

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

**MINUTES
September 19, 2019**

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

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

Minutes of August 15, 2019.

Mr. Ertel asked if everyone had a chance to review the minutes of the August meeting and if there were any comments or corrections. Being none, there was a motion to accept the minutes of the August 15, 2019 by Mary Powell with a second by Elaine Wolfe. There was nothing on the question.

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

Treasurer's Report

The Treasurer, Patrick Johnson, was out of Town and the financial report through September 19, 2019 was presented by Kimberly Ignatowsk. There were no new revenues received this period. The revenues received to date are in the amount of to date is \$32,223.89. Interest earned this period is in the amount of \$1,412.27. The total interest earned to date is \$11,025.16. Expenses for this period are in the amount of \$2,100.25. The total expenditures to date are in the amount of \$33,681.29. There is Net Income to date of \$9,567.76. Mr. Ertel asked if there were any questions and being none there was a motion to accept the financial report by Elaine Wolfe with a second by Robert Dixon. There was nothing on the question.

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

Correspondence.

There was a notice of public hearing e-mailed to the members on ECIDA.

New Business.

Mr. Leone reported that he has three applications out but none have been returned yet. One is for a proposed project for mixed use at 9150 Sheridan Drive and he has been talking to Jennifer on

that project. Mr. Leone also is waiting for the application on the 8600 Sheridan Drive proposed project. Paul has also been in touch with Dr. Lewis on a proposed expansion on Main Street. Mr. Leone has also has been in touch with the owner of the One Eyed Cat Brewery and just giving them information and introducing him to different banks. They are looking to locate in the Clarence Hollow.

New Legislation on Public Meetings.

Mr. Ertel reported on the new legislation that was enacted by Governor Cuomo regarding live streaming and videoing public meetings. Jennifer Strong has the entire piece of legislation and advised that the law provides that this process would be done “to the extent practicable.” There was discussion regarding the affordability and practability of this new legislation. There will be more discussion regarding this at future meetings. This law is effective as of January 1, 2020.

Jonathan Bleuer on the Progress on the Main Street Corridor.

Jonathan Bleuer had a brief planning update on the Main Street Corridor Project and how it is progressing since the studies have been completed. Jonathan spoke on the work that the CIDA did and the collaboration with the Town and Town Planning and the stake holder group that was formed for study. The Town adopted the Vision Main Street Plan in 2017. This plan has been utilized in many ways since 2017. The Main Street Street Strategy was also a project of the CIDA which was an Economic Analysis on the Main Street Corridor. Mr. Bleuer’s last update to the CIDA Board was in November of 2018 when he reported on Code changes, the completion of Master Sewer Plan that was partially Town funded and Grant Funded, Infrastructure Improvements and Grant Funding. Mr. Bleuer talked about the importance of protecting and advancing the Town’s Commercial Corridors. Special attention was given to the zoning map and commercial development. Mr. Bleuer has met with several groups in the Town and other agencies that are interested in the development of Main Street Corridor and the Clarence Hollow area. Jonathan will come back in the near future with an update on the Main Corridor Development in a few months.

Report on Use of CIDA Funds.

Mr. Meckler reported that he contacted the ABO to inquire on what the CIDA funds can be used for and cannot be used for. Mr. Meckler received an e-mail from the ABO office outlining this issue. Meckler added that in the e-mail the ABO stated and he quotes that “...the ABO recognizes that IDA’s cannot look to current law for clear guidance in what constitutes an appropriate use of IDA funds.” The legislation does however provide for what IDA funds cannot be used specifically for the primary benefit for a private entity. Cannot loan money to private interests. Infrastructure improvements would have to be for the good of the Town but not for the benefit for a specific developer. The best way to find out if an expenditure would be an allowed use for IDA funds would be to contact the Authorities Budget Office and ask them.

Mr. Meckler also addressed the new legislation regarding streaming live the meetings. He suggested that the Board should discuss if this would be practicable expenditure. The Board will discuss this further to determine the practicality of the new legislation.

Items not on the Agenda.

Clayt Ertel and Paul Leone attended a meeting with the NYS Director of the NYS Economic Development Corporation at the ECIDA offices. The Director's presentation was to bring the IDA's up to date on the new legislation regarding IDA's and the prevailing wage issue.

Ms. Rosel informed the Board that the St. Comp. Office Auditor is continuing his field work on the CIDA. The work here should be completely shortly and he will be giving his oral report to the Chairman.

Public Comments.

None.

There being nothing further, there was a motion to adjourn the meeting by Peter DiBiase 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

The meeting was adjourned at 9:21 a.m.

Respectfully submitted.

Cynthia M. Rosel