

# REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Wednesday, June 14, 2017 – 9:00 a.m.

Meeting Place: Niagara County Industrial Development Agency  
6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 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 Brady at 9:00 a.m.

## 2.0 Roll Call

Stephen F. Brady, Chairperson	Present
Mark A. Onesi, First Vice Chairperson	Present
Joan G. Aul, Second Vice Chairperson	Present
Kevin McCabe, Secretary	Excused
Jerald I. Wolfgang, Assistant Secretary	Present
Michael W. McNally, Member	Present
Willie C. Dunn, Member	Excused
William L. Ross, Member	Present
Arthur G. Pappas, Member	Present

## 3.0 Chairperson Brady led the Pledge of Allegiance.

## 4.0 Introductions

### Guest Present:

Eric Tudor	Tudor Collins
Tom Prohaska	Buffalo News
Joy Kuebler	Enterprise Lumber & Silo, LLC
Kelley Culp-Burton	Enterprise Lumber & Silo, LLC
Gregory Sehr	Enterprise Lumber & Silo, LLC

### Staff Present:

Samuel M. Ferraro, Executive Director  
Susan C. Langdon, Director of Projects & Finance  
Andrea Klyczek, Director of International & Regional Marketing  
Michael S. Dudley, Finance Manager  
Caroline Caruso, Accounting Associate  
Mark J. Gabriele, Agency Counsel  
Barbara A. Gill, Administrative Coordinator/Recording Secretary

**5.0 Approval of NCIDA Meeting Minutes**

**5.1 Meeting Minutes of May 10, 2017**

Chairperson Brady stated that he had reviewed the meeting minutes and found them to be in order.

*Mr. Onesi made a motion to approve the meeting minutes; Ms. Aul seconded the motion. The motion passed.*

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Payables**

Audit Chairperson Onesi stated that he had reviewed the Payables and found them to be in order.

*Mr. Onesi made a motion to approve the payables; Mr. McNally seconded the motion. The motion passed.*

**6.2 Budget Variance Report**

Audit Chairperson Onesi stated that he had reviewed the Budget Variance Report and found the report to be in order.

*Mr. Onesi made a motion to approve the report; Mr. McNally seconded the motion. The motion passed.*

**6.3 SciPro, Inc. Lease Renewal**

Mark Gabriele stated that SciPro has been a long time tenant in Vantage Center. Their lease is due to expire, and staff is requesting approval of the new lease for a two (2) year term to commence on September 1, 2017 and will end on August 31, 2019 with a two (2) year renewal option.

The annual will now be \$1,920.00 which is roughly a 6.75% increase from the previous rent of \$1,800.00.

The Audit Committee Members have recommended approval of the lease renewal.

*Mayor Pappas made a motion to approve the lease renewal; Mr. Ross seconded the motion. The motion passed.*

7.0 Unfinished Business

7.1 YMCA Buffalo Niagara

Ms. Langdon stated that the company had requested that the project be tabled for one (1) month while they pursued various financing options. They are now ready to move forward and have finalized their financing.

Susan Langdon stated that the Public Hearing was held on May 1, 2017. Town Supervisor Mark Crocker spoke in favor of the project.

7.1.1 Final Resolution

*Mr. Wolfgang motioned to approve the Final Resolution; Mr. McNally seconded the motion. The motion passed unanimously.*

RESOLUTION AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY OF THE NIAGARA AREA DEVELOPMENT CORPORATION'S TAX-EXEMPT REVENUE BONDS (YOUNG MEN'S CHRISTIAN ASSOCIATION BUFFALO NIAGARA PROJECT), SERIES 2017, IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL NOT TO EXCEED \$10,000,000 AND THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark Onesi	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ ]	[ ]	[ ]	[ X ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]

The Resolutions were thereupon duly adopted.



## **8.0 New Business**

### **8.1 Enterprise Lumber & Silo, LLC**

Ms. Langdon gave a brief introduction about the company which is a real property holding company owned by the principals of KCB Architecture, P.C. and Joy Kuebler Landscape Architect, P.C. The project involves the adaptive reuse of a warehouse building at 211 Main Street in North Tonawanda. The building was constructed almost 90 years ago and is one of the last substantial structures that reflect North Tonawanda's history as a major lumber processing center. The building has fallen into a state of serious disrepair and is experiencing structural failure.

The Applicants intend to clean up the site, stabilize the structure and redesign the building as Class A office space for professional design services provided by KCB Architecture, Joy Kuebler Landscape Architect and other professional and back office occupants. Three (3) representatives of the company showed renderings of the building and how the building will look once it is renovated. They are currently soliciting tenants for the building.

The principals are requesting a ten (10) year property tax abatement along with sales tax and mortgage recording tax abatements.

There are currently eleven (11) full time jobs with plans to hire seven (7) more in the near future.

#### **8.1.1 Preliminary Resolution**

*Mr. Wolfgang motioned to approve the Preliminary Resolution; Mayor Pappas seconded the motion. The motion passed unanimously.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ENTERPRISE LUMBER & SILO, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ENTERPRISE LUMBER & SILO, 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.

**8.0 New Business Continued**

**8.1 Enterprise Lumber Continued**

**8.1.1 Preliminary Resolution Continued**

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark Onesi	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ ]	[ ]	[ ]	[ X ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]

The Resolutions were thereupon duly adopted.

**8.1.2 Authorize Public Hearing**

*Mr. Wolfgang motioned to authorize the Public Hearing; Mayor Pappas seconded the motion. The motion passed unanimously.*

Chairperson Brady announced that the Public Hearing will be held on July 3, 2017 at 3 p.m. at the North Tonawanda Public Library.

**8.2 Tudor Collins LLC**

**8.2.1 Purchase Land/Letter of Intent from Leon Safir (ANAT, Inc.)**

Tudor Collins had been authorized by Mr. Leon Safir to submit a non-binding Letter of Intent to Purchase 2.78 acres of land in Vantage International Pointe.

Mr. Safir will pay \$14,748.20 per acre with a total price of \$41,000 for the land. Upon taking title to the property, the buyer will begin construction of a new 7,000 square foot building that will be used to blend and bottle certain alcoholic beverages and then ready them for distribution.

Five (5) to ten (10) employees will be hired at the onset.

8.0 New Business Continued

8.2 Tudor Collins LLC Continued

8.2.1 Purchase Land Continued

Mayor Pappas motioned to approve the sale of the land; Mr. Ross seconded the motion. The motion passed unanimously.

The question of the sale of land was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark Onesi	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ ]	[ ]	[ ]	[ X ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]

The Sale of the Land was thereupon duly approved.

8.3 Caribbean Flava – RLF/MAP #404

Ms. Langdon stated that the company is a start-up food truck business that will offer fresh, hot, authentic Caribbean cuisine at an affordable price all year round. It will be the only food truck in operation in Niagara and Erie Counties that offers Caribbean dishes. Currently, there are no Caribbean restaurants in Niagara County and only a handful in Erie County.

Caribbean Flava will have a market niche since it will be the only food truck that will specialize in Caribbean food and Philip is reported to have significant informal experience in preparing Caribbean food. Patrons will also have the opportunity to purchase some of the flavorful spices imported directly from Jamaica.

The principals are requesting a \$25,000 term loan from the Microenterprise Assistance Program to be used for the truck modification. The principals, Philip and Tabitha Bernard, will personally guarantee the loan.

Philip Bernard will work full time as a manager and cook on the food truck, and he anticipates hiring one (1) full time cook and a part-time person within two (2) years.

8.3.1 Loan Request

After further discussion, Mr. McNally motioned to approve the loan as requested; Mr. Onesi seconded the motion. The motion passed.



**8.0 New Business Continued**

**8.3 Caribbean Flava Continued**

**8.3.1 Loan Request Continued**

The question of the loan request was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark Onesi	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ ]	[ ]	[ ]	[ X ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]

The loan request was thereupon duly approved.

**9.0 Information Items**

**9.1 Niagara County Proposed Land Bank**

Agency staff authored a Memorandum to the Board Members stating that NYS legislation allows for the creation of local land banks to assist with economic development efforts. Land banks are not-for-profit corporations that are created to acquire real property that is tax delinquent, tax foreclosed, vacant and/or abandoned, and return these sites back to productive use. By utilizing a land bank, the harms and liabilities caused by such properties are eliminated.

Andrea Klyczek, Agency Marketing Director, gave a brief description of the benefits of a land bank in Niagara County. The County's role as the foreclosing governmental unit requires the county to make municipalities and school districts whole for delinquent taxes each year. This is a substantial annual cost to the county that could be reduced through land bank site ownership.

A land bank could serve as an economic development tool for implementing local master plans. Through a selective in-rem process, a land bank could take title to specific distressed properties and amass them for redevelopment to help stabilize entire neighborhoods.

A copy of the memorandum is attached to, and made a part of, these minutes.

**10.0 Agency Counsel**

There were no items at this time.

**11.0 Report from Executive Director**

There was no discussion at this time.

**12.0 Any Other NCIDA Matters the Board Wishes to Discuss**

Agency Counsel stated that there is a need to go into Executive Session to discuss litigation.

*Ms. Aul motioned to go into Executive Session; Mayor Pappas seconded the motion. The motion passed. Executive Session began at 9:27 a.m.*

*Mayor Pappas motioned to come out of Executive Session; Mayor Pappas seconded the motion. The motion passed. Executive Session ended at 10:05 a.m.*

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

**DATE: July 12, 2017**

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

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

**14.0 Adjournment**


Chairperson Brady asked for a motion to adjourn the meeting.

*Mr. Ross motioned to adjourn; Mr. Wolfgang seconded the motion. The meeting adjourned at 10:08 a.m.*

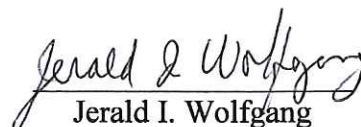
Respectfully submitted:

Reviewed by:

Approved by:

  
Barbara A. Gill  
Recording Secretary

  
Samuel M. Ferraro  
Executive Director

  
Jerald I. Wolfgang  
Assistant Secretary