

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS

Meeting Minutes September 14th, 2023

1.0 Roll Call

Present – Chairman Todd Fragale, Vice Chair Darlene DiCarlo, Treasurer Kristin Anderson, Board Members Dan Antkowiak, Robert Runk, Jeanine Chatt and Terry Kuczka. Legal Counsel – Tom Seaman. Administrative Director – Thomas Sy. Guests – Terry Burton, Varunkumar Velumani (by phone), Dale Shoemaker, Thomas Tedesco, Jonathan Epstein, and Margot Valenti.

CALL TO ORDER:

The September Board meeting was called to order at 8:03 am by Chairman Todd Fragale.

2.0 OLD BUSINESS: SRI CV Plastics Application for Financial Assistance – open issues review.

Mr. Fragale began the discussion by noting IDA Board meetings are open to the public but there is no public comment period.

Mr. Sy then reminded the Board members of the summary and supporting materials sent to the Board on what he believes are seven pertinent/open issues. Those include: Existing Operations of SRI CV Plastics, Chat GTP/AI, Environmental Concerns around PVC pipe, Emissions/Environmental Issues with Injection Molding, Employment projections/Phasing, Other Environmental Benefits of the Project, and a Cost/Benefit Analysis.

Mr. Seaman, Town IDA Legal Counsel next noted that the Town IDA had received an amendment to CV Plastics' Application for Financial Assistance via letters from both Terry Burton and CV Plastics. The amendment removes plans to produce PVC Pipe or any products made with PVC at their Lockport Facility. Mr. Seaman went on to note that since PVC pipe production was always mentioned as a phase 2 possibility that none of the core elements of CV Plastics application have been impacted. The job projections, capital investment, facility size and phase 1 products are as noted in the original application.

The Board then discussed and asked questions related to the injection molding process. Mr. Burton reviewed the process from raw material delivery to completion highlighting MSDS sheets on raw materials, and the closed loop cooling. The Board referenced machine manufacturing videos they had reviewed. The Board further discussed the Chat GTP incident concerning an abstract on PVC piping. Mr. Burton reviewed for the Board his investigation and Mr. Sy shared the highlights of a recent article on Chat GTP "hallucinations."

There being no additional questions the Board moved into the regular portion of its September IDA Board meeting.

3.0 SECRETARY'S REPORT:

On a motion by Mrs. DiCarlo, seconded by Mr. Antkowiak, the minutes of the August 10th Board Meeting were approved. Vote 7-yes, 0-no, unanimous.

4.0 TREASURER'S REPORT:

Mrs. Anderson reviewed for the Board the August 31st financial statements for the Board. The review covered the Income Statement, Statement of Cash Transactions, and Balance Sheet. On the Income Statement, Mrs. Anderson highlighted the interest earned and reviewed the interest

percentage from the past few months. She also completed a review of the previous month's expense items. The month end deficit was \$395 and the year-to-date surplus was \$211,645. As concerns the Statement of Cash Transactions, Mrs. Anderson noted the closing cash balance of \$1,930,979 and the 2 other revenue items of bottle returns and reimbursement from Up North Hosting. Total disbursements for the month totaled \$6,006. Concerning the Balance Sheet, Mrs. Anderson highlighted the checking and savings accounts balances, and the usual liabilities. Total Liabilities, Investment in Fixed Assets and Fund Balance is \$2,937,209. On a motion by Mr. Runk, seconded by Mrs. Chatt, the report was approved as presented. Vote 7-yes, 0-no, unanimous.

Mrs. Anderson reviewed the monthly bills for September 14th, 2023 that totaled \$6,940.86. Mrs. Anderson made a motion to approve the payment of bills, seconded by Mrs. DiCarlo. Motion carried.

5.0 ADMINISTRATIVE DIRECTOR'S REPORT:

Mr. Sy reviewed highlights of his submitted report for the month of August and early September.

Mr. Sy reported to the Board that the Avient Polyone plant has been sold to a current tenant of the IDA Park for expansion/consolidation reasons. Mr. Sy noted there is a 45-day due diligence period underway.

Mr. Sy noted that he had met with Eric Watson of Watson Enterprise who is purchasing the Emerson Renwick building on IDA Park Dr. A tenant/leasing brochure has been developed and Mr. Sy has shared that with 2 local businesses. Mr. Sy also has forwarded a few possible smaller locations for Emerson Renwick to keep an office and small shop.

Mr. Sy reminded the Board of the upcoming open house at Moley Industries. The event is from 10 am to 5 pm on September 26th and he will alert the Board next week of when he plans to attend.

Mr. Sy shared 4 slides from a presentation by the NY ISO to NYSEDC members. Mr. Sy highlighted the disparity in sources of electricity between upstate and downstate and the challenges the grid will have in serving a number of large economic development wins in NY.

Mr. Sy reported on a meeting this past week with NYSEDC CEO and some WNY Economic Development Peers. There was a review of the past legislative session and the likely focus of the 2024 legislative session.

Mr. Sy noted he had attended a meeting with City of Lockport GLDC President Heather Peck to deepen her knowledge of the Rail Trail Phase 2 and the need for the City to find funds to complete the portion on city land to Hinman Rd.

Mr. Sy updated the Board on early efforts with the FAST NY grant secured by the Town of Lockport IDA. Mr. Sy noted the program seeks to create more "shovel-ready" sites in NY. The Town IDA was awarded funding for pre-development work on IDA Park South. Mr. Sy held a "kick-off" meeting with Empire State Development and he is in the process of finalizing a preliminary project budget. Studies will include updated wetlands delineations, a SHPO review and an updated boundary survey.

Lastly Mr. Sy noted he had Wendel survey the 5-acre parcel on IDA Park Dr. This parcel is one of the larger parcels in the park and therefore has had several inquiries of late by prospective companies.

6.0 ATTORNEY'S REPORT:

Nothing to report.

7.0 EXECUTIVE SESSION:

A motion was made by Mr. Antowiak to enter Executive Session for purposes of consultation with Attorney and to discuss ongoing litigation at 8:38 am. The motion seconded by Mr. Runk. A motion was made by Mr. Antkowiak to exit Executive Session at 8:59 am. The motion was seconded by Mrs. Chatt.

8.0 NEW BUSINESS:

A motion was made by Mrs. Chatt to authorize the settlement of the IDA's lawsuit against Yahoo Holdings Inc. et. al., contingent on attorney approval of all Settlement Documents, Releases and Stipulations of Discontinuance, and to authorize the Chairman, Administrative Director and/or Attorney to execute any and all documents related thereto, and to authorize proceeding with the clawback/repurchase of the parcel at issue and the expenditure of funds necessary. The motion was seconded by Mr. Runk. Vote 7-yes, 0-no, unanimous

9.0 NEXT MEETING:

The next meeting of the IDA Board is scheduled for 8:00 am on October 12th.

10.0 ADJOURNMENT:

On a motion by Mrs. DiCarlo, seconded by Mr. Runk, the Board voted to adjourn at 9:00 am. Vote 7-yes, 0-no, unanimous.

Respectfully submitted,

Jeanine Chatt
Secretary Town of Lockport IDA