

BOARD OF DIRECTORS MEETING

County of Chautauqua Industrial Development Agency

**BWB Building
201 West Third Street, Jamestown, NY
2nd Floor Board Room**

**&
Electronically via Live Stream on YouTube**

August 25, 2026
10:30 a.m.

PRESENT:

Gary Henry	Chairman
Daniel Heitzenrater	Vice Chair
Amy Harding	Secretary
Tom Harmon	Member
John Healy	Member
Kevin Muldowney	Member
Ted Wightman	Member
Daniel DeMarte	Member

Also in attendance:

Mark Geise	Administrative Director/CEO
Shelby Bilskie	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Greg Peterson	Counsel
Kristine Morabito	IDA Staff
Rosie Strandburg	IDA Staff
Kayla Strandburg	IDA Staff
Jeanette Lo Bello	IDA Staff
Nate Aldrich	IDA Staff
Jason Sample	IDA Staff
Josiah Lamp	CCPEG Staff
Crystal Erhard	CCPEG Staff
Greg Bacon	Post Journal/Observer
Julia Ciesla-Hanley	WRFA 107.9

Absent Board Member(s):

Sagan Sheffield-Smith	Treasurer
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Meeting was called to order by Gary Henry, Chairman, at 10:30 a.m.

Gary Henry

Good Morning. I would like to welcome everybody to the County of Chautauqua Industrial Development Agency Board of Director's Meeting. We're at the BWB Building, 201 West 3rd Street, Jamestown, New York. We're also streaming live on YouTube. It's August 25, 2026 at 10:30 a.m. We'll start with Roll Call.

Board

Aye – Unanimous. (8 Members in Attendance)

Gary Henry

You should have already received the minutes from the June 23, 2026 meeting and had a chance to review those. Do we have a motion to accept those minutes?

Tom Harmon

So moved.

Gary Henry

Thank you. Do we have a second?

Ted Wightman

Second.

Gary Henry

Thank you. All those in favor say Aye.

Board

Aye – Unanimous.

Gary Henry

Opposed? The minutes have been accepted.

Board

Aye – Unanimous.

Gary Henry

Opposed? The Treasurer's report has been approved. We'll go ahead and move into New Business – Lindstrom Properties, LLC, know as Lake Shore Paving, Presented by Rosie, and Milan.

Rosie Strandburg

Thank you, Mr. Chairman. I have Mark Lindstrom here with me. He's the President of Lake Shore Paving. Before I pass it on to Mark and then Milan to review the Resolutions, I'm just gonna read a brief description of the company and then the project itself.

So, Lake Shore Paving was founded in 1998 by Steve Lindstrom, with the promise of offering quality workmanship while instilling an employee first culture within. Twenty-five years later, son Mark Lindstrom has taken the lead as President and continues with the same mission and mindset. Many of the original employees are still with the company as a testament to the Lindstrom's culture and management practices.

Offering construction services, starting with their estimating department, site work grading, clearing, and demolition, asphalt milling, paving (difficulty hearing audio) underground utility installations, pavement maintenance, including seal coating and line stripping, tennis court installation, repair, and more.

Lake Shore Paving is looking to construct a new 21,000 square foot facility, which will house office space, maintenance, and repair facility. Field employees will report to this location and be dispatched from there to work sites. Lake Shore Paving is constructing this new facility because they are land locked at their current location and are unable to expand their business.

Total project cost is just over \$4.8 million. Lindstrom Properties or Lake Shore Paving has requested a 10-year PILOT. This project is requesting sales tax exemption, mortgage recording tax abatement, and property tax abatement. The PILOT will produce to the affected taxing jurisdiction over the life of the project in the amount of \$425,542.00 with property tax exemption totaling approximately \$992,932.00. Sales tax savings being requested is in the amount of \$300,000, and mortgage tax savings is \$23,700.00. Lake Shore Paving is looking to retain 69 jobs and create 5 over the next 3 years.

In your packet, I've also included your cost benefit analysis with a benefit-to-cost ratio of 73 to 1. The timeline for this project, construction is estimated to begin the fall of this year, with completion estimated at the spring of next year, summer 2027. Jeanette, do you mind sharing my plan on the screen? Thank you. So, I'm going to go ahead and pass it on to Mr. Lindstrom. He will be able to talk more as to why this expansion project is necessary, and answer any questions the Board may have.

Mark Lindstrom

Yep, so, our current location is in the City of Jamestown on, Osmer Street. We have about 7 acres there. This site here provides us with about 45 acres. As the company's grown, we, continue to acquire equipment, things like concrete forms, stuff that's gotta get stored until it's ready to be used. Different materials for job sites, things like that, and our current maintenance facility, where we work on equipment, is just, we've - the company's outgrown the building. The site in Jamestown, just doesn't have room. We're constrained amongst houses, and it's not conducive to, you know, the heavy truck traffic and things that we bring with it.

Again, as we've grown, our trucks get bigger, the loads they haul get bigger, and being in the industrial complex, we feel like, is a better suit, and overall, allowing us to continue to grow the business. If we stayed where we were, we'd have to kind of stay the size we are. With the new facility, we'd be able to add mechanics, additional laborers, and continue the path forward.

Rosie Strandburg

I will add, I apologize, Mark had shared some site plans. They're all in your board packet. For some reason, the image is not showing clear on the screen, but there is, on the image that you should have in your package, an outline of the building and the roads leading in. I apologize for some reason it did not come clear on here. Is there any questions for Mr. Lindstrom?

Mark Giese

I just have one more thing? You know, Mark approached us a year ago, maybe more, about our parcel at Mason Industrial Park, our 40-acre parcel, and because we had received, not us, but the BPU had received a POWER UP grant to upgrade the electricity running to that site, there was a sort of a profile of the companies that would qualify to locate there, and this did not meet that profile. So, we worked with Mark to try to find other land around the - in the industrial park, which, that's the only parcel that we own, but other companies, like Weber Knapp, had additional space, additional land, and he negotiated with them, and here we are, so -

It's a good location, also, because of there's really no houses around, and I know that you said that it really has become an issue when you're crushing concrete and doing other activities, big trucks and, you know, in and out, so this is really - and that's what industrial parks are for, right?

Mark Lindstrom

Right.

