

NCIDA/NCDC REGULAR BOARD MEETING MINUTES

Wednesday, January 12, 2011 – 9:00 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 Chairman Sloma at 9:00 a.m.

2.0 Roll Call

Henry M. Sloma, Chairperson	Present
Mayor Michael Tucker, 1st Vice Chairperson	Present
Stephen F. Brady, 2 nd Vice Chairperson	Present
Deanna Brennen, Secretary	Present
Joseph C. Frain, Member	Excused
Patricia Dufour, Member	Present
Mark A. Onesi, Member	Present
William J. Bradberry, Member	Present

3.0 Chairman Sloma led the Pledge of Allegiance.

4.0 Introduction of Guests

Henry Heikoop	Whitebird/National Corrugate (HT Productions)
Earl Wells	e3communications
William L. Ross, Chairman	Niagara County Legislature
Frederick Piwko, MD	Frederick Piwko, MD
Doug Sitler	Associated Builders & Contractors
Joyce Miles	Lockport Union Sun & Journal
Tom Prohaska	The Buffalo News
Michael Casale	Niagara County Department of Economic Development

Staff Present

Samuel M. Ferraro, Executive Director
Larry Witul, Assistant Director
Susan Langdon, Marketing/Project Manager
Michael Dudley, Accounting Associate
Mark Gabriele, Agency Counsel
Mary P. Melloni, Recording Secretary
Caroline Caruso, Project Assistant

5.0 Approval of NCIDA Meeting Minutes

5.1 NCIDA Regular Meeting of December 15, 2010

Ms. Brennen made a motion, seconded by Ms. Dufour, to approve the meeting minutes of December 15, 2010. Motion passed.

6.0 NCIDA/NCDC Committee Reports

6.1 NCIDA Audit/Finance Committee

6.1.1 Agency Payables

6.1.2 Agency Financial Report

Mr. Frain indicated that the Audit Committee reviewed the Agency payables and financial report through December 31, 2010, found them to be in order and recommends approval.

Mr. Onesì made a motion, seconded by Ms. Dufour, to approve the Payables and Agency Financial Report. Motion passed.

6.1.3 Edwards Vacuum – Lease Extension

Mr. Gabriele explained that Edwards will be taking space in the Vantage International Pointe Park consolidating all of their operations to one location. During this period of transition it has been approved and recommended by the Board of the NIIC and by the NCIDA Audit Committee.

Ms. Dufour made a motion, seconded by Ms. Brennen, to approve the extension of the Edwards Vacuum lease as presented. Motion passed.

6.2 Governance Committee – No report.

Ms. Brennen stated that at their December meeting, they had discussed looking into the new Project Manager position and asked if this is something that a meeting should be scheduled for. Chairman Sloma indicated that the Staff has had some initial adjustments and he agreed that the Committee should probably review how that is going and perhaps next month look at how things are working and will the secondary position be filled. Mr. Brady stated he will work with Staff to schedule a meeting.

7.0 NCIDA Unfinished Business

7.1 Public Hearing Dates – H. Sloma

7.1.1 Vishal Corporation: January 27, 2011 – 4:00 p.m. – Room 117, NF City Hall

7.1.2 Niagara Falls Hospitality, Inc.: January 27, 2011 – 4:15 p.m. – Room 117, NF City Hall

7.1.3 AES Eastern Energy/AES Somerset: February 1, 2011 – 5:00 p.m. – Town of Somerset Town Hall

Chairman Sloma announced the above-mentioned public hearings. Mr. Sloma explained that AES has requested a modification of their current PILOT to reflect a reduction in their annual payments by an amount equal to on or about \$3 million, taking them from the \$15.8 per year to \$12.8 million, and then a subsequent year of \$9.8 million for the remaining three years. The taxing jurisdictions were consulted and after a great deal of dialogue they came up with

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a preliminary offer back to the Company because they felt the \$3 million reduction was excessive. Their original proposal represented a reduction of \$1.5 million a year for 3 consecutive years. That information was conveyed to AES; AES took some time to consider this and came back asking for more. Chairman Sloma stated that he presented this to the taxing jurisdictions who are reluctant to accept the counter proposal and want to remain with their original determination and with some caveats, including some potential indexing that would protect them from any windfall the Company may experience going forward and if the Company came back into a healthy environment the payments would revert back to what they were. There was also a discussion regarding a line of credit as a safety mechanism for the taxing jurisdictions to provide funds if the Company defaulted. Chairman Sloma returned to the Company to let them know the taxing jurisdictions stand by their original offer. AES has now agreed to accept the proposal from the taxing jurisdictions.

7.2 Wheatfield Family Dentistry

7.2.1 Extension of Inducement

Mr. Gabriele explained that this project was induced by the NCIDA Board a year ago. The company is in the process of obtaining a bank loan to go forward with the project and are ready to begin within the next two to three months; however, the one-year inducement has expired. They are requesting an extension of the inducement for an additional 6 months.

Mr. Brady made a motion, seconded by Mr. Onesi, to approve the extension of inducement for the Wheatfield Family Dentistry project. Motion passed.

8.0 New Business

8.1 HT Productions, Inc.

Mr. Casale stated that HT Productions is seeking assistance in the acquisition, expansion and operation of a corrugated box facility in the Town of Lewiston. They are seeking a 15-year industrial PILOT, sales tax exemptions and mortgage recording tax exemptions. The economic impacts of the project are 10-15 jobs within two years; estimated annual payroll in years 1-2 of \$225,000; estimated annual taxes on raw land are \$13,875 and at completion of the project will be \$17,100.

8.0 New Business

8.1 HT Productions, Inc. (Continued)

Mr. Heikoop explained that this building located at 1707 Ridge Road in Lewiston was a winery at one time and after a few companies located there and then moved out. He will be investing \$150,000 into the building in order to expand a corrugate company from Hamilton, Ontario. He indicated that they purchase all of their sheet from Niagara Sheets, a local Company. They anticipated moving all production here and just use Hamilton, Ontario as warehousing.

8.1.1 Accept Application

Mr. Bradberry made a motion, seconded by Ms. Brennen, to accept the application for HT Productions, Inc.

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>
Henry M. Sloma	[X]	[]	[]	[]
Michael W. Tucker	[X]	[]	[]	[]
Stephen F. Brady	[X]	[]	[]	[]
Deanna Brennen	[X]	[]	[]	[]
Mark Onesi	[X]	[]	[]	[]
William J. Bradberry	[X]	[]	[]	[]
Joseph C. Frain	[]	[]	[]	[X]
Patricia Dufour	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing

A motion was made by Mr. Brady, seconded by Ms. Brennen, to authorize a public hearing. Motion passed.

Chairman Sloma announced that a public hearing will be held on February 7th at 4:00 p.m. at the Lewiston Town Hall.

8.2 Frederick Piwko, M.D.

Mr. Kelsey explained that Dr. Piwko is currently located on Lockport-Olcott Road in the Town of Newfane; he is looking to do a 600 s.f. construction just north of this current location. His practice was established in 1999 and serves eastern Niagara County as a family practice office, providing primary care. The project will be in the amount of \$461,900. Dr. Piwko is requesting a 10-year commercial PILOT, sales tax exemptions and mortgage recording tax exemption. He currently employs 4 full-time and 2 part-time and within two years he will add two full time.

Dr. Piwko stated he is currently leasing his office space out of a strip plaza at Wrights Corners. The construction is underway of his new building. They are growing from 1600 s.f. to 2600 s.f. and has already added one new full-time staff member. Construction should be completed by the end of February; beginning of March.

8.2.1 Accept Application

Ms. Dufour made a motion, seconded by Mr. Onesi, to accept the application for Frederick Piwko, M.D.

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>
Henry M. Sloma	[X]	[]	[]	[]
Michael W. Tucker	[X]	[]	[]	[]
Stephen F. Brady	[X]	[]	[]	[]
Deanna Brennen	[X]	[]	[]	[]
Mark Onesi	[X]	[]	[]	[]
William J. Bradberry	[X]	[]	[]	[]
Joseph C. Frain	[]	[]	[]	[X]
Patricia Dufour	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

8.2.2 Authorize Public Hearing

A motion was made by Mr. Bradberry, seconded by Ms. Brennen, to authorize a public hearing. Motion passed.

Chairman Sloma announced that a public hearing will be held on February 8th at 3:30 p.m. at the Town of Newfane Town Hall.

8.0 Agency Counsel – None.

9.0 Any Other NCIDA Matters the Board Wishes to Discuss

11.0 Regular NCDC - NCIDA Board Meeting:

DATE: February 9, 2011

TIME: 9:00 a.m.

PLACE: Niagara County Center for Economic Development

12.0 Adjournment

*Mr. Brady made a motion, seconded by Mr. Onesi, to adjourn the meeting at 9:25 a.m.
Motion passed.*

Respectfully submitted,

Reviewed by,

Approved by,

Mary P. Melloni
Administrative Assistant

Samuel M. Ferraro
Executive Director

Deanna Alterio-Brennen
Secretary