

## WYOMING COUNTY IDA BOARD MEETING MINUTES

The WCIDA Board of Directors met on May 14, 2026 at 2:30 p.m. at the Wyoming County Agriculture and Business Center, 36 Center Street, 2nd Floor Conference Room, Warsaw, NY 14569.

Chairman Dadd called the meeting to order at 2:36 p.m.

### 1. **Roll call:**

In attendance were: Mark Dadd, Chairman; A. D. Berwanger, Vice-Chairman; Rebecca Ryan, Treasurer; E. Joseph Gozelski, Director; Scott Gardner, Executive Director; Robin Marschilok, Director of Operations; Jennifer Tyczka, Program Manager; and Kevin Zanner, Agency Counsel.

Absent: Thomas McCormick, Secretary; Brianna Stone, Director; and Daniel Burling, Director

### 2. **Administrative**

#### A. **Review/approve minutes from March 12, 2026**

Minutes of the March 12, 2026 Board meeting were reviewed. A motion was made to accept the minutes by R. Ryan and seconded by D. Berwanger. The motion was unanimously carried.

#### B. **Review/approve financial report for March and April 2026**

The financial reports for March and April 2026 were reviewed. The financial reports were approved on a motion made by D. Berwanger and seconded by R. Ryan. The motion was unanimously carried.

Gardner added that staff recently met with Tompkins Bank to discuss whether Treasury Bills would be more beneficial than the current CDs. They ran scenarios of both and it was determined that our current use of CDs would maximize earnings. While the Treasury Bills were slightly higher for interest, over the term CDs are a better option as there are no fees.

### 3. **Action Items**

#### A. **Request by Upstate Door, Inc. project for a 6-month extension of the sales tax exemption to expire on November 30, 2026.**

S. Gardner updated the Board on Upstate Door Inc.'s project in Warsaw. The company reported that it is finalizing everything going into the building and needs the sales tax exemption extended for a few more months. The Board approved the request to extend the sales tax exemption allowance for six months, through November 30, 2026 on a

motion made by D. Berwanger. The motion was seconded by R. Ryan and unanimously carried.

**B. Review and authorize the updated 5-year lease agreement for IDA offices at the Ag and Business Center**

Gardner reported that he requested to have the conference room space removed from the lease agreement. The Board of Supervisors granted the request and the lease obligation was reduced from \$28,003.50 to \$18,364.50, a reduction of \$9,639. After review, the Board authorized Gardner to sign the 5-year lease agreement on a motion made by R. Ryan. The motion was seconded by J. Gozelski and unanimously carried.

**C. Review and authorize a public hearing for an application for PILOT, Sales Tax, and Mortgage Recording incentives for 55 Main Street (Perry) LLC, a mixed use building rehabilitation to be used as multifamily residential housing and retail.**

Gardner presented the request from 55 Main Street, LLC for IDA incentives. The project involves renovation of the building known as the Commodore and formerly Travers Place. Currently, the building includes 13 residential apartments. The owner plans to remodel and reconstruct the apartments to make larger market rate apartments on the upper level and professional office space on the first floor. The total estimated project is expected to be \$1,489,656. The proposed incentives for the project are more than \$100,000, therefore, a public hearing is required. Gardner added that the applicant has indicated that the project costs will go up slightly and the public hearing would not be held until we have the final numbers, and a signed application. The Board moved to authorize the public hearing on a motion made by D. Berwanger. The motion was seconded by R. Ryan and unanimously carried.

**D. Informational review of the Land Disposition Agreement for the Steele Avenue B property and transfer of the site for the hotel project in Arcade.**

Gardner reported that this item was expected to be informational only, however, the Land Disposition Agreement or "LDA" has been finalized by the parties and counsel and is ready for approval by the IDA Board of Directors. The LDA details the agreed upon items from the term sheet and binds the parties to the transfer of the property from the IDA to the developer, Indus Hospitality Group, Inc., the Developer with the intention to complete the construction of a 4 story, 70 room hotel on the site within 2 years. The agreement includes a reverter provision that would allow the IDA, at its option, to require title to the property if the Developer does complete the project per the LDA. The applicant submitted a short form EAF for the project and the IDA will issue a negative declaration pursuant to SEQRA. K. Zanner noted that the other proposed incentives for this project, including IDA PILOT incentives, are not part of this approval and would be processed in accordance with the IDA's normal application procedures. Gardner then presented the following resolutions titled:

**RESOLUTIONS OF THE BOARD OF DIRECTORS OF WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH THE DISPOSITION OF A 4.25+/- ACRE PARCEL OF REAL PROPERTY LOCATED AT STEELE AVENUE, ARCADE, NEW YORK TO INDUS HOSPITALITY GROUP, INC.**

The Board approved the resolutions as presented on a motion made by D. Berwanger. The motion was seconded by R. Ryan and unanimously carried. A copy of the resolutions adopted by the Board is attached to these minutes.