Rosie Strandburg

Thank you, Mark. Is there any questions from the board for Mr. Lindstrom? All right.

Milan Tyler

This is your standard, Due Diligence Resolution. It authorizes and instructs, staff and council to start the due diligence process. So, we would hold a public hearing. We would look at SEQRA, the environmental component. We would look at the corporate documents and to see if there's any other legal issues that we should take care of. As Mark noted, this is a relocation, so there's certain legal steps we have to go through in terms of relocating from one jurisdiction to another. So, this just authorizes us to go through all that process, and if things go well, we would come back either at September or possibly the October meeting, when and if all that is wrapped up with a bow, and ask you for approval, presumably or tentatively, with the financial assistance that Rosie, outlined, but again, we would analyze all of that and come back to you at a later date.

Mark Geise

Just to be clear, he is not abandoning the old location, he's continuing to own that, and use it for a lot of storage of the equipment, and maybe the more aggressive activities will occur over here.

Mark Lindstrom

That's correct, yeah.

Milan Tyler

Oh, okay.

Gary Henry

Any other questions? Hearing none, Dan Heitzenrater can you move New Business A1 for us?

Dan Heitzenrater

Gladly. Resolution 08-25-26-01 Due Diligence Resolution and Preliminary Agreement Lindstrom Properties, LLC (Lake Shore Paving, Inc.)

Gary Henry

Thank you. Do we have a second?

John Healy

Second.

Gary Henry

Thank you John. We'll go ahead and do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The resolution is unanimously approved. Thank you for joining us.

Mark Lindstrom

Thank you.

Mark Geise

Thank you Mark.

Gary Henry

Next, we'll move into New Business B - Lancaster Foods presented by Shelby, Kristine, and Milan.

Shelby Bilskie

So, as most of you are aware, we had a lease agreement that expired, in May, I believe, the end of May, with Lancaster Foods, for the location at 12 Howard Street in Silver Creek. So, this Resolution would be extending that lease through the end of July of 2027.

There were, some of the liability, of the tax liability that had not been paid in total. The last payment of \$8,000 was not made, according to our original agreement. So, what this is going to do is basically take that along with the, 2026 village tax, property tax, that the IDA paid on behalf of Lancaster's. The combination of that and then the remaining liability, and we're basically going to spread that over, in 12 equal payments from, 8-1, which the payment did clear in, in August for that, through 7-31 of 2027. So, it's just extending the current lease, adjusting that payment plan, and everything else holds the same.

Again, we became involved last fall, basically to retain the jobs. We also have notes, with the Lancaster's for that business, and we had, STEDP also has a note of, with a principal balance of \$77,000, I believe. So, we're just kind of protecting, that side of it, the jobs and, you know, also trying to keep that business in Silver Creek as well, so that, you know, it's not purchased by something, somebody outside of the - out of the county. They have been on full principal and interest payments since January with us, and have made all of their, payments timely. They're current on the STEDO note, and then we also have the same purchase price, potential purchase price in the lease extension that we had in the original lease. So, if they do meet all of their obligations in July, we can broach that subject and see if they wanted to purchase it back. Did I miss anything?

Mark Giese

I just wanted to say one other thing, a little more context. You probably all know who this is, but it's Barbara Crockski Pierogies, right? Silver Creek. If you recall, their building had come up for foreclosure, non-payment of taxes. We stepped in. We acquired the building, we paid the taxes, the IDA, and then we worked out this payment plan with the Lancaster's, and as Shelby said, they've been pretty good about keeping up, but we need to extend –

Shelby Bilskie

Yeah.

Mark Giese

We wanted to keep the jobs there. I mean, if it went into foreclosure, think about it, who knows who would have bought it, right? And what would have happened there? There's several jobs there, you know, a business, so we did all this to try to maintain those jobs and keep them, and we're doing even more now to do the same.

Shelby Bilskie

And it's worth noting, too, that within 3 months of us acquiring the property, they paid down \$22,500 of the back taxes, so they have made significant progress on their payments. They just need a little bit more time.

Gary Henry

Any questions. Amy can you move New Business B1 for us?

Amy Harding

Absolutely. Resolution 08-25-26-02 Lease Extension Resolution Lancaster Foods

Gary Henry

Did you have something to add?

Milan Tyler

Yes, before you, before you take a vote, Kevin Muldowney has approached me, and he is going to abstain. He does not have a legal conflict in opinion, but has, a potential other business relations with the Lancaster's, unrelated to this facility, but, to avoid even the appearance of impropriety, or any conflict, he's decided to abstain. I want to make that comment as to why I suspect in a minute or two he's going to abstain.

Gary Henry

Okay.

Milan Tyler

But again, it's not a legal conflict, he doesn't have to, and I've told him that, but he wants to go above and beyond and, you know, not have any questions.

Gary Henry

We appreciate that. Do we have a second on Resolution B1?

Tom Harmon

I'll second it.

Gary Henry

Thank you. We'll go ahead and do a roll call.

Board

Aye – Unanimous (7) – (Kevin Muldowney abstained)

Gary Henry

So, the Resolution is unanimously approved with one abstention. And I'd just like to commend the IDA and the whole team. I mean, it's a lot of work doing something like this. It's, you know, it sounds simple here, but there's a lot of behind the scenes, and a lot of work goes into saving this business, and the jobs, and retaining all that, so very well done.

Milan Tyler

It's creative problem solving. It really is amazing. Most IDA's would just say this is too small, not with our time and effort, but, you know, it shall be above and beyond.

Mark Giese

Thank you.

Gary Henry

Thank you. We'll move into New Business C -CCIDA Approving Entry into Agreement with National Grid, presented by Nate.

Nate Aldrich

Thank you, Mr. Chairman. As the board may recall, a few months back, we accepted a grant in the amount of \$675,000 from Empire State Development to explore the feasibility of developing the Eagle Bay Site in the town of Sheridan into a commerce park in the future, and, soon thereafter, we actually received an additional \$500,000 award from National Grid through their Strategic Economic Development Grant Program, actually larger than we had expected, so that's good news. So, what this means is, we're now fully funded with a total program budget of \$1.35 million, of which the IDA and County share is going to be less than 10% on a two-phase look into Eagle Bay, starting with environmental and site due diligence, looking to see if there's any, you know, deal breakers that would prohibit us from taking a harder look at developing the site, and then the second phase, additional planning, engineering, and development readiness, work. So, things like noise impact studies, traffic studies, SEQRA, infrastructure analysis, working potentially with National Grid to look at electric extensions to the site, potentially doing a NYISO study to bring more than 10 megawatts of power to the site, infrastructure phasing work, and general site master planning.

