

TOWN OF CLARENCE, ERIE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

February 17, 2022 (Via ZOOM)

Chris Kempton called the meeting to order at 8:15a.m. (This meeting was via ZOOM (virtual).)

Present were Lauren Fix, Peter DiBiase, Robert Dixon, Elaine Wolfe, Mary Powell, Clayt Ertel, and Chris Kempton. Also present were Larry Meckler, Steven Bengart, Paul Leone, Jennifer Strong, Kimberly Ignatowski and Cynthia Rosel.

Minutes of January 20, 2022.

There was a motion to approve the minutes of the January 20, 2022 meeting by Clayt Ertel with a second by Mary Powell. There was nothing on the question. The vote was as follows:

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

Treasurer's Report.

The financial report for January was not available due to a computer issue. The financials for this meeting are through February 17, 2022 and include activity from January 2022. Ms. Ignatowski reported that there were no fees received in January or February. Interest earnings for January and February were in the amount of \$23.85. Expenses included for the period of January to February 17, 2022 are in the amount of \$19,236.00. There is a net loss for this period of -19,236.00. There was nothing further. Robert Dixon moved to accept the Treasurer's Report as presented with a second by Clayt Ertel. There was nothing further on the question. The vote was as follows:

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

Correspondence.

The Board has been receiving e-mails from the NYSEDC on the upcoming conference. Also, Ms. Rosel forwarded a sample of the letter that needs to be sent to the taxing jurisdictions which is an agenda item for this meeting.

Jonathan Bleuer- Dir. of Community Development/Town of Clarence.

Chairman Kempton said that the Clarence IDA commissioned the Vision Main Street Study several years ago. There was also a corresponding economic study done for this project. The vision Main Street Study was incorporated in the Town of Clarence Master Plan. Mr. Bleuer informed the Board at a previous meeting that there has been a lot of activity on Sheridan Drive between Main and Transit. The CIDA may want to consider commissioning a similar study for that area as well that would also be incorporated in the Town's Master Plan. Jonathan Bleuer said that Sheridan Drive is the next frontier for economic re-development in the Town of Clarence. Jonathan introduced Andrew his assistant, Jr. Planner, who Jonathan said will be an integral part of this planning influence. Andrew greeted the Board and is looking forward to working with the Board. He has been in the area for about 6 years. He graduated from UB as an undergrad in Environmental Design and received his Master Degree in Urban Planning, completed in 2020. The same program that Jonathan graduated in. Mr. Bleuer met Jonathan when

he was teaching at UB in the Fall of 2019, Andrew was his teaching assistant and Jonathan knew that Andrew would be the right fit for Clarence.

Mr. Bleuer gave an update on where the plans are going forward with the Sheridan Drive Project. Mr. Bleuer said that the Town of Clarence/Planning and Zoning Dept. collaborated with the Clarence IDA on two very successful planning efforts, the first being Vision Main Street, which was a large undertaking to vision out the economic redevelopment of Main Street. Vision Main Street was followed up with the Main Street Strategy for a Market Analysis that got into the dollar and cents of the redevelopment on Main Street. These projects have resulted in significant improvements to the Main Street Corridor. There have been right-of-way reconfigurations, code changes and the Town is still in the midst of master sewer planning. The Town adopted a Master Sewer plan with CIDA guidance through the Vision Main Street process. Main Street was broken down into 4 distinct segments being the Clarence Hollow, the Main and Sheridan area, Harris Hill and then 2 agrarian nodes. This has worked wonderfully. The Town is seeing a lot of investment on Main Street and the Town is not only seeing investment but hearing from developers that they have a better clarity and guidance for projects on Main Street. The Town of Clarence, being an older community, has a very old Zoning code, much of which adopted in the early 2 thousands. There is not often times a lot of specificity associated with that code. These newer documents, like Vision Main Street, they have a level of specificity, where developers know what they have to provide the Town with in order to gain an approval. If a developer can come in the first time the right way, it saves everybody time and money and the Town ultimately gets a better project because of it. Mr. Bleuer showed the Board an assortment of images without getting into any specific projects. The Town has very little commercial land. There is Transit Road, there is Main Street and then there are the Hamlets of Clarence, the unincorporated villages of Clarence. Beyond that, there is Sheridan Drive, which is the next frontier of economic development. Mr. Bleuer talked about Sheridan Drive that for many, many years, has been a pass through street. There were never any traffic issues and people could fly through that corridor getting from deep Clarence into the Town of Amherst working very well as a pass through street. It works horribly as a place. Planning and Zoning are looking at how to focus in on Sheridan Drive and how to make it more exciting not only for developers but for people. The Town is looking to collaborate on a new vision for Sheridan and focus on what can be done better, what is being done right, what can be taken from the Main Street study and bring over to Sheridan Drive and what can be provided to developers to clearly and distinctly identify what they need to provide to the Town in order to get there development approved on Sheridan. Mr. Bleuer also wanted to throw in the possibility in the Sheridan study to include Harris Hill. Harris Hill between Sheridan and Greiner is zoned exclusively residential single family but primarily on the east side of Harris Hill there are a several community facilities. There are some Churches, some non-profits, some day cares, some pre-schools and facilities of that nature. Mr. Ertel asked if Mr. Bleuer was talking about changing the zoning. Mr. Bleuer said that is exactly what they would do. There have been several issues that are being looked at to make Sheridan Drive where they are to make this area a node for commercial development. If the CIDA agrees, the planning office will once again develop an RFP, of which they are putting together a draft for consideration. Mr. Bleuer also was working on the cost. Mr. Bleuer and Mr. Schaeffer will work on the RFP and get back to the CIDA with an RFP. Mr. Bleuer will get back to the CIDA. The team has also been working on comprising a similar draft committee list for this project. They hope to get the RFP draft to the Board before the March meeting. Ms. Wolfe asked if this would be followed up with an economic study done. Mr. Bleuer said that he does not know...he also said that if it is needed, it may be considered but right now he thinks that the study that was done is fine as Sheridan and E. Hills were included. Mr. Kempton added that the last study was in 2018 and it would be a good idea to do an economic study update every five years...which would be 2023. It is helpful to Town as it is very useful. Mr. Kempton added that he thinks that if it is done in 2024 after they have the Sheridan Drive 2023 data...that would be perfect timing.

