

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

DATE: November 8, 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

1.0 Meeting Called to Order

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

2.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jason Krempa, Second Vice Chairperson	Present – left at 9:15 a.m.
Clifford Scott, Member	Present
William L. Ross, Secretary	Present
Mark Berube, Member	Present
Ryan J. Mahoney, Member	Present
Anne E. McCaffrey, Member	Present
David J. Masse, Member	Present
William Fekete, Member	Present

3.0 Introduction of Guests

Jonathan Epstein, Buffalo News
Robert Creenan, Niagara Gazette
Jacob Tierney, Buffalo Business First
Joseph Donohue, Vishay Dale Electronics, LLC
Ross Keripidis, Vishay Dale Electronics, LLC

Staff Present

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

4.0 Pledge of Allegiance

Mr. Ross led the Pledge of Allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – October 11, 2023

Mr. Ross motioned to approve the meeting minutes; Ms. McCaffrey seconded the motion. The motion passed.

6.0 Finance & Audit Committee Reports

6.1 Agency Payables – October 31, 2023

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

Mr. Fekete made a motion to approve the monthly payables; Mr. Berube seconded the motion. The motion passed.

6.2 Budget Variance Report – October 31, 2023

Mr. Krempa stated that the reports have been reviewed and found to be in order.

Mr. Berube made a motion to approve the Budget Variance Report; Ms. Mahaney seconded the motion. The motion passed.

6.3 Adopt 2023 Budgets

6.3.1 Niagara County Industrial Development Agency

Mr. Dudley stated that the budgets had been sent to the Niagara County Legislature for the mandated 20 day review. Mr. Krempa stated that the Niagara County Industrial Development Agency budget has been reviewed and found to be in order.

Mr. Krempa made a motion to adopt the Niagara County Industrial Development Agency budget; Mr. Fekete 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

6.3.2 Niagara County Development Corporation

Mr. Krempa stated that the Niagara County Development Corporation budget has been reviewed and found to be in order.

Mr. Krempa made a motion to adopt the Niagara County Development Corporation budget; Mr. Masse 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

6.3.3 Niagara Area Development Corporation

Mr. Krempa stated that the Niagara Area Development Corporation budget has been reviewed and found to be in order.

Mr. Krempa made a motion to adopt the Niagara Area Development Corporation budget; Mr. Masse 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.0 Unfinished Business

7.1 Cityscape Property Management Inc. – (Payne & Stenzil)

Ms. Klyczek stated that Cityscape Property Management Inc. (Payne & Stenzil) held a public hearing on October 26, 2023 at 2:00 p.m. at North Tonawanda City Hall. There was one attendee, Mr. Shoemaker, The Director of Real Property for Niagara County. There were no comments made at the public hearing.

7.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF CITYSCAPE PROPERTY MANAGEMENT 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 PARTIAL ABATEMENT OF REAL PROPERTY TAXES RELATED TO THE PROJECT, AND (D) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Krempa made a motion to approve the Final Resolution; Mr. Berube 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.2 Cityscape Property Management Inc. (Division)

Ms. Klyczek stated that the Agency held a public hearing for Cityscape Property Management Inc. (Division Street) on October 26, 2023 at 2:15 p.m. at North Tonawanda City Hall. There was one attendee, Mr. Shoemaker, The Director of Real Property for Niagara County. There were no comments made at the public hearing.

7.2.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF CITYSCAPE PROPERTY MANAGEMENT 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 PARTIAL ABATEMENT OF REAL PROPERTY TAXES RELATED TO THE PROJECT, AND (D) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Fekete made a motion to approve the Final Resolution; Mr. Krempa 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.3 NF Lockport LLC

Ms. Klyczek stated that Agency held a Public Hearing for NF Lockport LLC on October 30, 2023 at 2:00 p.m. at the Cambria Town Hall. There were no comments made at the Public Hearing.

7.3.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF NF LOCKPORT 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.

Mr. Scott made a motion to approve the Final Resolution; Mr. Fekete 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.4 DRC Development, LLC

Mr. Gabriele stated that DRC Development, LLC is requesting an additional Sales Tax Exemption. The request is due to increased costs because of Inflation. Since the additional benefits are less than \$100,000, a public hearing is not required.

