

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY  
**BOARD OF DIRECTORS**

Meeting Minutes March 14<sup>th</sup>, 2024

**1.0 Roll Call**

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

**2.0 CALL TO ORDER:**

The March Board meeting was called to order at 8:02 am by Chairman Todd Fragale.

**3.0 SECRETARY’S REPORT:**

On a motion by Mrs. DiCarlo, seconded by Mr. Kuczka, the minutes of the February 8<sup>th</sup> Board Meeting were approved. Vote 7-yes, 0-no, unanimous.

**4.0 TREASURER’S REPORT:**

Mrs. Anderson reviewed for the Board the February 29<sup>th</sup> financial statements. The review covered the Income Statement, Statement of Cash Transactions, and Balance Sheet. Mrs. Anderson began her review noting that the January Balance Sheet had been restated due to the decision to retain the full \$250,000.00 accrual for GM Litigation. On the February Balance Sheet Mrs. Anderson noted total assets of \$2,928,166.00 and Total Liabilities and fund balance of \$2,928,166.00. On the Income Statement, Mrs. Anderson highlighted the interest earned and the administrative fees for the Cornerstone FCU closing. Total expenses for the month were \$8093. The monthly surplus was \$38,959.00. As concerns the Statement of Cash Transactions, Mrs. Anderson noted the closing cash balance of \$1,669,588.00. On a motion by Mrs. Chatt, seconded by Mr. Antkowiak, the report was approved as presented. Vote 7-yes, 0-no, unanimous.

Mrs. Anderson reviewed the monthly bills for March 14<sup>th</sup>, 2024 that totaled \$14,258.00. Notable were payments to Wendel for survey work, the annual investment in INVEST B/N and the final payment to Lumsden McCormick for the external audit of 2023. 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 February and early March.

Mr. Sy reported that he had attended the Winter NYSEDC Conference in Albany. Sessions included political updates, site selection, use of AI in economic development, a review of NY’s Centers of Excellence and an update on semiconductor developments.

Mr. Sy reported that the Town was about to enter into a lease on behalf of the IDA, for 2 suites in the Modern Suites section of the Dysinger Town Square development across from Town Hall. While a move date is unknown, future Board meetings will be held in Town Hall.

Mr. Sy noted the IDA has ordered a handful of surveys be completed by Wendel in the IDA Park. Parcels included 1000 Junction Rd., Enterprise Dr and Bison Bag. One rationale for the work is to accurately determine the size of the limited parcels left for development.

Mr. Sy reported the Town Highway Department will begin preliminary work on Phase 2 of the Rail Trail on March 25<sup>th</sup>.

Mr. Sy announced that he has completed the 2023 PARIS report and successfully submitted the various segments and they have been certified by the ABO.

Mr. Sy announced that the local Gooding/NOSCO plant and their Plant Manager were recognized as the top plant within NOSCO for 2023. Kudos to Dave Carver and his team.

Mr. Sy noted that Watson Enterprises has a lease for the 4906 IDA Park Dr facility. The lease is with a cannabis cultivator and is contingent on their receiving their license from NY.

Mr. Sy reported that Custom Laser has officially closed on the former Avient facility. Gary Brockman relayed a 2-phase plan for the space but that they are only in the space planning phase currently.

As was noted in the Treasurer's report, the closing for the Cornerstone FCU Back Office project is complete. An early April opening is anticipated.

Lastly Mr. Sy reported that the field work for the wetlands delineation update was completed on 3/13. He anticipates a draft report next week..

## **6.0 ATTORNEY'S REPORT:**

- 1) Attorney Tom Seaman reported that the IDA has filed a Notice of Claim with the County Clerk as pertains to the termination of the PILOT with Up North Hosting. This notice will allow the IDA to claw back select PILOT benefits. Mr. Seaman noted that process will involve a negotiation as it did with JNR Door.
- 2) Attorney Tom Seaman reported he is prepared to present a sales agreement to Bison Bag for their anticipated expansion., After brief discussion, a motion was made by Mr. Runk to enter into a sales agreement with Bison Bag for the purchase of 5.54 acres of land along Junction Rd for a price of \$20,000 contingent on Attorney approval. The motion was seconded by Mrs. Chatt and approved. Vote 7-yes, 0-no, unanimous.
- 3). Attorney Seaman reported that GMCH has presented a proposed judgment as pertains to the recent lawsuit decision on the 91-acre parcel along Junction Rd. The judgment involves the \$31,300 noted in the decision and interest. After brief discussion, a motion was made by Mrs. Chatt to authorize payment of the full judgment of \$55,672.83 to GM Component Holdings LLC as a result of the judgment of GM Components Holdings LLC v. Town of Lockport Industrial Development Agency contingent on approval of IDA Counsel. The motion was seconded by Mr. Antkowiak and approved. Vote 7-yes, 0-no, unanimous.

## **7.0 EXECUTIVE SESSION:**

A motion was made by Mr. Runk to enter Executive Session for purposes of consultation with Attorney at 8:32 am. The motion seconded by Mr. Kuczka. A motion was made by Mr. Runk to exit Executive Session at 8:56 am. The motion was seconded by Mrs. DiCarlo.

## **8.0 NEW BUSINESS:**

Mrs. Anderson reviewed the highlights of the 2023 external audit and the recently concluded meeting of the IDA's Audit Committee. A motion was made by Mrs. Anderson to approve the 2023 External Audit as presented. The motion was seconded by Mr. Antkowiak and approved.

Mr. Sy reviewed the results of the Bid Summary for the limited Phase 1B Cultural Resources Study as a part of the FAST Grant. Mr. Sy noted only 2 area Archeologists were able to be identified. He reviewed the bids and the references and list of current projects for each company. After a brief discussion, a motion was made by Mr. Runk to award the study to Deuel Archeology. The motion was seconded by Mr. Kuczak and approved. Vote 7-yes, 0-no, unanimous.

Mr. Sy reviewed for Board the many technical difficulties he has been having with the Live Stream system. After yet another Help Desk call with SynchroNet it was recommended that both a new wireless speakerphone and PC be purchased. Mr. Sy noted the PC was a base model when originally installed and contributes to the difficulties. After brief discussion a motion was made by Mrs. DiCarlo to approve the purchase of the mini-PC and speakerphone at a cost not to exceed \$1500. The motion was seconded by Mr. Antkowiak and approved.

**9.0 NEXT MEETING:**

The next meeting of the IDA Board is scheduled for 8:00 am on April 11<sup>th</sup>, 2024 and will be preceded by the Governance Committee at 7:30 am.

**10.0 ADJOURNMENT:**

On a motion by Mr. Kuczka, seconded by Mrs. Anderson the Board voted to adjourn at 8:57 am. Vote 7-yes, 0-no, unanimous.

Respectfully submitted,

Jeanine Chatt  
Secretary Town of Lockport IDA