

They ha TOWN OF CLARENCE, ERIE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

December 21, 2023

Chairman Chris Kempton called the meeting to order at 8:15 a.m. Present were Lauren Fix, Peter DiBiase, Robert Dixon, Elaine Wolfe, Clayt Ertel and Chairman Kempton. Mary Powell was not able to make today's meeting. Also present were, Paul Leone, Jennifer Strong, Larry Meckler, Peter DiCostanzo, Kimberly Ignatowski and Cynthia Rosel.

Minutes of December 21, 2023 Meeting.

The Chairman asked if everyone had a chance to review the minutes of the November 16, 2023 that were e-mailed to them and asked for a motion to approve them. There was a motion by Lauren Fix with a second by Elaine Wolfe Ertel to approve the November 16, 2023 meeting minutes. 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: Mary Powell. Motion carried

Treasurer's Report.

Peter DiBiase, Treasurer, reviewed the financial report as of December 21, 2023 and reported on the balances in the cash-checking and various CD accounts. Fees received for this period were in the amount of \$1,125.00. Total fees received for the year are in the amount of \$81,557.57. Interest to date is in the amount of \$8,417.15 Total expenses to date are \$82,166.64. There is a net income to is in the amount of \$7,808.08. Mr. DiBiase asked if there were any questions. Mr. Ertel asked what projects are pending. Mr. Leone deferred to Ms. Strong. Ms. Strong did reach out to the attorney for the Dean Architects Project. They did respond that they are still representing the applicant. The attorney's paralegal was supposed to be putting the completed package in the mail. Ms. Strong has not received it yet.

The DIMAR project applicant paid the down payment for the project. Ms. Strong is waiting for the signed Project Agent Agreement which should be received soon.

The Chairman asked for a motion to accept the Financial Statements. There was a motion made by Robert Dixon with a second by Elaine Wolfe. There was nothing further on the question. uh

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

Correspondence.

There was an email that went out to the Board members with a Notice of Public Hearing from the Amherst IDA. Also, there was an e-mail received from Invest Buffalo Niagara group relative to the 2024 Membership and one from the New York State Economic Development Council for the 2024 membership.

There was a Notice of Public Hearing received from the Amherst IDA. That was the only correspondence.

New Business.

Mr. Leone has been meeting with individuals on potential projects. There are no new applications received yet. He will be following up with these individuals. He will report back at the next meeting.

Old Business.

The Chairman talked about the Invest Buffalo Niagara Program. Chris Kempton is on one of the committees and has been able to attend some of the meetings. The monthly meetings are held on the third Thursday of the month the same day as the CIDA meets. The group has been heavily involved in the Federal Program to create multiple silicon valleys around the country. Four hundred communities around the country submitted applications. Invest Buffalo Niagara is intimately involved in the proposals and teamed up with Buffalo, Rochester and Syracuse . One proposal from the three areas came together and they were selected. That automatically triggers dollars to come in. The next layer is really big. The discussion continued. These would be multi-million dollar projects. These are designed to bring in huge projects...micron chip projects. The benefit to the CIDA would be indirect. This organization has some very positive things going on. He suggests that the Board look at the marketing material.

To get back to membership, Mr. Kempton recommends that the CIDA continue the membership and moved to continue the third year of membership. Clayt Ertel was the second. On the question, the Chairman added that we will look at this every year and re-evaluate continuing membership. The CIDA is in the circle. The vote was as follows:

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

Mr. Kempton is also recommending to renew the membership to the New York State Economic Development Council. This organization lobbies on behalf of businesses and the IDA's with the State Legislature and others. We are able stay to connected to the organization's objectives on behalf of businesses and the IDA's. They also send updates on its activities, accomplishments for the year. The NYSD receive Mr. Kempton moved to renew the membership for another year and the cost is \$850.00. there was a second by Lauren Fix.

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

Items not on the Agenda.

Chris Kempton talked about a recent article from different groups that are criticizing IDA's for inducing housing projects (he had Ms. Rosel e-mail to the Board.) The CIDA has already induced housing projects. There will be more coming next year. These groups are working hard to pass legislation on IDA's being able to induce housing projects. It is not illegal to induce these projects. This article clearly made a lot of statements that are clearly false. The article is saying that it is a grey area or is silent ...that the law doesn't say you can induce housing projects but it does not say you can't either. Mr. Kempton asked if that was accurate. Ms. Strong answered that it is...but all of the IDA's have been doing it. Mr. Kempton added that what he believes that what IDA's have been using to incentivize these projects the Governor's push to expand housing. Governor Hochul has said that all government, all NYS state agencies should be doing everything they possibly can to encourage the development of new housing. Mr. Kempton's thoughts are because of the Governor's push for housing, that these projects are okay for IDA's to induce. Mr. Kempton also talked about the misconceptions these groups have on school taxes. They are saying that these projects are taking away from school taxes. Clearly, they are not taking away any school taxes they are adding tax dollars to the schools. Mr. Kempton also talked about a formula that

is used for these workplace housing projects. Mr., Ertel said that there is a definite shortage of apartments in general in Western New York but specifically in Clarence is far as the ratios are concerned, we are way shy of what we need. Mr. Leone added that the Town of Lancaster is going to bring a Moratorium for any apartment building. Mr. Ertel added that is for all building not just apartments.

Mr. Kempton also talked about the revisions to the fee schedule. He will add this to the agenda for January meeting. The draft that was prepared to make the fee schedule clearer...more user friendly. We will look at it again and continue to tweak it.

Mr. Kempton added that the next meeting is the organizational meeting is in January. We will continue to meet on the third Thursday of every month if that is okay with everybody. Ms. Rosel said that the meeting day is spelled out in the By-Laws.

Ms. Ignatowski made the Board aware that the one of the CD's is maturing today. There is about \$160,000 in cash-checking account. Ms. Ignatowski was thinking of putting another \$20,000 in the CD. The highest rates are 30 and 60 day CD's Mr. Kempton asked if we need to keep \$140,000 in checking account. At this point, there are monies owed for the Sheridan Drive Project. Plus, expenses are front loaded at the beginning of the year. It was decided that it will go to the 120 day CD with an additional \$20,000 added. Mr. Kempton did not think we need to vote on the investment. Ms. Rosel reminded Mr. Kempton that the Board gave Peter and Kim the authority to proceed with the investment on the CD's asking for the Board's direction before going ahead.

The 8450 Sheridan Drive Project is not going through at this point. Ms. Fix said that there is a for sale sign on the project. Mr. Ertel answered that is just the corner. That portion was not going to be part of this project. Mr. Leone said that they

Mr. Kempton asked about the Sheridan Drive Project. There was supposed to be a meeting but the did not happen. The next step is to get the report from Wendel for review. Wendel was asking for feedback. After the report is accepted, the CIDA will ask the Town to incorporate the report in its Master Plan

There was a friendly motion to adjourn the meeting made by Chairman Kempton. There was a second by Elaine Wolfe.

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

Meeting adjourned at 8:45 a.m.

Respectfully submitted by Cynthia M. Rosel