So, we should be fully funded now, and we'll be looking to do a procurement here within the next couple weeks to get this work underway, hopefully before the end of the year.

Mark Geise

And the owner of the property is also putting skin in the game, so –

Nate Aldrich

Correct.

Kevin Muldowney

Just what you described. How long will that take?

Nate Aldrich

So, we're hoping for a year, but realistically, 18 to 24 months is more realistic, just based on the timing of things like a wetland delineation and things like that, so –

Kevin Muldowney

Thank you.

Gary Henry

Any other questions from the Board? Kevin, can you move New Business C1 for us?

Kevin Muldowney

Sure. Resolution 08-25-26-03 of the Members of the County of Chautauqua Industrial Development Agency Approving Entry into Agreement with National Grid

Gary Henry

Do we have a second?

Ted Wightman

Second.

Gary Henry

Thank you Ted. We'll go ahead and do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The resolution is unanimously approved. Next, we'll move into New Business D - CCIDA Approving Entry into Agreement with Bellwether Advisors, again, presented by Nate.

Nate Aldrich

Thank you, Mr. Chairman. Again, this Resolution, again, since we've been relatively successful State and Federal grant awards in the last several years, there really is a lot to responsibly administering and complying with all the requirements, especially for construction projects. So, we brought in Bellwether to help us immediately this summer with our compliance with Davis-Bacon Prevailing Wage, Minority and Women Business, procurement goals for the Ripley project, but we seek to use Bellwether services for other grant projects going forward as well.

Mark Geise

And just to give you an idea, Bellwether played a big part in building the new Bills Stadium. So, they have some really good chops, and they have, a couple of, individuals that, I mean, they just eat, sleep, and drink compliance, and so we're like, okay, yep, this is the one, and we interviewed a few firms, and, they've really - and they've demonstrated, you know, so far, they've done some, you know, in terms of, you know, locking things up, that, yeah, they're all over it, so –

Gary Henry

I think we all understand the complexity of compliance with different issues, but especially with the IDA, you know, having gone through things with the ABO and that, there's just so many little things, it just feels like it's impossible to keep track of it all. So, I think having, you know, an organization like this to help us, you know, stay on the right path and checking all the boxes is a good idea.

Milan Tyler

One comment. Mark mentioned that, you know, he interviewed other firms. I will point out that this and the next, Resolution are professional services. So, they are, in theory, exempt from any procurement or bidding requirements, but nonetheless, you know, Mark and Nate do a good job at, you know, figuring out who the best person is.

Gary Henry

Good point. Tom can you move New Business D1 for us?

Tom Harmon

Sure will. Resolution 08-25-26-04 of the Members of the County of Chautauqua Industrial Development Agency Approving Entry into Agreement with Bellwether Advisors, LLC

Gary Henry

Do we have a second?

Dan Heitzenrater

Second.

Gary Henry

Thank you Dan. We'll go ahead and do a Roll Call vote.

Board

Aye – Unanimous.

Gary Henry

The resolution is unanimously approved. Moving to New Business E - the CCIDA Approving Entry into Agreements with CNS Engineering, again, presented by Nate.

Nate Aldrich

So, as the Board may recall, last year we received a \$500,000 grant award from the U.S. EPA for Community-wide Site Assessments, and with that money, we can do Phase 1 and Phase 2 environmental site assessments, asbestos surveys, and site-specific reuse planning on known or suspected brownfield sites across the county. We weren't required, but we did do a competitive procurement, and I believe 6 firms responded to our RFP. We interviewed 3 and selected CNS Engineers for a contract not to exceed \$487,000 over the term, which is the majority of the grant award, so we can work with them to select specific sites and conduct specific environmental work.

Mark Giese

It's just, real quick, it's so important for when we're trying to attract developers. There's way more to it than saying, hey, this buildings available. Well, what do you know about it? You know, so that's what this is really doing, is kind of queuing these buildings up for redevelopment, providing the contractors or the developers with as much information as possible, so they can make an informed decision.

Nate Aldrich

It'll work in tandem with other, pre-development activities and grants we have, other EPA funding, the Brownfield Revolving Loan Fund, and some state dollars for planning. So, a lot of momentum, again, on the brownfields and environmental side.

Gary Henry

Dan DeMarte can you move New Business E1 for us?

Daniel DeMarte

Yes. Move to approve Resolution 08-25-26-05 of the Members of the County of Chautauqua Industrial Development Agency Approving Entry into Agreement with C&S Engineers, Inc.

Gary Henry

Thank you. Do we have a second?

Tom Harmon

I can second it.

Gary Henry

Thank you Tom. We'll do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The resolution is unanimously approved. And thank you, Nate, for, you know, all your work getting all these grants and different things, and a lot of pieces and parts.

Nate Aldrich

Team effort, yep.

Gary Henry

We'll move into New Business F - CCIDA - BWB - Approving Certain Amendments to Lease Agreement with 201 West Third Street, LLC presented by Mark and Shelby

Mark Geise

So, Shelby and I are going to tag team on this, because it's been, quite an effort, to really look at this space, look at other space. You know, our term, our 10-year term, now we've been here 10 years, expired in July, and we started back in February, really looking at, you know, trying to negotiate with Krog, on our price here, and we had done some things that, you know, took into account, sort of like the, cost of the build-out that they did, and the fact that it would have been paid for over 10 years, don't know that for sure, but - and we tried to negotiate, originally with Krog to lower our cost per square foot, and they were not amenable to that, and not to say that that we wouldn't have done the due diligence on looking at other, facilities were, but we did, spend a fair amount of time looking at a number of other buildings, available space, and, you know, things like the Lutheran, out on, you know, east of here, we looked at the Westgate building down here, the old Jamestown Business College, Northcrest, I'm sorry, yeah, and then, Northcrest Business Center, M&T Building, we looked at Willow Bay Commerce Center, we looked at the JCC Annex Building, You know, we looked at, the Westside Professional Center and Geer Dunn Building. So, we did a fair amount of due diligence, really looking at those spaces and the cost, and there's no doubt that there is less expensive space out there, okay? However, when we really looked at the whole thing, and we looked at, you know, what it would, you know, the timeline on making those spaces, conducive to what we do.

