

TOWN OF CLARENCE, ERIE COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

December 15, 2022

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

Present were Peter DiBiase, Robert Dixon, Elaine Wolfe, Clayt Ertel and Chairman Kempton. Unable to attend were Mary Powell and Lauren Fix. Also present were Steven Bengart, Paul Leone, Peter DiCostanzo, Councilman/Liaison, Kimberly Ignatowski and Cynthia Rosel.

**Minutes of November 17, 2022 Meeting.**

Mr. Kempton asked if there were any questions on the minutes of the November 17, 2022 meeting. There being none, there was a motion to approve the minutes of the November 17, 2022 meeting made by Robert Dixon with a second by Elaine Wolfe. There was nothing on the question. The vote was as follows:

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

**Treasurer's Report.**

Peter DiBiase, Treasurer went over the Financial Report dated December 15, 2022. Mr. DiBiase reported the balances in the bank account. For the period of January 1 through December 15, 2022 the fees that have been received are in the amount of \$5,187.50. Total expenses to date are in amount of \$43,286.56. Interest earned to date is in the amount of \$1,260.19. The net income to date is -36,838.87. There being no further comments or questions, Mr. DiBiase concluded his report. 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: DiBiase, Dixon, Wolfe, Ertel, Kempton. Noes: None  
Recuse: None. Absent: Fix, Powell. Motion carried.

**Agenda Item No. 9 – Consider Request for an Extension of the Inducement of the Greens on Sheridan LLC – 9150 Sheridan Drive Project.**

Agenda item 9. under Old Business was moved up at this time because Mr. Bengart needs to be at another meeting on a Town matter. Mr. Bengart and Mr. Leone explained the request by the applicant for the extension. The two letters, one from counsel for the applicant and the other from the attorney handling the land use of the property, were distributed to the members of the Board for review. Mr. Bengart explained what the applicants were asking for. The resolution presented will renew the project for a period of 6 months. The resolution present included the language in the original inducement resolution. There is a fee to extend the project that is part of the fee agreement and is ¼ of one percent of the project cost. In this case the project cost is in the amount of \$6,000,000.00. The agency fee is in the amount of \$60,000.00. The fee due for the extension is in the amount of \$15,000. A copy of the resolution was

distributed. The Board members agreed to extend the project for a period of six months subject to receipt of the extension fee. There was a motion by Chairman Kempton to adopt the resolution as presented with a second by Robert Dixon. There was nothing further on the question.

### **Correspondence.**

The invoice for the renewal of the membership in the New York State Economic Development Council was received. The membership fee remained the same and is \$850.00 for the year. There was also a letter included with the invoice that outlined the accomplishments made by NYSEDC in 2022.

At this time, Mr. Kempton made a motion to renew the membership with the New York State Economic Development Council in the amount of \$850.00. There was a second by Clayt Ertel. There was nothing on the question. Vote was as follows:

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

Also received were two letters received requesting an extension for the Greens on Sheridan LLC – 9150 Sheridan Drive Project. The applicant is planning on going forward with the project. The letters were e-mailed to Jennifer Strong and forwarded to Mr. Bengart who prepared a resolution to be considered by the CIDA Board today relative to approving an extension.

### **Vision Sheridan Drive Project Update.**

Andrew Schaeffer let the Board know that there is no significant update at this time. The schedule to set a date for the kick-off meeting is in the works. As soon as that date is set, Mr. Schaeffer will let the Board know. There are still a few spots to be filled for members of the committee. There are still 2 spots that have not been filled for Sheridan Drive business owners as well as a member from the Clarence Chamber. As soon as the other committee spots are all filled, a kick-off meeting will be set for the coming year.

### **New Business.**

Mr. Leone asked Mr. Kempton to speak to a proposed project that was brought up at a previous meeting. Mr. Kempton was contacted regarding the property located at 8100 Sheridan Drive which is owned by Uniland. The project would be for a Senior Independent Living complex that would consist of Villas, Assisted Living and Memory Care Units. The property is located across from the entrance to the Eastern Hills Mall on Sheridan Drive and consists of approximately 15+/- acres of vacant land. The company that is looking at the property is from Ohio just outside of Cleveland. There really has been no movement yet and no one has been to the Town yet. The project would be approximately \$50,000,000.00. Mr. Kempton does not know if it would be an eligible project and this has a long way to go.

Mr. Leone said that there are still 6 to 7 proposed projects and he has been meeting with and keeping in touch with the potential applicants. There are not applications.

**Old Business.**

**Combined Fee Schedule Discussion Continued.**

There was further discussion on the Combined Fee Schedule. Chairmen Kempton passed our a copy of the fee schedule that he came up with that would be much simpler and less complicated than the fee schedule policy that the Board has been reviewing. The Chairman reviewed some of the sections comparing the current policy and the one he is presenting. This is still a work in progress and many items need to be sorted out and made clearer and easier to understand. Discussion will continue into the New Year.

**Items not on the agenda.**

None.

**Public Comments.**

None.

The Chairman moved to adjourn the meeting with a second by Elaine Wolfe. There was nothing further on the question.

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

Meeting adjourned at 9:20 a.m.

Next Meeting: January 19, 2023

Respectfully submitted:

Cynthia Rosel