

**NIAGARA FALLS URBAN RENEWAL AGENCY**  
**Minutes of Special Meeting – May 31, 2016**  
**City Hall – 745 Main Street**  
**Niagara Falls, New York**

**Present:** Mayor Paul Dyster, Chairman  
Council Member Kristen Grandinetti  
Council Member Ezra Scott  
Council Member Tompkins  
Council Member Andrew Touma  
Council Member Charles Walker  
Mr. Michael Hooper  
Ms. Doreen O'Connor  
Mr. Christopher Robins

**Absent:** Ms. Janet Markarian

**Staff** Mr. Anthony Vilaro

**Present:** Mr. Richard Zucco  
Ms. MaryAnn Colangelo

**Others** Thomas DeSantis

**Present:** There were many audience members present as the meeting was held prior to the City Council meeting.

Chairman Dyster called the meeting to order at 4:40 p.m. Roll was called and a quorum was present (9 members).

**Approval of Minutes of Meeting**

The Minutes of Meeting dated May 9, 2016, were put before the Board. There were no questions or comments concerning the minutes, a motion for approval of the minutes was made by Council Member Touma, second made by Mr. Robins. The minutes were unanimously approved by voice vote (9) members.

**Temporary Occupancy of 3625 Highland Avenue**

Mr. Zucco stated there are three buildings on the Highland Avenue site. The agenda material distributed to the Board stated Sandstone Springs requests to lease one of the buildings. We are now talking about Sandstone leasing two of the buildings. The building that we will not lease is the one that housed the Science Museum.

Mr. Vilaro stated that we will be leasing an office/research and development building and the production building and will have an occupancy agreement for those buildings. The only building that won't have an occupancy agreement for will be the first building when you come in from College Avenue, which still houses the remnants of the Niagara Science Museum. The 3625 Highland Avenue lease will be a three-year lease for the two buildings.

Mr. Zucco explained that the reason we are doing a lease is because we are going to keep title in Urban Renewal's name and proceed with rehabilitation and remediation of the buildings.

There are grants available that a public agency can access. These grants can be used to clean up the site and help bring the buildings up to code completing any remediation that is necessary. The goal is that once we get everything up and running we can continue on a lease basis or we can sell the parcel to Sandstone. The lease will be \$2.50 per sq. ft. Sandstone will indemnify the Agency and provide \$1 million of liability insurance. In addition, Sandstone will insure the occupied buildings.

Mr. Hooper stated that he was concerned that the land would be polluted when they are finished with operations and we are left with environmental cleanup issues. He stated that he has seen that situation before. Mr. DeSantis stated that none of the materials that they are bringing onto the site are toxic materials and the Agency/City would see to it that that situation would not happen. Mr. DeSantis also stated that Sandstone ultimately wants to own the property.

**Approval of Temporary Occupancy of 3625 Highland Avenue:**

Motion to approve the temporary occupancy of two buildings at the 3625 Highland Avenue site to Sandstone Springs, LLC., as outlined and authorize the Chairman to execute any documents necessary to effectuate the same was made Council Member Grandinetti, second made by Council Member Touma.

**POLLED VOTE:**

In Favor        9  
Opposed        0  
Unanimous

**Publication of Notice of Lease of 3625 Highland Avenue to Sandstone Springs, LLC:**

Mr. Zucco stated that the Highland Avenue lease will require a public notice to be placed in the local paper and asked for approval of the following notice to be published:

NIAGARA FALLS URBAN RENEWAL AGENCY  
PUBLIC NOTICE PURSUANT TO GENERAL MUNICIPAL LAW §570(2)(d)  
NOTICE IS HEREBY GIVEN that the Niagara Falls Urban Renewal Agency (NFURA) has received a proposal from Sandstone Springs, LLC, 111 – 24<sup>th</sup> Street, Niagara Falls, New York (“Sandstone”) for approval of Sandstone as a qualified and eligible sponsor for the lease of Niagara Falls Urban Renewal Land known as 3625 Highland Avenue, an approximately 5.5 acre former industrial site located on the east side of Highland Avenue, Niagara Falls, NY, SBL No. 130.18-2-14, (“Property”) for three years, with an option to renew for an additional three year term, for a net rental of \$2.50 per square foot. The lease will contain a right of first refusal for purchase of the Property. Under the lease, portions of the Property will become available for lease as NFURA completes rehabilitation and remediation of the site.

The proposed qualified and eligible sponsor has filed with the Niagara Falls Urban Renewal Agency a Redeveloper’s Statement for Public Disclosure. A copy of the Redeveloper’s Statement is available at the Niagara Falls Urban Renewal offices at 1022 Main Street, Niagara Falls, NY. The Agency telephone number is 716-286-8804.

Motion to approve the publication and authorize the payment of any notice and publication costs was made by Council Member Grandinetti, second made by Council Member Scott.

**POLLED VOTE:**

In Favor: 9  
Opposed: 0  
Unanimous

**Referral to City Council of sale of 109 – 24<sup>th</sup> Street to Sandstone Springs, LLC**

Mr. Zucco stated that the final matter was the referral of the sale of 109 - 24<sup>th</sup> Street property to Sandstone Springs to City Council. The NFURA published the public notice of sale and we are now referring this matter to City Council. The City Council will have to do a public hearing and then act on the sale. This method of sale allows us to do a negotiated sale to the developer of the property. We will be following parallel tracts for both the 24<sup>th</sup> Street property and the lease of 3625 Highland Avenue .

Mr. Zucco noted that we will probably have one more special URA meeting and then we will be able to wind up both items at our regular July 18<sup>th</sup> Urban Renewal meeting.

Motion to approve the following Resolution concerning the Sale of 109 – 24<sup>th</sup> Street and referral to City Council for its approval, was made by Council Member Grandinetti, second made by Ms. O'Connor.

RESOLUTION  
NIAGARA FALLS URBAN RENEWAL AGENCY  
Sale of 109 – 24<sup>th</sup> Street  
Referral to City Council  
May 31, 2016

**WHEREAS**, the Niagara Falls Urban Renewal Agency(NFURA) has received a proposal from Sandstone Springs, LLC for the purchase of 109 – 24<sup>th</sup> Street and

**WHEREAS**, a public notice pursuant to General Municipal Law §570(2)(d) was published in the Niagara Gazette on May 13, 2016 as directed by NFURA

**NOW, THEREFORE BE IT RESOLVED**, that NFURA does hereby accept Sandstone Springs, LLC as a qualified and eligible sponsor for the purchase of 109 – 24<sup>th</sup> Street for \$1,500.00 and be it further

**RESOLVED** that the sale of 109 – 24<sup>th</sup> Street be referred to the Niagara Falls City Council for its approval after a public hearing.

**POLLED VOTE**

POLLED VOTE:

In Favor: 9

Opposed: 0

Approved

There being no further business Mayor Dyster thanked the members for coming out to the special meeting. He expressed his support and spoke about the importance of the project. He reminded the Board that we will be calling another Special Meeting in the near future to take the necessary action necessary to move the project along.

Motion to adjourn was made by Mr. Hooper, second made by Council Member Grandinetti. Unanimously approved. The meeting was adjourned at 5:00 p.m.