

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

**MINUTES  
August 15, 2019**

Clayt Ertel, Vice Chairman called the meeting to order at 8:15 a.m.

Present at the meeting were Peter DiBiase, Robert Dixon, Patrick Johnson, Elaine Wolfe, Mary Powell and Clayt Ertel. Chris Kempton were absent as he was out of Town. Also, present were Paul Leone, Jennifer Strong, Steven Bengart, Peter DiCostanzo, Kimberly Ignatowski and Cynthia Rosel.

**Minutes of July 18, 2019.**

Mr. Ertel asked if everyone had a chance to review the minutes of the July meeting and if anyone had any comments or corrections. Being none, there was a motion to accept the minutes of the July 18, 2019 meeting by Patrick Johnson with a second by Elaine Wolfe. There was nothing on the question.

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

**Treasurer's Report**

The Treasurer, Patrick Johnson, gave the financial report through August 15, 2019 reporting on the balances in the checking and money market accounts. Since the last meeting, there were no new revenues received. The total revenue received to date is \$32,223.89. Interest earned to date is in the amount of \$9,612.89. Expenses for this period is in the amount of \$1,571.00. Total expenses to date is in the amount of \$31,581.04. The Net Income to date is \$10,255.74. Mr. Johnson also added that the Balance Sheet for this reporting period shows roughly \$6K more favorable than last year in the same reporting period. You will see that the growth in the budget is kind of a tepid growth in the expenses going forward.

Mr. Ertel asked Kimberly Ignatowski to present the tentative Budget for 2020 which was sent to the members via e-mail before this meeting. Ms. Ignatowski reported that everything pretty much stayed flat. Ms. Ignatowski contacted the Auditor, Drescher and Malecki and their fee would stay the same for the 2019 Audit that will be compiled in 2020. Next year the audit services will be put out to bid. The expenses will include an increase for of 2% for the CEO, CFO, Billing Administrator and Secretary. The only other increase is in the insurance line as recommended by the Floss Agency that because of increased costs, it is harder to project on over a year what the actual cost will be. The premiums are not due until December so that is a rough estimate to be sure that we are budgeting enough. The Estimated Revenues - Administrative Fees have always stayed at \$50,000. That is the figure we utilize because of the different projects we have on board and that amount is kind of a baseline number. The interest earnings have been increased. In 2019 there were budgeted at \$1,200. In 2020 the budget is at \$6,500 because if you look at year to date the interest income to date is at \$9,600. I wanted to make sure

that we were still a little bit conservative with the revenue just in case rates do fluctuate it allows for that to be reflected in the budget. Based on that the appropriated fund balance would only be \$1,453.00 and that is just to balance out the revenues to expenditures line. Mr. Ertel asked if there were any questions on the tentative budget. There were none.

Mr. Ertel went back to the Treasurer's Report and asked if there were any questions. There were none. There was a motion by Robert Dixon with a second by Elaine Wolfe to accept the Treasurers Report through August 15, 2019. There was nothing on the question.

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

Mr. Ertel asked if everyone if there were any concerns or questions on the budget. There were none and Mr. Ertel asked for a motion to adopt the Tentative Budget if that is the pleasure of the Board. There was a motion made by Patrick Johnson with a second by Mary Powell to adopt the tentative budget as the approved budget for 2020. There was nothing further on the question.

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

Mr. Ertel asked the Board for a motion to engage the firm of Drescher and Malecki for Audit Services for 2019 to be completed in 2020. There was a motion by Mary Powell with a second by Peter DiBiase to approve the engagement of the firm of Drescher and Malecki to complete the 2019 CIDA Audit. There was nothing on the question.

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

**Correspondence.**

None.

**New Business.**

Mr. Leone has a new project for Seal and Design at 4015 Casilio Parkway. The CIDA has done several projects with Seal and Design. This is for Sale Tax Only. A copy of the Application, the IMPLAN and a copy of the proposed resolution were e-mailed to everyone. The project will be creating an additional 15 new jobs within 2 years after completion of the project. Job retention will be 95 FT and 3 PT employees. The investment in Furniture, Fixtures and Equipment will be in the amount of \$450,000. The Sales Tax Exemption is listed on the IMPLAN showing a sales tax benefit of \$39,375.00. Jennifer Strong, Transactional/Bond Counsel for the CIDA, has prepared a resolution for the Board to consider adopting regarding the approval of the project if they so choose to. There was a motion by Patrick Johnson with a second by Elaine Wolfe to approve the project and adopt the resolution as prepared by Ms. Strong for the 4015 Casilio - Seal and Design Project for Sales Tax Only. There was nothing on the question.

