

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

MINUTES

December 19, 2019

The meeting was called to order by Christopher Kempton, Chairman at 8:15 a.m.

Present at the meeting were Peter DiBiase, Robert Dixon, Patrick Johnson, Elaine Wolfe, Mary Powell, Clayt Ertel and Chris Kempton. Also, present were Paul Leone, Jennifer Strong, Larry Meckler, Peter DiCostanzo, and Cynthia Rosel.

Minutes of November 21, 2019.

Chairman Kempton asked if everyone had a chance to review the minutes of the November 21, 2019 meeting. There was a motion to accept the minutes of November 21, 2019 by Elaine Wolfe with a second by Robert Dixon. There was nothing on the question.

VOTE: Ayes: DiBiase, Dixon, Johnson, Wolfe, Powell, Ertel. Noes: None
Recuse: None Abstain: Kempton Absent: None. Motion Carried.

Treasurer's Report

The report was not available at the time of the meeting and will be reviewed at the January 16, 2020 meeting. Mr. Johnson did notify the Board that the Seal and Design Installment Sale Project closed and the Agency Fee of \$4,500 was received. The three standard checks will be cut and mailed out. There was nothing further to report.

Correspondence.

A Notices of Public Hearing was received from the Hamburg IDA and e-mailed to the Board Members, Paul Leone and the Attorneys. There was no further correspondence.

New Business.

Mr. Leone received an application from APEX Dental Solutions LLC for a proposed project at 8600 Sheridan Drive. The applicant also submitted the \$500 application/public hearing fee. Jennifer Strong reviewed the application and the project would be eligible for incentives. Mr. Leone had Ms. Rosel forward the application to the Board members for review for today's meeting. The project is in the amount of \$1,360,000.00. The applicant is requesting agency assistance in the form of mortgage tax abatement, sales tax exemption and property tax abatement. Chairman Kempton added, just to confirm, that there no retail component to the project so it meets the eligibility. Mr. Leone added that a public hearing could be set for the January meeting if it is the pleasure of the Board. Mr. Leone will have an IMPLAN study done also. The Board members were in agreement and a public hearing will be set for the January

meeting. Ms. Strong will prepare the Notice of Public Hearing and a resolution in anticipation of Board approval.

Mr. Leone also met with a potential applicant Katie Sullivan who owns a company called Launch Pad for Learning. They are looking to acquire the Floss Building and putting an addition on. This is not a Day Care Center but a Learning Center. The applicant is looking for significantly more space and there is nothing available for her to expand in that area. The current location does not have any more space available. Mr. Leone did give Ms. Sullivan an application but it has not been submitted yet.

Mr. Leone also had a request from an architect that wants to renovate a building at 8855 Sheridan Drive. It is a small project and it may not be worth it for him to pursue.

Paul Leone also has been in touch with a representative from Campione Safety which is now located at 5844 Goodrich Road. They are looking to acquire a lot a 9550 County Rd. They are looking to construct another building on the property. It is a small family owed wholesale distributor of industrial supplies (warehouse distribution which would be eligible.) There is no application yet.

Mr. Leone also reported that the One-eyed Cat Brewery Company that was looking to locate in the Hollow Area fell through at this location. They needed financing and Mr. Leone introduced the potential applicant to some Banking Firms but unfortunately the applicant could not obtain financing.

Mr. Leone also said that he received a request from Launch NY to give a presentation at one of the CIDA Board meetings in either January or February. Mr. Kempton said that in order to qualify for incentives a company would have to sell property and to avoid capital gain taxes, the funds would have to be invested elsewhere for a certain amount of time. In order to take advantage of it, it would have to be done by the end of this year. It really does not have anything to do with CIDA benefits. The Board will make a decision at the January meeting if they want to do this.

Old Business.

Mr. Meckler reminded the Board that there was discussion about the live streaming of the meetings. Mr. Meckler drafted a short resolution regarding the practicability of the CIDA live streaming its meeting. The CIDA does not own the building and do not have any rights to put equipment in the Building. It is impracticable for the CIDA to stream the meetings live. The Board was going to make a decision regarding this matter at this meeting. T Board adopted the following resolution:

There was a motion by Clayt Ertel with a second by Robert Dixon to adopt the following resolution:

RESOLVED, that the Clarence Industrial Development Agency has determined after thorough review that it is impracticable to provide video streaming of the Clarence IDA Board meetings at the time; and be it further

RESOLVED, the Clarence Industrial Development Agency will continue to review this matter in the event that there is further information that would allow the Clarence IDA to comply in the future.

VOTE: Ayes: DiBiase, Dixon, Johnson, Wolfe, Powell, Ertel, Kempton.
Noes: None Recuse: None Absent: None. Motion Carried.

Items not on the Agenda.

Chairman Kempton reminded the Board members that the agreement with Masiello Martucci Calabrese is up at the end of this month. A couple of the local IDA's will not be renewing membership with the firm. There is an alternative which is the New York State Economic Development Council. The Board will have to look into which organization would best represent the CIDA. There needs to be a decision at the January meeting.

Mary Powell wanted to know if the CIDA joins NYSEDC how would the Board receive information from the Council on what they are doing. She wants to make sure that the CIDA would be getting the information on what they are doing for CIDA's. Information would be sent to the Chairman and then be distributed to the Board member. This is not a government agency. The yearly membership is \$800 for 1 member and an additional \$50 for any of the members that would like to join. Mr. Leone said the Mr. Silva would come to a meeting to speak with the Board members. About the NYSEDC. The Board will make a decision at the meeting in January.

Mr. Kempton talked briefly about the State Comptroller's Audit. The Audit letter has not been issued yet. Once that happens, the letter will be reviewed and make comments. Some of the deficiencies that have been mentioned are the full time employee reporting and how that is verified. Also, the submitting of the ST-340 forms. This is going to be something that will have to be dealt with going forward.

Public Comments.

None.

There being nothing further, there was a motion to adjourn the meeting by Mary Powell with a second by Elaine Wolfe. There was nothing on the question.

The meeting was adjourned at 9:05 a.m.

Respectfully submitted.

Cynthia M. Rosel