

# REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

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

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## 1.0 Meeting Called to Order

The regular 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, Acting Chairperson	Present
Jerald I. Wolfgang, 1 <sup>st</sup> Vice Chairperson	Present @ 9:08 am
Kevin McCabe, 2 <sup>nd</sup> Vice Chairperson	Present
William L. Ross, Secretary	Present
Mary Lynn Candella, Assistant Secretary	Present @ 9:11 am
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Scott Brydges, Member	Present @ 9:11 am
Jason Krempa, Member	Present

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

## 4.0 Introductions

### Guests Present:

Mike Layman, Olcott Yacht Club  
Jake Feldman, Trek Inc.  
Stan Long, Trek Inc.  
John Williams, Advanced Energy  
Greg Sehr, Consultant for Advanced Energy

### 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 - November 18, 2020**

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

## **6.0 Finance & Audit Committee Reports**

### **6.1 Agency Payables**

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

#### **6.1.1 November 2020**

*Mr. McCabe made a motion to approve the November 2020 monthly payables; Mr. Ross seconded the motion. The motion passed.*

#### **6.1.2 December 2020**

*Mr. McCabe made a motion to approve the December 2020 monthly payables; Mr. Ross seconded the motion. The motion passed.*

#### **6.1.3 January 2021**

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

### **6.2 Budget Variance Reports**

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

#### **6.2.1 November 2020**

*Mr. McCabe made a motion to approve the November 2020 budget variance reports; Mr. Ross seconded the motion. The motion passed.*

#### **6.2.2 December 2020**

*Mr. McCabe made a motion to approve the December 2020 budget variance reports; Mr. Ross seconded the motion. The motion passed.*

#### **6.2.3 January 2021**

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

## 7.0 Unfinished Business

### 7.1 Merani Hospitality Inc.

Mr. Gabriele stated that the company has requested a six month inducement extension due to construction delays in the project as a result of the COVID crisis. Mr. Ross questioned the location of the project and Ms. Langdon confirmed it was a new build between Rainbow Boulevard and Buffalo Avenue.

#### 7.1.1 Inducement Extension

***Mr. Brydges made a motion to approve the Inducement Extension; Mr. McCabe seconded the motion. The motion passed.***

*RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR MERANI HOSPITALITY INC. FOR A SIX-MONTH PERIOD WITH RESPECT TO A CERTAIN PROJECT TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF MERANI HOSPITALITY LLC OR AN ENTITY FORMED OR TO BE FORMED.*

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			

*\* Ms. Candella and Mr. Scott entered the conference call after this roll call.  
Mr. Gabriele informed them of this motion.*

The Resolution was thereupon duly adopted.

### 7.2 Niagara Club LLC

Mr. Gabriele stated that the company has requested a six month inducement extension due to delays in the project as a result of the COVID crisis. This will be their third six-month inducement extension.

**7.2 Niagara Club LLC (continued)**

**7.2.1 Inducement Extension**

***Mr. Ross made a motion to approve the Inducement Extension; Mr. McCabe seconded the motion. The motion passed.***

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR NIAGARA CLUB, LLC FOR AN ADDITIONAL SIX-MONTH PERIOD WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF NIAGARA CLUB, LLC OR AN ENTITY FORMED OR TO BE FORMED.

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.

**8.0 New Business**

**8.1 Olcott Yacht Club Inc.**

Ms. Klyczek noted that the Olcott Yacht Club is looking to construct a new 3,000 sq ft clubhouse at their existing location. The new clubhouse will be built at a higher elevation to avoid future flooding. The club has received a \$200,000 grant from the Empire State Development NYS Resiliency grant. It requires a 5% local match. The mortgage recording tax and sales tax abatement would satisfy that requirement. The total project incentive is \$23,420. It is important to note in the evaluative criteria this is a recreation project.

Mr. Layman from Olcott Yacht Club explained that in 2017-2018 there was flooding of their first floor due to the high level of Lake Ontario. There was \$160,000 worth of damage at that time from a wall collapse. They paid to have it repaired with member funds and additional funding from the State of \$50,000.

## 8.1 Olcott Yacht Club Inc. (continued)

When the Lake Ontario Resiliency Grant was proposed, they submitted for the maximum \$200,000 to put towards a \$400,000 building that would be built 3 feet above their parking lot to avoid future flooding. Their request for the Resiliency grant was approved and as part of the grant we are required to get \$10,000 in local funding.

Mr. Layman explained they will be starting with demolition of the existing building and start building a one-story, 3,000 sq foot building which will include a dining room, bar, two restrooms, a kitchen and office space. Their plan is to get the building up by November 2021 and then do inside work over the winter, then use member help in the spring to finish the painting and other work and then be open and operational by May 2022.