**4. Executive Director's Report – Presented by Scott Gardner**

Positive movement continues with the developer of the proposed hotel project for Arcade. We are reviewing a potential gas pipeline issue that crosses the property and determining the best course of action. We are also checking in on status of financing and timeline for the project. We have not received PILOT applications, permits etc. as of today.

LaBella's consultant updated staff on progress at the Emkay site in Arcade and the Brownfield Cleanup Program application. The application package was finalized and submitted by 58 Church Street, LLC. NYSDEC performed its completeness review on the application and it is now subject to the public comment period until May 22.

Regarding the \$3.3 million awarded to the WCIDA for the Wyoming Rail Transfer Station in Silver Springs; staff met with the site operator regarding next steps, and have been working with NYSDOT staff on specific questions before contracts will be brought to IDA Board for review and approval. IDA staff has scheduled a conference call between IDA, Counsel, and NYSDOT, to clarify the necessity and/or plan for a sub-recipient agreement before moving forward.

Gardner had a positive conversation with a construction business interested in moving from Erie County into the Bennington area. The business owner has a location and is working with the property owner and the town for necessary approvals. We offered assistance should it be needed in the future.

Gardner spoke with Tom Mason, Realtor for the former Pioneer Credit Recovery building in Arcade. Staff and interested parties will be scheduling a walk-through of the property. We understand that there has been some interest in the property already.

We received a call from a gentleman interested in investing in the Opportunity Zone (OZ) that covers the Town of Warsaw. Gardner reached out to several commercial property owners who may have an interest in selling; prepared the info and sent it to the investor. The One Big Beautiful Bill (HR 1) has revised the OZ program and there will be changes to designations across the Finger Lakes and State. Gardner has sent our position to Finger Lakes ESD and requested that we keep a census tract

designated in Wyoming County.

Gardner is serving on the County Housing Study Steering Committee. There was a kickoff meeting on March 20, and an update meeting on April 28 to share some initial findings. We are hopeful this study will help to inform a potential housing UTEP addition at the IDA.

On March 19, we participated in a meeting to discuss our GIS needs with County Planning and various County Department heads. The meeting was hosted by LaBella and their GIS team. This project is important to the IDA for potential site development, PILOT and property tracking/split properties, brownfield site identification and utility mapping.

Staff continue to participate in the County comprehensive planning process, attending meetings and contributing information for the plan. The plan should be finished by end of October. Gardner serves as a member of the CEDS steering committee GFL Planning Council. He also attended the mandatory ABO training seminar on March 24.

On May 4, staff met with the economic development and leadership team from the Ralph C. Wilson Jr. Foundation. They are interested in overall economic conditions in Wyoming County and the work that we do as economic development organizations. They would like to be helpful and we are continuing to discuss opportunities for funding/projects. We will be meeting again in early June.

On March 31, Gardner participated in the onboarding meeting with Invest Buffalo Niagara ("InBN"). The IDA contracts with them and we have a board seat. We receive Economic Development marketing and site development assistance, they provide business leads, marketing materials and more. Gardner also participated in the Village of Warsaw's Brownfield Opportunity Area project on April 30.

The WCBC Fast Track Spring class will be ending on May 19 (class of 10). We also have 5 reservations for the fall class.

Gardner shared the WCBC annual report which was approved at the WCBC annual meeting on April 13. The report was also presented to the Board of Supervisors Planning Committee on April 29. Gardner pointed out the highlights from the WCBC entrepreneurship programs, including Fast Track, the Business Accelerator and the Mentorship programs. He then reviewed the Microloan and the Rapid Start Loan activities for the year. The report notes the benefits of participation InBN and Greater Rochester Enterprise ("GRE"); both organizations provide project leads, and help market Wyoming County sites. The WCBC continues to be active with Glow Workforce Development Initiatives, in particular the GLOW With Your Hands event held at the Genesee Fairgrounds. Gardner concluded with a brief update on the former Emkay dairy processing plant in Arcade. The WCBC has completed the EPA Brownfield Cleanup and has transferred the property to Frontier Global, a developer

who has entered the site into the NYS Brownfield Cleanup Program. Once the final cleanup is completed the plans are to develop the site into a mixed-use of market rate housing and commercial space.

**5. Next Meeting**

The next regularly scheduled meeting will be June 11, 2026, at 2:30 p.m. at the Wyoming County Agriculture and Business Center, Warsaw, N.Y.

**6. Adjournment**

There being no further business to discuss the meeting was adjourned at 3:08 p.m. a motion made by D. Berwanger, seconded by R. Ryan and unanimously carried.

