

# REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Wednesday, November 14, 2018 – 8:20 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 8:20 a.m.

## 2.0 Roll Call

Stephen F. Brady, Chairperson	Present
Mark A. Onesi, Vice Chairperson	Excused
Joan G. Aul, First Vice Chairperson	Present
Kevin McCabe, Secretary	Present
Jerald I. Wolfgang, Assistant Secretary	Present
Willie C. Dunn, Member	Excused
William L. Ross, Member	Present
Arthur G. Pappas, Member	Present (arrived at 8:25 a.m.)
Daryl Bodewes, Member	Present

## 3.0 Chairperson Brady led the Pledge of Allegiance.

## 4.0 Introductions

### Guests Present:

Anthony Mancinelli, Harter Secrest & Emery LLP  
Tom Prohaska, Buffalo News

### Staff Present:

Susan C. Langdon, Executive Director  
Andrea Klyczek, Assistant Director  
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 October 10, 2018

*Mr. McCabe stated that he had reviewed the meeting minutes and he made a motion to approve them; Ms. Aul seconded the motion. The motion passed.*

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Payables**

Mr. McCabe stated that he had reviewed the monthly payables and found them 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**

Mr. McCabe stated that he had reviewed the Budget Variance Report and found the report to be in order.

*Mr. McCabe made a motion to approve the report; Mr. Ross seconded the motion. The motion passed.*

**6.3 Adoption of 2019 Budgets**

**6.3.1 Niagara County Industrial Development Agency**

**6.3.2 Niagara County Development Corporation**

**6.3.3 Niagara Area Development Corporation**

The Budgets were approved at the October 10, 2018 Regular Board Meeting and were sent to the Niagara County Clerk and Legislature for a mandatory 20 day review. There were no comments from the Clerk nor the Legislature so the Board Members were requested to formally adopt the 2019 budgets at this time.

*Mr. Wolfgang made a motion to adopt the Budgets; Mr. Bodewes seconded the motion. The motion passed.*

The question of the adoption of the 2019 Budgets 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 ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]
Daryl Bodewes	[ X ]	[ ]	[ ]	[ ]

The 2019 Budgets were thereupon duly adopted.

**7.0 Unfinished Business**

**7.1 Empire Emergency Apparatus Inc.**

**7.1.1 Final Resolution**

At the October Board Meeting, the company had requested a fifteen (15) year PILOT on improvements along with sales tax and mortgage recording tax abatements.

Ms. Langdon stated that the Public Hearing was held on October 30, 2018 with one attendee and no speakers.

*Ms. Aul motioned to approve the Final Resolution; Mr. Bodewes seconded the motion. The motion passed.*

The question of the approval of the 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 ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]
Daryl Bodewes	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**8.0 New Business**

**8.1 Freunds Schuh, LLC (Bobcat of Buffalo)**

In a letter dated October 16, 2018, the company stated that due to unforeseen circumstances, they are requesting an extension of their Inducement that was granted in the Fall of 2017. The new "break ground" date is scheduled for March 2019.

**8.1.1 Inducement Resolution Extension**

*Mr. Bodewes motioned to approve the extension; Mr. McCabe seconded the motion. The motion passed.*



**8.0 New Business Continued**

**8.1 Freunds Schuh, Continued**

**8.1.1 Inducement Continued**

The question of the approval of the 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 Ones	[ ]	[ ]	[ ]	[ X ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]
Daryl Bodewes	[ X ]	[ ]	[ ]	[ ]

The extension was thereupon duly adopted.

**8.2 Niacet Corporation**

**8.2.1 Inducement Resolution Extension**

Gregg Eagan, the Vice President of the company, sent a request to the Agency for an extension of their Inducement for six (6) months due to a delay in the project while the company works to improve project economics.

***Ms. Aul motioned to approve the extension; Mr. Bodewes seconded the motion. The motion passed.***

The question of the approval of the extension 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 Ones	[ ]	[ ]	[ ]	[ X ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]
Daryl Bodewes	[ X ]	[ ]	[ ]	[ ]

The extension was thereupon duly adopted.

8.0 New Business Continued

8.3 Niagara Falls Tourism Target Zone Fund Grant Requests

8.3.1 Aquarium of Niagara

Explorer’s Reef will consist of three (3) interactive touch pools that will complement the penguin habitat and the jellyfish exhibit. The Aquarium is a significant asset to the tourism industry in the City of Niagara Falls, and the Aquarium of Niagara sees this project as a critical milestone in capturing the community’s attention with its spirited new direction towards becoming a cultural anchor.

The company is requesting a grant in the amount of \$273,000 to be used toward the total project cost of \$1,365,000. Currently there are twenty (20) full time and thirteen (13) part time employees and two (2) new jobs will be created upon completion.

This Project was approved at the October 30, 2018 Niagara Falls Tourism Trade Zone Committee Meeting.

The question of the approval of the grant 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 ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]
Daryl Bodewes	[ X ]	[ ]	[ ]	[ ]

The grant request was thereupon duly adopted.

9.0 Information Items

There were no items at this time.

10.0 Agency Counsel

Agency Counsel had no items to discuss at this time.

11.0 Any Other Matters the Board Wishes to Discuss

Mark Gabriele, Agency Counsel asked for a motion to add on an agenda item.

***Mr. Wolfgang made a motion to add an agenda item; Mayor Pappas seconded the motion. The motion passed.***

11.1 Gold Wynn Remington Lofts LLC

The company has requested that the e Board Members authorize the Assignment and Assumption of Remington Lofts on the Canal, LLC project to Gold Wynn Remington Lofts, LLC including the existing lease, leaseback, Pilot Agreement, together with all associated documents relating to the facility currently receiving benefits from the agency. Mr. Mancinelli gave a brief summary of the project.

Mr. Gabriele stated that there would be no additional benefits and it should be a seamless transition. The project includes 79 residential units and some commercial businesses. The original PILOT expires in 2026.

***Ms. Aul motioned to approve the assignment and assumption; Mr. Bodewes seconded the motion. The motion passed.***

The question of the approval of the Assignment 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 ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ ]	[ ]	[ ]	[ X ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]
Arthur G. Pappas	[ X ]	[ ]	[ ]	[ ]
Daryl Bodewes	[ X ]	[ ]	[ ]	[ ]

The Assignment and Assumption request was thereupon duly adopted.



**11.0 Any Other Matters Continued**

At this time, a motion was needed to enter into Executive Session to discuss a personnel matter. Chairman Brady had stated that the Executive Session would result in action being taken.

*Mayor Pappas motioned to enter into Executive Session, seconded by Mr. Bodewes at 8:40 a.m.*

*Mayor Pappas motioned to come out of Executive Session; Mr. Bodewes seconded the motion.*

*The Regular Board Meeting resumed at 8:58 a.m.*

Chairman Brady stated that the Executive Session was to determine a salary increase for the Executive Director and discuss the terms of Susan Langdon's contract for 2019.

*Mr. Wolfgang motioned to approve the terms of the contract and to approve a three percent (3%) salary increase for the Executive Director; Mayor Pappas seconded the motion. The motion passed unanimously.*

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

Chairman Brady stated that there won't be any December Board Meetings, and he thanked the Board Members and Agency staff for all that has been accomplished this year.

**13.0 Adjournment**

*Ms. Aul made a motion to adjourn; Mr. Bodewes seconded the motion. The meeting adjourned at 9:00 a.m.*

Respectfully submitted:

Reviewed by:

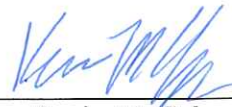
Approved by:



Barbara A. Gill  
Recording Secretary



Susan C. Langdon  
Executive Director



Kevin McCabe  
Secretary