

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

**Wednesday, September 12, 2018 – 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 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 (left meeting at 9:30 a.m.)
Arthur G. Pappas, Member	Present
Daryl Bodewes, Member	Present

**3.0 Chairperson Brady led the Pledge of Allegiance.**

**4.0 Introductions**

**Guests Present:**

Leon Safir, ANAT Liquor Factory/Sanborn Distillery  
Steve Walters, ANAT Liquor Factory/Sanborn Distillery  
Jason Bergeron, Coldwell Banker  
Eric C. Tutor, Tudor Collins  
Tim Fenster, Lockport Sun & Journal

**Staff Present:**

Susan C. Langdon, Executive Director  
Andrea Klyczek, Assistant Director  
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 August 8, 2018**

*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 payables; Mr. Bodewes 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.*

**7.0 Unfinished Business**

**7.1 Metropolis Properties Management**

The company is requesting a 10 year PILOT on their project of acquiring and renovating a 114,000 square foot building on 6<sup>th</sup> Street in Niagara Falls. The public hearing was held on September 4, 2018 with six (6) attendees and two (2) speakers. Mr. Ross stated that he attended the Public Hearing and he feels that the project will attract international visitors that otherwise would stay in Canada.

The building will be converted into a four (4) star hotel with approximately 200 guest rooms and a restaurant, fitness room, rooftop bar & conference room. Construction will be limited to interior renovations and preservation of the historic exterior.

Mr. Gabriele stated the project can be a “retail exception” due to the fact that it is located in a distressed area with a high poverty rate and a high unemployment rate.

Fifty-two (52) new jobs will be created inclusive of management, supervisors, food and beverage service, housekeeping, and maintenance.

7.0 Unfinished Business Continued

7.1 Metropolis Continued

7.1.1 Final Resolution

*After further discussion, Mr. Ross motioned to approve the resolution; Mr. Bodewes seconded the motion. The motion passed.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF METROPOLIS PROPERTIES MANAGEMENT, LLC 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 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>
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 ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

## 8.0 New Business

### 8.1 ANAT Liquor Factory

The company intends to purchase and renovate a building on Hyde Park to be utilized in conjunction with the company's Sanborn site for distillation, bottling and distribution of Anat brand spirits. All raw materials will be processed at the Sanborn facility and the final product will be shipped to the Hyde Park facility for bottling and distribution. It was previously expected that the entire operation would be conducted out of the new building in Sanborn, but due to operational needs and the growing scope of the project, it will be more efficient for the company to utilize the dual facility strategy.

The company is requesting a fifteen (15) year property tax abatement along with sales tax and mortgage recording tax abatements toward the purchase and renovation of the building. Fifteen (15) new jobs will be created at the Hyde Park Facility and nine (at) the Sanborn location.

Steve Walters, a representative of the company, gave a summarization of the project and described the need for both locations. Phase I will be the renovations to the Hyde Park facility and the new construction in Sanborn, and Phase II will include construction of a tasting room which the company hopes will become a tourist attraction to both the local people and visitors.

#### 8.1.1 Preliminary Resolution

*After further discussion, Mr. Wolfgang motioned to approve the resolution; Mr. Bodewes seconded the motion. The motion passed.*

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ANAT, INC. WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ANAT, 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) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT AND (v) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

**8.0 New Business Continued**

**8.1 ANAT Liquor Factory 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>
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 ]	[ ]	[ ]	[ ]
Stephen F. Brady	[ 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 Sanborn Distillery Corp.**

In a letter dated August 10, 2018, the company cited delays in the project and they are requesting that inducement be extended. Additionally, they are requesting that the Inducement Resolution be amended to cover the construction of a 10,000 sq. ft. building for the blending and production of ethanol.

Mr. Gabriele stated that if there are any changes to the existing inducement, the company would have to submit a new application.

**8.2.1 Request for Extension of PILOT Inducement**

*After a brief discussion, Mr. Bodewes motioned to approve the Inducement Resolution extension; Mr. McCabe seconded the motion. The motion passed.*

**8.0 New Business Continued**

**8.2 Sanborn Distillery Continued**

**8.2.1 Request for Extension of PILOT Inducement**

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>
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 ]	[    ]	[    ]	[    ]
Stephen F. Brady	[ X ]	[    ]	[    ]	[    ]

The Resolution 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**

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

**DATE:** Next Regular Meeting October 10, 2018

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

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

**13.0 Adjournment**

*Mr. Bodewes motioned to adjourn; Ms. Aul seconded the motion. The meeting adjourned at 9:40 a.m.*

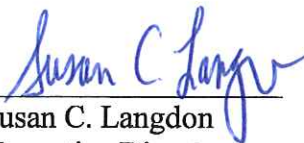
Respectfully submitted:

Reviewed by:

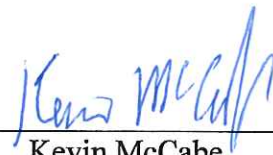
Approved by:



Barbara A. Gill  
Recording Secretary



Susan C. Langdon  
Executive Director



Kevin McCabe  
Secretary