

# TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY

## BOARD OF DIRECTORS Meeting Minutes May 19, 2011 9:00 AM – IDA Conference Room

### **1.0 Public Hearing**

**Present** – Acting Chairman – Paul Haber, Secretary – Duncan Carlson, Directors – Eric Connor, Thomas Sy and Thomas Weeks, Administrative Director – David Kinyon, and Legal Counsel – Daniel Seaman. Also present were reporters Tom Prohaska, Buffalo News, and Joe Olenick, Lockport Union-Sun & Journal. **Absent-** Bob Lipp

The Public Hearing was called to order at 9:00 AM by Acting Chairman Paul Haber. Mr. Haber announced that a Public Hearing had been advertised regarding the application for IDA Assistance submitted by Scapelliti Super Store, and he directed that Legal Counsel Daniel Seaman read the Notice for the Public Hearing. Following a reading of the Legal Notice by Mr. Seaman, Mr. Haber inquired if any communications had been received regarding the application submitted by Scapelliti Super Store. There having been no communications received, Mr. Haber inquired whether anyone present wished to make a verbal statement regarding the application submitted by Scapelliti Super Store. There being no verbal statements, Mr. Haber declared the Public Hearing closed.

### **2.0 General Business**

#### **2.1 Roll Call:**

**Present** – Acting Chairman – Paul Haber, Secretary – Duncan Carlson, Directors – Eric Connor, Thomas Sy and Thomas Weeks, Administrative Director – David Kinyon, and Legal Counsel – Daniel Seaman, CFO - Kate Carter. Also present were reporters Tom Prohaska, Buffalo News, and Joe Olenick, Lockport Union-Sun & Journal. **Absent-** Bob Lipp.

#### **2.2 Secretary's Report**

Duncan Carlson presented the Minutes for the April 21, 2011 Board of Directors meeting, which were approved on a motion by Thomas Weeks seconded by Thomas Sy.

#### **2.3 Treasurer's Report**

In the absence of Treasurer Robert Lipp, Kate Carter presented the Financial Statements for the period ending April 30, 2011; she noted that the \$37,136.74 administrative fee payment to the State Division of the Budget had been returned to the IDA. The Financial Statements were approved on a motion by Duncan Carlson seconded by Thomas Weeks. On a motion by Thomas Sy seconded by Thomas Weeks, the current invoices presented were approved for payment.

### **3 Administrative Director's Report**

In addition to his written report, Administrator Director David Kinyon reported that Swick Landscaping had been delayed in maintenance of the landscape beds at the entrances to the Lockport Industrial Park due to rainy weather, but that two of the shrubs at the Upper Mountain Road entrance require replacement. Although Introl Design, Inc. is proceeding with closing on the purchase of their 4 acre site in the Lockport Industrial Park, Mr. Kinyon advised the Board that construction may not commence until Spring, 2012. Mr. Kinyon has shown the former Electruk Battery facility twice in the last week. Thomas Sy offered to serve on a committee to review proposals for the re-use of the Electruk site.

**4.0 Old Business**

**4.1** Daniel Seaman presented a copy of the agreement with Varallo Vineyards amending the original PILOT Agreement for Spring Lake Winery, excluding the residential portion of the property from the PILOT. On a motion by Thomas Weeks seconded by Duncan Carlson, the Board ratified the deletion of the residential portion of the property from the PILOT.

**4.2** Mr. Seaman informed the Board that the previous resolution approving the PILOT Agreement with Introl Design, Inc. also authorized the sale of the 4 acre parcel from the IDA to Introl; however, at Mr. Seaman’s request, on a motion by Duncan Carlson seconded by Thomas Weeks, the Board authorized the sale of the parcel by separate resolution. Mr. Seaman will present a request for a modification of the property description at the next regular Board meeting, due to a portion of the lot extending into the public right of way.

**5.0 New Business**

**5.1 Scapelliti Super Store:** At the suggestion of Paul Haber, the Board deferred any further consideration of the Application for IDA Assistance from Scapelliti Super Store until the next Board meeting.

**5.2 Election of Chairman**

Nomination made by Duncan Carlson, seconded by Eric Connor to elect Thomas A. Sy to be Chairman. No other nominations having been received, nominations were closed by the Acting Chairman.

Roll call vote on the nomination of Thomas A. Sy as Chairman:

NAME:	VOTE:
PAUL J. HABER	<u>          Aye          </u>
ROBERT A. LIPP	<u>          Absent          </u>
DUNCAN N. CARLSON	<u>          Aye          </u>
ERIC W. CONNOR	<u>          Aye          </u>
R. THOMAS WEEKS	<u>          Aye          </u>
THOMAS A. SY	<u>          Aye          </u>

**5.3 Board Meeting Dates**

On a motion by Thomas Sy seconded by Duncan Carlson, the Board voted to change its regular meeting date from the third Thursday of the month to the second Thursday of the month, effective beginning with the July, 2011 meeting.

**6.0 Executive Session**

On a motion by Thomas Sy seconded by Thomas Weeks, the Board voted to enter Executive Session for the purpose of consultation with attorney. On a motion by Duncan Carlson seconded by Thomas Weeks, the Board voted to leave Executive Session.

**7.0 Adjournment** On a motion by Duncan Carlson seconded by Thomas Weeks, the Board voted to adjourn at 9:45 AM.

Respectfully submitted,  
Duncan N. Carlson, Secretary