

REGULAR NCIDA/NCDC/NADC BOARD MEETING

DATE: August 11, 2021
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 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
Jerald I. Wolfgang, 1 st Vice Chairperson	Present
Kevin McCabe, 2 nd Vice Chairperson	Present
William L. Ross, Secretary	Present
Mary Lynn Candella, Assistant Secretary	Excused
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Scott Brydges, Member	Excused
Jason Krempa, Member	Present – Arrived @ 9:17 p.m.

3.0 Introductions

Guests Present

Ed Webster, Griffon Pub
Jim Fink, Business First – Arrived @ 9:12 a.m.
Mike Scheer, Investigative Post

Staff Present

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

4.0 Mr. Onesi led the Pledge of Allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – July 14, 2021

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

6.0 Finance & Audit Committee Reports – K. McCabe

6.1 Agency Payables – July 31, 2021

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, 2021

Mr. McCabe stated that the reports 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.

7.0 Unfinished Business

7.1 Ultimate Physique OCR Grant

Ms. Klyczek explained that the NCDC has an agreement with the County to apply for OCR funds to the New York State Office of Community Renewal. She further stated that the Board needs to approve two agreements. One agreement is between the County and the NCDC, and the other agreement is between the NCDC and the Company. In this case, it would be for the benefit for Ultimate Physique.

Mr. Gabriele added that the County itself cannot enter into a direct contract with the company and we are the middle man on behalf of the County. The County enters into the agreement through the NCIDA.

7.1.1 Approval of NCDC Agreement with Niagara County

Mr. Wolfgang made a motion to approve the NCDC Agreement with Niagara County; Mr. Cliffe seconded the Motion. The motion passed.

7.1.2 Approval of NCDC Agreement with Company

Mr. McCabe made a motion to approve the NCDC Agreement with the company; Mr. Cliffe seconded the motion. The motion passed.

7.2 324 Niagara Street Landlord, LLC

Mr. Gabriele stated that this project previously received a Cataract Grant Fund. He explained that 324 Niagara Street Landlord, LLC is in the process of getting financing through their bank. Because of COVID, the financing was delayed. Mr. Gabriele went on to explain that the Company is requesting that the Grant completion date to be extended through June 1, 2023. The Company is also requesting a Collateral Assignment of Grants. Mr. Gabriele explained that this is built into our grant agreement that the company can assign the rights of Grant funds. He explained that our Grants work as a reimbursable Grants which means that we will not disburse funds to a Company unless the project is completed. He then explained that bank has requested the Assignment of the Grant funds as part of their financing package.

Mr. Onesi inquired as to who pays the bank.

Mr. Gabriele responded by saying that at the end of the project, NCIDA would normally disburse to the company. In this case they are asking us to disburse to the Bank to offset their debt.

7.2.1 Extension of Grant Completion Date

Mr. Wolfgang made a motion to approve the Extension of the Grant Completion date; Mr. McCabe seconded the motion. The motion passed.

7.2.2 Approval of Collateral Assignment of Grant

Mr. Cliffe made a motion to approve the Approval of Collateral Assignment of the Grant; Mr. Scott seconded the motion. The motion passed.

8.0 New Business

8.1 EW and KS Holdings LLC

Ms. Klyczek stated that the vacant former Melloni's market on Lockport Street in the Village of Youngstown was sold to EW and KS Holdings Company, to repurpose the facility for the establishment of a brewing operation. The site will primarily be a manufacturing location that will brew beer for the Griffon Pub's various retail establishments. The project will employ brewing staff and delivery personnel. A small retail dining component, comprising less than 30% of the total square footage, will also be built. She informed the Board that Mr. Webster was here to answer any questions.

Mr. Webster said that he and his business partner purchased the store with intentions to turn the store into a brewing facility.

8.1.1 EW and KS Holdings LLC (continued)

The Board questioned the licensing process and number of employees.

Mr. Webster explained that he had all the correct licensing. He then explained that he plans on hiring up to 26 full time jobs over the next three years.

8.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF EW AND KS HOLDINGS LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF EW AND KS HOLDINGS LLC FOR ITSELF OR ON BEHALF OF 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) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (v) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Wolfgang made a motion to approve the Preliminary Resolution; Mr. Ross seconded the motion

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 I Wolfgang	X			
Kevin McCabe	X			
William L. Ross	X			
Mary Lynn Candella				X
Robert B. Cliffe	X			
Scott Brydges				X
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing Date

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

9.0 Agency Counsel

Mr. Gabriele stated that we currently have a Cataract Grant that has been approved for Red Star LLC. He explained that Red Star LLC has to date completed only a portion of their Grant. He informed the Board that the current Grant expires in August and he asked for the Boards approval to extend the deadline to the end of the month. The company will have to re-apply for grant funds to finance future components of the project.

Mr. Krempa motioned to authorize the Extension for Approval; Mr. Scott seconded the motion. The motion passed.

10.0 Information Items

There were on information items at this time.

11.0 Any Other Matters the Board Wishes to Discuss

12.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: September 8, 2021

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

Mr. Onesi made a motion to adjourn; Mr. Krempa seconded the motion. The meeting adjourned at 9:28 a.m.

Respectfully submitted:

Reviewed by:

Approved by:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary