

# Niagara County Industrial Development Agency

Niagara County Center for Economic Development • 6311 Inducon Corporate Drive, Ste. 1 • Sanborn, NY 14132

## **REGULAR NCIDA/NCDC/NADC BOARD MEETING**

**DATE:** June 14, 2023  
**MEETING TIME:** 9:00 a.m.  
**MEETING PLACE:** Niagara County Industrial Development Agency  
Vantage Center, Suite One  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

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### **1.0 Meeting Called to Order**

The annual meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:00 a.m.

### **2.0 Roll Call**

Mark A. Onesi, Chairperson	Present
Kevin McCabe, 2 <sup>nd</sup> Vice Chairperson	Excused
William L. Ross, Secretary	Present
Scott Brydges, Assistant Secretary	Excused
Robert B. Cliffe, Member	Present
Jason Krempa, Member	Present
Clifford Scott, Member	Present
Maria V. Lopez, Member	Excused

### **3.0 Introduction of Guests**

Jonathan Epstein, Buffalo News  
Jim Fink, Freelance  
Robert Creenan, Niagara Gazette  
Jacob Tierney, Business First  
Paul Beakman, Zeton USA Holdings

#### **Staff Present**

Susan C. Langdon, Executive Director  
Andrea Klyczek, Assistant Director  
Michael S. Dudley, Finance Manager  
Caroline Caruso, Accounting Associate  
Susan Barone, Grants & Operations Manager  
Caroline Caruso, Accounting Associate  
Julie Lamoreaux, Administrative & HR Officer  
Jeremy Geartz, Project Manager  
Mark J. Gabriele, Agency Counsel

**4.0 Pledge of Allegiance**

Mr. Onesi led the Pledge of Allegiance.

**5.0 Approval of Meeting Minutes**

**5.1 Regular NCIDA/NCDC/NADC – May 10, 2023**

***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 – May 31, 2023**

Mr. Cliffe stated that the monthly payables have been reviewed and found to be in order.

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

**6.2 Budget Variance Report – May 31, 2023**

Mr. Cliffe stated that the monthly payables have been reviewed and found to be in order.

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

**7.0 Governance Committee**

**7.1 Records Retention and Disposition of Property Policy**

Mr. Gabriele stated that in 2021, NYS adopted a new set of schedules regarding Records Retention and Disposition of Property Policy. Prior to this schedule, the schedule was MI1, which was applicable to the agency. Under the new schedule the new applicable schedule is LGS1. The agency must now insert the correct new schedule into the current policy.

Mr. Ross stated that the Governance Committee has recommended the passage and revision of the Records Retention and Disposition of Property Policy.

***Mr. Ross made a motion to approve the Records Retention and Disposition of Property Policy; Mr. Scott seconded the motion. The motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Kevin McCabe				x
William Ross	x			
Maria V. Lopez				x
Robert Cliffe	x			
Scott Brydges				x
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

**7.2 Apprenticeship Policy**

Mr. Gabriele stated that the changes in the new draft of the apprenticeship policy says that the agency will allow an enhanced pilot for three years if all contractors on the job have already been part of, or just joined an apprentice program that exists in NYS. Mr. Gabriele explained that he would like to table this subject at this time because he would like all the Board Members to be present for this discussion.

**7.3 Credit Card Policy**

Mr. Gabriele stated that the Agency currently does not have a Credit Card Policy. He explained that it is hard to pay for things with cash or check. The Agency has implemented a draft Credit Card Policy for review. In the policy there are limitations to the use of the Credit Card. The policy outlines the limitations of the Policy. Approval process is also addressed in the policy. Susan Langdon will approve all travel, except for travel done by Susan Langdon, which will be approved by the Chairman of the Board. There will also be limits set forth on the card, along with receipts being required for all expenses on the credit card.

Mr. Ross stated that the committee has moved to recommend the Credit Card Policy to the Board for approval.

***Mr. Ross made a motion to approve the Credit Card Policy; Mr. Cliffe seconded the motion. The motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Kevin McCabe				x
William Ross	x			
Maria V. Lopez				x
Robert Cliffe	x			
Scott Brydges				x
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

## 8.0 Unfinished Business

### 8.1 Zeton Inc.

Ms. Klyczek stated that the Agency held a Public Hearing for Zeton Inc. at Lockport City Hall on May 31, 2023 at 1:00 p.m. In attendance was Mr. Beakman from Zeton, USA, Mike Marino from Nussbaumer & Clarke, Lisa Glena from Niagara County Real Property, and Alissa DiCesare from Niagara County Real Property. There were no comments made at the Public Hearing.

#### 8.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF ZETON US PROPERTIES, 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, 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.

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

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Kevin McCabe				x
William Ross	x			
Maria V. Lopez				x
Robert Cliffe	x			
Scott Brydges				x
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

**9.0 New Business**

**9.1 MHT Holdings Inc. – Brookside Commons**

Mr. Gabriele Stated that MHT Holdings, Inc. – Brookside Commons was not in attendance at the time of the meeting. He noted that it is the policy of the Agency that a representative of the company appear before the Board at the initial meeting to answer any questions the Board might have, and to provide a description of the project. Due to the fact that there was no representative from the company, this was be tabled to a future date.

***Mr. Cliffe made a motion to table this project; Mr. Ross seconded the motion. The motion passed.***

**9.2 MHT Holdings Inc. – Niagara Falls**

Mr. Gabriele Stated that MHT Holdings, Inc. – Niagara Falls was not in attendance at the time of the meeting. He noted that it is the policy of the Agency that a representative of the company appear before the Board at the initial meeting to answer any questions the Board might have, and to provide a description of the project. Due to the fact that there was no representative from the company, this was be tabled to a future date.

***Mr. Cliffe made a motion to table this project; Mr. Ross seconded the motion. The motion passed.***

**9.3 Cataract Grant**

**9.3.1 The Center for Kashmir, Inc.**

Ms. Klyczek stated that on June 2, 2023 the Cataract Grant Committee made a recommendation for an approval of an additional \$300,000 Grant to The Center for Kashmir, Inc. She noted that phase one of the project has been completed which included a new roof, masonry work, asbestos abatement, HVAC, and plumbing. The general construction is underway and the expected completion date is September, 2024.

**Mr. Ross made a motion to approve the Grant; Mr. Scott seconded the motion. The motion passed.**

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Kevin McCabe				x
William Ross	x			
Maria V. Lopez				x
Robert Cliffe	x			
Scott Brydges				x
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

**10.0 Agency Counsel**

Agency Counsel had nothing at this time.

**11.0 Information Items**

There were no information items at this time.

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

There were no other matters the Board wished to discuss.

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

**DATE: July 12, 2023**

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

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

**14.0 Adjournment**

***Mr. Onesi made a motion to adjourn; Mr. Cliffe seconded the motion. The meeting adjourned at 9:15 a.m.***

Respectfully Submitted:

Reviewed By:

Approved By:

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Julie Lamoreaux  
Recording Secretary

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Susan C. Langdon  
Executive Director

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William L. Ross  
Secretary