

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

MINUTES

April 21, 2016

Chairman Kempton called the meeting to order at 8:15 a.m.

Present were Susan Ballard, Elaine Wolfe, Michael Buettner, Mary Powell (arrived at 8:20 a.m.), and Chairman, Chris Kempton. David Schuster and Clayt Ertel were absent as both were out of town. Also present were Steven Bengart, Paul Leone, Nathan Neill, Larry Meckler, and Cynthia Rosel (Pam CuvIELLO was absent as she was also out of town.) Guests were Ron and Don Matre (4055 Casilio Pkwy. Project principles) and Beth O'Keefe, ECIDA Bus. Development Officer.

Public Hearings.

8:15 a.m. – Public Hearing for 4055 Casilio Pkwy. Project.

Mr. Kempton opened the public hearing and turned it over to Paul Leone. Mr. Leone introduced the applicants Don and Ron Matre who are going to be the owners of the property at 4055 Casilio Pkwy. The project amount is approximately \$3.7M. The applicants are asking for assistance from the agency that will include mortgage tax abatement and sales tax exemption on any materials and/or equipment purchased for incorporation into the Project. There will also be a freeze on the assessment on the real property. Mr. Neill added they are moving because the building they are in does not have enough space and they are leasing 30,000 sq. ft. elsewhere because of the lack of space. The building they are in is land-locked and they cannot expand. There are also some sewerage issues. They have to move. Mr. Leone said this a good move for Clarence. They did look for space in Tonawanda and could not find the space they need. Mr. Bengart added that the CIDA will respond to the letter from the Tonawanda Supervisor after this meeting.

There was no further discussion. There was a motion by Susan Ballard with a second by Michael Buettner to close the public hearing and there was nothing on the question.

Vote: Ayes: Ballard, Wolfe, Buettner, Kempton. Noes: None.

Recuse: None. Absent: Schuster, Ertel, Powell. Unanimous.

8:20 a.m. - Public Hearing for 6449 Transit Road Project.

Mr. Kempton opened the public hearing and turned it over to Paul Leone. The applicant was not present. This project is eligible for adaptive re-use and it is in the Transit Road Enhancement Area. It will be a 20,000 sq. ft. office mixed use building including residential and retail use. The project amount is approximately \$2.5M. The assistance will include mortgage tax abatement and sales tax on materials and/or equipment purchased for incorporation into the

Project. There will be no property tax abatement. They have the financing in place. There were no questions.

A motion was made by Susan Ballard to close the public hearing with a second by Elaine Wolfe. There was nothing on the question.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous**

Minutes of March 17, 2016.

There was a motion to approve the minutes of March 17, 2016 by Mary Powell with a second by Elaine Wolfe. There was nothing on the question.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous**

Treasurer's Report.

Chairman Kempton went over the Financial Report through April 21, 2016 as Mr. Schuster was not present. Mr. Kempton reported on the balances in the bank accounts. The income to date is \$3,795.00. Total expenses through April 21, 2016 were in the amount of \$17,807.43. Interest earnings are in the amount of \$217.65. The Net Income is -13,794.73. The financials are pretty much where the CIDA was last year. The expenses should decrease as most expenses are paid at the beginning of the year. Mr. Kempton gave the members some time to review the details. There was no further discussion. A motion was made by Susan Ballard with a second by Mary Powell to accept the Treasurer's Report through April 21, 2016. There was nothing on the question.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous**

Correspondence.

A Notice of Public Hearing from the Lancaster IDA was e-mailed to the Board. Mr. Leone reported that Jim Allen retired from the ECIDA.

New Business.

4055 Casilio Pkwy. Project.

Mr. Kempton asked if there were any questions on the 4055 Casilio Pkwy. Project that was the subject of the public hearing at the beginning of the meeting. There were none. There was a motion made by Elaine Wolfe with a second by Susan Ballard to adopt the resolution to approve the 4055 Casilio Pkwy. Project as presented by Mr. Neill. There was nothing on the question.