Where they're located, I think it's important that we have a downtown presence. We're sort of in the middle of things here. You know, the disruption of services is the biggest one and you know, I didn't really, you know, you go into this, I've never done this before, but when we really got into this we started looking at all the things that we would have to do in order to move from here and actually, Phillips Lytle borrowed from some past work they did to just say, hey, these are some of the things you really should be thinking about that you're going to have to do, you know, in order to move into the new space, and I mean, page after page after page of, you know, whether it's changing all of your, all of your documents to reflect the new address, sort of rebranding and changing all of our stationery and business cards and telephone, and IT, and by the way, we're in the middle of a big production, if you will, for, looking at or working on software for data management, and for also our accounting. So, we're right in the middle of this huge effort, and we met with Gary a couple times, to talk about this, and so as we're out there looking at other space, and we're sort of communicating with Krog, He came back to us, finally, and actually exceeded what our original request was for a reduction in cost, which is about \$4 a square foot, approximately, reduction.

So, we did provide to you a term sheet, that talks about, you know, extending the current lease, but there's an amendment because of the extension, but also there's an amendment based on the cost per square foot, and the annual increase over time, which has changed as well. So... It's really, you know, we're looking at, about \$7,500 per month, which is a reduction, of what we've been paying, and we share the operating expenses with utilities and etc, like we've been doing in the past. So, do you want to add to that?

Shelby Bilskie

So, I will just add - well, I want to back up a little bit and just reiterate that we broached Krog in February with our suggestion or ask, with the reduction in cost per square foot, and that was after a lot of back and forth with Mark and I, like, looking at, you know, what we would assume the improvements were, and then, you know, any interest if they financed it, and then kind of backed into it, right? So, we had a lot of math kind of behind our, proposal to them. They came back and April, and said no, and that's when we kind of hit the ground running, looking at other spaces.

So, this has been in the works for a while, and at that April timeframe, we were expecting to move, because it was, you know, we have a fiduciary responsibility to the entity where, you know, we can't be paying for luxury space if there are you know, spaces that could fill all of our needs. So, it wasn't necessarily just, you know, the work that would go into the move that had us stay, it was that you know, he came back and met us and then beat what we originally asked for. Obviously, you know, our presence here is very important, and I just lost the last item that I was thinking, but anyways, so there was just a lot of work that went on behind the scenes, and it was kind of the last minute that it came up. There are a couple items, we're about 90% there with, the lease extension. There are a couple items that we'll have to work through, administratively, like, you know, what we've paid year-to-date, how we're gonna adjust that, or all that type of stuff, but moving forward, we do have the bones in place for the lease extension, and I think that's, again, though, to reiterate, you know, we're working on this accounting software that is taking a lot of our time and energy, and a lot of the, you know. Kind of administrative side of the move would also add a lot of work onto our team that we, you know, the timing just wouldn't work out.

Milan Tyler

I'd like to add one more thing, which is that, when it looked like you were not going to be able to stay here, Mark and Shelby, had me start negotiating a lease with alternate space, and it's only as we got to about the second round of those lease negotiations, I don't know that one caused another, but after that is when your current landlord came back and said, oh, well, maybe we can do something. We were very far down the road. Yeah, exactly, so I think that, you know, again, Mark and Shelby have sort of positioned you fairly well, in part by getting ready to go elsewhere to have this landlord come back and say, well, okay in that case, maybe we will cut a deal.

Mark Geise

We're not screwing around.

Shelby Bilskie

Yeah.

Kevin Muldowney

Great job.

Kayla Strandburg

Yeah. I will also add, every insurance certificate we've secured in the last 10 years with this address for all PILOTS and Loans, we would have to contact with the insured and their insurance policies and let them know that we have moved. I didn't want to have to do that.

Milan Tyler

And think about every book up there, and there's, you know, probably five times that many other documents and agreements where you have a notice address, right? If something happens, here's where the notice comes, and it's something that can be handled, but it's weeks of administrative work to go and find the particular agreement, where this is. and then send a notice to their official addresses there. So, that was just one of the things on Mark's memo that you would have had to take care of.

Mark Geise

And there was a holdover rate that would have increased our rent here if it took till, I'm making this up, December 1st for us to move into another space, we would have to pay 150% of the current rate, lease rate, here, until we're out. A holdover rate. So, there was I mean, there's a thousand things, but that's another, you know, another compelling reason, like, okay.

Shelby Bilskie

And we could have been given 30 days notice to move.

Mark Geise

They were showing the space.

Shelby Bilskie

Would have, yeah, really put a damper on.

Tom Harmon

I have a question, actually.

Mark Geise

Sure.

Tom Harmon

How many other businesses are in this building that would have been affected if we left? You think their rents would have all skyrocketed in addition to what they tried to do with us?

Shelby Bilskie

So we - sorry, do you want me to go, or do you want to go? I was going to talk about that. So, we have, what I call CAM fees, so Common Area Maintenance, and, you know, if they were to repave the parking lot, stuff like that, where it's absorbed amongst all of the tenants. And that is very expensive annually, and what would have happened to the other

tenants is their increase, that would have probably doubled for most of them, because we have a lot of space that we are using, so that would have increased tremendously for the other tenants.

Tom Harmon

I was just curious on that.

Milan Tyler

Speaking as one of the other tenants, I wholeheartedly agree, and, you know, I was worried, because, by the way, our lease is up as well, is, you know, if you had left and they rented the space to someone else at a higher rent, then the rent for others may go up as well, so it sort of sets the market. So, I'm happy that you're reducing your rent, because that makes, let's just say the other tenants make it easier for them,

Tom Harmon

I'm sure.

Mark Geise

By the way, it's nice having Phillips Lytle on the next floor, too – that relationship. There's so many things.

Tom Harmon

They probably charge us travel time, wouldn't they, if they had to go to –

Mark Geise

Yeah, oh yeah. Yeah,

Tom Harmon

Mileage

Mark Geise

And time.

Tom Harmon

I thought.

Yeah,

Shelby Bilskie

And Milan gives us a lot of documents, too, so we have a lot of storage space that we have to worry about.

Gary Henry

Well, excellent job. I know you both put a ton of effort into this, you know, a big savings for the IDA, but you know, it was a lot of work, and the other thing is, you know, we toured some of the other places. They may have been less expensive, but none of them were ready. You know, it wasn't like they were set up ready for the IDA. They were going to need a significant amount of work, some of which would have been done by the landlords, but the IDA would have had a lot of expense, you know, trying to modify these things to make them usable spaces.

Shelby Bilskie

Yeah, we expected that we would see the savings in, what, year three? So, years one and two, if we were to move, you know, would have been - the savings would have been absorbed in any other capital expenditures, so wouldn't have felt the same for a couple years.

Mark Geise

I think also the staff is happy that we're, staying, and that comes into play as well. I mean, we want to make sure that we take care of our staff.

Kevin Muldowney

Good point.

Gary Henry

John will you move New Business F1 for us?

John Healy

Yes. Resolution 08-25-26-06 Approving Certain Amendments to Lease Agreement with 201 West Third Street, LLC

Gary Henry

Do we have a second?

Kevin Muldowney

Second.

Gary Henry

Thank you Kevin. We'll do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The Resolution is unanimously approved, and at least that way we'll all end up at the right spot, or else we'll all be going to the wrong location for some meetings. We'll move into New Business G - CCIDA Approving Certain Amendment to Lease Agreements with the County of Chautauqua and the Chautauqua Lake and Watershed Management Alliance presented by Mark and Milan.

Mark Geise

So, this is an amendment to the lease to extend that lease with the County, Department of Planning, and also the Lake and Watershed Management Alliance. They've been, tenants of ours for years, and they're good tenants. You know, I wanted to say, and it says it clearly in the Resolution, that on a cost per square foot, basis alone it is less than fair market value, what they're paying us. However, there are a number of reasons why it makes sense for us to have them as tenants, even at this lower lease rate. Among them is the fact that they bring the County's IT resources to the table. I can't tell you enough how important that is to us, that we have computers that work, that are secure, our phone, just making sure that our computers are, are updated, I mean, it's huge. Our emails, all that, and then also, the resources that we share with, like,

printers and copy paper, etc., but to me, the most important reason is that we are one big team, and we all need to be together. They were someplace 10 miles away, or whatever, right? We're not all together, and we're collaborating all the time. The fact that we're all under the same roof is hugely important. So, I don't know if you want to add anything else, Milan, but, you know, again, it's basically extending what our deal has been with them over the past - I can't remember if it's been 10 years, but 8 or 9 years, or something like that, and, and you know, things have worked out well.

Milan Tyler

I think that speaks for itself. It's a continuation of what you have now under your Property Disposition Policy. If anything is other than at fair market value, there has to be an explanation as to why, and I think Mark has, you know, done a good job as to why it is important to have these affiliated, if you will, entities under the same roofs. That's sort of the rationale, and there's, other things that they bring, services and, you know, other services to the IDA.

Gary Henry

Thank you. Ted can you move New Business G1 for us?

Ted Wightman

Yes, I'll move Resolution 08-25-26-07 Approving Certain Amendments to Lease Agreements with the County of Chautauqua and the Chautauqua Lake and Watershed Management Alliance, Inc.

Gary Henry

Thank you. Do we have a second?

Tom Harmon

I can second it.

Gary Henry

Thank you Tom. We'll do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The resolution is unanimously approved. Next, we'll move into New Business H - CCIDA Administrative Assistance - presented by Mark, Shelby, and Milan.

Mark Giese

I have CCIDA fees. Oh, okay, it was changed, I have an old version. I'm like, what? So anyways, same.

Gary Henry

Try and keep up.

Mark Geise

So, yeah. I gotta go back in the book. I get a draft version, and that's what I marked up, and it's been changed. But anyway, it's fine. So, this has to do with our administrative fees. 1% of the project cost is what we charge for our services, okay. In some cases, they don't get mortgage recording tax exemptions, sales tax exemptions, and a PILOT. So, in that

case, in those cases, it might not be a full 1%. So, we sort of negotiate that, but I think more importantly, there are often projects that are big projects, where the developer asks if we will spread those administrative fees out over time. So, 3 years, 5 years. So, we want the ability to be able to sort of negotiate those fees, and also the terms of how those are paid to the IDA.

Milan Tyler

Yeah, previous to this, the IDA has sort of handled it on an ad hoc basis. Right? There was no procedure for when this would come up, right? and some of the larger projects, something, you know, a large solar project or others, we would negotiate fees, and sometimes it's such a small project that it, you know, barely pencils out, you know, with lower fees, even. So, this lends some structure to this process. Again, it is rare, and we want to discourage applicants from thinking that your fee is negotiable, but again, this is right in the application, which the board has approved.

So, we wanted to sort of set up a process, and the process would be that the Project Manager, if they get such a request, would refer to the CFO. I'm thinking the CFO is going to say no, because it's money, but if she decides that there should be some variation of the fee, and the fee is, in your policy, payable at closing. So, if it gets, spread out or reduced in any way, the first step is the project manager takes it to the CFO. The CFO says yes, no, or maybe. Whatever the CFO says, if it's yes or maybe, then it goes to the CEO, and then, you know, Mark takes a look at it, and sort of thinks, oh, is there some, you know, public reason that we should or should not do this, or, you know, he has a different lens, and then if he says yes, no, or maybe, if he says yes or maybe, then it goes to the Chairman. So, it's sort of 3 levels of approval, and then if that happens, then the Project Manager does an internal memo as to what the rationale was and what the decision was, and that allows it to not have to wait until the next Board Meeting, and to, offense, bother all of you about it, because what I've found is sometimes this comes up very close to closing. Right? We're getting close to closing, and all the numbers get adjusted, and they suddenly realize they have a big check, or they don't have any money left over at all, and then that's sort of when this comes up. It comes up often at the last minute. So, the thought is we wanted a process that was very clear, and one that you all approved, because in theory, you are delegating the authority to do this to these three with that process.

Shelby Bilskie

Another point that I'd like to bring up, too, is not necessarily just the bigger projects, but also, again, the smaller projects, but giving us, you know, the ability to look at, you know, some of the, items may be administrative changes. So maybe there's a project that has that's going through refinance, or whatever it may be, that would give us the ability to look at what it's going to cost the company in, you know, manpower or whatever it may be, and charge a fee for those types of items as well. And then, you know, like Milan said, the smaller projects, you know, we can look at, again, what it's gonna cost us, if it's gonna cost us a lot of time and energy, what the fee should be, so that we're covering our expenses as well.

Mark Geise

Good point.

Dan Heitzenrater

Yeah. Trying to make this make sense in my head. So, I understand, as you've outlined how it functions with a negotiation based on the premise that it's due at closing, but we obviously had the situation, I think, which is, like, the reverse situation, right? Where there was a project that just continually got pushed out, pushed out, pushed out. There's a tremendous amount of agency work completed, and we tried to use that as a little bit of discussion to get the fees. when there wasn't a closing date set up, right?

Milan Tyler

I'm sorry, is your example where they don't close for quite a while?

Dan Heitzenrater

Right, and so I guess if this is setting up a framework of approvals, could it be deviated in the reverse way, right? Where you say, hey, this has been going on for 2 years, we need to cover some of our time and efforts.

Mark Geise

We have done that.

Dan Heitzenrater

Sorry.

Milan Tyler

And the answer is yes.

Dan Heitzenrater

Right.

Milan Tyler

Typically, it's due at closing, and you're right, the scenario we were thinking about is extending the fees, but you're right, there's a number of projects that have been outstanding for literally years and they haven't closed yet, and we have, asked companies to say, if you want this to, you know, stay active, you have to come current on legal, and pay, you know, X percent, half, quarter, whatever it is, of what the administrative fees that would otherwise be due, because we are spending a lot of staff time. So, yes this would cover that scenario as well.\

Shelby Bilskie

Right.

Kevin Muldowney

Is it already currently I mean, sounds like you've already done that.

Milan Tyler

A couple of times, I'm thinking on some solar deals, we've done that, because those, in particular, there's a handful of them that have been outstanding for a while. So, again, we wanted to sort of bring this topic up for discussion, and this is a, I think, a potential process for figuring out, you know, when to deviate, if you will, from sort of the standard fees.

Shelby Bilskie

Yeah, and again, to reiterate in those examples, you know, that is typically the 1% that's already listed on the application that the board has already approved of, and it's more the solar companies prepaying the fee, and it's kind of, like, holding their place, essentially.

Kayla Strandburg

From the perspective of an auditor, they would also like to see a policy in place for why we would deduct from a standard agency fee as well.

Milan Tyler

Were you about to ask a question?

Kayla Strandburg

Sorry Kevin.

Kevin Muldowney

Yeah, no, and maybe, but let's say you got a project, small, small project, and you've got all kinds of man hours you're gonna see (difficulty hearing audio). Can you adjust the fee?

Shelby Bilskie

So, this would give us the ability.

Milan Tyler

Upward

Shelby Bilskie

Going through the –

Kevin Muldowney

Upward.

Shelby Bilskie

Oh. So, essentially deviate from what we already approved.

Kevin Muldowney

Yeah, and maybe that I'm just... I just don't know that, so I'm just I'm not questioning that, I'm just –

Milan Tyler

I think the technical answer to your question is yes, because the Resolution is any deviation from the, you know, 1% to closing. I don't see that happening very often. Where it'd be sort of like value billing, if you will, but I - yes, this would cover that scenario. Again, I'm thinking Yes, that could happen. It tends to happen sort of on larger projects, where the fee really is already large, but in theory, we could deviate off.

Mark Geise

Most of those expenses, though, are for the legal expenses, because they're working through the closings, and all the documents, and all that. I mean, we do have time in it, but not to the extent that - so, the fact that we've gone back and said, look at... if you want us to extend this thing, keep it active, then you're gonna have to pay up on the legal fees, at least.

Kevin Muldowney

Makes sense. Thank you.

Gary Henry

Any other questions from the Board? Dan Heitzenrater would you move New Business H1 for us?

Dan Heitzenrater

Yes. I'll move Resolution 08-25-26-08 CCIDA Administrative Assistance

Gary Henry

Do we have a second?

Kevin Muldowney

Second.

Thank you Kevin. We'll do a Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

The resolution is unanimous and approved. Next, we'll move into the Executive Director's Report.

Mark Geise

So, I'm going to start out with a Resolution that was not on the agenda, and there's a reason why, because it came down to the 11th hour here, whether we were going to present it or not, and we decided based on the feedback that we got from both Americold and the Town Supervisor, Sherry Miller, in the City of Dunk - the Town of Dunkirk that we would proceed. And I'm gonna give a little background on this first.

So, Americold help me here, guys, but Americold asked for a mortgage recording tax exemption, because they went through a refinance company-wide, and, they originally did not include that in their original request. They came back and said, yeah, we do want that. So we, Kristine had a Public Hearing, regarding the matter, and the Town Supervisor, Sherry Miller, spoke out against it, and he gave the reason that the, the trucks that use Americold, are degrading the roadway, and, you know, it's costing the town, \$7,000 to \$10,000 per year, to fix that road, and it - because there's so much, you know, the staging of the trucks as they're entering the facility, so, we had a meeting with Americold and we talked about it, and this was just, last week, late last week. And, you know, talked about it, and they actually had a meeting. Americold had a meeting with the Town, and they walked around, and they looked at it, and etc, etc, and Americold came back to us, really, this morning.

Milan Tyler

10.09.

Mark Geise

10.09 this morning, and said, hey, look it, we, had conversations with the town supervisor. We have reached an agreement between us and the Town. It's not memorialized yet, and, that the Town Supervisor would be calling me to say that she is good and is not going to speak out against the (difficulty hearing audio) I have not heard from her yet, but what we thought we would do is that we would, approve, its up to you of course, approve the Resolution. However, we don't - we wouldn't close on it until I hear from the Town Supervisor that she is satisfied with the agreement between them and Americold.

So, I think it's a good way, because if it extends till September, it hurts some Americold, costs them more money, etc. This is a way for us to approve it, but not close on it until, and it'll be my call. I'll let Milan know, I talk to her, everything's good, and then they would close on. So, I don't know if you guys want to add anything else to that?