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

## **Old Business**

Mr. Leone reported that he has had several meetings with individuals on a proposed brewery in a vacant building on Transit Road near Roll Road. There is nothing yet on this project. It would be a manufacturing project. Mr. Leone is waiting for them to come back to him on this project.

He is in communication with a proposed applicant for a mixed used facility on the north side of Main Street just east of Shimerville Road before you get to the landscaping business. He is waiting for an application.

## **Items not on the Agenda.**

Mr. Ertel talked about the CIDA funds and spending some of the funds. The CIDA spent some funds on the Main Street study. Jonathan Bleuer was going to come in today to review what has happened so far since the study was completed. He will be in next month. The Town has been aggressive so far in putting together information about Main Street, pamphlets and brochures in general, and circulating them. Mr. Ertel thinks that the CIDA could circulate this information. He thinks the CIDA could do a better job in circulating the information. He would like the CIDA look at using some of the funds that CIDA has. This money could be used in some shape or form to promote Clarence. He thinks the Town is doing a good job. He thinks that the CIDA could go out to the realtors and the developers in WNY in some way to help promote Clarence by giving them the information that we have in our hands that this may be a great place to consider investing. Mr. Leone said that we may want to defer to the attorneys as to what the CIDA can really do with the funds they have available.

There was also discussion regarding the Eastern Hills Mall and CIDA incentives. Mr. Leone said that he has not been approached by anyone regarding Eastern Hills Lifestyle Center. It is just not ready. There is nothing really going on. We have to wait and see where it goes. Mr. Meckler agreed with Mr. Leone that we have to just wait and see where it goes.

Mr. Leone has been contacted by the NYS Economic Development Corporation. They do exactly what Calabrese does. There is a meeting with the NYS Economic Development Corp. regarding insight with the legislative session and looking ahead to 20/20. This will be at the ECIDA offices on the 27<sup>th</sup> at 3 p.m. at 95 Perry Street 5<sup>th</sup> floor. Ron Silvia will be speaking about what is going on with Economic Development in the State. The fee is \$800 per year. Amherst IDA is a member. It may be something the Board may want to consider joining. Mary Powell suggested that the CIDA may want to join in addition to the membership in the Masiello Martucci Calabrese Association. Ms. Rosel mentioned that the CIDA did join a few years ago and Clayt Ertel was the representative for the CIDA. At that time it was not worth it. He does not know what it is like now and it may be worth considering joining again. He asked that the Board keep it in mind.

Ms. Rosel let the Board know that the State Comptroller's Audit is still going on the Auditor expects he will be here the rest of the month and in September. The Comptroller has not done an audit on IDA's in several years. The Town of Hamburg was audited in 2014. The information asked for was from 2016 through 2018. They are looking at the applications from projects with Pilots and Sales Tax that approved in those years. They also asked for the IMPLANS, resolutions, and the annual questionnaires on all the open PILOTS. They suggest that we follow-

up on the employment numbers to verify those numbers. Mr. DiCostanzo said that there is a form which is the filed quarterly with the State which is the NYS-45 form.

Ms. Powell asked about the form or certificate for the course that IDA members need to take. It is on line and Ms. Rosel will e-mail the information to everyone. The certificates need to be on file.

Mr. DiCostanzo wanted to know why Lancaster has more projects than Clarence. Mr. Leone answered that they have the necessary infrastructure. Clarence does not have the sewers or shovel ready properties. Mr. Ertel said that there are many commercial developments in Lancaster already that are zoned and sewerred. Lancaster has more commercial ready areas. Mary Powell said that there are a lot of companies that would like to come to Clarence and Paul is absolutely right. Wehrle Drive has areas that are industrial zoned and it is wetlands. There was some discussion regarding self-storage. Mr. Ertel said that self-storage is needed especially by small businesses. The history has been that the Town does not encourage self-storage. Any projects that may come before the CIDA Board would have to be looked at if they have a mixed use project with self-storage. Jennifer said that the CIDA would have to look at it. There are places in the Town that would be zoned for self-storage. Mary suggested that whatever comes Paul's way if he would bring it to the Board even if it is not eligible just they can see what is out there.

**Public Comments.**

None.

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

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

The meeting was adjourned at 9:04 a.m.

Respectfully submitted.

Cynthia M. Rosel