

**TOWN OF CLARENCE, ERIE COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY**

**MINUTES  
OF  
MEETING  
OF  
September 18, 2008**

Present:	David C. Hartzell	Paul Leone
	Clayt Ertel	Steven B. Bengart
	Christopher Kempton	Nathan Neill
	Mary Powell	Pamela Smith
	Michael Buettner	Cynthia Rosel
	Scott Bylewski	
	Jack Willert	

Meeting called to order at 8:04 a.m. by Chairman Hartzell. Mr. Hartzell opened the meeting explaining that after the discussions at the August regarding the public hearings, it is his suggestion that in the future, the agenda will be to call the meeting to order and then proceed with the public hearings. Mr. Bengart said that if there would not be enough members attending a meeting to have a quorum, it would be alright to proceed with the public hearing. Everyone was in agreement with the suggestion and the meetings will follow that procedure in the future.

Roll call was taken and all members were except for Mary Powell who arrived at 8:10 a.m.

**2009 BUDGET**

Mr. Kempton said that the Preliminary Budget was submitted to the Town for the required 20 day comment period and there was one comment received by Councilman Peter DiCostanzo questioning the amount of dollars we are budgeting for advertising expenses. Mr. Kempton suggested discussing this briefly and then vote to adopt the budget if it is going to be kept the way it is. Mr. Kempton did speak with Mr. DiCostanzo regarding the ads that have been run and that the CIDA will be spending the money for advertising because there are plans to run more ads. There was an ad that was run after the budget was presented to the Town Board. Mr. Buettner said that he reviewed Councilman DiCostanzo memo and does agree with him. Mr. Buettner suggested that maybe there should be an explanation of the budget presented to the Town Board. Mr. Hartzell suggested that perhaps either he or the treasurer be present when the budget is presented to the Town Board. Mr. Buettner asked how the budget was presented to the Town Board. Mr. Bylewski said that he presented the budget and there were no comments made at the meeting. He also said that he was concerned about budgeting for the EDO position. He has concerns with the structure of the position and does not think that it makes sense to have it on the budget.

Mary Powell also spoke about the Strategic Plan and there will be holes in the plan when a position is eliminated. We have to go back and develop the Plan. There was further discussion regarding the EDO position and if the CIDA wants to keep the position. So far, it has not been successful. Mr. Hartzell suggested that the CIDA should fund the position. It was agreed that at this time the CIDA could provide the funds. Mr. Neill asked if the Town could still offer some support to the CIDA for this position as the Town has given a small amount to the CIDA in the past. There were some concerns presented by Pam Smith regarding bookkeeping for the position and who would be responsible for that. Mr. Kempton said that it should be an independent contractor. There was further discussion regarding the position and the CIDA 2009 budget. Ms. Powell suggested that we table this discussion and form a committee regarding the EDO for further development. Mr. Bylewski said the he would be more likely to approve a stipend of \$5,000. Mr. Hartzell suggested that this discussion be tabled for now, develop a committee relative to the EDO positions, and go back the discussion about the rest of the budget. There was no further discussion and Mr. Kempton made a motion to approve the budget as presented that was seconded by Mr. Ertel. There was nothing on the question.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

Mr. Hartzell asked for a motion to go into executive session under section 105(f) of the open meetings law to discuss matters regarding the employment of a particular person. Motion was made by Kempton and seconded by Ertel.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

Mr. Bylewski made a motion to adjourn the executive session and with a second by Mr. Kempton.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

Mr. Hartzell asked for a motion to amend the budget line item regarding the CIDA secretary, Cindi Rosel. Mr. Buettner made the motion with a second by Scott Bylewski to amend the 2009 Budget for the stipend of \$3,000 to \$3,600 for the CIDA secretary. There was nothing on the question.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

Mr. Hartzell added that this would be effective for 2009.

## **MINUTES**

Mr. Hartzell asked for a motion to approve the minutes for the special meeting of June 30, 2008 for strategic planning and the August 21, 2008 minutes.

Mr. Buettner suggested that the June 30, 2008 minutes be reviewed by the Board before they approve because that meeting was sometime ago. He suggested that the minutes be reviewed again by the Board for comments. Everyone agreed. Mr. Buettner said that the August 21, 2008 meeting. There was motion by Mr. Bylewski with a second by Mr. Kempton to approve the minutes of the August 21, 2008 meeting. There was nothing on the question.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

There was no correspondence.