Mr. Kempton added that the next step is for the CIDA to approve that the study be done. The Town is coming to the CIDA asking for the CIDA to fund the Sheridan Drive corridor study and the Board should vote on it at the March meeting. Mr. Kempton added that once the Board has the draft and reviewed it they will vote on it at the March meeting in order to keep with the schedule.

Mr. Ertel as well as all the Board member, thanked Jonathan for his very informative presentation as usual.

New Business.

Mr. Leone met with Pallet Services about an expansion. He also met with Seal and Design regarding an expansion to that facility also.

Mr. Leone talked about the new Cost Analysis Benefit. Mr. Leone said that he has been in touch with David Mingoia regarding this new company. The Board would have to decide if they want to purchase the new tool and who will complete the Cost Analysis Benefit. It may be easy enough that Kim or Cindi would be able to input the date. There is a question about sharing the data base for security purposes. Mr. Meckler also added that if Cindi and Kim would be inputting the information they would be compensated and this would be looked at to see how much work would be involved. It may still be decided that the company would input the data or Mr. Mingoia would do it. This will be decided at the March meeting. Cindi and Kim will look at the process and see if it is feasible for them to take this on internally or hire the company of Mr. Mingoia.

Old Business:

A. UTEP Updated Version Discussion:

Ms. Strong asked if anyone had the opportunity to attend the meeting that was hosted by the ECIDA on the Updated UTEP. If not, the video is available on UTube if anyone would like to watch it. The general plan is that each IDA will need to send a letter to the tax jurisdictions to inform them that the CIDA will similarly provide, at the next meeting, for anyone who would like to, the opportunity to comment or ask questions regarding the updated, amended UTEP.

The Chairman said that at the last meeting, Mr. Bengart was tasked to provide comparisons between the existing approved UTEP Policy and the proposed UTEP Policy. Mr. Bengart e-mailed the Board, Mr. Meckler, Ms. Strong, Mr. Leone, Ms. Ignatowski and Ms. Rosel with the results of his comparisons. Mr. Leone added that what is of a concern is the PILOT Exemption Policy Comparisons. Mr. Bengart discussed, what he calls the preamble to the Policy. He then went over the new pilot schedules, Sales Tax and Use Exemptions and the Mortgage Recording Tax Exemption.

Ms. Powell did not have a problem with paragraph 3 of the preamble. What she does object to is the new payment schedule and the 5 year pilot. She may added up points wrong but she does like the 5 year payment schedule.

Mr. Meckler asked why we have to agree to the UTEP. Ms. Strong said that the law requires IDA's to have recapture and claw back policies. The CIDA does not have to agree to this policy and join in with the other IDA's. Mr. Leone added that the CIDA can have its own policy. Mr. Meckler asked Ms. Strong if there is enough discretionary language in the updated policy that we should adopt it. Mr. Kempton added that we are to decide that we adopt the policy or adopt our own policy...we are not going to change it, or are we going to adopt it and deviate from the policy. There was further discussion regarding the points and what a project would qualify for. The Board discussed the pros and cons of the amended policy and the PILOT schedules. This will be on the agenda for the March meeting when the CIDA Board will vote on this issue.

The letters will go out to the tax jurisdiction this week to inform them about the March meeting with the ZOOM information.

Mr. Kempton and Mr. Leone will look at some past projects and do an analysis to see where the project will fall in the point system and PILOT schedule.

Mr. Kempton talked about the required committees as per the By-Laws. The agenda has the information as to who needs to be on the committee and when they are going to meet.

The schedule is set as follows:

The Executive Committee will meet after the April meeting and consist of Chairman Kempton, Vice Chairman Ertel and Treasurer DiBiase.

The Governance Committee will meet after the May meeting and include the Chairman, Robert Dixon and Elaine Wolfe.

The Finance and Audit Committee will meet after the March meeting and include Peter DiBiase, Lauren Fix and Clayt Ertel. The Chairman will also attend this meeting.

Items Not on the Agenda.

Annual Reporting (PARIS reporting.)

Ms. Rosel reported on the progress of the Annual Reporting for the Audit. Drescher and Malecki have been receiving the questionnaires and many of the open PILOT projects have been submitting the NYS-45 forms. Drescher and Malecki will follow-up with the delinquent projects.

Ms. Ignatowski reported on the payments that have been coming in on the PILOTs. There are three that have not paid to date. Mary Morris has been advised of those PILOTs. The one project expired and the filed deed and the lease termination agreement were submitted to the Assessor's office. The project should not have received a bill. Mary Morris sent a bill to the new owner who is paying 100% of the taxes.

Public Comments.

None.

The meeting was adjourned at 9:46 a.m.

Respectfully submitted,
Cynthia Rosel