

Wednesday, March 11, 2020

Meeting Time: 9 a.m.

Meeting Place: Niagara County Industrial Development Agency  
6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 14132

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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 Acting Chairperson Onesi at 9 a.m.

**2.0 Roll Call**

Mark A. Onesi, Acting Chairperson	Present
Kevin McCabe, Secretary	Present
Jerald I. Wolfgang, Assistant Secretary	Present
William L. Ross, Member	Present
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Mary Lynn Candella, Member	Present
Scott Brydges, Member	Present
Jason Krempa	Present

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

**4.0 Introductions**

**Guests Present:**

Sara Dayton, Lumsden & McCormick  
Jim Fink, Business First  
Tom Prohaska, Buffalo News  
Tre Stroud, Buffalo Fuel Corp.  
Grant Wooley, Buffalo Fuel Corp.  
Aaron Santarosa, Buffalo Fuel Corp.  
Craig Turner, World Trade Center Buffalo  
Lou Vison, Rock One Development

**Staff Present:**

Susan C. Langdon, Executive Director  
Andrea Klyczek, Assistant Director  
Dmitri Liadski, Economic Developer  
Michael S. Dudley, Finance Manager  
Caroline Caruso, Accounting Associate  
Mark J. Gabriele, Agency Counsel  
Barbara A. Gill, Administrative Coordinator/Recording Secretary

**5.0 Approval of NCIDA Meeting Minutes**

**5.1 Meeting Minutes of February 12, 2020**

*Mr. McCabe motioned to approve the meeting minutes; Mr. Wolfgang seconded the motion. The motion passed.*

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Audit Report**

Sara Dayton, a representative from Lumsden & McCormick, attended the Audit Committee Meeting to give an overview and summarization of the 2019 Annual Audits. The Committee Members were given binders titled "Presentation to the Audit Committee" which summarized all of the agency audits for FYE December 31, 2019. Ms. Dayton discussed the audits and stated that all were clean and with no findings nor material weaknesses. There were no "findings" which means the audit was "unmodified."

She went on to say that the unmodified audit reflects fiscal responsibility on the part of Agency staff.

*After further discussion, Mr. Onesi motioned to accept the Annual Audit and recommend it for approval at the Regular Board Meeting; Mr. Ross seconded the motion. The motion passed unanimously.*

**6.2 Payables**

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

*Mr. Onesi made a motion to approve the monthly payables; Mr. Krempa seconded the motion. The motion passed.*

**6.3 Budget Variance Report**

Mr. Onesi stated that he had reviewed the report and found it to be in order.

*Mr. Onesi made a motion to approve the monthly payables; Mr. Krempa seconded the motion. The motion passed.*

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

**7.1 Election of Chairperson**

Mr. Onesi turned the meeting over to Mr. Gabriele, Agency Counsel. Mr. Gabriele stated that he would accept nominations for Chairperson of the NCIDA, NCDC and NADC.

*Mr. Ross made a motion to elect Mr. Onesi, motion was seconded by Mr. McCabe. Mr. Gabriele asked if there were any other nominations, hearing none, Mr. Gabriele closed the nominations. Mr. Gabriele then requested that the Secretary cast one vote for Mr. Onesi as Chairperson.*

**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. Wolfgang made a motion to accept the regular board schedule, seconded by Mr. Krempa, motion passed.*

**7.5 Reaffirm Committee Charters**

**7.5.1 Finance & Audit Committee Charter**

Mr. Gabriele, Agency Counsel explained New York State requires that the board vote annually to adopt the Finance and Audit Committee Charter. The Charter before the board was recently revised.

*A motion to accept was made by Mr. Krempa, seconded by Ms. Candella, the motion was unanimous.*

**7.5.2 Governance Committee Charter**

Mr. Gabriele, Agency Counsel explained New York State requires that the board vote annually to adopt the Governance Committee Charter. The Charter before the board was recently revised.

**A motion to accept was made by Mr. Krempa, seconded by Mr. Scott, the motion was unanimous.**

**7.6 Reaffirm Mission Statement**

Mr. Gabriele, Agency Counsel, explained that the board must reaffirm the mission statement, the mission statement has been revised within the last three years.

*A motion to reaffirm was made by Mr. Wolfgang, seconded by Mr. Krempa, the motion was unanimous.*

**7.7 Reaffirm Uniform Tax Exempt Policy – M. Gabriele**

Mr. Gabriele, Agency Counsel, explained that the board must reaffirm the Tax-Exempt Policy.

*A motion to reaffirm was made by Mr. Krempa, seconded by Ms. Candella, the motion was unanimous.*

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

**7.8.1 Appointment of Susan Langdon**

Mr. Gabriele explained that the NIIA is a partnership we have with the NFTA, Ms. Langdon has been our representative.

*Mr. McCabe made a motion to reappoint Ms. Langdon, seconded by Mr. Ross, motion was unanimous.*



**7.9 Niagara Industrial Incubator Company (“NIIC”)**

**7.9.1 Appointment of Susan Langdon**

Mr. Gabriele explained that the NIIC is another partnership we have with the NFTA, Ms. Langdon has been our representative.

*Mr. Ross made a motion to reappoint Ms. Langdon, seconded by Mr. Krempa, motion was unanimous.*

**7.10 Niagara Economic Development Fund (“NEDF”)**

**7.10.1 Appointment of Susan Langdon**

Mr. Gabriele explained that we are a member of this committee. Ms. Langdon has been our representative on this committee.

*Mr. Scott made a motion to reappoint Ms. Langdon, seconded by Mr. Krempa, motion was unanimous.*

**7.11 Risk Assessment and Risk Management Letter**

Mr. Dudley advised that provided to the board is a risk assessment and management letter, as required by PAAA. No vote is necessary.

*No action was taken.*

**7.12 NCIDA Real Property Assessment**

Mr. Dudley advised that provided to the board is a real property assessment, as required by PAAA. No vote is necessary.

*No action was taken.*

**7.13 Annual Investment Reports – M. Dudley**

Mr. Dudley advised that provided to the board is an annual investment report, as required by PAAA. No vote is necessary.

*No action was taken.*

**7.14 2019 Annual Report Summaries**

Mr. Gabriele advised the board that we are required by New York State to adopt an annual report for the NCIDA, NCDC, NADC, listing our projects, the jobs that have been created/retained and a summary. This report will be posted on our website.

*Mr. Wolfgang made a motion to accept the report, seconded by Mr. Krempa, motion was unanimous.*

**7.15 Reaffirm Administrative Policies for 2019**

Mr. Gabriele advised that the board need to approve our policies, no significant changes have been made, other than the addition of the New York State sexual harassment policy, which has been put in place.

*Motion to approve was made by Mr. Ross, seconded by Ms. Candella, motion was unanimous.*

**7.16 2019 Annual Measurement Reports**

Mr. Gabriele advised that the report presented to the board is a New York State requirement that will be posted on our website. This report measures our projects as they are compared to our goals.

*Motion to approve was made by Mr. Wolfgang, seconded by Mr. McCabe, motion was unanimous.*

**8.0 Unfinished Business**

**8.1 Neighborhood Redevelopment LLC**

**8.1.1 Final Resolution**

Mr. Liadski stated there was a public hearing on March 3, 2020. Three people attended, only one person spoke, and they were in favor of the project. Mr. Ross stated that he believed this was a good project.

*A motion to approve was made by Mr. Ross, seconded by Mr. McCabe, motion was unanimous.*

**9.0 New Business**

**9.1 Buffalo Fuel Corp.**

**9.1.1 Preliminary Resolution**

Mr. Liadski stated that this project takes place in the City of Niagara Falls in a distressed area. The project calls for the construction of a 32,000 sq. ft. warehouse, and the redevelopment of an existing building. The site will be used for treatment, storage, and disposal. The total project cost is \$2,240,000, will retain 23 jobs, and create 11 new jobs. Representatives from the company were present to answer questions.

Mr. Santarosa, Buffalo Fuel Corp., stated to the board that over the past 5 years the company has invested over \$2.5M in sustainability research and believe they have a solution to recycle residual products from other industries.

Mr. Ross asked about ingress/egress at the site. Mr. McCabe asked about the process; Mr. Santarosa explained their recycling process and their ability to recycle materials from mills such as Greenpac or Norampac. Mr. Scott questioned the wage range. Mr. Santarosa stated that the jobs will be in the \$18-23 per/hr. range for laborers, and higher rates for sales, truck drivers, and administrative personnel.