Mr. Gabriele noted this was not a typical project for the IDA, however, the NYS Resiliency grant requires a local match and this makes it a qualified project for the IDA. Mr. Krempa requested clarification that the local match should come from the IDA. Ms. Langdon confirmed that NYS recommended our Agency and Empire State Development gave the recipients of these grants our contact information for the local match.

### 8.1.1 Accept Application

***Mr. Krempa made a motion to accept the project application;  
Mr. Cliffe seconded the motion. The motion passed.***

### 8.1.2 Final Resolution

***Mr. Ross motioned to approve the Final Resolution; Mr. McCabe seconded the motion. The motion passed.***

*RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF OLCOTT YACHT CLUB 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) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED DOCUMENTS: AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES*

**8.1.2 Final Resolution (continued)**

*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.*

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 Trek Inc.**

Ms. Klyczek stated Trek Inc. is a subsidiary of Advanced Energy Industries. Trek Inc. is located at 190 Walnut in Lockport. They are planning to develop a High Voltage Center of Excellence. This will help them reduce new product development costs, lead times and operating expense. It will also enable them to onshore currently outsourced manufacturing. Along with the application are two letters of support from the GLDC in Lockport and Commissioner Mike Casale of Niagara County. This project is in a distressed census tract.

Mr. Feldman of Trek Inc. stated they are excited to expand their current space in Lockport and the opportunity to add approximately 60 new jobs in this facility as well as invest around 8 million dollars in capitol and build out costs to make the facility manufacturing-ready.

Mr. Gabriele mentioned the building is owned by 210 Walnut St LLC and leased to Trek which currently operates on the 1<sup>st</sup> and 2<sup>nd</sup> floor so this project would be for the 3<sup>rd</sup> floor buildout only and would not include PILOT benefits. The project would have sales tax exemption benefits for the purchase of machinery and equipment and since the benefits would be over \$100,000 it will require a public hearing.

**8.2.1 Preliminary Resolution**

***Mr. Wolfgang made a motion to approve the Preliminary Resolution; Mr. Cliffe seconded the motion. The motion passed.***

*RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF TREK INC. WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF TREK INC. OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iii) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.*

**8.2.1 Preliminary 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.

**8.2.2 Authorize Public Hearing**

***Mr. Ross motioned to authorize the Public Hearing; Mr. McCabe seconded the motion. The motion passed.***

**8.3 Cerrone Estate Properties LLC**

Ms. Klyczek stated Tecmotiv is planning a 24,000 sq. ft. expansion to their current 20,000 sq. ft. space where they do manufacturing and specialize in modification of armored vehicles. They will be creating 10 new jobs and it is located in a distressed census tract.

### 8.3 Cerrone Estate Properties LLC (Continued)

Mr. Gabriele noted that Cerrone Estate Properties LLC is the land owner and has leased this facility to Tecmotiv USA Inc. for over 24 years. They require additional space to expand and will add additional positions. The PILOT will only be on the 24,000 sq. ft. addition, not the current building. The triple net lease benefits will flow through to Tecmotiv USA Inc.

#### 8.3.1 Preliminary Resolution

***Mr. Wolfgang made a motion to approve the Preliminary Resolution; Ms. Candella seconded the motion. The motion passed.***

*RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF CERRONE ESTATE PROPERTIES, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF CERRONE ESTATE PROPERTIES, LLC FOR ITSELF OR ON BEHALF OF 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) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (v) 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.

#### 8.3.2 Authorize Public Hearing

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



**9.0 Agency Counsel**

Mr. Gabriele stated that the Agency originally induced the Hotel Niagara almost three years ago. We had provided them three separate inducement extensions. Ms. Langdon had been in frequent contact with them and had let them know their inducement expired the end of January. There was no response from the ownership. Therefore, this project inducement is no longer valid. If the company goes forward with this project, they would be required to come back to our agency with a new application.

Mr. Wolfgang questioned the status of the Somerset project. Mr. Gabriele replied that the PILOT for this project has ended as of 12/31/20 so it is back on the tax rolls.

**10.0 Information Items**

There were no information items at this time.

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

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

**DATE: March 10, 2021**

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

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

**13.0 Adjournment**

***Mr. Onesi made a motion to adjourn; Mr. Cliffe seconded the motion. The meeting adjourned at 9:37 a.m.***

Respectfully submitted:

Reviewed by:

Approved by:

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Susan L. Barone  
Project Manager

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Susan C. Langdon  
Executive Director

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William L. Ross  
Secretary