7.4.1 Additional Sales Tax Exemption

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF DRC DEVELOPMENT, LLC; (ii) PROVIDE ADDITIONAL 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.

Mr. Ross made a motion to approve the Additional Sales Tax Exemption; Mr. Krempa 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.5 Marcus the Barber

Mr. Gabriele stated that Marcus the Barber, a previously approved Microenterprise Grant recipient has formed a new entity. The new entity name is Marcus he Barber and Associates LLC and grant documents will be revised as such.

7.5.1 Entity Change

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO MARCUS THE BARBER AND ASSOCIATES LLC

Mr. Fekete made a motion to approve the Entity Change; 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>
Mark Onesi	x			
Jason Krempa				x-*Mr. Krempa left at 9:15 a.m.
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 Vishay Dale Electronics, LLC

Ms. Klyczek stated that Vishay Dale Electronics, LLC is a company that was formed in Niagara Falls that was formally named Ohmtek. The site became a technology leader for advanced processes in precision resistive products. Acquired by Vishay in 1988, the site is now known as Vishay Thin Film and has a strong portfolio of high precision surface-mount networks, through-hole resistors, hybrid resistor/Capacitor networks and thermal management devices. Vishay Thin Film will be expanding their facility by adding a 10,000 sq. foot addition and acquiring new technologies, such as lasers, vapor deposition tools, automated test machines, AOI systems, dicing saws and mask aligners. The space will be a clean room space and the new automation and capital improvements will allow for Vishay to remain competitive in the marketplace. They are estimating 40 new jobs within three years.

Mr. Donahue added that Vishay is a global electronic manufacturer operating 50 plants in over 20 Countries. This is the first phase of their expansion, a big part of this is the automation and equipment. He added that the average salary is around 35,000 to 55,000.

8.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF VISHAY DALE ELECTRONICS, 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; AND (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Scott made a motion to approve the Preliminary Resolution; Mr. Fekete 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>
Mark Onesi	x			
Jason Krempa				x
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing

Mr. Fekete made a motion to approve the public hearing; Mr. Berube seconded the motion. The motion passed.

8.2 Request for Micro Enterprise Grant Approval

Ms. Barone stated that the Agency held a NCDC Committee Meeting on November 3, 2023. At that time, each of these projects was reviewed by the Committee to recommend approval by the Board.

8.2.1 Elizabeth DeSilva d/b/a Niagara Outfitters

Ms. Barone stated that Niagara Outfitters offers rentals for kayaking, paddle boarding, biking, E-biking, hiking, and fishing activities for individuals and groups with launch locations in various Niagara County Locations. The business also rents a retail space in Wilson Tuscarora State Park. They worked with SBDC to submit their application. The owner qualifies as low-to-moderate income and plans to hire 1 part-time employee. They are requesting a \$25,000 microenterprise grant. The grant request was unanimously approved by the committee for recommendation to the Board.

8.2.1 Elizabeth DeSilva d/b/a Niagara Outfitters

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO ELIZABETH DESILVA d/b/a NIAGARA OUTFITTERS

Mr. Krempa made a motion to approve the Micro Enterprise Grant, Mr. Masse 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.2.2 Happy Tails of Niagara, LLC

Ms. Barone Stated that Happy Tails of Niagara, LLC is a start-up business that will offer pet daycare, boarding, and basic grooming services. The company will be located in the Town of Niagara on Military Road. The business owners worked with SBDC to submit their business plan and application. They will be hiring one full-time low-to-moderate income individual. The business has requested \$25,000 from the Microenterprise Grant program. The grant request was unanimously approved by the Committee for recommendation to the Board.

8.2.2 Happy Tails of Niagara, LLC

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO HAPPY TAILS OF NIAGARA, LLC

Mr. Krempa made a motion to approve the Micro Enterprise Grant, Ms. McCaffrey 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>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

11.0 Agency Counsel

Agency counsel had no items at this time.

12.0 Information Items

There were no information items at this time.

13.0 Any Other Matters the Board Wishes to Discuss

There were no matters the Board wished to discuss.

14.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: December 13, 2023

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

PLACE: Niagara County Center for Economic Development

15.0 Adjournment

Mr. Berube made a motion to adjourn; Mr. Fekete seconded the motion. The meeting adjourned at 9:24 p.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary