

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: August 10, 2022
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 Mark Onesi at 9:00 a.m.

2.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jerald I. Wolfgang, 1 st Vice Chairperson	Present
Kevin McCabe, 2 nd Vice Chairperson	Present
William L. Ross, Secretary	Present
Scott Brydges, Assistant Secretary,	Excused
Clifford Scott, Member	Present
Robert B. Cliffe, Member	Present
Jason Krempa, Member	Present
Maria V. Lopez, Member	Excused

3.0 Introduction of Guests

Guests Present:

Jonathan Epstein, Buffalo News
Jim Fink, Business First
J. Dale Shoemaker, Investigative Post
Robert Creenan, Niagara Gazette
Michael Cerrone, Micbarcer Realty Co. Inc.
Andrew Cerrone, Micbarcer Realty Co. Inc.
Tom Celik, Visone Co. - DLV Properties
Lou Visone, Rock One Development
Chuck Bell, Harrison Studio
Breanne Frawley, DLV Properties
Henry Krawczyk, Resident/Guest
Thomas Webber, Resident/Guest

Staff Present:

Susan C. Langdon, Executive Director
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. Krempa led the Pledge of Allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – July 13, 2022

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

6.0 Finance & Audit Committee Reports – K. McCabe

6.1 Agency Payables – July 31, 2022

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

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

6.2 Budget Variance Report – July 31, 2022

Mr. McCabe made a motion to approve the Budget Variance Report has been reviewed and found to be in order.

Mr. McCabe made a motion to approve the Budget Variance Report; Mr. Ross seconded the motion. The motion passed.

7.0 Unfinished Business

7.1 Amazon.com Services LLC

Ms. Langdon stated that on August 2, 2022 at 2:00 p.m., the Agency held a Public Hearing at the Town of Niagara Town Hall. The Agency provided the Board Members the live stream link so they could watch the public hearing live. The Board members were also provided the written transcript, and all of the letters in support of or in opposition to the project. Mr. Onesi asked if there were any questions or comments in regards to the Amazon project. There were no questions or comments.

7.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF AMAZON.COM SERVICES 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 PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT

Mr. Wolfgang 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>
Jerald Wolfgang	x			
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 4600 Group, LLC

Ms. Klyczek stated that on July 26, 2022 at 1:00 p.m., the Agency held a Public Hearing at the Village of Lewiston Town Hall. There were no comments at the Public Hearing, however, after the Public Hearing, the Agency did receive support for the project from Village Recreation, including the Mayor. Since the time of the last Board Meeting, the developer for the project did submit a market study detailing how this project will attract a significant number of visitors from outside the area.

7.2.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF 4600 GROUP, 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. Krempa made a motion to approve the Final Resolution; 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>
Jerald Wolfgang	x			
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.

7.3 CALF Development Associates, LLC

Ms. Klyczek stated that on July 27, 2022 at 1:00 p.m., the Agency held a Public Hearing at the Cambria Town Hall. Members of the development team, and the company were in attendance. Also in attendance was the Town Assessor, and Benjamin Joe from The Lockport Journal. 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 CALF DEVELOPMENT ASSOCIATES, 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. Wolfgang made a motion to approve the Final Resolution; 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>
Jerald Wolfgang	x			
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.

7.4 Rock One Development, LLC

Mr. Gabriele stated that Rock One Development is a prior project in North Tonawanda. At this time the company is going through a refinance. The refinance involves the US Department of Housing and Urban Development insuring the loan in order to move forward. The Company is requesting that the Board consent and approve a subordination of the Pilot Mortgage to the new mortgage.

Mr. Krempa asked if the company stops paying their Pilot, does the lender have the ability to benefit from the Pilot Payments. Mr. Gabriele answered, no, by the time the foreclosure would take place, the Agency would have already terminated the project and the Pilot.

7.4.1 Consent to Finance & Subordination

RESOLUTION AUTHORIZING THE CONSENT TO THE EXECUTION AND DELIVERY OF A MORTGAGE AND CONSENT AND APPROVAL OF SUBORDINATION OF THE PILOT MORTGAGE TO A MORTGAGE INSURED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, ALONG WITH ANY AND ALL OTHER DOCUMENTS WITH REGARD TO THE ABOVE CONSENT AND SUBORDINATION.

Mr. Ross 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>
Jerald Wolfgang	x			
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.

7.5 CVE US E13 Wheatfield, LLC

Mr. Gabriele stated that this project was approved by the Board in the beginning of the year, however, the project still has not closed. Since the time of inducement, because of increasing prices, the Company is asking for the local sales tax abatement benefit amount previously granted by our Board be increased by an additional \$98,280.

7.5.1 Sales Tax

AMENDED RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF CVE US E13 WHEATFIELD, 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) ADOPTED FINDINGS THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT AND LEASEBACK AGREEMENT, 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.

Mr. Wolfgang made a motion to approve the Amended Resolution; Mr. McCabe 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>
Jerald Wolfgang	x			
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 New Business

8.1 DLV Properties, LLC

Ms. Klyczek stated that DLV Properties LLC is a project located at 624 River Road in North Tonawanda. The Project site is 3.7 acres of vacant property, which will need brownfield remediation. The plan is to develop and construct a 148,000 square foot market rate apartment building. The five story building will include 110+ unit apartments ranging size from 750-1300 sq. ft. The first floor will also feature a partially covered parking area. This project will provide more opportunities for individuals to live in the Niagara County/North Tonawanda area, and will bring new jobs to the area, and will also provide public access to the Niagara River waterfront. There is a significant amount of brownfield remediation needed. The developer of the project submitted a letter citing increased cost for this project due to poor soil conditions and having to drill deeper into the foundation.

Breanne Frawley stated that this is a brownfield site and the company is requesting a 15 year Pilot. She noted that this project will help the County by getting rid of hazardous materials. There will also be a public walk-way giving the public access to the waterfront. The additional units will result in 200 more residents living in Niagara County. The 15 year pilot will also increase the borrowing power of the company. She noted that this project is not feasible without the 15 year Pilot. Mr. Scott inquired if the company was using union contractors. Mr. Celik informed him that they are using union contractors. Mr. Scott also asked about proposed rents, Ms. Frawley said rent would be about \$1750 per month.

The Board discussed and agreed to the 15 year pilot.

8.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF DLV PROPERTIES, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF DLV PROPERTIES, LLC OR 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) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Wolfgang made a motion to approve the Preliminary 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>
Jerald Wolfgang	x			
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.

8.1.2 Authorize Public Hearing

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

8.2 Micbarcer Realty Co. Inc.

Ms. Klyczek stated that Micbarcer Realty Company is a project located at 298 Hyde Park Boulevard. The company will be renovating the 15,000 sq. ft. facility on Hyde Park Blvd for their tenant, Delaware North. The tenant will be using the facility for off-season storage and in season food preparation. The buildout will include full kitchen installation, as well as all associated storage requirements. The building was built in the 1960s and it needs updating including environmental updates.

8.2.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF MICBARCER REALTY CO. INC. WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF MICBARCER REALTY CO. INC. AND/OR 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) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. McCabe made a motion to approve the Preliminary Resolution; 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>
Jerald Wolfgang	x			
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.

8.2.2 Authorize Public Hearing

Mr. Krempa motioned to authorize the Public Hearing; Mr. Wolfgang seconded the motion. The motion passed.

8.3 OAHS Niagara Towers TC LLC

Mr. Gabriele stated that Niagara Towers and Urban Towers are existing seiner housing facilities. This project will include the issuance of bonds through the Niagara County IDA. He noted that a new company is buying both of these units and they are utilizing senior housing credits, along with other financing. The company will be remodeling all of the units in both of the buildings. Each unit will get an investment of approximately 60 to 80 thousand dollars. The project does not require the NCIDA to provide sales or mortgage tax abatement. The company plans to negotiate a Pilot with each of the municipalities. The Agency will be providing no benefits to this project other than the tax exempt financing. The totality of the bonds requested is a little over 19 million from the Niagara Towers, and over 16 million for the Urban Towers.

Mr. Scott inquired about the company, he asked if a representative was available to today to answer questions. Mr. Gabriele stated that they were not present, but, he can have them come in the future to answer any questions the Board might have. Mr. Scott also stated that this property is adjacent to his executive office at the Housing Authority, and he thinks it has challenges.

Mr. Gabriele noted that the investment in both of these properties is over 30 million dollars. The bonds would be 50% of the total investment. He also noted that the new buyer is a large national group. The company has properties all over the country.

8.3.1 Accept Application

Mr. Wolfgang motioned to accept the application; Mr. McCabe 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>
Jerald Wolfgang	x – based upon the company coming before the Board in the future			
Kevin McCabe	x -			
William Ross	x			
Maria V. Lopez				x
Robert Cliffe	x			
Scott Brydges				x
Clifford Scott			x	
Jason Krempa	x- based upon the company coming before the Board in the future			
Mark Onesi	x- based upon the company coming before the Board in the future			

The Resolution was thereupon duly adopted.

8.3.2 Bond Resolution

Mr. Wolfgang motioned to accept the Bond Resolution; Mr. McCabe 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>
Jerald Wolfgang	x			
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.

8.4 OAHS Urban Towers TC LLC

Mr. Gabriele stated that this is the same as the previous company, just a different property.

8.4.1 Accept Application

Mr. Wolfgang motioned to accept the application; 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>
Jerald Wolfgang	x			
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.

8.4.2 Bond Resolution

Mr. Wolfgang motioned to accept the Bond 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>
Jerald Wolfgang	x			
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.

8.5 Covid Relief for Small Business Grant

Ms. Barone stated that for each of the grant applications, our consultants from H. Sichernman along with IDA staff reviewed all the documents submitted for Grant eligibility criteria.

8.5.1 Niagara Bookkeeping & Accounting Services, Inc.

Ms. Barone stated that Niagara Bookkeeping & Accounting Services, Inc. is an accounting office that offers accounting services to small businesses and individuals. They have been in business since 2016. The business was shut down for approximately 3 months after the owner contracted COVID with a long recovery. The business owner was unable to retain his small office during that time, so he has since acquired a new office space to continue to rebuild his customer base and provide a more contact-free tax preparation and bookkeeping services. The grant request is for \$35,000 and the company is looking to hire one new full-time administrative position made available to low-to-moderate income individuals. The use of funds will be used to set up the new office with updated computer systems, office equipment, working capital, and marketing to promote the contact-free services. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all Grant eligibility requirements.

Mr. Scott motioned to accept the Grant; Mr. Wolfgang 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>
Jerald Wolfgang	x			
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.

8.5.2 R&B Rock Gym, Inc.

Ms. Barone stated that R&B Rock Gym, Inc. operates as Niagara Climbing Center in North Tonawanda, which is a rock climbing and fitness facility that has been in business over 20 years. The business saw a significant loss during COVID due to required shutdowns and restrictions. The grant funds will allow them to continue safety protocols, hire more staff, increase inventory, and follow necessary maintenance to ensure a safe recreational environment. They plan to create 3 part-time staff positions made available to low-to-moderate income individuals. The grant request is for 50,000 to be used for working capital, equipment, inventory, and increased staffing. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all grant eligibility requirements.

Mr. Scott motioned to accept the Grant; 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>
Jerald Wolfgang	x			
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.

8.5.3 Willber & Company Business Solutions, Inc.

Ms. Barone stated that Willber & Company Business Solutions, Inc. operates Wilbur’s Bar on Cayuga Drive in Niagara Falls. They also serve food and hold music events for the public. They have been in business since 2015. The company lost income due to COVID shutdowns and restrictions. Upon opening the company still had reduced days and hours of operations. They are looking to create 3 full-time positions. The business is planning to upgrade their outside space to increase table seating, servicing areas, and venue space. The grant request is for \$35,000 to be used for tables, chairs, outdoor equipment, as well as working capital including increased staffing. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all grant eligibility requirements.

Mr. Ross motioned to accept 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>
Jerald Wolfgang	x			
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.

8.5.4 Robert Ventry d/b/a Ventry’s Pizza Shop

Ms. Barone stated that Rob Venry d/b/a Ventry’s Pizza Shop is the original Ventry’s on Buffalo Avenue that has been operating for over 30 years. The company qualifies as a LMI owner, however, is looking to hire one new full-time, and one part-time position made available to low-to-moderate income individuals. The COVID restaurant restrictions decreased their income, however, they were able to keep expenses down, and the losses minimal. They are now working to increase hours and business with the grant assistance. The company is requesting 25,000 to be used for sanitary supplies, equipment, inventory, and working capital including marketing signage and advertising. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all grant eligibility requirements.

Mr. Scott motioned to accept the Grant; 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>
Jerald Wolfgang	x			
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.

8.5.5 Joycash LLC

Ms. Barone stated that Joycash LLC operates as Gray Line of Niagara Falls which provides bus tours of the American and Canadian Falls that has been in business for over 15 years. The tourism business was heavily impacted by COVID restrictions which lead to significant loss of income. The grant assistance will allow them to support continued safety protocols and update computer systems. They plan to create 4 new part-time sales clerk positions and one administrative position made available to low-to-moderate income individuals. The company is requested 50,000 to be used for working capital, sanitary supplies, technology upgrades, and inventory. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all grant eligibility requirements.