## **TREASURER'S REPORT**

Chris Kempton gave his treasurers' report. Mr. Kempton said that the three month CD will be coming due next week. Mr. Kempton went over the rates at HSBC. The rates were from last week and will be changing. Based on rates and the way they are changing, Mr. Kempton will go with the four month at 2.75%. Mr. Hartzell asked if the CD's are collateralized? Mr. Kempton said that they are. He gets a statement every month of collateral. They are backed Treasuries and he provides the statements to Pam Smith. Mr. Kempton would like the approval to renew the CD for a four month period. The rate will probably be different when he renews it next week. There was a motion by Scott Bylewski with a second by Clayt Ertel to approve the renewal of the CD in the amount of \$201,000 for four months in accordance with the Treasurer's recommendation.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

Mr. Kempton continued with his reports and said that we did receive the remainder of the fee collected in the amount of 6,837.75 on the David Altman project and there was meeting expense, an expense for advertising in the amount of \$925 along with the normal consulting fees since the last meeting. He also added that on the income statement there is an item that needs to be a negative expense reducing our expenses on money we got back. Pam will check into that for the next meeting. Mr. Hartzell said we need a motion to approve the Treasurer's report and a motion was made by Scott Bylewski with a second by Mary Powell. There was nothing further on the question.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

## **NEW BUSINESS**

Paul Leone passed out a copy of “Growth of Opportunities for Small Business Seminar” on October the 8, 2008 and he made sure that the Clarence IDA was added to the list of the presenters along with all the other IDA’s. Mr. Leone organized the seminar. It is a free seminar and he will be making a presentation on the IDA’s.

Mr. Hartzell added that the flyer will go out about a week and half before the seminar to all the businesses in the Town of Clarence to advertise the seminar and with the Synabrade ad on the back.. John Arnold did a great job on the flyer.

Mr. Leone also spoke about the SBA seeking nominations for the “Small Business of the Year” and the deadline is November 14, 2008. He asked if anyone knows of any businesses that were involved with that they would like to be nominated, let him know. Mr. Hartzell asked if this is the Buffalo or National? Mr. Hartzell said it is National. It is in conjunction with National Small Business Week.

Mr. Leone spoke about the Doodle Bugs Project. Paul and Mr. Bylewski met regarding the proposed project on several occasions. The project will involve 8580, 8584 and 8590 Sheridan Drive. Mr. Leone reported on the project by first saying that they did satisfy Mr. Bylewski’s and Mr. Leone’s concerns somewhat on whether there was a need for a new day car center in the Town of Clarence. The project is in the Enhancement Zone. They have prepared an application. The real estate will be owned by Cobblestone Center LLC and includes the applicant’s family partnership. Three buildings will be built on the property with Doodle Bugs Children’s Centers. being the first to be completed and will lease the building from Cobblestone Center LLC. The application has both entities listed and once they find tenants for the two remaining buildings, separate applications will be submitted for those as well. Mr. Neill asked what they supplied to show the need for a day care center. Mr. Bylewski said that they did a study they also included parts from a wider study. The project is \$3,120,000 for the first building that will hold Doodle Bugs. Mr. Leone wanted to report to the Board before he did anything further and wanted to know if they want to go forward. There was some discussion regarding setting a public hearing. Clayt Ertel mad a motion to set a public hearing for the next CIDA meeting on October 16, 2008 with a second by Michael Buettner to consider the Doodle Bugs Children’s Centers. Project to be located at 8584 Sheridan Drive. There was nothing on the question.

Vote: Ayes: Hartzell, Ertel, Kempton, Buettner, Powell, Bylewski, Willert. Noes: None  
Recusals: None. Absent: None. Motion carried.

Mr. Willert asked for a copy of the application. Mr. Hartzell said that we need to have the applicant present on the project. Mr. Leone will notify the applicant that they need to be present at 8:00 a.m. Mr. Kempton and Ms. Powell will not be at the next meeting. Cindi Rosel made copies of the application for all the members so they can review the project before the next meeting.

There was further discussion regarding the Buffalo Filter project. Mr. Leone also let the Board know that he has been contacted by Domenic Piestrak regarding the National Gyp property and a possible project for an ice rink on the property.

Mr. Leone also mentioned that Frey Electric is developing and had a brochure available.

### **WEBSITE PHOTOGRAPHY PROJECT**

Mr. Hartzell spoke to website developer who asked for \$700 to explore the possibility of finding out whether the website developer could use the Erie County website or whether the CIDA should start its own website or to do feasibility study. Mr. Hartzell will table the discussion about the website till next month.

Mr. Hartzell opened the meeting for any general discussion the member might have.

Mr. Leone spoke about a meeting that he and Nathan Neill attended on September 12, 2008, Neill attended Tiered Incentive Working Group Meeting. The meeting was regarding a proposed new type of pilot. The incentive program would be 7 and 10 year pilot instead of 10 and 15. They are proposing a point system Nathan explained that one of the goals is to shorten the term of the pilots. Give the projects same benefits but shorten the term. They are trying to come up with a super enhanced 10 year pilot. He said that there is a problem with the point system. There are certain factors of a project that awards points that are largely not going to be available to project out here in Clarence. Maybe the gyp plant might be one. Mr. Bengart asked if it was based on environmental concerns? Mr. Neill that is one concern. There was further discussion on this new proposed system and the disadvantages to this area.

There was discussion regarding the next ad and who the CIDA would like feature. This will be discussed further at the next meeting.

There being nothing further the meeting was adjourned at 9: 43 a.m.