*A motion to accept the preliminary resolution was made by Mr. Wolfgang seconded by Ms. Candella. Ms. Gill put the vote to a roll call. The motion was unanimous.*

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>
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Clifford Scott	[ X ]	[ ]	[ ]	[ ]
Robert B. Cliffe	[ X ]	[ ]	[ ]	[ ]
Scott Brydges	[ X ]	[ ]	[ ]	[ ]
Mary Lynn Candella	[ X ]	[ ]	[ ]	[ ]
Mark Onesi	[ X ]	[ ]	[ ]	[ ]

The Resolutions were thereupon duly adopted.

**9.1.2 Authorize Public Hearing**

*Mr. Onesi called for a motion to hold the public hearing, Mr. Krempa made the motion, seconded by Ms. Candella, motion was unanimous.*

**9.2 Calspan Air Facilities, LLC**

**9.2.1 Consent to Mortgage**

Mr. Gabriele explained the Agency received a letter on February 25, 2020. The company is requesting that the NCIDA consent to a mortgage refinancing with Liberty Bank. The company would not be eligible for the mortgage tax exemption. Mr. Ross questioned if the company was undergoing an expansion, Mr. Gabriele stated that he was not aware of that.

*Mr. Ross made a motion to approve the Consent to Mortgage, Mr. Krempa seconded the motion. Ms. Gill put the vote to a roll call. The motion was unanimous.*

RESOLUTION AUTHORIZING THE EXECUTION BY THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF A CERTAIN MORTGAGE AND RELATED DOCUMENTS IN CONNECTION WITH THE CALSPAN AIR FACILITIES, LLC 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>
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Clifford Scott	[ X ]	[ ]	[ ]	[ ]
Robert B. Cliffe	[ X ]	[ ]	[ ]	[ ]
Scott Brydges	[ X ]	[ ]	[ ]	[ ]
Mary Lynn Candella	[ X ]	[ ]	[ ]	[ ]
Mark Onesi	[ X ]	[ ]	[ ]	[ ]

The Resolutions were thereupon duly adopted.

**9.3 Microenterprise Grant Fund**

**9.3.1 Grantee Agreement between NCDC and Niagara County**

Ms. Klyczek explained to the Board that the NCIDA applied for a micro-enterprise grant on behalf of Niagara County and was awarded \$200,000. Staff is requesting the board approve a motion to execute the agreement with Niagara County to administer this grant funding.

*Mr. Scott made a motion to approve, seconded by Mr. Cliffe, the motion was unanimous.*

**9.4 World Trade Center Buffalo Niagara**

**9.4.1 World Trade Center Buffalo Niagara Membership**

Ms. Klyczek expressed to the board that through the various staff changes that have taken place, duties have been revaluated and reassigned. At this time, it is suggested that NCIDA staff seek a \$20,000 membership with partnering agency, World Trade Center Buffalo Niagara. This membership will assist in our Canadian marketing efforts. Ms. Klyczek stated that she and Mr. Liadski will continue to attend various Canadian tradeshows and events as well as participate in WTCBN events at a sponsorship level. Mr. Turner, WTCBN President, also provided a brief overview of membership benefits. Mr. Ross stated that he believed a coordinated effort made sense.

*Mr. Scott made a motion to approve the membership to WTCBN, seconded by Mr. McCabe. Ms. Gill put the vote to a roll call. The motion was unanimous.*

**9.5 Rock One Development**

**9.5.1 Consent to Mortgage**

Mr. Gabriele explained that the company is refinancing the project, and the board is being asked to consent to the mortgage refinance. There will be no additional mortgage tax exemption benefits provided. Mr. Ross asked if there was an expansion of the project to include the neighboring medical building. Mr. Vison, Rock One Development, stated that that property is a separate project.

*Mr. Ross made a motion to approve the consent to Mortgage, Mr. Cliffe seconded the motion. Ms. Gill put the vote to a roll call. The motion was unanimous.* **10.0 Information Items**

There were no information items at this time.

**11.0 Agency Counsel**

Mr. Gabriele notified the board that staff has been mindful of the discussions surrounding the Coronavirus and we will be keeping in touch with the County and listening to any guidance from New York State. Should there be any changes in meeting dates moving forward or any other changes we will notify the board accordingly.

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

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

**DATE:** April 8, 2020

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

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

**14.0 Adjournment**

*Mr. Onesi made a motion to adjourn; Mr. Brydges seconded the motion. The meeting adjourned at 9:50 a.m.*

Reviewed by:

Approved by:

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Susan C. Langdon  
Executive Director

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Kevin McCabe  
Secretary