

# REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Wednesday, April 13, 2016 – 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 Chairman Sloma at 9:10 a.m.

## 2.0 Roll Call

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

## 3.0 Chairman Sloma led the Pledge of Allegiance.

## 4.0 Introductions:

### 4.1 Guests Present:

Karen Fiala, ECIDA  
Matthew Roland, Iskalo Development Corp.  
Kathleen M. Casacci, Wheatfield Family Dentistry  
John DiGuseppe, Platters Chocolates  
Tom Prohaska, Buffalo News  
Phil Gambini, Niagara Gazette  
Sara M. Dayton, CPA, Lumsden & McCormick

### Staff Present:

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

**5.0 Approval of NCIDA Meeting Minutes**

**5.1 Meeting Minutes of March 9, 2016**

Chairman Sloma asked for a motion to approve the meeting minutes.

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

**6.0 NCIDA/NCDC/NADC Committee Reports**

**6.1 Finance & Audit Committee**

**6.1.1 2015 Audit Report**

Sara Dayton, CPA, from Lumsden & McCormick, LLP, CPAs, handed the Committee Members binders titled "Presentation to the Audit Committee" which summarized all of the agency audits for FYE December 31, 2015.

Ms. Dayton summarized the audits and stated that all were clean with no findings nor material weaknesses. There were no "findings" which means the audit was "unmodified." She went through each audit, the NCIDA, NCDC, NADC, NEDF and lastly the NIIA and discussed the various compliance reports, special purpose statements, partnership returns, independent auditors' opinions, etc.

Ms. Dayton then briefly touched on fees, program income, rental and occupancy income, administrative fees, grants, and gave a brief discussion of the Governmental Auditing Standards Board (GASB 77).

*After further discussion, Mr. Wolfgang motioned to accept the Annual Audit; Mr. Brady seconded the motion. The motion passed unanimously.*

**6.1.2 March Agency Payables**

Mr. Onesi stated that he had reviewed the monthly payables and found them to be in order.

*Mr. Onesi made a motion to approve the Agency's Monthly Payables; Ms. Aul seconded the motion. The motion passed.*

**6.1.3 March Budget Variance Report**

Mr. 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. McCabe seconded the motion. The motion passed.*

## **7.0 Unfinished Business**

### **7.1 H. Sicherman & Co. – Consulting Services Agreement**

Ms. Langdon had reported last month that staff circulated a Request for Proposals (“RFP”) to provide services associated with the planning, funding, and implementation of the Niagara County Industrial Development Agency’s community and economic development programs.

The RFP was mailed to fifteen (15) consulting firms in Erie and Niagara Counties, and also Women and Minority owned Business Enterprises. A display advertisement also appeared in the February 13, 2016 edition of the Niagara Gazette.

We received one proposal in response to the solicitation, from H. Sicherman & Co. Staff recommended acceptance of this proposal which was attached for the Board Members’ consideration.

*Mr. Brady made a motion to accept the Sicherman RFP; Mr. Ross seconded the motion. The motion passed unanimously.*

## **8.0 New Business**

### **8.1 Kathleen M. Casacci, DDS (Wheatfield Family Dentistry Phase II)**

Ms. Langdon stated that in 2012, the NCIDA assisted Dr. Kathleen Casacci of Wheatfield Family Dentistry with construction of a new dental office facility on Niagara Falls Boulevard in the Town of Wheatfield. Original plans called for leasing of adjacent space in the building to another business. As the practice has grown, it has become necessary to build out this space to accommodate the dental practice. The new section will be comprised of 3 additional treatment rooms and a massage therapy room.

Dr. Casacci is requesting additional sales tax benefits from NCIDA on the remaining buildouts and the associated furniture, fixtures and equipment. There are currently ten (10) existing full-time jobs with plans to hire an additional six (6) new full-time jobs.

#### **8.1.1 Accept Application**

*Mr. Ross made a motion to accept the application; Mr. McCube seconded the motion. The motion passed.*

**8.0 New Business Continued**

**8.1 Kathleen M. Casacci Phase II Continued**

**8.1.1 Accept Application Continued**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF KATHLEEN M. CASACCI DDS, FAGD, PLLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF KATHLEEN M. CASACCI DDS, FAGD, PLLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING THE COMPANY TO ACT AS AGENT OF THE AGENCY IN RESPECT TO A CERTAIN PROJECT AND; (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

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>
Chairman Sloma	[ X ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark A. Onesi	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ X ]	[ ]	[ ]	[ ]
Willie C. Dunn	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**8.1.2 Inducement Resolution**

*Mr. Ross made a motion to approve the Inducement Resolution; Ms. Aul seconded the motion. The motion passed.*

**8.0 New Business Continued**

**8.1 Kathleen M. Casacci Phase II Continued**

**8.1.2 Inducement 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>
Chairman Sloma	[ X ]	[   ]	[   ]	[   ]
Stephen F. Brady	[ X ]	[   ]	[   ]	[   ]
Mark A. Onesi	[ X ]	[   ]	[   ]	[   ]
Michael W. McNally	[ X ]	[   ]	[   ]	[   ]
Kevin McCabe	[ X ]	[   ]	[   ]	[   ]
Jerald I. Wolfgang	[ X ]	[   ]	[   ]	[   ]
Joan G. Aul	[ X ]	[   ]	[   ]	[   ]
Willie C. Dunn	[ X ]	[   ]	[   ]	[   ]
William L. Ross	[ X ]	[   ]	[   ]	[   ]

The Resolution was thereupon duly adopted.

**8.2 Iskalo Development Corp.**

The company was founded in 1988 by Paul Iskalo who is an experienced real estate developer inclusive of commercial projects such as corporate and medical offices, light industrial, hospitality retail and mixed-use. The company is under contract to purchase 57 Canal Street in Lockport from the City.

Ms. Langdon stated that the building consists of 3 floors and the property surrounding the building was remediated under the Brownfield Cleanup Program and an additional renovation to the building was completed.

The proposed project involves further renovation of the building's interior and exterior improvements. The company is requesting a five (5) year Opportunity Zone PILOT and sales tax and mortgage recording tax abatements. The company has twenty-six (26) full-time employees with eighteen (18) new jobs to be created.

**8.0 New Business Continued**

**8.2 Iskalo Continued**

**8.2.1 Accept Application**

*Mr. Brady made a motion to accept the application; Mr. Onesi seconded the motion. The motion passed.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ISKALO DEVELOPMENT CORP. WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ISKALO DEVELOPMENT CORP. 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.

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>
Chairman Sloma	[ X ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark A. Onesi	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ ]	[ ]	[ X ]	[ ]
Willie C. Dunn	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**8.2.2 Authorize Public Hearing**

*Mr. Wolfgang made a motion to authorize the Public Hearing; Mr. McNally seconded the motion. The motion passed.*

**8.0 New Business Continued**

**8.3 Platters Chocolates**

Ms. Langdon stated that the company plans to lease space in the Wurlitzer Industrial Park located on Niagara Falls Blvd. in North Tonawanda. Some of the space will be dedicated to a retail store and café. The company has previously operated in a facility on Oliver Street in North Tonawanda which, over time, has been expanded. Sales have increased by 60% over the past three years and the company requires more space to add a second production line and expand its retail presence.

The expansion will result in more visibility and the accommodation of tour buses. Visitors will be able to watch the behind-the-scenes chocolate making process. The new facility will also allow the manufacturer to produce their product year round. Currently there are twenty-eight (28) full time employees with plans to hire twenty-three (23) new full-time jobs.

**8.3.1 Accept Application**

*Mr. Brady made a motion to accept the application; Mr. Onesi seconded the motion. The motion passed.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ROGER L. URBAN, INC. D/B/A PLATTERS CHOCOLATES WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ROGER L. URBAN, INC. D/B/A PLATTERS CHOCOLATES OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING THE COMPANY TO ACT AS AGENT OF THE AGENCY IN RESPECT TO A CERTAIN PROJECT AND; (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

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>
Chairman Sloma	[ X ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark A. Onesi	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ ]	[ ]	[ X ]	[ ]
Willie C. Dunn	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**8.0 New Business Continued**

**8.3 Platters Chocolates**

**8.3.2 Inducement Resolution**

*Mr. Brady made a motion to approve the Inducement Resolution;  
 Mr. McCabe seconded the motion. The motion passed.*

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>
Chairman Sloma	[ X ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark A. Onesi	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ ]	[ ]	[ X ]	[ ]
Willie C. Dunn	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**8.4 Ivy Lea Construction, Inc.**

**8.4.1 Inducement Resolution Extension**

*Mr. Wolfgang made a motion to approve the Inducement Resolution Extension;  
 Mr. Onesi seconded the motion. The motion passed.*

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR IVY LEA CONSTRUCTION INC. FOR A SIX-MONTH PERIOD WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF HH 310, LLC OR AN ENTITY FORMED OR TO BE FORMED.



8.4 Ivy Lea Continued

8.4.1 Inducement 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>
Chairman Sloma	[ X ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]
Mark A. Onesi	[ X ]	[ ]	[ ]	[ ]
Michael W. McNally	[ X ]	[ ]	[ ]	[ ]
Kevin McCabe	[ X ]	[ ]	[ ]	[ ]
Jerald I. Wolfgang	[ X ]	[ ]	[ ]	[ ]
Joan G. Aul	[ ]	[ ]	[ X ]	[ ]
Willie C. Dunn	[ X ]	[ ]	[ ]	[ ]
William L. Ross	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

9.0 Information Item

9.1 PILOT Workshop, NCIDA Conference Room  
Wednesday, April 27, 2016, 9:30 a.m. to 10:30 a.m.

10.0 Agency Counsel

There were no items at this time.

11.0 Any Other NCIDA Matters the Board Wishes to Discuss

12.0 Next Board Meeting:

DATE: May 11, 2016

TIME: 9:00 a.m.

PLACE: Niagara County Center for Economic Development

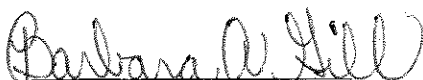
13.0 Adjournment

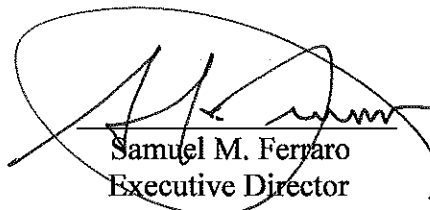
Mr. Brady made a motion, seconded by Ms. Aul to adjourn the meeting. The meeting adjourned at 9:48 a.m.

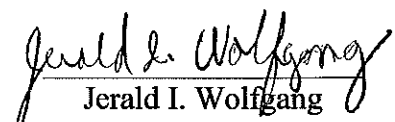
Respectfully submitted:

Reviewed by:

Approved by:

  
Barbara A. Gill  
Recording Secretary

  
Samuel M. Ferraro  
Executive Director

  
Jerald I. Wolfgang  
Assistant Secretary