Minutes prepared by R. Marschilok

<https://www.youtube.com/watch?v=511HatHHZJE>

**RESOLUTIONS OF THE BOARD OF DIRECTORS OF  
WYOMING COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY IN CONNECTION WITH THE DISPOSITION OF  
A 4.25+/- ACRE PARCEL OF REAL PROPERTY LOCATED  
AT STEELE AVENUE, ARCADE, NEW YORK TO INDUS  
HOSPITALITY GROUP, INC.**

**WHEREAS**, Wyoming County Industrial Development Agency (the “Agency”) is authorized under the laws of the State of New York, and in particular the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Section 901-b of the General Municipal Law, as amended (collectively, the “Act”), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and to improve their prosperity and standard of living; and

**WHEREAS**, the Agency, in furtherance of its statutory purposes, owns a vacant lot containing approximately 4.25+/- acres of vacant land (SBL No. 182.19-1-18.1) located at Steele Avenue in the Village of Arcade, New York (the “Parcel”); and

**WHEREAS**, the Agency previously executed a term sheet with Indus Hospitality LLC, an affiliate of Indus Hospitality Group, Inc. (the “Purchaser”) for the sale of the Parcel for \$1.00 and in consideration of the further terms and conditions set forth in a land disposition agreement to be entered into by and between the Agency and the Purchaser (the “Agreement”); and

**WHEREAS**, the Purchaser intends to construct a four-story branded hotel and related improvements on the Parcel; and

**WHEREAS**, the sale of the Parcel is in furtherance of the Agency’s corporate purpose, mission or governing statute; and

**WHEREAS**, on November 24, 2025, the Agency obtained an independent appraisal from Donna Schiener Appraiser (the “Appraisal”) that determined the fair market value of the Parcel to be \$70,000; and

**WHEREAS**, the proposed purchase price for the Parcel is less than the estimated fair market value of the Parcel as set forth in the Appraisal, but since the conveyance is within the corporate purpose, mission or governing statute of the Agency, a transfer for less than fair market value is permitted by the WCIDA Disposition of Real Property Guidelines (“Disposition Guidelines”) and the Public Authorities Law (“PAL”); and

**WHEREAS**, in accordance with the Disposition Guidelines and applicable provisions of the PAL, and subject to such exceptions and/or requirements set forth in the Guidelines and the PAL, the Agency may dispose of property by sale, exchange, transfer, for cash, credit or other

property, with or without warranty, and upon such terms and conditions as are determined by the Agency to be appropriate and reasonable and consistent with the Guidelines; and

**WHEREAS**, the Agency has reviewed and considered (i) a description of the Parcel, (ii) the estimated fair market value of the Parcel set forth in the third party valuation, (iii) the purpose for the transfer and the benefits to the community to be derived from the transfer (including the creation and/or retention of employment), (iv) the value to be received by the Agency for the Parcel as compared to the fair market value of the Parcel, and (v) whether other offers have been made to purchase the Parcel; and

**WHEREAS**, the sale of the Parcel constitutes an unlisted “action” under the New York State Environmental Quality Review Act and regulations promulgated thereunder (“SEQRA”) and the Purchaser has completed and submitted to the Agency Part 1 of an Environmental Assessment Form (“EAF”) in accordance with SEQRA; and

**WHEREAS**, the Agency has completed Part 2 of the EAF and has considered the proposed sale of the Parcel and reviewed the EAF and the criteria set forth in SEQRA in order to determine whether the sale of the Parcel will have a significant effect on the environment and wishes to make the findings required of an agency under SEQRA.

**NOW, THEREFORE, BE IT RESOLVED BY WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:**

Section 1. The Agency hereby resolves that the sale of the Parcel will not have a significant impact on the environment for the reasons more particularly set forth in the negative declaration prepared by the Agency and, in accordance with SEQRA, hereby adopts such negative declaration with regard to the sale of the Parcel. The Agency further determines that all of the provisions of SEQRA that are required to be complied with as a condition precedent to the approval of the sale of the Parcel contemplated by the Agency have been satisfied.

Section 2. The Agency has determined that the proposed disposition of the Parcel to the Purchaser is within the purpose, mission and statutory authority of the Agency.

Section 3. The Agency has reviewed and considered (i) a description of the Parcel, (ii) the estimated fair market value of the Parcel set forth in the third party valuation, (iii) the purpose for the transfer and the benefits to the community to be derived from the sale of the Parcel (including the creation and/or retention of employment), (iv) the value to be received by the Agency for the Parcel as compared to the fair market value of the Parcel, and (v) whether other offers have been made to purchase the Parcel. Based on its review, the Agency hereby determines that there is no reasonable alternative to the below-fair market value transfer that would achieve the same purpose as the proposed sale of the Parcel to the Purchaser.

Section 4. The Agency is hereby authorized to (i) execute and deliver the Agreement, which Agreement shall provide for a sale price of \$1.00 and such other terms and conditions as the Executive Director of the Agency may negotiate with the Purchaser with advice of counsel, (ii) convey the Parcel to the Purchaser in accordance with the terms of the Agreement, and (iii) execute and deliver a deed and such other documents as may be necessary to effectuate the conveyance of the Parcel as authorized hereunder.

Section 5. The Chairman, Vice Chairman, Treasurer, Secretary, and the Executive Director of the Agency are each individually authorized to execute and deliver such documents and to take such other actions as may be necessary to effectuate the transactions contemplated by this resolution.

Section 6. These Resolutions shall take effect immediately.

Dated: May 14, 2026