

**REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES**

**Wednesday, August 12, 2020**

**Meeting Time: 9 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 Mr. Wolfgang at 9:03 a.m.

**2.0 Roll Call**

Mark A. Onesi, Acting Chairperson	Excused
Jerald I. Wolfgang, 1 <sup>st</sup> Vice Chairperson	Present
Kevin McCabe, 2 <sup>nd</sup> Vice Chairperson	Excused
William L. Ross, Secretary	Present
Mary Lynn Candella, Asst Secretary	Present via phone
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Scott Brydges, Member	Present
Jason Krempa, Member	Present

**3.0 Mr. Krempa led the Pledge of Allegiance.**

**4.0 Introductions**

**Guests Present:**

David Chiazza, Iskalo Development

**Staff Present:**

Susan C. Langdon, Executive Director  
Andrea Klyczek, Assistant Director  
Dmitri Liadski, Economic Developer  
Michael S. Dudley, Finance Manager  
Caroline Caruso, Accounting Associate  
Mark J. Gabriele, Agency Counsel

5.0 Approval of NCIDA Meeting Minutes

5.1 Meeting Transcript of July 1, 2020

*Mr. Krempa motioned to approve the meeting transcript; Mr. Cliffe seconded the motion. The motion passed.*

6.0 Finance & Audit Committee Reports

6.1 Agency Payables for June 30, 2020 and July 31, 2020

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

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

6.2 Budget Variance Reports for June 30, 2020 and July 31, 2020

Mr. Wolfgang stated that he had reviewed the reports and found it to be in order.

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

7.0 Unfinished Business

7.1 LSNY Holdings, LLC

Mr. Liadski noted that this project calls for the renovation of a vacant buildings at 650 Park Place and 545 4<sup>th</sup> Street in the City of Niagara Falls to be renovated into the Museum of Art and Culture for Kashmir. The public hearing was held on 8/4/20 and there were no comments.

7.1.1 Final Resolution

*Mr. Cliffe made a motion to approve the Final Resolution; Mr. Krempa seconded the motion. The motion passed.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT  
FOR THE BENEFIT OF LSNY HOLDINGS, LLC

**7.1.1 (continued)**

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.

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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott (momentarily left room)				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**7.2 Niagara Club, LLC**

Mr. Gabriele stated that the company has requested a 6 month extension of their inducement resolution due to delays in the project as a result of the COVID crisis. This is the first 6 month extension.



**7.2.1 Inducement Extension**

**Mr. Ross made a motion to approve the Inducement Extension; Mr. Brydges seconded the motion.**

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR NIAGARA CLUB, LLC 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 NIAGARA CLUB, LLC OR AN ENTITY FORMED OR TO BE FORMED.

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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**7.3 Hotel Niagara Development, LLC**

Mr. Gabriele stated that the company has requested a 6 month extension of their inducement resolution due to delays in the project as a result of the COVID crisis. This is the third 6 month extension.

**7.3.1 Inducement Extension**

**Mr. Brydges made a motion to approve the Inducement Extension; Mr. Scott seconded the motion. The motion passed.**

*7.3.1 Inducement Extension (continued)*

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR HOTEL NIAGARA DEVELOPMENT, LLC 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 HOTEL NIAGARA DEVELOPMENT, LLC OR AN ENTITY FORMED OR TO BE FORMED.

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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.0 New Business**

**8.1 Iskalo 1 East Avenue LLC**

Mr. Liadski noted that the project entails the renovation of the former post office located at 1 East Avenue in the City of Lockport. The 1904 structure has been mostly vacant recently except for a few. The company is requesting a 10 Year PILOT and sales tax and mortgage recording tax abatements. Total project costs are approximately \$6,057,700 inclusive of construction, improvements, furniture, fixtures, and soft costs. He stated that this building is located in a distressed census tract.

David Chiazza, a representative of the company outlined the extensive renovations that will be required and noted that the company is also working on applying for historic tax credits.

### 8.1.1 Preliminary Resolution

*Mr. Brydges made a motion to approve the Preliminary Resolution; Mr. Krempa seconded the motion. The motion passed.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ISKALO 1 EAST AVENUE LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ISLALP 1 EAST AVENUE 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.

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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott (momentarily left room)				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.



### 8.1.2 Authorize Public Hearing

*Mr. Cliffe motioned to authorize the Public Hearing; Mr. Brydges seconded the motion. The motion passed.*

### 8.2 Zimmie’s Service, Inc.

Mr. Liadski explained that this project entails the expansion of Zimmie’s Service auto repair shop, which is located in a distressed census tract in the City of Lockport. A 12,000 square foot portion of the existing structure will be torn down and rebuilt. A new truck lift and post car lift will be installed to enhance the function and capabilities of the shop.

#### 8.2.1 Preliminary Resolution

*Mr. Krempa made a motion to approve the Preliminary Resolution; Mr. Ross seconded the motion.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF NEIGHBORHOOD REDEVELOPMENT LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ZIMMIES SERVICE, INC. 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 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott (momentarily left room)				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.2.2 Authorize Public Hearing**

*Mr. Brydges motioned to authorize the Public Hearing; Mr. Cliffe seconded the motion. The motion passed.*

**8.3 Micro Grant Applications**

**8.3.1 B.P. Sign Co.**

Mr. Krempa stated that funds remaining in the Microenterprise grant fund are nearly expended. The NCDC Loan/Grant committee met in July and recommends approval of a \$16,390 grant to be used by the company for a high end multicolored printer. The original request included working capital an inventory, but due to lack of remaining funds, the committee recommends only funding the hard cost of equipment.

*Motion to approve was made by Mr. Krempa and seconded by Mr. Ross. 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott				X
(momentarily left room)				
Jason Krempa	X			

The Resolution was thereupon duly adopted.



**8.3.2 Young Street Diner**

Mr. Krempa stated that, since fund remaining in the Microenterprise grant fund are nearly expended, the NCDC Loan/Grant committee recommends funding the hard costs of coolers and freezers for this project in the amount of \$10,260. Approval of this final grant from the Micro grant fund will necessitate reducing the NCIDA’s administrative portion of the grant funds by \$6,650 in order the fund this final grant.

*Motion to approve was made by Mr. Krempa and seconded by Mr. Brydges. 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott				X
(momentarily left room)				
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.4 HELP Loan Requests**

**8.4.1 Jaihanumant Inc.**

Mr. Krempa stated that the NCDC Loan/Grant committee met and recommends a loan of \$117,467 for the Best Western Summit Inn at 9500 Niagara Falls Blvd. in Niagara Falls.

**8.4.1 Jaihanumant Inc. (continued)**

*Motion to approve loan was made by Mr. Krempa and seconded by Mr. Cliffe. 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.4.2 Reena & Aimee Inc.**

Mr. Krempa stated that the NCDC Loan/Grant committee met and recommends a loan of \$87,178 for America’s Best Value Inn at 6505 Niagara Falls Blvd. in Niagara Falls.

*Motion to approve the loan was made by Mr. Krempa and seconded by Mr. Brydges. 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.4.3 AMBE Corp.**

Mr. Krempa stated that the NCDC Loan/Grant committee met and recommends a loan of \$13,826 for the Sands Motel at 9393 Niagara Falls Blvd. in Niagara Falls.

*Motion to approve the loan was made by Mr. Krempa and seconded by Mr. Scott. 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

**8.5 Cataract Grant Fund**

**8.5.1 LSNY Inc.**

Ms. Klyczek stated that the Cataract Committee recommends a \$273,000 grant for the renovation of vacant buildings in Niagara Falls to house the Museum of Art and Culture for Kashmir.

*Motion to approve grant was made by Mr. Ross and seconded by Mr. Brydges. 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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.



### 8.5.2 Red Star Builders, LLC

Ms. Klyczek stated that the company requested a 6 month extension of the grant agreement due to delays in the project associated with the COVID crisis.

*Motion to approve extension was made by Mr. Ross and seconded by Mr. Cliffe  
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>
Mark A. Onesi				X
Jerald I. Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

### 8.5.3 NFNH Hotel Management LLC

Ms. Langdon stated that she received correspondence from Michael DiCienzo notifying us that the company will not be proceeding with the Surf and Beach Club project. The \$2 million earmarked for this project will be returned into the Cataract fund and will be available for other future tourist destination grants.

## 9.0 Agency Counsel – M. Gabriele

*Mr. Gabriele requested a motion to go into executive session to discuss personnel matters. A motion was made by Mr. Scott and seconded by Mr. Krempa. The motion passed unanimously.*

*At the conclusion of Executive Session, Mr. Brydges made a motion to come out of Executive Session. The motion was seconded by Mr. Cliffe and passed unanimously.*

*Mr. Scott then made a motion to add an item to the agenda: Extension of Agency Counsel's contract through December 31, 2023. The motion was seconded by Mr. Brydges and passed unanimously.*

**9.1 Extension of Agency Counsel's contract**

*A motion was made by Mr. Cliffe to extend the contract of Mark Gabriele, Agency Counsel through December 31, 2023. The motion was seconded by Mr. Krempa and passed unanimously.*

**10.0 Information Items**

None

**11.0 Any Other Matters the Board Wishes to Discuss**

None

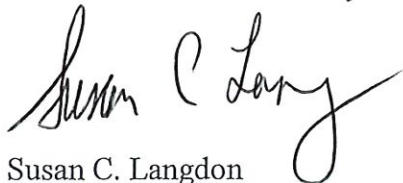
**12.0 Next NCIDA/NCDC/NADC Meeting:**

**DATE:** Next Regular Meeting September 9, 2020  
**TIME:** \*\* 9:00 a.m. \*\*  
**PLACE:** Niagara County Center for Economic Development

**12.0 Adjournment**

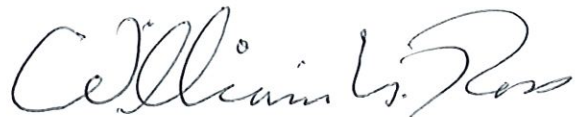
Mr. Wolfgang made a motion to adjourn at 10:01 a.m. The motion was seconded by Mr. Ross and passed unanimously.

Submitted and Reviewed by:



Susan C. Langdon  
Executive Director

Approved by:



William L. Ross  
Secretary