

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

DATE: October 9, 2024
MEETING TIME: 9:00 a.m.
MEETING PLACE: Niagara County Industrial Development Agency
Vantage Center, Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

1.0 Meeting Called to Order

The regular meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:00 a.m.

2.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jason Krempa, First Vice Chairman	Present
Clifford Scott, Second Vice Chairman	Present
William L. Ross, Secretary	Present
Mark Berube, Assistant Secretary	Present
Ryan J. Mahoney, Member	Present
Anne E. McCaffrey, Member	Present
David J. Masse, Member	Present
William Fekete, Member	Present

3.0 Introduction of Guests

Robert Savarino, 235 River Road LLC
Sean Hopkins, 235 River Road LLC
John Rice, ALS Inc.
Nirel Patel, Indian Ocean, LLC
Faisal Ahmadi, Indian Ocean, LLC
Jonathan Epstein, Buffalo News

Staff Present

Andrea Klyczek, Executive Director
Michael S. Dudley, Finance Manager
Jeremy Geartz, Project Manager
Susan Barone, Grants & Operations Manager
Julie Lamoreaux, Administrative & HR Officer
Mark J. Gabriele, Agency Counsel

3.0 Pledge of Allegiance

Mr. Fekete led the pledge of allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – September 11, 2024

Mr. Ross motioned to approve the meeting minutes; Mr. Berube seconded the motion. The motion passed.

6.0 Finance & Audit Committee Reports

6.1 Agency Payables – September 30, 2024

Mr. Krempa stated that the monthly payables have been reviewed and found to be in order.

Mr. Krempa made a motion to approve the monthly payables; Ms. McCaffrey seconded the motion. The motion passed.

6.2 Budget Variance Report – September 30, 2024

Mr. Krempa stated that the budget variance reports have been reviewed and found to be in order.

Mr. Krempa made a motion to approve the Budget Variance Report; Mr. Fekete seconded the motion. The motion passed.

6.3 2025 Proposed Budgets

Mr. Dudley stated that the Budgets were reviewed in the previous Audit and Finance Committee meeting with several of the Board members. The objective of the Board is to approve the budgets, then they will be sent to the Niagara County Clerk and Legislature for a mandatory 20-day review. The Board will then be asked to formally adopt the 2025 Budgets at the November 13, 2024 Regular Board Meeting.

Mr. Krempa made a motion to approve the proposed budgets, Ms. McCaffrey seconded the motion. The Motion passed.

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.0 Unfinished Business

7.1 235 River Road LLC

Mr. Geartz stated that there was a public hearing held for 235 River Road LLC on October 1, 2024. Mark Berube from the NCIDA Board along with employees from Niagara County Real Property were in attendance. There were no comments made at the public hearing.

Mr. Gabriele added that this 15 year Pilot project is in a distressed area and also a brownfield site.

7.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF 235 RIVER ROAD LLC 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 PARTIAL ABATEMENT OF REAL PROPERTY TAXES RELATED TO THE PROJECT, AND (D) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Berube made a motion to approve the Final Resolution; Ms. McCaffrey seconded the motion. The motion passed.

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.2 MT Altimeter LLC

Mr. Geartz stated that there was a public hearing held for MT Altimeter LLC on September 30, 2024 at 2:00 p.m. Two people from Niagara County Real Property were in attendance for the public hearing. There were no comments made.

7.2.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF MT ALTIMETER 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 PARTIAL ABATEMENT OF REAL PROPERTY TAXES RELATED TO THE PROJECT, AND (D) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

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

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.3 Cityscape Property Management Inc.

Mr. Gabriele stated that the Cityscape 83 Division Street project is moving forward. The company is requesting a 6 month inducement extension.

7.3.1 Inducement Extension Resolution

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR CITYSCAPE PROPERTY MANAGEMENT INC. FOR AN ADDITIONAL SIX-MONTH PERIOD WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF CITYSCAPE PROPERTY MANAGEMENT INC. OR AN ENTITY FORMED OR TO BE FORMED.

Mr. Krempa made a motion to approve the Inducement Extension; Mr. Masse seconded the motion. The motion passed.

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 ALS Inc.

Mr. Geartz stated that for over a century, Buffalo Pumps has manufactured high-quality centrifugal pumps, serving both the defense and commercial markets. Buffalo Pumps is modernizing their factory to enhance production capabilities, which will result in significant job creation.

By investing in advanced technology, including modern 5-axis machine tools, potential additive manufacturing machines, new welding equipment, a Goff clean and blast machine, and state-of-the-art tooling and fixtures, will enable them to double their production capacity.

This modernization effort is not only vital for increasing efficiency and output but will also create 20 new jobs in their facility. These positions will span various roles, from skilled machine operators to quality assurance specialists, contributing to the local economy and fostering workforce development in advanced manufacturing.

This modernization project positions Buffalo Pumps not only to meet the growing demands of their customers but also to reinforce their status as a premier pump supplier in the industry. Through this initiative, they are poised to innovate, expand their market reach, and contribute positively to their community by creating sustainable employment opportunities. The company is requesting sales tax abatement for new equipment.

8.1.1 Preliminary Resolution

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

Mr. Berube made a motion to approve the Preliminary Resolution; Mr. Mahoney seconded the motion. The motion passed.

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing

Mr. Krempa made a motion to approve the Public Hearing; Mr. Mahoney seconded the motion. The motion passed.

8.2 Indian Ocean, LLC (Phase II)

Mr. Geartz stated that the existing Courtyard by Marriott upscale hotel property located at 900 Buffalo Ave is an 82 unit hotel that will be upgraded in combination with the newly proposed 45,000 sq. ft. expansion. The new building space will be constructed to the existing hotel and will offer an additional 85-88 guest rooms, which will include additional restaurant and patio space. The expansion will also allow for an entirely new facade upgrade for the property.

This project is located in a key area of the downtown, just off the exit of the Robert Moses and is the first site seen by visitors coming into the City of Niagara Falls and is also highly visible from the New York State Park. The property is located in a distressed area (census tract 212). The company is requesting a 10 year PILOT and sales tax abatement.

Mr. Patel added that this is a 4 story addition that is adjacent to the current property. This will add 80-88 additional units to the current property. Because of the boost in tourism to Niagara Falls, this is a much needed addition.

8.2.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF INDIAN OCEAN, LLC (PHASE II) WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF INDIAN OCEAN, 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.

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

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.2.2 Authorize Public Hearing

Mr. Fekete made a motion to approve the Public Hearing; Mr. Krempa seconded the motion. The motion passed.

8.3 Cataract Tourism Fund

Mr. Geartz stated that the City of Niagara Falls, in collaboration with New York State, the County of Niagara, and the Niagara Orleans Land Bank, is seeking to secure funding for the acquisition of several properties along Main Street, previously known as the Blue Cardinal properties. These properties are currently in bank foreclosure, the objective is to leverage this opportunity to enhance the urban landscape of our city for our residents and guests alike.

Additionally, we are focusing on the Rapids Theatre, located at 1711 Main Street, which is also under bank foreclosure. This historic venue is a vital part of our cultural heritage, and the goal is to restore this historic theatre, preserving its legacy while enhancing its potential as a cultural hub and a premier destination for both residents and tourists.

The Niagara Falls Urban Renewal Agency, has reached agreements with financial institutions and various NYS agencies. The strategy is to avoid sole property ownership, a challenge that has historically impeded development. By working collaboratively, we can better control and market these properties to attract investment and foster revitalization.

The reimagining of the Main Street properties aims to create a vibrant, pedestrian-friendly environment that caters to the needs of both residents and visitors. The vision is a bustling streetscape with diverse retail, dining, and entertainment options that will enhance the overall tourist experience in Niagara Falls.

This project is a crucial step toward revitalizing the North Main Street corridor and preserving the cultural significance of the Rapids Theatre. This collaborative project can turn these properties into thriving community assets that foster economic growth and enhance the quality of life in Niagara Falls.

The Board discussed and approved the funds for the Cataract Grant.

8.3.1 Niagara Falls Urban Renewal Agency

RESOLUTION AUTHORIZING A GRANT TO NIAGARA FALLS URBAN RENEWAL AGENCY ON BEHALF OF ITSELF AND/OR AN ENTITY FORMED OF TO BE FORMED RELATING TO THE ACQUISITION AND DEVELOPMENT OF THE RAPIDS THEATRE.

Mr. Ross made a motion to approve the Cataract Grant; Mr. Masse seconded the motion. The motion passed.

The question of the approval of the Resolution as 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			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

9.0 Agency Counsel

Mr. Gabriele did not have any updates at this time.

10.0 Information Items

There were no information items at this time.

11.0 Any Other Matters the Board Wishes to Discuss

There were no matters the Board wished to discuss.

12.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: November 13, 2024

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

Mr. Onesi made a motion to adjourn; Mr. Berube seconded the motion. The meeting adjourned at 9:40 a.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Administrative Assistant

Andrea Klyczek
Executive Director

William L. Ross
Secretary