

TOWN OF CLARENCE, ERIE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

July 21, 2022

Chairman Kempton called the meeting to order at 8:16 a.m.

Present were Peter DiBiase, Robert Dixon, Elaine Wolfe, Mary Powell, Clayt Ertel and Chris Kempton. Lauren Fix was out of Town on business. Also present were Lawrence Meckler, Steven Bengart, Jennifer Strong, Paul Leone, Peter DiCostanzo, Councilman/Liaison, Kimberly Ignatowski and Cynthia Rosel. Jonathan Bleuer, Director of Community Development and Andrew Schaeffer, Junior Planner from the Town of Clarence Planning and Zoning Department were at the meeting also.

Minutes of June 16, 2022 Meeting.

There was a motion to approve the minutes of the June 16, 2022 meeting by Robert Dixon with a second by Clayt Ertel. There was nothing on the question. The vote was as follows:

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

Treasurer's Report.

Peter DiBiase, Treasurer presented the Financial Report dated July 21, 2022. Mr. DiBiase went over the balances in the bank accounts. There were no fees received so far this year. Interest earned is to date is \$161.77. Total expenses to date are in the amount of \$33,158.00. The Net Income for the period of January 1 through July 21, 2022 is -32,996.23. There are some outstanding projects that will generate income. The Green project is close to closing and there will be a small fee for the Niagara Produce Project name change. There are several proposed projects that have been discussed but there are no applications as yet.

There was a motion to approve the Financial Report by Elaine Wolfe with a second by Robert Dixon. There was nothing on the question. Vote was as follows:

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

Correspondence.

There have been emails from the New York State Economic Development Counsel and Invest Buffalo Niagara. These were passed on to the Board. Via e-mail. There was also mail from Invest Buffalo Niagara with a brochure they have put out.

RFP – Further discussion – Vision Sheridan Project.

The Chairman said the at the last meeting Jonathan Bleuer, Director of Community Development and Andrew Schaeffer, Junior Planner from the Town of Clarence Planning and Zoning Department were at that meeting with a power point program giving a synopsis of each of the submitted proposals for the Vision Sheridan Drive Project. The Board members were to review each submission for discussion and to perhaps vote on hiring one of the companies. Chairman Kempton added that based on the review process the Board may decide to interview the companies. Mr. Kempton asked Jonathan to once again summarize the proposals. Mr. Bleuer said that the Board would not go wrong in accepting any of the proposals.

It was decided to go into Executive Session to further discuss the proposals in more detail. A motion was made by Chairman Kempton to go into Executive Session under §105(f) of NYS Public Officers Law to discuss the employment of a particular person or corporation with a second by Clayt Ertel. The Board moved into Executive session at 8:22 a.m.

The meeting resumed at approximately 8:30 a.m.

The Chairman asked for a motion to hire Wendel for the Sheridan Drive Project . There was motion made by Clayt Ertel with a second by Elaine Wolfe to hire Wendel for the Sheridan Drive Project. There was nothing on the question.

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

Mr. Kempton said the second part of this a committee needs to be created and follow the same model as was done with the Main Street Project. This would be the steering committee. Jonathan Bleuer added that the Committee from the CIDA would need a Chairman, which would be a CIDA member, a Vice Chairperson from the CIDA Board and a Secretary, from the CIDA. There would be one Town Board member, one Planning Board member, two members of the Planning Office which would be Jonathan and Andrew, a representative for the Clarence Chamber of Commerce and a Sheridan Drive business owner. Mr. Kempton also talked about the time commitment as there are several meetings that will need to be attended. Mr. Kempton added that there are 6 different steps in the Wendel proposal. There would be at least, on average, 2 or 3 meetings for each process...at least 10 to 12 meetings in all. Two or three will be community meetings. Mr. Bengart added that it is about a 25-to-30-hour commitment. Mr. Ertel added that the Steering Committee met about every other week. Mr. Bleuer said that if the Board has the names of its members that would help greatly. Jonathan and Andrew will work with Ms. Rosel and legal on the contract. The meetings will be early in the beginning of the day or at the end of the day. Mr. Ertel said most of the meeting were at 8:30 or 9:00 in the morning. Mr. Kempton also said that there were some meetings around 4 or so in the afternoon. These will have to be coordinated with the members of the Committee. Ms. Powell asked about her being part of the committee. Clayt Ertel, Elaine Wolfe and Peter DiBiase are very interested. The Chairman also said the he would attend those meetings. There was also having back-up member attending if the committee members could not attend. Whoever is on the committee, if they cannot make 90% of the meetings, then they should not commit to serving on the committee. Mr. Bleuer added that it is important to note that the entire CIDA members will be involved. Jonathan and Andrew will come to the CIDA Board meetings regularly with updates and provide status reports. Mr. Kempton asked Clayt, Elaine and Peter if they were alright in making the commitment for

the meetings. Peter asked about the scheduling. Mr. Kempton is going to think this over and will talk to Clayt, Elaine and Peter regarding being part of the committee after the meeting today.

Mary Powell said that there should be back ups in case someone cannot make a meeting. Mr. Kempton said that this could happen and one of the other members could step in. Mr. Kempton said if there is nothing else, we will move on to the next agenda item.

New Business.

Mr. Leone said that he has been busy meeting with different people regarding potential projects. There is a proposed mixed-use project on Main Street but he did not issue an application as the principals are still in the talking stages. Mr. Ertel and Mr. Leone have talked about a project on Goodrich and country Road. Mr. Ertel will be recusing himself on this particular proposed project. He filed a transactional statement of disclosure. These are two new projects. These are in addition to the other 5 he has been meeting on. There are 7 new potential projects that are up-coming for the next year, year and a half. These are all in the discussion process but seem to be moving towards the application stage.

The Green Project is still working on trying to get a commitment on financing the project. Niagara Produce should be closing in the next couple of weeks. This is an assignment to the LLC.

Budget.

The Chairman asked Ms. Ignatowski about the budget for 2023. Ms. Ignatowski answered that she will be working on the Budget and will have the draft budget available for the next meeting. The Budget will have to be approved no later than September 30, 2022 and can be voted on at the September meeting. The two expenses are the 360 for website maintenance and the auditor. Ms. Ignatowski is going to reach out to Drescher and Malecki for a proposal on the 2022 Audit. Mr. Kempton asked about the Audit and going out to RFP. Mr. Kempton added that the Board will go out for proposals for 2023.

Old Business.

Mr. Kempton also discussed the Invest Buffalo organization. Mr. Kempton has been getting information and asks Ms. Rosel to pass the information along to the Board Members, Paul, Steve, Larry, Jennifer and Kim. One of the big functions of the group is reach out to companies and individuals outside WNY to entice them to come to back to the WNY community. Invest Buffalo provided the CIDA with a few copies of the updated its relocation guide brochure. If we need more, we probably can get more copies.

Mr. Kempton had a discussion with Carl Montante about Eastern Hills Mall. The discussion included sewers and the redevelopment of the project.

It was decided at 8:50 a.m. to go into Executive Session to discuss Attorney client privilege matters.

The Board exited Executive Session and went back into the regular meeting at 9:06 a.m.

There was a friendly motion to adjourn the meeting at 9:08 a.m.

Respectfully submitted:
Cynthia Rosel