

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: September 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

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 Introduction of new Board Members

Mr. Onesi introduced and welcomed the new Board Members.

3.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jason Krempa, 2 nd Vice Chairperson	Present
William L. Ross, Secretary	Present
Scott Brydges, Assistant Secretary	Excused
Clifford Scott, Member	Present
Mark Berube, Member	Present
Ryan Mahoney, Member	Present
Anne E. McCaffrey	Present
David J. Masse, Member	Present

4.0 Introduction of Guests

Jonathan Epstein, Buffalo News
Robert Creenan, Niagara Gazette
Kyle Brent, 9745 Rochester Road, LLC
Alan Hastings, Sun Commercial Real Estate
Mark Trammell, MHT Holdings

Staff Present

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

5.0 Pledge of Allegiance

Ms. Langdon led the Pledge of Allegiance.

6.0 Approval of Meeting Minutes

6.1 Regular NCIDA/NCDC/NADC – August 9, 2023

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

7.0 Finance & Audit Committee Reports

7.1 Agency Payables – August 31, 2023

Mr. Onesi 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. Ross seconded the motion. The motion passed.

7.2 Budget Variance Report – August 31, 2023

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

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

8.0 Unfinished Business

8.1 9745 Rochester Road, LLC

Mr. Gabriele stated that a public hearing was conducted for 9745 Rochester Road, LLC on August 31, 2023 at 2:00 p.m. at the Royalton Town Hall. He noted that there were no comments at the Public Hearing.

8.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF 9745 ROCHESTER ROAD, 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) PROVIDE 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. Scott 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>
William L. Ross	x			
Jason Krempa	x			
Clifford Scott	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
Mark Onesi	x			
Scott Brydges				x

The Resolution was thereupon duly adopted.

8.2 Greenpac Mill

Mr. Gabriele stated that a Public Hearing was conducted for Greenpac Mill on August 29, 2023 at Niagara Falls City Hall. He added that there were no comments at the Public Hearing

8.2.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF GREENPAC MILL, 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) PROVIDE ADDITIONAL FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A MORTGAGE TAX EXEMPTION BENEFIT FOR REFINANCING RELATED TO THE PROJECT.

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

The Resolution was thereupon duly adopted.

8.3 MHT Holdings Inc. – Brookside Commons

Mr. Geartz stated that there was a Public Hearing held on August 30, 2023 at the Town of Niagara Town Hall. He added that there were comments and concerns expressed at the time. Mr. Trammell also submitted the information that was requested by the Board at the last meeting regarding the soft costs of the project.

The Board discussed the project and decided to table this project because of concerns raised about the project. Since there are several new Board members who are not yet familiar with the project it was felt that tabling the matter will give the new Board members time to develop a better understanding of the Agency role on this project.

8.3.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF MHT HOLDINGS INC. (BROOKSIDE COMMONS) 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. Ross made a motion to Table the Final Resolution; 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>
William L. Ross	x			
Jason Krempa	x			
Clifford Scott	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
Mark Onesi	x			
Scott Brydges				x

The Resolution was thereupon duly adopted.

8.4 MHT Holdings Inc. – Niagara Falls

Mr. Geartz stated that the Agency held a Public Hearing on August 29, 2023 at Niagara Falls City Hall. He noted that there were no comments at the Public Hearing.

8.4.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF MHT HOLDINGS INC (NIAGARA FALLS) 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. 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>
William L. Ross	x			
Jason Krempa	x			
Clifford Scott	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
Mark Onesi	x			
Scott Brydges				x

The Resolution was thereupon duly adopted.

9.0 New Business

9.1 Request for Micro Enterprise Grant Approval

Ms. Barone stated that the IDA staff applied on behalf of the County for additional Microenterprise grant funds from the NYS Office of Community Renewal. In May of 2023, the NCIDA Board approved an agreement between the NCDC and the Niagara County to administer the \$300,000 awarded amount. All applications are reviewed for eligibility and the grant funds will only be reimbursed to the applicant after they have provided sufficient receipts. The Agency held a NCDC Committee meeting on September 6, 2023 to review the following projects. At the meeting each project was reviewed and recommended approval by the Board.

9.1.1 Marcus the Barber

Ms. Barone stated that Marcus the Barber is a barber shop in Newfane that was started in the owner’s home and it is now expanded to a larger leased location in Newfane. The owner worked with SBDC to submit a business plan, and an application. The business is minority owned and the owner is a low-to-moderate income applicant. 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.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO MARCUS HAMILTON d/b/a MARCUS THE BARBER

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

The Resolution was thereupon duly adopted.

9.1.2 NAZ716, Inc.

Ms. Barone stated that NAZ716, Inc. is a business and cultural center located in the Town of Niagara that offers leased office spaces to a diversity of different businesses. They are planning to expand by offering a business training lab that provides the necessary resources and training for potential entrepreneurs. They are a women owned business, and the owner qualifies as low-to-moderate income. The owner intends to hire 2 part-time employees. The business has requested \$25,000 from the Microenterprise Grant Fund. This grant request was unanimously approved by the Committee for recommendation to the Board.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO NAZ716, INC.

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

The Resolution was thereupon duly adopted.

9.1.3 Bina & Gill

Ms. Barone Stated that Bina & Gill, Inc. is a start-up business that currently operates a wine vineyard on an 11 acre property in the Town of Cambria. The businesses plan is to grow organic, high-yield, high-profit produce in an aquaponics greenhouse. The business worked with SBDC to submit their business plan, and an application. They are a women and veteran owned business. They plan to hire one full time low-to-moderate income individual. The business is requesting \$25,000 from the Microenterprise Grant Program. This grant request was unanimously approved the by the committee for recommendation to the Board.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO BINA & GILL, INC.

Mr. Krempe made a motion to approve 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>
William L. Ross	x			
Jason Krempe	x			
Clifford Scott	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
Mark Onesi	x			
Scott Brydges				x

The Resolution was thereupon duly adopted.

9.1.4 Wolf Equipment Repair, LLC

Ms. Barone stated that Wolf Equipment Repair LLC is located in Lewiston, NY. The business is a mobile heavy equipment repair service provider. The mobile aspect of the business is unique to the area. The business is experiencing significant growth. They worked with SBDC to submit their application. They are a women owned business and will be hiring one full time low-to-moderate income individual. The business is requesting \$24,000 from the Microenterprise Grant Fund. This grant request was unanimously approved by the committee for recommendation to the Board.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO WOLF EQUIPMENT REPAIR, LLC.

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

The Resolution was thereupon duly adopted.

9.1.5 Red Dragon’s Hoard LLC

Ms. Barone stated that Red Dragon’s Hoard LLC is a gaming store and facility on Military Road. The business sells hobby items related t gaming including customizable products. They also provide spaces for live gaming, contests, and gaming lessons. The expansion will include new services and products to diversify offerings and attract a wider customer base. They worked with SBDC to submit their application. The owner qualifies as a low-to-moderate income individual. The business is requesting \$25,000 from the Microenterprise Grant Program. This grant request was unanimously approved by the committee for recommendation to the Board.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO RED DRAGON’S HOARD LLC

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

The Resolution was thereupon duly adopted.

9.2 Sale of 3.5 Acres in Vantage International Point

Ms. Klyczek stated that the Niagara County IDA has a vacant 7.68 acre parcel available in the business park. The Agency received an offer from Viatree USA Inc. They are a Canadian company that distributes vitamins and supplements. The company would like to purchase 3 and a half acres of land at \$24,285 per acre to build a warehouse.

9.2.1 Vitatree USA Inc.

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

The Resolution was thereupon duly adopted.

10.0 Agency Counsel

There were no comments from Agency Counsel.

11.0 Information Items

There were no information items at this time.

12.0 Any Other Matters the Board Wishes to Discuss

There were no other matters the Board wished to discuss.

13.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: October 11, 2023

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

PLACE: Niagara County Center for Economic Development

14.0 Adjournment

Mr. Krempa made a motion to adjourn; Ms. McCaffrey seconded the motion. The meeting adjourned at 9:37 a.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary