

**Hamburg Industrial Development Agency
Board of Directors Meeting
August 10, 2012**

Robert Chesbro Conference Room

Present

Amy Ziegler
Tom Moses
Steve Walters
Norma Rusert Kelly
Lou McDonald
Matt Dils

Excused

Marcella Fugle
Patti Paul
Stan Figiel

Guest

Craig Cwick
Nathan Neill

Executive Director

Michael J. Bartlett

- **Move** to open the Board of Directors meeting at 8:03 a.m.

A request from Buffalo Shredding and Recovery, LLC for a six month extension for their project for sales tax exemption purposes was discussed. Their facility is not yet running at 100% and there are still a number of items that need to be addressed that are directly associated with start-up costs, warranties, and back orders.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY GRANTING A SIX MONTH EXTENSION TO CATHERINE LAKE, LLC AND BUFFALO SHREDDING AND RECOVERY, LLC IN CONNECTION WITH THE 2012 BUFFALO SHREDDING PROJECT

Moved: Amy Ziegler

Seconded: Steve Walters

Ayes: Ziegler, Moses, Walters, Dils, Rusert Kelly

Nays: McDonald

Carried

A request from Hamburg Studio Apartments to approve the refinancing of their project in Hamburg and to increase the amount of the mortgage from \$1,545,000 to \$2,043,750.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND SECURITY AGREEMENT WITH CONSOLIDATION, MODIFICATION AND EXTENSION AGREEMENT, AN AMENDED AND RESTATED LEASEBACK AGREEMENT OR LEASEBACK AGREEMENT AMENDMENT AND THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND AGREEMENTS REQUIRED IN CONNECTION THEREWITH ALL FOR THE PERMANENT FINANCING FOR THE 2011 HAMBURG STUDIO APARTMENTS, LLC PROJECT

Moved: Norma Rusert Kelly

Seconded: Amy Ziegler

Ayes: Walters, Ziegler, Moses, McDonald, Rusert Kelly, Dils

Nays: None

Carried

- **Executive Director Bartlett** updated the Board on a meeting the suburban IDA's had on July 17th with State Senator Gallivan's staff where the following ideas were discussed:

- * State legislation changing the names of IDA's to EDA's (Economic Development Agency).
- * Designing a new system where towns without an IDA could partner with another town's IDA. The idea was for the Town Supervisor of the town without an IDA to have a seat on the IDA he/she wishes to partner with, veto power over any project proposed for his/her town, the formation of a local committee (in the town without an IDA) to identify and screen projects for their Supervisor to bring to the IDA and agreement that all promotion and marketing expenses would be the responsibility of the town without an IDA.

Also, in regards to amending the Uniform Tax Exemption Policy, the Executive Director stated that it appears the County Executive is arbitrarily proposing to change the manner in which Countywide Policy is determined. Up to this point we have been operating under the terms of Memorandum of Understanding (MOU) that was originally adopted by all IDA's in 2001 and subsequently amended in 2005. The MOU established a IDA Leadership Council as the vehicle to determine changes to the policy through consensus. It appears the Deputy County Executive (Richard Tobe) informed the chairman of the ECIDA Board that all municipalities (including those without IDA's) would have to agree on the Uniform Tax Exemption Policy. Executive Director Bartlett discussed this matter with the Amherst IDA Director, Jim Allen, and both do not believe the Deputy County Executive has the power to call an end to the existing MOU.

As you know, it appears the ECIDA is planning on adopting a change to the existing common policy in regards to hotels without following established procedures (involving all IDA's discussion). As far as Jim and myself are concerned, the 2001 MOU modified in 2005 is still in effect.

Board Chairman and Town Supervisor Steve Walters has been announced as a winner and member of the annual Business First 40 under 40 class. This class represents a diverse group of rising leaders in Western New York. The candidates were reviewed by an independent panel comprised of past winners. According to Jack Connors, Business First publisher and president, winners have made it their mission to contribute in extraordinary ways to their communities and the quality of life in Western New York. Winners will be honored at a November 9, 2012 luncheon at the Buffalo Niagara Convention Center. Executive Director Bartlett proposed buying a table for the event.

Resolution authorizing the purchase of a table to the Business First 40 under 40 awards luncheon on November 9, 2012 at the Buffalo Niagara Convention Center.

Moved: Tom Moses

Seconded: Amy Ziegler

Ayes: Rusert Kelly, Moses, McDonald, Dils, Ziegler

Nays: None

Abstained: Walters

Carried

The Board was also informed that the Hamburg Development Companies and Executive Director Bartlett will be honored as the Business of the year by the Hamburg Chamber of Commerce at a luncheon on Thursday, October 25, 2012.

The amendments to the HIDA By Laws are still being worked on and will be sent to the Board for review in the near future.

- **Motion** to approve the minutes from the July 20, 2012 Board of Directors meeting.

Moved: Amy Ziegler

Seconded: Matt Dils

Ayes: Ziegler, McDonald, Walters, Moses, Rusert Kelly, Dils

Nays: None

Carried

- **Motion** to approve the July 2012 Treasurer's Report.

Moved: Amy Ziegler

Seconded: Tom Moses

Ayes: Ziegler, Moses, McDonald, Rusert Kelly, Walters, Dils

Nays: None

Carried

- **Motion** to adjourn at 8:32 a.m.

Moved: Amy Ziegler

Seconded: Steve Walters

Ayes: Walters, Moses, Rusert Kelly, McDonald, Dils, Ziegler

Nays: None

Carried

Sincerely,

Michael J. Bartlett
Executive Director