Project. The property tax abatement would be for 10 years. The public hearing was held at the July 19, 2018 meeting. An IMPLAN study was done and presented at that meeting by Mr. Leone.

The project did receive a Neg Dec by the Town Planning Board at its meeting on October 17, 2018. They were granted a Special Exception Use Permit on October 24, 2018 at the Town Board Meeting. The project is ready to go.

Ms. Strong has a resolution that is ready for the Board to adopt approving the project incentives if the Board chooses to do so at this meeting.

There was a motion by Clayt Ertel with a second by Patrick Johnson to adopt the resolution as prepared by Jennifer Strong, Bond Counsel approving the project. There was nothing on the question.

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

**New Business.**

None.

**Old Business.**

None.

**Items Not On The Agenda**

None.

**Public Comments.**

None.

Meeting adjourned at 8:04 a.m.

Respectfully submitted by  
Cynthia Rosel