

TOWN OF CLARENCE, ERIE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

October 20, 2022

Chairman Kempton called the meeting to order at 8:17 a.m.

Present were Lauren Fix, Robert Dixon, Elaine Wolfe, Clayt Ertel and Chairman Kempton. Peter DiBiase and Mary Powell were absent. Also present were Steven Bengart, Lawrence Meckler, Paul Leone, Jennifer Strong, Peter DiCostanzo, Councilman/Liaison, Kimberly Ignatowski and Cynthia Rosel. Adam Mikols, CFO of Seal and Design was also in attendance for the public hearing on the new Seal and Design Project. Angela Lavis from JP Morgan Bank to be available for any questions the Board may have on the bank accounts.

Minutes of September 15, 2022 Meeting.

There was a motion to approve the minutes of the September 15, 2022 meeting by Clayt Ertel with a second by Elaine Wolfe. There was nothing on the question. The vote was as follows:

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

Treasurer's Report.

Chairman Kempton presented the Financial Report dated October 20, 2022. Mr. Kempton reported the balances in the bank accounts. There was a fee of \$500.00 received from Seal and Design for the Application and Public Hearing fee. This project is on the agenda for a public hearing today. Mr. Dixon asked if there are any other fees that would be coming in. Ms. Strong answered that the Green Project is still open. Ms. Strong reached out to the attorney for the applicant but has not heard back as to the status. The inducement on this project expires in December of this year. Ms. Strong also said that the applicant may not pursue the project. Mr. Leone added that he agrees that this project may not close as the applicant may be looking at selling the property. The Chairman continued with the financial report. Interest earned to date is \$726.75. Total expenses to date are in the amount of \$37,787.41. The Net Income for the period of January 1 through October 20, 2022 is -36,060.66. There was a motion to approve the Financial Report by Clayt Ertel with a second by Elaine Wolfe. There was nothing on the question. Vote was as follows:

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

Mr. Kempton asked Ms. Ignatowski to give an update on the banking. Ms. Ignatowski introduced Angela Lavis from JP Morgan Bank. The CIDA is in the process of transferring its accounts to JP Morgan. Ms. Ignatowski is working with Bank on Buffalo to close out the accounts. The checking account will be transferred to an interest bearing account. The money market funds will be invested in CD's. Ms. Ignatowski and Mr. DiBiase, Treasurer will work together on this with Angela Lavis. Mr. Kempton asked a few questions regarding the CD rates. Mr. Kempton also asked if there was a fee to hold back on the collateral. Ms. Lavin said that there is not. There will be documentation regarding all of this. Mr. Kempton thanked Ms. Lavin for coming in.

Public Hearing Seal and Design, Inc.

Chairman Kempton called the Public Hearing to order at 8:25 a.m. on the Seal and Design, Inc. Project and turned the meeting over to Paul Leone. Mr. Leone introduce Adam Mikols, CFO of Seal and Design, Inc. Mr. Mikols will be available after the Public Hearing along with Jennifer Strong and Mr. Leone to answer any questions. Seal and Design is requesting Agency assistance in the form of a lease lease-back transaction in an amount not to exceed \$1,475,000.00. The assistance contemplated by the Agency will include sales tax exemption on any materials and/or equipment purchased for incorporation into the Project and real property tax abatement. Seal & Design Inc. requests assistance in connection with the renovation and expansion of a manufacturing facility, located at 4015 Casilio Parkway, in the Town of Clarence, New York). The Project will allow the Lessee to expand its current business and increase their level of employment, making the project affordable and keeping the Lessee in the Town of Clarence. This would be a 7 year PILOT. There will be no mortgage tax abatement. Mr. Leone added that the application and the Cost Benefit Analysis was provided to the Board prior to this meeting. If there are any questions, Mr. Leone, as well as Mr. Mikols and Ms. Strong, will be happy to address them.

The Chairman asked Mr. Mikols if he would give a general overview of the Seal and Design Corporation. Mr. Mikols said that Seal and Design moved to Clarence in 1996 with 2 employees. Mr. Mikols joined the company in 1997. Seal and Design is a world-class manufacturing and distribution company specializing in all types of sealing products that include gaskets, O-rings, seals, molded products, die but foams and many other specific products for all kinds of sealing applications. Seal and Design has 3 locations...one in Toronto, one in Syracuse and the Clarence location. Employment currently is at 110 employees. They do anticipate adding employees with this addition which approximately 1,659 +/- ft. Seal and Design will also be renovating approximately 1,600+/- sq. feet of back office space. Mr. Mikols said that CIDA benefits will allow Seal and Design to expand its current business, increase employment, make the project affordable and keep the company in the Town of Clarence.

The Chairman closed the public hearing at 8:35 a.m.

The Chairman thanked Mr. Mikols for coming to the meeting.

Mr. Kempton moved to adopt the inducement resolution as prepared by Attorney, Jennifer Strong approving the Seal and Design, Inc. 2022 Project. There was a second by Clayt Ertel. On the question, Steve Bengart added that he assumes that the Board based their decision on the application and the IMPLAN. There was some discussion on the Cost Benefit Analysis and how the information was compiled as Mr. Dixon had a question. Ms. Ignatowski added that the information to prepare the IMPLAN is taken from the application. She will send out a copy of the work sheet that is used to prepare the IMPLAN to the Board so they can see how the numbers are calculated for the information provided. There was nothing further on the question.

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

Correspondence.

None.

Vision Sheridan Drive Project Update.

Andrew Schaeffer let the Board know that the Project Charter has been submitted by Wendel. The contract also has to be signed. The only other information needed is to who are the member who will be on the committee. Mr. Kempton answered that it will be Clayt Ertel, Peter DiBiase and the himself. There will be a kick-off meeting with an approximate total of 12 meetings. There will be some virtual

and in person meetings. The major milestones will be in person meetings. Minor updates will be virtual. This will all be relayed in plenty of time to the members.

New Business.

Mr. Leone submitted a new application for a project on County Road. The project title is County Road R.E.M. LLC and is located at 9220 County Road east of Goodrich Road. Mr. Bengart added that the project has not gone before the Town Planning Board. This project will most likely not go forward until February 2023. Ms. Strong added that we should not go forward with setting a public hearing until the project goes forward with the Town. Mr. Bengart agreed. The Board did receive a copy of the application which was on the agenda for discussion only. The Chairman added that we have an application but the project will not go forward a couple of months.

The MJ Peterson project is being held off until the spring of 2023. Mr. Leone is also waiting for an application for 4255 Research Parkway for sales tax only. Mr. Leone is working on a project with Mark Dean, an architect, who is going to put up a new office building for his business to be located at 8353 Main Street. Mr. Leone is waiting for the application. There may also be a project at the former Glamour Pools location at 9775 Main Street.

Fee Schedule.

There was brief discussion regarding the CIDA Fee Schedule. This issue arose when Niagara Produce Project was changing from the names of individuals to an LLC. The fee charged was \$500 for the Board approval only. The attorney's fees are separate. Mr. Kempton said that we should take our time and review the fee schedule and look at what was done in the past. This will be on the agenda for the next meeting.

Items not on the agenda.

None.

Public Comments.

None.

There being no further agenda items, the Chairman asked for a motion to adjourn the meeting. There was a motion made by Elaine Wolfe with a second by Lauren Fix to adjourn the meeting.

Vote: Ayes: Fix, Dixon, Wolfe, Ertel, Kempton. Noes: None.
Recuse: None. Absent: DiBiase, Powell. Motion carried.
Meeting adjourned at 8:59 a.m.

Respectfully submitted:

Cynthia Rosel