

TOWN OF CLARENCE, ERIE COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES  
April 20, 2023

Clayt Ertel, Vice Chairman, called the meeting to order at 8:16 a.m.

Present were Lauren Fix, Peter DiBiase, Robert Dixon, Elaine Wolfe, and Clayt Ertel. Chris Kempton was out of town and Mary Powell could not make the meeting. Also present were Paul Leone, Steven Bengart, Jennifer Strong, Kimberly Ignatowski, Peter DiCostanzo and Cynthia Rosel.

**Minutes of March 16, 2023 Meeting.**

Mr. Ertel asked if anyone had any questions or comments on the minutes of the March 16<sup>th</sup> meeting. There were none. There was a motion by Lauren Fix with a second by Elaine Wolfe to approve the March meeting minutes. There was nothing on the question. The vote was as follows:

Vote: Ayes: Fix, Dixon, Wolfe, Ertel. Noes: None  
Recuse: None. Absent: DiBiase, Powell, Kempton. Motion carried

(Mr. DiBiase was not present for this part of the Agenda as he arrived at 8:20 a.m.)

**Treasurer's Report.**

Kimberly Ignatowski presented the financial report. She went over the balances in the cash-checking and CD accounts. An application fee of \$500 was received to date. As of April 20, 2023 the total expenses are in the amount of \$36,947.25. Interest earned is a total of \$1,403.98. There is a net income of -35,543.27. The Total assets include Cash-Checking with interest account and three CD's.

Paul Leone asked if the extension fee was received from the Green Project. The extension fee was not paid to date. The attorneys have reached out to the attorney for the applicant.

Ms. Strong is waiting for the updated application on the Dean Architect project.

There was no further discussion. Robert Dixon moved to approve the Treasurers report as of March 16, 2023 with a second by Elaine Wolfe. There was nothing further on the question.

Vote: Ayes: Fix, DiBiase, Dixon, Wolfe, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell. Motion carried

**Correspondence.**

Ms. Rosel forwarded emails from NYSEDC to the Board members and staff.

### **Pilot Payments Update for 2023**

There was discussion regarding the PILOT payments for 2023 and the one delinquent payment. The payment for the Town County taxes have not been paid for the 8600 Sheridan Drive Project. Mr. Leone, Mr. Bengart and Ms. Rosel have contacted the owners. Ms. Rosel was advised by the owner of APEX, that he believed that the PILOT bill was paid. Payment will be made to the CIDA office no later than this Friday. In the interim, Mr. Bengart asked if the Board would authorize the attorneys, at the discretion of counsel, to prepare a letter to the owners informing them that if payment is not made by the end of the month, the CIDA will take action regarding the non-payment of the PILOT according to the agreement and ensue recapture proceedings. This would be done only if payment is not received by the end of business tomorrow. (April 21, 2023.) Mr. Bengart will contact the owners today to let them know that this was discussed at the meeting today and let them know that if payment is not made by Friday, the project would lose the incentives and further action would be taken to recapture the benefits already received.

Mr. Dixon moved to give authorization to the Attorneys to prepare and send a letter to the owners of the APEX that if payment is not made by the end of the month, recapture proceedings will commence. There was a second by Lauren Fix. On the question, a letter will go out if the PILOT payment is not received by CIDA the by the end of business on Friday, April 21, 2023. On the question Mr. Bengart will contact the owners and do his best to make this happen.

Vote: Ayes: Fix, DiBiase, Dixon, Wolfe, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell. Motion carried

### **Update on “Vision Sheridan Drive Project.”**

Jonathan Bleuer and Andrew Schaeffer cannot make the meeting this morning. Mr. Ertel was at the meeting this past Tuesday and will give a brief synopsis of the meeting. Mr. Ertel reported that the project is moving along well. It is still in the stages of how information is going to be disseminated. It will be pretty well defined by the time of the public forum. The committee is looking at early June at the earliest or if not June, then in July for the Public Forum. The area has commercial and residential properties. Some of the residential could be rezoned to commercial. There are some older properties that could be purchased by any developer or builder. There was some discussion initiated by Mr. Leone regarding Enhancement Zones. Mr. Bengart added that the Enhancement Zones never went away. There is a map. There was further discussion regarding what types of businesses would be considered for this area. There are several factors involved. There will be another committee meeting in May which will take place before the CIDA meeting on May 18<sup>th</sup>.

### **New Business.**

Mr. Leone mentioned that all the IDA’s met with a development company outside New York City called Time Equities. They are looking for properties in the area to develop and then lease. Mr. Leone was also contacted by the owner of Love Your Dog. It is a boarding, dog training and grooming business on Transit Road. He does not think this would qualify.

Mr. Leone has continued to meet with other potential on projects that will be apply for benefits. Mr. Bengart said that some of these will be on the Planning Board and Zoning Board agendas very soon.

**Od Business:**

None.

**Items Not on the Agenda.**

**Public Comments.**

None.

There was a motion to adjourn the meeting by Robert Dixon with a second by Elaine Wolfe. There was nothing on the question.

Vote: Ayes: Fix, DiBiase, Dixon, Wolfe, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell. Motion carried

Vote: Ayes: Fix, DiBiase, Dixon, Wolfe, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Powell. Motion carried

Meeting was adjourned at 9:02 a.m.

Respectfully submitted,  
Cynthia Rosel