

**Hamburg Industrial Development Agency**

**Board of Directors Meeting  
January 24, 2017  
Robert Chesbro Conference Room**

**Present**

Tom Moses  
Pattie Paul  
Lou McDonald  
Bob Reynolds  
Janet Plarr

**Excused**

Cam Hall  
Norma Rusert-Kelly  
Jeff Brylski  
Wence Valentin

**Guests**

Nathan Neill  
Craig Cwick  
Jack Kuebler

**Executive Director**

Michael J. Bartlett

**Deputy Director**

Olivia Hill

- Move to open the Board of Directors meeting at 7:36 am.

- Jack Kuebler was introduced to the Board of Directors. Jack is looking at purchasing a former oil change business located at 3261 McKinley Parkway at Lake Avenue. He is looking to do extensive renovations including, but not limited to, a new roof and replacement of existing facade, removal of all overhead doors and replacing them with knee walls and commercial windows, new heating and cooling system, replying and rewiring the building and landscaping. He plans on renovating the interior for retail/commercial/service tenants. Jack showed the Board pictures of the building as it currently looks and a rendering of what it would look like after renovations. Executive Director Bartlett explained we would be taking no action on Jack's request today. Rather the Board will determine if they feel the project qualifies under the Agency's Adaptive Reuse Policy. The building has been vacant for approximately five years. The Board felt the project did qualify under the Agency's Adaptive Reuse policy and an application package will be sent to Jack for completion.

- K&H Industries has requested that the Agency approve a refinancing of their 2010 K&H Industries, Inc., project.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND LEASEBACK AGREEMENT AMENDMENT, A SECOND MORTGAGE AND THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND AGREEMENTS REQUIRED IN CONNECTION THEREWITH IN CONNECTION WITH THE PROVISION OF SUPPLEMENTAL FINANCING FOR THE 2010 K&H INDUSTRIES, INC. PROJECT

**Moved:** Janet Plarr

**Seconded:** Bob Reynolds

**Ayes:** Moses, McDonald, Paul, Plarr, Reynolds

**Nays:** none

**Carried**

- Mary Dosch is retiring at the end of January necessitating the need to replace her as the Chief Financial Officer of the Agency. Mary's replacement is Samantha Tarczynski who formally worked for Drescher Malecki LLP, the Town's Financial Consultants. Sam has agreed to serve as the Agency's CFO and be a signer on the Agency's bank accounts with M&T Bank.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY APPOINTING SAMANTHA TARCZYNSKI AS CHIEF FINANCIAL OFFICER AND AUTHORIZING HER AS A SIGNATORY ON THE AGENCY BANK ACCOUNTS

**Moved:** Bob Reynolds

**Seconded:** Pattie Paul

**Ayes:** Paul, McDonald, Plarr, Reynolds, Moses

**Nays:** none

**Carried**

- An article was handed out that outlined the proposed changes to New York State's "Start Up New York" program. The changes include:

1. A new name. The program will now be known as the Excelsior Business Program
2. Companies that are less than five years old are now eligible for the programs as opposed to the Start Up NY requirement that companies not be operating or located within the State.
3. Eligible companies can not have generated net income from operations, or taxes in any tax year before its application
4. Eligible companies' workforce must be under 25 people during the 12 months leading up to their application
5. A company will also only have to create one new job over five years
6. The new program also eliminates the Start Up New York mandate that eligible companies not move existing jobs into the Tax Free Zone that were already located in other parts of the State. It was pointed out that the changes were offered by the Governor and need to be acted on by the State Legislature.

- At a recent meeting of the Coalition for Community Building (CCB) the Memorandum of Understanding (MOU) between local IDA's that resulted in the adoption of a voluntary Common Policy was discussed. It was determined that the MOU needed to be updated to clarify definitions and review issues that have changed or been altered by the market place and/or government regulations. The CCB will be inviting the ECIDA to participate in a review and updating of the MOU.

Senator Kennedy has introduced a bill that would allow only the ECIDA to exempt State and County taxes, without prior approval. The bill also requires any Town IDA within Erie County to seek approval from other taxing jurisdictions (State, County, School) to exempt any taxes other than Town taxes. Carl Calabrese, representing the CCB has spoken to Senator Ranzenhofer, Gallivan, and Jacobs. They assured Carl that the bill will not get a majority sponsor in the Senate or emerge from Committee.

- A resolution putting the HIDA on record as opposing SB. 1833 which allows only the Erie County Industrial Development Agency to exempt State and County taxes without first obtaining approval was discussed. The legislation would also require the HIDA to seek the approval of all taxing jurisdictions before any tax abatements except Town taxes, could be offered.

- **Motion** to approve the resolution opposing SB. 1833 and directing the Executive Director to send a copy of the resolution to members of the Senate delegation from Western New York

**Moved:** Janet Plarr

**Ayes:** Moses, Reynolds, Paul, Plarr, McDonald

**Nays:** none

**Carried**

**Seconded:** Lou McDonald

- A draft of a letter to be sent to Senator Ranzenhofer, Gallivan, Jacobs, and Kennedy from the Coalition for Community Building expressing opposition to Senator Kennedy's bill (SB. 1833) was reviewed and approved by the Board.

- **Motion** to approve the minutes from the December 20, 2016 Board of Directors meeting as amended

**Moved:** Bob Reynolds

**Ayes:** McDonald, Paul, Plarr, Reynolds, Moses

**Nays:** none

**Carried**

**Seconded:** Tom Moses

- **Motion** to approve the December 2016 Treasurer's Reports

**Moved:** Lou McDonald

**Ayes:** Moses, Paul, Plarr, McDonald, Reynolds

**Nays:** none

**Carried**

**Seconded:** Bob Reynolds

- A schedule of the 2017 Agency Board meetings was handed out to the Board

- **Motion** to adjourn at 8:15 am

**Moved:** Tom Moses

**Ayes:** Paul, Plarr, Reynolds, Moses, McDonald

**Seconded:** Lou McDonald

Nays: none  
*Carried*

Sincerely,

Michael J. Bartlett  
Executive Director