

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS

Meeting Minutes December 14th, 2023

1.0 Roll Call

Present – Chairman Todd Fragale, Vice Chair Darlene DiCarlo, Treasurer Kristin Anderson, Board Members Robert Runk, Jeanine Chatt and Terry Kuczka. Legal Counsel – Tom Seaman. Administrative Director – Thomas Sy.

Excused: Dan Antkowiak

CALL TO ORDER:

The December Board meeting was called to order at 7:57 am by Chairman Todd Fragale.

3.0 SECRETARY’S REPORT:

On a motion by Mr. Runk, seconded by Mr. Kuczka, the minutes of the November 9th Board Meeting were approved. Vote 6-yes, 0-no, unanimous.

4.0 TREASURER’S REPORT:

Mrs. Anderson reviewed for the Board the November 30th financial statements. The review covered the Income Statement, Statement of Cash Transactions, and Balance Sheet. On the Income Statement, Mrs. Anderson highlighted the interest earned and completed a review of the previous month’s expense items totaling \$5,286.55. The month end deficit was \$788.21. As concerns the Statement of Cash Transactions, Mrs. Anderson noted the closing cash balance of \$1,667,605.33 and prior months disbursements. Concerning the Balance Sheet, Mrs. Anderson highlighted the checking and savings accounts balances, the usual liabilities noting the Board would see the annual bond payment and interest in the December check register. On a motion by Mrs. Chatt, seconded by Mrs. DiCarlo, the report was approved as presented. Vote 6-yes, 0-no, unanimous.

Mrs. Anderson reviewed the monthly bills for December 14th, 2023 that totaled \$22,942.55. Notable were the bond and interest payment and legal fees to Seaman Norris for the work on the Yahoo lawsuit. Mrs. Anderson made a motion to approve the payment of bills, seconded by Mr. Runk. Motion carried.

5.0 ADMINISTRATIVE DIRECTOR’S REPORT:

Mr. Sy reviewed highlights of his submitted report for the month November and early December.

Mr. Sy reported on holiday hours for the IDA Offices. The offices are closed 12/25 and 12/26 for the Christmas Holiday. Mr. Sy will also be off a few days pre/post Christmas. The Administrative Assistant will be in the office any Monday, Wednesday, or Friday the offices are open

Mr. Sy reported to the Board that SIVA Wind has been awarded site plan approval and a special use permit by the Town Planning Board with a few contingencies.

Mr. Sy highlighted materials in the Board packet addressing efforts to alert Town residents to the availability of community solar at the Day/Slayton Settlement solar project. Renewable Properties is partnering with AMPION to do the solicitation. The actual promotional flyer for the Town is included.

Mr. Sy reported that he has reestablished a contact with CSX Railroad. Arthur Feygelson, Manager of Industrial and Business Development met with Mr. Sy in the IDA offices. Given longstanding challenges with having an active representative for CSX, this contact has already shown good follow-up and will hopefully be a reliable contact.

Mr. Sy reminded the Board that it is necessary for the Board to complete the same Workplace Violence/Sexual Harassment training that Town employees complete.

Lastly Mr. Sy noted that he plans to attend the NYSEDC Winter Conference in Albany on February 13th and 14th. He noted the total cost for registration, 2 room nights and mileage should not exceed \$800. A motion was made by Mrs. Anderson and seconded by Mr. Kuczka to approve the conference.

6.0 ATTORNEY'S REPORT:

Mr. Seaman noted the IDA has sent notice to Up North Hosting of them being in default of their PILOT. The 30-day timeframe for Up North to respond has passed. Mr. Seaman asked the Board to approve the IDA Attorney and Administrative Director to take the next steps to advance the cancellation of the PILOT and any related steps. A motion was made by Mr. Kuczka and seconded by Mr. Runk to approve these action steps. Vote 6-yes, 0-no, unanimous.

Mr. Seaman also updated the Board on his progress to draft and forward a land purchase agreement to Bison Bag for their purchase of a select number of acres of the former Yahoo land for their future use. The Board had previously approved this action. The price per acre has been agreed to by the IDA Board and the agreement includes the IDA's standard contingencies, a time limit to develop the land and has claw back provisions. A motion was made by Mrs. DiCarlo, seconded by Mrs. Chatt to authorize the Administrative Director to execute said agreement. Vote 6-yes, 0-no, unanimous.

7.0 OLD BUSINESS:

Mr. Sy distributed the compilation of the 7 Board members responses to the Board Self Evaluation. He highlighted two areas that appear to need further attention including goal setting and assessing risk.

Mr. Sy also distributed a compilation of the Performance Evaluation of the Administrative Director. Mr. Sy noted he appreciates the annual feedback and will modify question 3b next year as it focuses too much on Covid and the immediate post-Covid era.

8.0 EXECUTIVE SESSION:

A motion was made by Mr. Runk to enter Executive Session for purposes of consultation with Attorney at 8:33 am. The motion seconded by Mrs. Chatt. A motion was made by Mrs. DiCarlo to exit Executive Session at 8:52am. The motion was seconded by Mr. Runk.

9.0 NEW BUSINESS:

Mr. Sy distributed the Mission Statement and Annual Goals, Bylaws and 2024 Fee Schedule for Board approval. A motion was made by Mrs. Chatt and seconded by Mrs. Anderson. Motion carried.

Mr. Sy reviewed for the Board the Bid Summary Sheet from the RFP to update the wetlands delineation in IDA Park South. Earth Dimensions met all requirements and was the low bidder. A motion was made by Mrs. DiCarlo to enter into an agreement with Earth Dimensions. The motion was seconded by Mr. Runk. Vote 6-yes, 0-no, unanimous.

10.0 NEXT MEETING:

The next meeting of the IDA Board is scheduled for 8:00 am on January 11th, 2024 and will include the IDA's Annual Meeting.

11.0 ADJOURNMENT:

On a motion by Mrs. Chatt, seconded by Mr. Kuczka, the Board voted to adjourn at 8:53 am. Vote 6-yes, 0-no, unanimous.

Respectfully submitted,

Jeanine Chatt
Secretary Town of Lockport IDA