Mr. Krmpa motioned to accept the Grant; 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>
Jerald Wolfgang	x			
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.

8.5.6 Urban Legend Studio, LLC

Ms. Barone stated that Urban Legend Studio, LLC is a professional photography studio in Youngstown offering photography services for events such as weddings, family portraits, and other events. The company has been in business since 2013. The business was shut down during COVID with most weddings and large events being canceled or postponed. They are planning to expand their in-studio portrait services and offer more products to showcase customer images. This will help diversify their revenue stream to more varied events and specialty photo sessions. They are looking to hire one administrative position made available to low-to-moderate income individuals. The grant request is for \$40,000 to be used to fund specialty photography studio equipment, inventory, and working capital including payroll for an administrative position. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all Grant eligibility requirements.

Mr. Wolfgang motioned to accept 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>
Jerald Wolfgang	x			
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.

8.5.7 Alpha Omega Janitorial, Inc.

Ms. Barone stated that Alpha Omega Janitorial, Inc. is a franchise for Coverall Commercial Cleaning. They are located in Lewiston and they have been in business for 10 years. Since businesses were shut down during COVID, they lost business from their current contracts and many contracts have not come back to full cleaning service. Therefore, they need to purchase more Coverall contracts in order to increase income and staff hours. The company plans to create 3 new part-time cleaner positions made available to low-to-moderate income individuals. The grant request is for \$40,000 to be used to acquire more Coverall Cleaning contracts, and working capital such as inventory and payroll for more employees. The Agency recommends approval of this grant request as the applicants qualifies based on meeting all grant eligibility requirements.

Mr. Krempa motioned to accept the Grant; Mr. McCabet 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>
Jerald Wolfgang	x			
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.

8.5.8 Ultimate Physique, Inc.

Ms. Barone stated that Ultimate Physique, Inc. is a fitness facility located in the City of Lockport. They have been in business for over 25 years. The business closed for 6 months during the pandemic and was negatively impacted by operating restrictions and Member apprehension on returning to the gym with social distancing and safety mandates. The funds will be used to equip a new space within the gym, allowing for more members and services as well as better socially distant operations, which will improve the business’s ability to market to and attract new customers. One full time LMI individual employee will be retained with grant assistance. The grant request is for \$50,000 to be used to fund equipment, supplies, and working capital for expanded space. The Agency recommends approval of this grant request as the applicant qualifies based on meeting all grant eligibility requirements.

Mr. Krempa motioned to accept the Grant; 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>
Jerald Wolfgang	x			
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.

8.6 Office Space Buildout

Ms. Klyczek stated that the Agency obtained 3 quotes for office space buildout. Staff recommended D.R. Chamberlin Corporation for the buildout of three permanent office spaces.

Mr. Krempa motioned to accept the office space buildout quote; 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>
Jerald Wolfgang	x			
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.

8.7 Microenterprise Loan Re-Amortization

8.7.1 Ameri-Cut Tool Grinding Inc.

Ms. Klyczek stated that on August 3, 2022, the NCDC Committee had a meeting to request re-amortization of the Ameri-Cut Tool Grinding Inc. Microenterprise Loan. The original loan was \$50,000, currently they have a \$25,277 balance remaining. The committee approved the re-amortization for 5 years at 3% interest. This company had significant issues during COVID, and they have been trying to make good faith payments. After having a conversation with the owners of the company, the owners explained a lower payment would be more feasible for them. Mr. Krempa noted that the company has done everything they could have done to stay current on payments.

Mr. McCabe motioned to accept the loan re-amortization; 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>
Jerald Wolfgang	x			
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 Agency Counsel

Counsel had no comments at this time.

10.0 Information Items

10.1 Sexual Harassment Training

Ms. Caruso stated that the Agency is going to be conducting their annual sexual harassment training. The Agency uses an online training program called Zywave Learning. She informed everyone that they will be getting e-mails with links in them to complete the training. She did inform everyone that this is for all staff and Board members. Once the course is complete, she asked that everyone print a Certificate of Completion and e-mail it back to her. She said if someone has already taken the training within the past year, they can use that.

11.0 Any Other Matters the Board Wishes to Discuss

12.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: September 14, 2022

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

The meeting adjourned at 10:07 a.m.

Mr. Scott motioned to adjourn the meeting; Mr. Wolfgang seconded the motion. The motion passed.

Respectfully Submitted:

Reviewed by:

Approved by:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary