

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Wednesday, February 13, 2019

Meeting Time: 9 a.m.

Meeting Place: Niagara County Industrial Development Agency
6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132

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 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
Daryl Bodewes, Member	Present

3.0 Chairperson Brady led the Pledge of Allegiance.

4.0 Introductions

Guests Present:

Jim Fink, Business First
Ramesh Patel, Omkara Hotel, LLC

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 January 9, 2019

Mr. McCabe stated that he had reviewed the meeting minutes and he made a motion to approve them; Mr. Ross 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 it to be order.

Mr. Onesi made a motion to approve the Report; Mr. McCabe seconded the motion. The motion passed.

7.0 Unfinished Business

7.1 Penn Terra

In January, the company requested a fifteen (15) year PILOT along with Mortgage Recording and Sales Tax Abatements for the construction of a 36-unit residential apartment building. There are plans are to hire six (6) new employees. The Public Hearing was held on February 4, 2019 with three (3) attendees and one speaker representing the City of Niagara Falls who was in favor of the project.

7.1.1 Final Resolution

Mr. Wolfgang 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.

7.0 Unfinished Business Continued

7.2 Rupal Corporation

The company is requesting a ten (10) year PILOT along with Mortgage Recording and Sales Tax Abatements to be used for renovations to an existing facility into an upscale boutique hotel. The Public Hearing was held on February 4, 2019 with three (3) attendees and one speaker, representing the City of Niagara Falls, who spoke in favor of the project. Five (5) existing jobs will be retained and three (3) new jobs will be created.

7.2.1 Final Resolution

Mayor Pappas motioned to approve the Final Resolution; Ms. Aul 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.

7.0 Unfinished Business Continued

7.3 Niagara Club, LLC

The company is requesting a ten (10) year PILOT and Mortgage Recording and Sales Tax Abatements to be used toward renovations and modernization of the lower and ground level floors. Twenty (20) new jobs will be created. The Public Hearing was held on February 4, 2019 with three (3) attendees and one speaker, representing the City of Niagara Falls, who spoke in favor of the project.

7.3.1 Final Resolution

Mr. Ross motioned to approve the Final Resolution; Mr. McCabe 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 Omkara Hotel, LLC

Ramesh Patel has submitted an application for construction of a Holiday Inn Express Hotel to be located in the Town of Pendleton. The hotel is positioned for overnight getaways, business trips and family celebrations. The location of the hotel will attract visitors from outside the area, including tourists visiting Eastern Niagara County attractions and families attending hockey tournaments and events at the Cornerstone Ice Arena in Lockport.

At this time, Chairman Brady invited Ramesh Patel to speak about the project. Mr. Patel stated that there are some unresolved issues with the Town of Pendleton and the Department of Transportation that need to be worked out.

Mr. Patel is requesting a ten (10) year PILOT, and Sales Tax and Mortgage Recording Tax Abatements. Seventeen (17) new jobs will be created.

8.0 New Business Continued

8.1 Omkara Hotel, LLC

Chairman Brady stated that the Board Members would vote on accepting the application and the Preliminary Resolution and Mr. Patel will apprise the Agency related to outstanding issues with the Town and State Agencies.

8.1.1 Preliminary Resolution

Ms. Aul motioned to approve the Preliminary Resolution; Mr. Wolfgang 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.

8.1.2 Authorize Public Hearing

Mayor Pappas motioned to authorize the Public Hearing; Mr. Bodewes seconded the motion. The motion passed.

8.2 OCR Resolutions Related to CDBG Program Income

Andrea Klyczek stated that the program New York State guidelines have changed and there is a need to reclassify the loan fund.

In the Agenda, a Memorandum from Chuck Bell describes in detail amendments to the Microenterprise Loan Fund to make loans, with the intent that the fund shall no longer constitute a Revolving Loan Fund and provide for the continued servicing and administration of the Loan Fund by the NCIDA and NCDC in accordance with CDBG requirements. The memorandum further describes other stipulations including remittance to the County and future income generated by the Fund.

Effective March 31st of each year, repayments will be calculated and if they are under \$35,000 for that year, the funds will be considered unrestricted.

8.0 New Business Continued

8.2 OCR Resolutions Continued

8.2.1 Niagara County Development Corporation

Mr. Wolfgang motioned to approve the 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.

8.2.2 Niagara County Industrial Development Agency

Mr. Ross motioned to approve the 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.

At this time, Mark Gabriele asked the Chairman for a motion to add a new item to the agenda.

Mayor Pappas motioned to add the new item to the agenda; Ms. Aul seconded the motion. The motion passed unanimously.

Mr. Gabriele stated that there are six (6) Microenterprise loans that have remained unpaid, all of which have judgments against them. He is requesting that the Board approve writing the loans off. The legal actions that have been taken will still be in effect should the need arise in the future for these unpaid loans.

Michael Dudley, Finance Manager, read a list of the unpaid loans and, at the Board Member's requests, he will send them documentation summarizing the status of the Loan Fund. The loans to be written off are Hope!, Grand Niagara Machine, Angel to Apple, 500 Fitness, Round One Fitness, and Uncorked Café.

Mr. McCabe motioned to approve cleaning up the portfolio; Mr. Ross seconded the motion. The motion passed unanimously.

The question of writing off the loans 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 unpaid loans will be written off.

9.0 Information Items

There were no items at this time.

10.0 Agency Counsel

There were no items at this time.

11.0 Any Other Matters the Board Wishes to Discuss

Mr. Wolfgang stated that Lewiston's Frontier House, the historic landmark building, has been sold to an LLC.

12.0 Next NCIDA/NCDC/NADC Meeting:

DATE: March 13, 2019

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

Mr. Bodewes made a motion to adjourn; Mr. Brady seconded the motion. The meeting adjourned at 9:27 a.m.

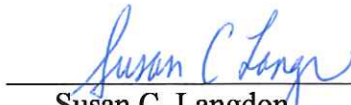
Respectfully submitted:

Reviewed by:

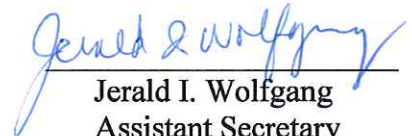
Approved by:



Barbara A. Gill
Recording Secretary



Susan C. Langdon
Executive Director



Jerald I. Wolfgang
Assistant Secretary