

## ANNUAL NCIDA/NCDC/NADC BOARD MEETING MINUTES

**Meeting Date:** Wednesday, March 10, 2021  
**Meeting Time:** 9:00 a.m.  
**Meeting Place:** Niagara County Industrial Development Agency  
Conference Call 439-7740

---

### 1.0 Meeting Called to Order

The annual meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:02 a.m.

### 2.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jerald I. Wolfgang, 1 <sup>st</sup> Vice Chairperson	Present
Kevin McCabe, 2 <sup>nd</sup> Vice Chairperson	Present
William L. Ross, Secretary	Present
Mary Lynn Candella, Assistant Secretary	Present
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present <i>Left meeting @ 9:15 am</i>
Scott Brydges, Member	Present
Jason Krempa, Member	Present

### 3.0 Mr. Onesi led the Pledge of Allegiance.

### 4.0 Introductions

#### Guests Present:

Anthony Pulli, AMP Real Estate Holdings of Erie County LLC

#### Staff Present:

Susan C. Langdon, Executive Director  
Andrea Klyczek, Assistant Director  
Michael S. Dudley, Finance Manager  
Caroline Caruso, Accounting Associate  
Susan Barone, Project Manager  
Mark J. Gabriele, Agency Counsel

## 5.0 Approval of NCIDA Board Meeting Minutes

### 5.1 Regular NCIDA/NCDC/NADC Minutes - February 10, 2021

***Mr. Onesi motioned to approve the meeting minutes; Mr. Ross seconded the motion. The motion passed.***

## 6.0 Committee Reports

### 6.1 Finance & Audit Committee

#### 6.1.1 2020 Audit Report

Representatives from Lumsden & McCormick, Sara Dayton and Seth Hennard, joined the Audit Committee Meeting conference call earlier today to give an overview and summarization of the 2020 Annual Audits. The Committee Members were given copies of the presentation which summarized all of the Agency audits for FYE December 31, 2020.

Ms. Dayton summarized the audits and stated that all were clean and with no findings or material weaknesses. There were no findings which means the audit was unmodified which reflects fiscal responsibility on the part of the Agency.

***Mr. Krempa made a motion to approve the 2020 Audit Report; Mr. Ross seconded the motion. The motion passed.***

#### 6.1.2 Agency Payables

Mr. McCabe stated that he reviewed the monthly payables and found them to be in order.

***Mr. McCabe made a motion to approve the February 2021 monthly payables; Mr. Ross seconded the motion. The motion passed.***

#### 6.1.3 Budget Variance Reports

Mr. McCabe stated that he had reviewed all the budget variance reports and found them to be in order.

***Mr. McCabe made a motion to approve the February 2021 budget variance; Mr. Brydges seconded the motion. The motion passed.***

## 6.1 Governance Committee

### 6.2.1 Annual Board Evaluations

Mr. Gabriele explained that under the Public Authorities Accountability Act (PAAA) the Board of Directors of the Agency is required annually to complete a self-evaluation. Questionnaires were sent to all board members and then summarized. The Board Evaluations are filled out anonymously.

A summary of the evaluations was in the agenda packet for the Board Members' review. Responses were positive, therefore, no additional corrective action is necessary.

***Mr. Wolfgang motioned to approve the Summary of the Annual Board Evaluations; Mr. Krempa seconded the motion. The motion passed.***

## 7.0 Annual Meetings of the NCIDA, NCDC, and NADC

### 7.1 Election of Chairperson

The Chairperson turned the meeting over to Mark Gabriele, Agency Counsel. Mr. Gabriele stated that at this time the Agency would accept nominations for Chairperson of the NCIDA, NCDC and NADC.

**Mr. Ross nominated Mark Onesi, Mr. McCabe seconded the nomination. After asking for any additional nominations, hearing none, Mr. Gabriele closed the nominations. Mr. Gabriele then requested that the Secretary cast one vote for Mr. Onesi as Chairperson.**

### 7.2 Election of Officers

At this time, Chairman Onesi set forth a proposed slate of officers for the NCIDA, NCDC and NADC as below:

7.2.1	First Vice Chairperson	Jerald I. Wolfgang
7.2.2	Second Vice Chairperson	Kevin McCabe
7.2.3	Secretary	William L. Ross
7.2.4	Assistant Secretary	Mary Lynn Candella
7.2.5	Treasurer	Susan C. Langdon

**Hearing no other nominations, Mr. Onesi then requested that the Secretary cast one vote for each officer set forth above.**

## **7.0 Annual Meetings of the NCIDA, NCDC, and NADC (continued)**

### **7.3 Appointment of Committee Members and Committee Chairpersons**

Chairman Onesi then appointed the following Committee Members and Chairpersons.

#### **7.3.1 Audit & Finance Committee**

Chairperson Kevin McCabe  
William L. Ross  
Scott Brydges

#### **7.3.2 Governance Committee**

Chairperson Jerald Wolfgang  
Clifford Scott  
Robert B. Cliffe

#### **7.3.3 NCDC Loan/Micro Grant Committee**

Chairperson Jason Krempa, NCIDA Board Member  
Mark Onesi, NCIDA Board Chairman  
Lukas G. Woeppel, M & T Bank  
Scott Cain, Accountant, Wittlin, Cain & Dry, LLP  
Eric C. Tudor, Coldwell Bank Meridian  
Rebecca Wydysh, Niagara County Legislative Chairman  
Anthony J. Nemi, Legislator  
Thomas J. Kammerer, General Manager, Voss Manufacturing, Inc.  
Susan Langdon, NCIDA Executive Director  
William Ross, NCIDA Board member

#### **7.3.4 Cataract Grant Fund**

Honorable Robert G. Ortt, NYS Senator – 62nd District  
Honorable Angelo J. Morinello, NYS Assembly – 145th District  
Mayor Robert Restaino, City of Niagara Falls  
Mark Onesi, NCIDA Chairman  
William L. Ross, NCIDA Board Member  
Paul Brown, President, NC Building Trades Council  
Susan C. Langdon, NCIDA Executive Director

#### **7.4 Ratify Board Meeting Dates/Time**

##### **7.4.1 Second (2<sup>nd</sup>) Wednesday of the Month**

*Mr. Onesi stated the regular meeting day and time. Mr. Brydges made a motion to accept the regular Board Meeting dates, seconded by Mr. Krempa; the motion passed.*

#### **7.5 Reaffirm Committee Charters**

##### **7.5.1 Finance & Audit Committee Charter**

Mr. Gabriele stated the Finance & Audit Committee has recommended the reaffirmation of the Finance & Audit Committee charter.

*Mr. Krempa made a motion to accept the charter, Mr. Brydges seconded the motion. The motion passed.*

##### **7.5.2 Governance Committee Charter**

Mr. Gabriele stated the Governance Committee has recommended the reaffirmation of the Governance Committee charter.

*Mr. Brydges made a motion to accept the charter, Mr. Cliffe seconded the motion. The motion passed.*

#### **7.6 Reaffirm Mission Statement**

Mr. Gabriele stated the Mission Statement has not changed in the last year.

*Mr. Krempa made a motion to reaffirm the Mission Statement, Mr. Brydges seconded the motion. The motion passed.*

#### **7.7 Reaffirm Uniform Tax Exempt Policy**

Mr. Gabriele explained the Board must annually reaffirm the Uniform Tax Exempt Policy.

*Mr. Cliffe made a motion to reaffirm the Uniform Tax Exempt Policy, Mr. Krempa seconded the motion. The motion passed.*

#### **7.8 Niagara Industrial Incubator Associates (“NIIA”)**

##### **7.8.1 Appointment of Susan Langdon**

Mr. Gabriele explained that this is an appointment by Chairman Onesi for the NIIA reappointment of Susan Langdon to represent the Agency's interest as a partner with the NFTA.

## **7.0 Annual Meetings of the NCIDA, NCDC, and NADC (continued)**

### **7.9 Niagara Industrial Incubator Company ("NIIC")**

#### **7.9.1 Appointment of Susan Langdon**

Mr. Gabriele explained that this is an appointment by Chairman Onesi for the NIIC reappointment of Susan Langdon to represent the Agency's interest as a partner with the NFTA for the property on Niagara Falls Boulevard.

### **7.10 Niagara Economic Development Fund ("NEDF")**

#### **7.10.1 Appointment of Susan Langdon**

Mr. Gabriele explained that this is an appointment by Chairman Onesi for the NEDF reappointment of Susan Langdon to which the Agency as the Administrator and Trustee of that Fund.

### **7.11 Risk Assessment and Risk Management Letter**

Mr. Dudley advised that a Risk Assessment and Management letter was provided to the Board as an annual disclosure requirement with PARIS reporting.

***Mr. Krempa made a motion to accept the Risk Assessment and Risk Management letter; Mr. Brydges seconded the motion. The motion passed.***

### **7.12 NCIDA Real Property Assessment**

Mr. Dudley advised that an NCIDA Real Property Assessment was provided to the Board as an annual disclosure requirement with PARIS reporting.

***Mr. Brydges made a motion to accept the Real Property Assessment; Mr. Krempa seconded the motion. The motion passed.***

### **7.13 Annual Investment Reports**

Mr. Dudley stated that Annual Investment Reports for NCIDA, NCDC and NADC were provided to the Board as an annual disclosure requirement with PARIS reporting.

***Mr. Krempa made a motion to accept the Annual Investments Reports; Mr. Brydges seconded the motion. The motion passed.***

## **7.0 Annual Meetings of the NCIDA, NCDC, and NADC (continued)**

### **7.14 Reaffirm Administrative Policies for 2020**

Mr. Gabriele explained the Board must reaffirm the Administrative Policies as required by PAAA. No changes have been made to these policies since last year.

***Mr. Ross made a motion to reaffirm the Administrative Policies for 2020, Mr. Cliffe seconded the motion. The motion passed.***

### **7.15 2020 Annual Report Summaries**

Mr. Gabriele noted the NCIDA, NCDC, and NADC Annual Report Summaries for 2020 were included in the Board packet for review.

**Motion to accept the annual report summaries was made by Mr. Krempa, seconded by Mr. Ross. Motion passed.**

### **7.15 2020 Annual Measurement Reports**

Mr. Gabriele stated the NCIDA, NCDC, and NADC Annual Measurement Reports for 2020 were included in the Board packet for review.

***Motion to accept the annual measurement reports was made by Mr. Ross, seconded by Mr. Brydges. Motion passed.***

## **8.0 Unfinished Business**

### **8.1 Trek Inc.**

Ms. Klyczek stated there was a public hearing on March 3, 2021 and there were no public comments. Mr. Gabriele stated that this project will not have PILOT benefits, only sales tax exemptions.

#### **8.1.1 Final Resolution**

***Mr. Ross made a motion to approve the Final Resolution; Mr. Brydges seconded the motion.***

**8.1 Trek Inc. (Continued)**

**8.1.1 Final Resolution**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF TREK INC. AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) NEGOTIATE AND EXECUTE AGENT AND FINANCIAL SERVICES AGREEMENT AND RELATED DOCUMENTS; AND (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	X			
Jerald I. Wolfgang	X			
Kevin McCabe	X			
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.2 Cerrone Estate Properties LLC**

Ms. Klyczek stated there was a public hearing on March 3, 2021 and there were no public comments.

**8.2.1 Final Resolution**

***Mr. Krempa made a motion to approve the Final Resolution; Mr. Ross seconded the motion.***



**8.2 Cerrone Estate Properties LLC (continued)**

**8.2.1 Final Resolution**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF CERRONE ESTATE PROPERTIES, LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS: AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	X			
Jerald I. Wolfgang	X			
Kevin McCabe	X			
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**9.0 New Business**

**9.1 AMP Real Estate Holdings of Erie County LLC**

Ms. Klyczek noted that the applicant, AMP Real Estate Holdings of Erie County LLC, purchased vacant property on Schenk Street for the expansion of its operating company, Huron Sprinklers Inc. Huron Sprinklers is currently located at 299 Payne Avenue in North Tonawanda and they have outgrown this existing facility. Huron Sprinklers does lawn sprinkler systems, professional landscaping and lighting.

**9.1 AMP Real Estate Holdings of Erie County LLC (continued)**

They plan to move to the Schrenk Street property where they will be constructing a 10,000 sq ft facility that will house Huron Sprinklers operations. Mr. Anthony Pulli is the owner of Huron Sprinklers and AMP Real Estate Holdings.

Mr. Pulli stated he is excited to move ahead with this project since he has been waiting since 2004 to proceed. He looks forward to expanding the business in the community where it started and also to the continued growth and success of the company.

**9.1.1 Preliminary Resolution**

***Mr. Krempa made a motion to approve the Preliminary Resolution; Mr. Cliffe seconded the motion.***

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF AMP REAL ESTATE HOLDINGS OF ERIE COUNTY, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF AMP REAL ESTATE HOLDINGS OF ERIE COUNTY, LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	X			
Jerald I. Wolfgang	X			
Kevin McCabe	X			
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**9.1 AMP Real Estate Holdings of Erie County LLC (continued)**

**9.1.2 Authorize Public Hearing**

***Mr. Krempa motioned to authorize the Public Hearing; Mr. Cliffe seconded the motion. The motion passed.***

**10.0 Agency Counsel**

Mr. Gabriele stated he is in the process of working with Iskalo in respect to the project in the City of Lockport. There was some confusion in the application from September 2020 regarding the financing, in which he used the permanent financing number instead of the construction financing number of \$6,000,000. The application and resolution were based on the permanent financing number, whereby the Company is requesting a revision to the final resolution to reflect the \$6,000,000 construction financing number.

***10.1 Resolution to add Iskalo 1 East Avenue Amendment to Board Agenda as a late item***

***Mr. Krempa made a motion to add to the Board Agenda an Amendment of the Final Resolution for Iskalo 1 East Avenue LLC project as a late item. The motion was seconded by Mr. Cliffe. The motion passed unanimously.***

***10.2 Iskalo 1 East Avenue Amendment to Final Resolution***

***Mr. Cliffe made a motion to approve the Amendment to the Final Resolution for Iskalo 1 East Avenue, Mr. Krempa seconded the motion.***

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF ISKALO 1 EAST AVENUE LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS; AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

**10.2 Iskalo 1 East Avenue Amendment to Final Resolution (continued)**

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	X			
Jerald I. Wolfgang	X			
Kevin McCabe	X			
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**11.0 Information Items**

Mr. Gabriele noted that when the Board approved 3% raises for Agency staff there was an understanding by the Board that Ms. Langdon was included in the raise. Because she is a contractual employee, the Board would need to approve a separate 3% raise for the Executive Director.

***Mr. Krempa made a motion to approve a 3% raise effective January 1, 2021 for the Executive Director. Mr. Brydges seconded the motion. The motion passed.***

**12.0 Any Other Matters the Board Wishes to Discuss**

**13.0 Next: NCIDA/NCDC/NADC Board Meeting:**

**DATE: Wednesday, April 14, 2021**

**TIME: 9:00 a.m.**

**PLACE: Niagara County Center for Economic Development**

**14.0 Adjournment**

***Mr. Ross made a motion to adjourn; Mr. Brydges seconded the motion. The meeting adjourned at 9:31 a.m.***

Respectfully submitted:

Reviewed by:

Approved by:

---

Susan L. Barone  
Project Manager

---

Susan C. Langdon  
Executive Director

---

William L. Ross  
Secretary