

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY

BOARD OF DIRECTORS

Meeting Minutes April 12th, 2018

8:00 AM – Board Meeting – IDA Conference Room

1.0 **Roll Call**

Present –Chairman Tom Sy, Vice Chairman Eric Connor, Treasurer Sallie Reed, Board members Robert Runk, Harold Anderson and Todd Fragale, Legal Counsel –Brian Seaman, Administrative Director – Marc Smith, Town liaison Darlene DiCarlo, Thomas Prohaska of the Buffalo News

Excused: Mr. Antkowiak

2.0 **CALL TO ORDER:** The meeting was called to order by Chairman Sy at 8:00 am.

3.0 **SECRETARYS REPORT**

On a motion by Mr. Runk seconded by Mr. Connor the minutes of the March 8th, 2018 meeting were approved.

4.0 **TREASURERS REPORT**

Treasurer Sallie Reed conducted a review of the financial reports dated 3/31/2018. On a motion by Mr. Anderson seconded by Mr. Fragale the Board approved of the March 31st, 2018 financial statements.

Treasurer Mrs. Reed reviewed the monthly bills. On a motion by Mrs. Reed seconded by Mr. Anderson the Board of Directors approved of the payment of bills dated April 2018.

5.0 **ADMINISTRATIVE DIRECTORS REPORT**

A copy of the Administrative Directors report was provided to the members of the Board of Directors prior to the meeting. The Administrative Director reviewed the report as presented.

The Administrative Director reviewed the request from the Governance Committee. It was advised by attorney Daniel Seaman that the IDA not attempt to alter the position of Coordinator of Economic Development as established by NYS Civil Service. The IDA has no employees. The Coordinator of Economic Development is a Town of Lockport employee and is administered by the Town Board. In order to clarify our PARIS “Annual Board Performance Report” the document will be amended to remove language of annual review since the IDA has no employees.

Furthermore, to assist the Board in completing the Confidential Evaluation of Board Members report the Administrative Director will provide the following documents for discussion **2018 Board Duties and Responsibilities, 2018 Annual Report, 2018 Confidential Evaluation of Board Performance**. This review should provide the board of directors greater understanding of the IDA’s annual performance goals and board performance standards.

Resolution- On a motion by Mrs. Reed seconded by Mr. Runk the Board approved of the 2017 Annual Investment Report as previously emailed. This document will become a document that is filed annually with the PARIS report.

6.0 **ATTORNEYS REPORT** –

Attorney Brian Seaman presented an amended resolution for JNR Magnetics, LLC. amendment does not increase the value of the project but amends the allocations of cost.

a) On a motion by Mr. Runk seconded by Mrs. Reed the Board adopted the following resolution.

**TOWN OF LOCKPORT
INDUSTRIAL DEVELOPMENT AGENCY**

AMENDED RESOLUTION

WHEREAS, by Resolution adopted January 11, 2018, and amended on February 8, 2018, the Town of Lockport Industrial Development Agency (the Agency) induced JNR Magnetics, LLC for a project described therein (the Project); and

WHEREAS, the principals have now indicated certain changes in the Project,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY THAT SAID RESOLUTION BE AND HEREBY IS AMENDED AS FOLLOWS:

A. Section 7 is amended to provide as follows:

Section 7. The Lessee is authorized to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an estimated amount up to \$210,000.00, which may result in a New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed \$16,800.00. The Agency may consider any requests by the Lessee for increases in the amount of sales and use tax benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services necessary for the completion of the Project.

B. Said Resolution adopted January 11, 2018, and amended February 8, 2018 shall, in all other respects, remain in full force an effect.

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- b) Yahoo has notified the IDA that another name change/ownership change is in process. The attorney indicated he would review and bring action to the Boards attention if needed.
 - c) Drone Energy, LLC. The administrative director recused himself and left the room as required by a previous notification of conflict of interest.

On a motion by Mr. Anderson seconded by Mr. Fragale the IDA voted to approve the following resolution.

Resolution to approve a month to month lease with Drone Energy, LLC. for a portion of land located at 1000 Enterprise Drive, Lockport, NY 14094 at a monthly rent of \$500, terminable upon 30 day's notice, and to further authorize the Chairman to execute the same, subject to the approval of the IDA attorney.

The Administrative Director re-entered the room and resumed taking minutes.

7.0 OLD BUSINESS: - None

8.0 NEW BUSINESS:

On a motion by Mrs. Reed seconded by Mr. Connor the IDA Board voted to engage Lawnsmith Landscaping for an amount not to exceed \$1,000. to provide annual landscaping services at the IDA park entrances on Upper Mountain Road and Junction Road.

It was further noted that the landscaping services should be placed out to bid in 2019.

Up North Hosting, LLC has submitted an application to the IDA for a PILOT incentive on 4922 IDA Park Drive (former Moley Magnetics building) within the IDA Park. The administrative director expressed the urgency of time transmitted by the project owner and requested a public hearing at the earliest possible date.

On a motion by Mrs. Reed seconded by Mr. Connor the Board called for a public hearing on Up-North Hosting, LLC. projects request for the agency's assistance and incentives.. The Public Hearing is called for on April 27th, 2018 at 8:00am in the IDA conference room.

9.0 EXECUTIVE SESSION – On a motion by Mrs. Reed seconded by Mr. Runk the Board voted to enter into executive session to consult with the attorney at 8:25am. On a motion by Mrs. Reed seconded by Mr. Runk the board voted to leave executive session at 8:40am.

10.0 NEXT MEETING:

Public Hearing Friday April 27th, 2018 at 8:00am – Up North Hosting, LLC. project, IDA board room.
Board of Directors Meeting May 10th, 2018 at 8:00am in the IDA Board Meeting Room.

11.0 ADJOURNMENT:

On a motion by Mrs. Reed seconded by Mr. Connor, the Board voted to adjourn at 8:42AM.

Respectfully submitted,
Harold Anderson - Secretary