

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

**DATE:** December 13, 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 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, First Vice Chairman	Present
Clifford Scott, Second Vice Chairman	Present
William L. Ross, Secretary	Present
Mark Berube, Assistant Secretary	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  
John Simon, Stavatti Aerospace  
Robert Sugarman, Stavatti Aerospace  
Dr. William Murabito, Niagara County Community College

#### **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. Geartz led the Pledge of Allegiance.

**5.0 Approval of Meeting Minutes**

**5.1 Regular NCIDA/NCDC/NADC – November 8, 2023**

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

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Payables – November 30, 2023**

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

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

**6.2 Budget Variance Report – November 30, 2023**

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

*Mr. Krempa made a motion to approve the Budget Variance Report; Ms. Mahoney seconded the motion. The motion passed.*

**7.0 Unfinished Business**

**7.1 Vishay Dale Electronics, LLC**

Ms. Klyczek stated that Vishay Dale Electronics, LLC held a public hearing on November 29, 2023 at 2:00 p.m. at 6311 Inducon Corporate Drive, Sanborn, NY 14132. Nobody was in attendance of the public hearing and there were no comments made.

Mr. Gabriele added that there has been a change to this project. The project will remain the same, however, they have decided that their production equipment is not going to be subject to sales tax. The Agency, therefore, will not be providing this project with a sales tax exemption benefit. The company will also not be using the mortgage recording tax abatement. The only benefit the company will receive is the standard 15-year pilot.

**7.1.1 Final 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) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

***Mr. Ross 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.

**7.2 Stavatti Aerospace Ltd.**

Mr. Gabriele stated that Stavatti Aerospace Ltd. Is a project that closed in February of 2021. Stavatti’s existing sales tax exemption benefit expires December 31, 2023. The company is requesting an extension of their sales tax exemption extension.

Mr. Krempa asked Mr. Simon from Stavatti if he could speak to the new timeline for the project. Mr. Simon responded by that there are a lot of dealings, which impact the company’s ability to move forward. The war in Ukraine impacted Stavatti dramatically, along with the pandemic and the war in Israel. Mr. Simon stated that Stavatti works with the Department of Defense and the approval process has been slowed down dramatically. He also stated that the process for the approvals to export has been also severely slowed down.

Mr. Simon stated that the company has started the demolition and renovation of the former US Army Reserve Center on Porter Avenue. The company plans to begin the manufacturing of their prototype at the beginning of 2024 and Stavatti intends to finish the project as initially planned.

The Board discussed and decided to extend the sales tax exemption until March 31, 2024 to coincide with the termination date of the original application. The Board and the company agreed to schedule a walk-through of the Stavatti facility in the near future.

**7.2.2 Sales Tax Exemption Extension Request**

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE SALES TAX EXEMPTION LETTER ISSUED TO STAVATTI AEROSPACE LTD. AND EXECUTE AND DELIVER RELATED DOCUMENTS.

***Mr. Krempa made a motion to approve the Sales Tax Exemption Extension; 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>
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.

**8.0 New Business**

**8.1 210 Walnut Street, LLC**

Mr. Gabriele stated that 210 Walnut Street, LLC is a previous project in the City of Lockport, NY. All payments and all job requirement have been met. However, there is one vacant building parcel attached to the project that the corporation is now being sold to and 210 walnut is requesting that building to be released from the project. The existing pilot documents will be amended to reflect a new legal description.

**8.1.1 Partial Release of Parcels**

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY FOR THE PARTIAL RELEASE OF THE PREMISES WITH REGARD TO THE 210 WALNUT STREET, LLC PROJECT.

***Mr. Ross made a motion to approve the Partial Release of Parcels; 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.

**9.0 Agency Counsel**

Agency counsel had no items at this time.

**10.0 Information Items**

There were no information items at this time.

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

There were no matters the Board wished to discuss.

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

**DATE: January 10, 2024**

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

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

**13.0 Adjournment**

Mr. Onesi made a motion to adjourn; Mr. Fekete seconded the motion. The meeting adjourned at 9:37 p.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