Shelby Bilskie

Yeah, I think you captured it.

Mark Giese

Ok.

Shelby Bilskie

We've had a couple meetings with them, you know, discussing the feedback, and had another meeting after they met with the Supervisor, and to Milan's point, it came at the 11th hour this morning.

Milan Tyler

11.57, or, you know –

Shelby Bilskie

9

Milan Tyler

Whatever that analogy is. It's a \$50 million mortgage.

Shelby Bilskie

It is significant.

So, the savings is \$625,000, and again, backing up, had they asked for it originally as part of the transaction that we've already closed, I suspect you all would have said yes, because we typically approve all three. They did not, because they didn't think they were going to be putting a mortgage on this facility. When they go and do their company-wide financing, the lender wanted a mortgage on this facility to cover the expenditures at this facility. So, that's why they are now coming back to us. We held a Public Hearing, because the financial assistance is more than \$100,000. Only the Supervisor spoke at all. Kristine has given to you, the original request letter, a transcript of the Public Hearing, but I think we've described what actually happened at the Public Hearing, and the Mortgage Recording Tax Resolution.

Again, it's only mortgage recording tax, because you've approved previously, both the sales tax and the real estate tax. There's no contingency in the Resolution. It would really just be that Mark is instructing me to not close on it unless and until he confirms the email that we've seen as of this morning, between Americold and the Supervisor, that she has withdrawn her objection based on some other discussions that they have had.

And again, backing up, Mark and Shelby instructed - told Americold that we weren't going to put it on the agenda unless and until we heard from the Supervisor. That's why it's not on your agenda, and that's why this is sort of coming up at the last minute. So, for that, we apologize, but Americold has told us that this is part of their bigger financing, and they - it would be either inconvenient or costly for them to wait until the September meeting. So, that's why the sort of last-minute, addition to the agenda.

Mark Geise

And this is no different than every other project, where we will not move ahead. with, our incentives, unless the Town is on board with us doing so. So, this is another case of that. So, we weren't - aren't going to move ahead until the Town is satisfied.

Milan Tyler

I point out that that's not a legal requirement.

Mark Geise

It's not a legal.

Milan Tyler

But it's just where the policy of the staff, at least, is to not even bring it to you unless the Town is either on board or, in some cases, silent about something. But, in theory, we would bring it to you pointing out that the public body, whichever it is, is against it for some reason.

Mark Geise

Yep.

Dan Heitzenrater

Just, I mean, I don't know, suggestion, and I don't know if you're already thinking this, I would get the confirmation from the Town Supervisor via email or in writing, given that they're on record from a public hearing.

Shelby Bilskie

Yep.

Milan Tyler

We've seen an email from Americold to the Supervisor, and again, that was, what, an hour ago, so we haven't seen a response yet, but that's a good point.

Daniel DeMarte

Can contingency language be added to the Resolution?

Milan Tyler

It could, I haven't typed it up. I can, or I guess what I suggested is, since this is approving and not directing, this allows the staff to go ahead with this, and I think, you know, the way that I thought about doing it is just Mark is not going to - is not going to sign anything, or Mark or Shelby aren't going to sign anything unless until they get that, confirmation. Nope. Either way is fine with me, because before it closes, that contingency is going to be met.

Daniel DeMarte

I mean, I prefer, since it's not on the agenda, to have the contingency language.

Milan Tyler

Okay. So, in the formal Resolution, I'm going to add someplace, you know, subject to confirmation by the CEO that the Town Supervisor has withdrawn her objection.

Mark Geise

In writing.

Milan Tyler

Let me jot that down.

Kristine Morabito

Is the writing also electronic?

Milan Tyler

Yes. Okay, that's going to be added to the end of Section 5, which says the agency hereby approves the request to set forth in a request letter, subject to revision to this Resolution, and I'm going to say comma, subject to confirmation by the CEO in writing, including electronically, that the Town Supervisor has withdrawn her objection to the uppercase R request. Dan, that works for you?

Daniel DeMarte

Yes.

Gary Henry

Anything else from the Board? So, we're going to be voting on Resolution 08-25-26-09 Resolution of the County of Chautauqua Industrial Development Agency authorizing certain matters in connection with its straight lease transaction with Americold Dunkirk, Propco LLC, with the addition to Section 5 that Milan just read. Any other questions? Do we have a second?

Tom Harmon

I'll second.

Gary Henry

Thank you Tom. Go ahead and do Roll Call Vote.

Board

Aye – Unanimous.

Gary Henry

Ok. Thank you.

Mark Geise

I'm gonna buzz through these really quickly. Just, some updates on projects and others, other stuff. Thought it'd be a good idea to give you an update. 401 Central, that's the bank building in Dunkirk development that was completed. They've rented out the residential suites, I think they're still looking to find a tenant for the commercial space on the first floor. That was a \$2.4 million project. They're getting DRI, they got some ESD help, etc.

The Macaroni Building, again, is a Peak Development project. It's a \$2.9 million, project. The application is in process, sort of waiting for the reimbursement from the State before they move on to their next project.

The Dunkirk Landing, that's the two housing projects in Dunkirk, \$38 million project, and there was a groundbreaking, was that last week, with the Governor, was in town? And, it was great, it really was, but, I think they really get it. They understand that we need housing if we're going to attract people here, and attract people to live here, and people to fill jobs, etc. So, that was really great.

Immunity Bio, you know, they're, they're hiring away, and they've got, they've got probably a dozen and a half employees right now or so. They're looking to hire another dozen plus, kind of high-level, you know, folks, and, we've had a couple of meetings with them also about the housing issue, where they're like, you know, we're trying to recruit these, you know, scientists and, you know, pharmacists, whatever, and, we really need housing for them. So, we've had a couple of meetings with the City of Dunkirk, identifying places where market rate housing can occur, also affordable housing, so we're really trying to push the house - push the envelope on new housing, you know, working with the Planning Department. They got a grant through the State, pro-housing type grant, and, so we're, you know, we - you know, 400 units, created, or on the books to be created here in the next, or, you know, over a 5-year period, and then another 400 in the next 5 years. So, all good.

Ultrapak, they received technical assistance from us. They got an Excelsior grant from the State. They're on Franklin Avenue in Dunkirk.

And Wavepoint, that's closed. Remember, they acquired the big warehouse up in our Chadwick Bay Industrial Park and have easements, or not easements, options on the land that we own. I'm going to meet with Wavepoint next week, to talk about whether they want to extend that or not, but that worked out.

I already talked about Americold.

You know, the Bush Building, there's an official listing now through CBRE, I believe it is.

Rosie Strandburg

Yes. That's on Invest Buffalo Niagara.

Mark Geise

Yep, it's on the Invest Buffalo Niagara website. It's a beautiful building. I mean, and it really shows well. It's got everything, right? It's got power, it's got, it's got width and height of the building, truck bays, rail, etc. So, I also sent it to Empire State Development, and RJ Ball might ring a bell, and, Christian Mercurio, and so they've all got it on their radar, and what I really like about the listing, too, is down right near the end, it says, incentives potentially available through the IDA, so that they know when they come and look at it, that, you know, it's a good thing to talk to us as well. So, I have high hopes for that building.

Rosie Strandburg

I'd like to share with a group. I'm not privy to who the developer is or company is, but someone has already put in an offer. So, the realtors reached out yesterday to broach the topic of eventually connecting them with us, and that, they wanted to talk to the BPU about power, too. So, there's a possibility you'll be hearing in the next few months who may be (difficulty hearing audio).

Mark Geise

Since you said that, there's also, Serta Simmons and Truck -Lite, and these are local manufacturers, have displayed, I don't want to say anything more, but made offers, let's say that. So, you know, those 3 buildings, cross our fingers, could, be repurposed here in the near future. We've been working hard on that. So, all good.

What else? Oh yeah, and you know, as part of when the Governor was here last week, for the ribbon cutting, for Regan projects, Dunkirk Landing housing projects, there was also a ribbon cutting, or a steel signing, not a groundbreaking, a steel signing, at for the new hospital in Fredonia. That was terrific as well, and what a big boost to our area. Healthcare is important to businesses, to people locating. They want to know that they have healthcare locally, so that's a great project.

Wells, there is a ribbon-cutting ceremony coming up, and, near the end of this, month, and that'll be exciting. I think the Governor will be here, I don't - I doubt it, though, because she was just here. What else?

Yeah, the Silver Creek Apartments, if you haven't been by those. Wow. You know, I mean, they're up, they're putting the finishing touches on those. We are, with the Chamber, you know, organizing a, you know, a ribbon cutting for that, and that will depend on when the state can be here as well.

In the Main Road Medical Group, you know, we. Kristine always reports that there's a lot of cars in the parking lot, and they seem to be moving ahead on things. They have not closed on our PILOT yet, but we're working towards that. I think that's about it for - wait a second, let's see.

Oh, one last thing, on the Ripley, site. Everything's moving along great. We're looking at a completion date of somewhere first quarter, early second quarter of 2027. The contractor is out - is staging the equipment out there to put the road, the water, the sewer in. We've been, talking with the DOT, right, Nate, about the turning lane.

Nate Aldrich

We had a significant delay due to DOT.

Mark Geise

Yeah, that was an earmark, and it was a big delay, but we sort of said, no, we need to re-bid this portion of the project, in the next two weeks, so we need to all be on board with that.

And there's a whole bunch of other stuff, but I just wanted to mention that we also have interest from a big developer that we're talking with and negotiating with already, for a big - a big chunk of that land, so we're excited.

Tom Harmon

Got a question Mark. Getting back to the Silver Creek building, my phone's been ringing off the wall. A lot of people want to know when it'll be available. Who's accepting applications, who's screening, who's doing - I don't have any of those answers from my constituents.

Kristine Morabito

Yeah, they indicated that, first occupancy would be in the beginning of November, even as of November 1st, but I think early November. I don't have the information with me today, but I saw it published while they were accepting applications, and I can get back to you on that.

Tom Harmon

Yeah, if you could do that.

Kristine Morabito

I don't know the contact, I'll have to get it to you, and that way, when you receive these calls, you can -.

Tom Harmon

Yeah, it's almost one or two a day. I've been receiving, you know, people off the wall want to know what's going on, they want to know who is going to be (difficulty hearing audio) I don't have any information.

Kristine Morabito

Okay, I'll get a contact for you.

Tom Harmon

Thank you Kristine.

Kristine Morabito

Good question.

Mark Giese

That's good. Shows demand.

Tom Harmon

(Difficulty hearing audio)

Mark Geise

That's all I have.

Gary Henry

Great. A lot going on. We appreciate it. Want to give us a Treasurer's Report?

Shelby Bilskie

Reviewed and Discussed the Treasurer's Report.

Gary Henry

Thank you. Any questions from the Board? Do we have a motion to accept the Treasurer's Report?

Tom Harmon

Motion.

Gary Henry

Do we have a second?

Daniel DeMarte

Second.

Gary Henry

Thank you. All those in favor say Aye.

Board

Aye – Unanimous.

Gary Henry

Opposed? The Treasurer's report has been accepted. At this point I would entertain a Motion to go into Executive Session, for the purposes of discussing the financial or credit history of a particular person or corporation. In particular I would like to discuss the status of our loan portfolio and the financial and credit status of some of our borrowers. Do I hear such a motion?

John Healy

Motion.

Gary Henry

Thank you. Do we have a second?

Daniel DeMarte

Second.

Gary Henry

Thank you. All those in favor say Aye.

Board

Aye – Unanimous.

Gary Henry

Opposed? Ok, we'll go into Executive Session.

Executive Session

Start Time: 11:44 a.m.

Executive Session

End Time: 12:15 p.m.

Gary Henry

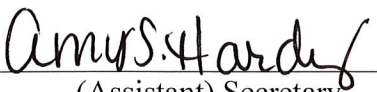
We are back in open session. I would like to report that there were no actions or votes taken during Executive Session and therefore no minutes of the meeting were taken.

Any Old Business to come before the Board? Hearing none, we will consider the meeting adjourned. Just a note that the next Board Meeting will be September 22, 2026 at 10:30 a.m. and we'll be in Dunkirk at the Center for Innovation and Economic Development.

Mark Geise

Thank you everyone.

The meeting is adjourned at 12:16 p.m.


(Assistant) Secretary


(Vice) Chairman