**Vote: Ayes: Ballard, Wolfe, Buettner, Kempton. Noes: None.
Recuse: Powell. Absent: Schuster, Ertel. Unanimous.**

6449 Transit Road Project.

Mr. Kempton asked if there were any questions on the 6449 Transit Road Project that was the subject of the second public hearing this morning. There were no questions or further discussion. There was a motion to adopt the resolution to approve the 6449 Transit Road Project as presented by Mr. Neill. Mary Powell made the motion and there was a second by Elaine Wolfe. On the question, Mr. Neill added that the Town Board did a SEQR-Neg Dec on the project and that is incorporated in the resolution that he presented to the CIDA Board. There is a SEQR resolution in the file. Mr. Buettner asked if we know who the tenants are. Mr. Leone said he only knows of one. He has not seen the lease yet. Mr. Neill added that the project is not getting a Pilot. They would have to apply for a 485-b through the Town. There was nothing further and the vote was taken.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous**

Audit Report.

The Audit report for 2015 was presented at the last meeting. There was a correction that needed to be made. The Auditor sent bound copies for the Board with the correction. There needs to be a motion to accept the corrected Audit Report for 2015. Pam CuvIELLO as the CFO has reviewed and certified to the Audit. It has already been uploaded to PARIS and to the CIDA website with the corrections. There was a motion by Susan Ballard with a second by Elaine Wolfe to accept the corrected Audit Report for 2015.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous.**

Voelkl-Buffalo Pharmacy Project Resolution

The Town Assessors Office informed Ms. Rosel that there was a change in title. This project was originally approved in 2010. It was a change in the LLC. This should have come to the CIDA first for approval. It does not affect anything with the benefits. There needs to be an Assignment and Assumption filed. The real estate entity has been moved to newly formed LLC. It is not a sale just an assignment. There was discussion regarding fees. Mr. Neill will come up with a fee using the formula and let the Board know what the agency would charge. The legal fees would be separate. A motion was made by Susan Ballard to adopt the resolution as presented by Nathan Neill approving the Assignment to and Assumption by the 6035 Transit LLC of the leasehold interest of Voelkl, LLC in the 2010-6035 Transit Road Project There was a second by Michael Buettner. There was nothing on the question.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous.**

Report on Steering Committee.

Chris Kempton reported that at the meeting on Tuesday, April 21, 2016, the Steering Committee met and everything seems to be proceeding on schedule. The group will be divided up into three separate committees; physical design, funding/governance/zoning, and advocacy/marketing. The committee will also reach out to the public for their response to the direction that the committee is going. There will be some outreach meetings scheduled to get public input. Everything is moving along smoothly. Elaine Wolfe will let the Board know what the meeting dates are if they want to attend any of the sub-committee meetings. Mr. Kempton did add that everything appears to be on schedule and we should begin to see a more public presentation in the next month...May or early June.

Items not on the Agenda.

Paul Leone will be meeting with Brian Schaefer of WMS Sales Inc. at 9580 County Road, a distributor of plumbing and heating supplies since 1959. They are putting up a small addition. Mr. Schaefer will be coming in with his application and Paul will go over it with him today.

Paul also attended a presentation called “Small Business Loans Simplified” by the Excelsior Growth Fund “responsible small business lending.” They would like to come to a meeting to introduce themselves and give a brief presentation on what they have to offer to small businesses. They give loans as low as \$5,000. It is a four step process and will have an answer in 2-3 weeks. Paul thinks the State is funding this program. Excelsior is a 501-3c.

Mr. Nathan will draft a letter to the Tonawanda Supervisor regarding the 4055 Casilio Pkwy. Project – Pallett Services, Inc.

Public Comments

Beth O’Keefe from the ECIDA reported that Andrew Schoeppich is no longer with the ECIDA...he went to the Medical Campus. They will be filing the position at some point.

Motion to adjourn by Michael Buettner with a second by Susan Ballard.

**Vote: Ayes: Ballard, Wolfe, Buettner, Powell, Kempton. Noes: None.
Recuse: None. Absent: Schuster, Ertel. Unanimous.**

The meeting was adjourned at 8:59 a.m.