

**Hamburg Industrial Development Agency**

**Board of Directors Meeting**

**June 28, 2013**

**Hamburg Town Hall Room 7B**

**Public Hearing:  
5793 South Park Holdings, LLC**

**Present**

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

**Excused**

Mike Sendor  
Janet Plarr

**Executive Director**

Michael J. Bartlett

**Guests**

Craig Cwick  
Joe DiVincenzo  
Tim Carlo  
Paul Leone  
Nathan Neill

- **Move** to open the Public Hearing for 5793 South Park Holdings, LLC at 8:01 am.

-**Joseph DiVincenzo**, Vice President and General Council for Exigence of Team Health was introduced to the Board. The company is requesting assistance to purchase the current site of the closed Romanello's Restaurant located at 5793 South Park Avenue, Hamburg, NY. The current building on the site will be razed and a new state-of-the-art Pediatric Urgent Care will be built. Emergency pediatric physicians who currently provide services at Woman and Children's Hospital of Buffalo will be providing the same clinical pediatric services at this proposed site. The facility will include all appropriate clinical attributes under on roof including not only exemplary professional services, but also the provision of x-rays and lab services. The local community will have in its immediate vicinity a location to bring their children to without extensive travels whenever ailments arise that require immediate attention. The assistance the company will receive includes sales tax exemptions on anything purchased for the project and real property tax abatement in accordance with the guidelines for Business Services Projects. It was explained that the IDA Board could not formally act on this request until the Town Planning Board acting as lead agency for the project finished its Environmental Review. It was expected to review and make its determination on July 10<sup>th</sup>. A HIDA Board meeting will then be scheduled to formally act on the project.

- **Move** to close the Public Hearing for 5793 South Park Holdings, LLC at 8:12 am.

- **Move** to open the Board of Directors meeting at 8:12 am.

-**Motion** to approve the minutes from the May 17, 2013 Board of Directors meeting.

**Moved:** Matt Dils **Seconded:** Steve Walters  
**Ayes:** Ziegler, Paul, Moses, Rusert-Kelly, McDonald, Dils, Walters  
**Nays:** None  
**Carried**

-**Motion** to approve the minutes from the May 24, 2013 Board of Directors meeting.

**Moved:** Tom Moses **Seconded:** Lou McDonald  
**Ayes:** Walters, Ziegler, Paul, Rusert-Kelly, Dils, Moses, McDonald  
**Nays:** None  
**Carried**

-**Motion** to approve the May 2013 Treasurer's Report.

**Moved:** Patti Paul **Seconded:** Matt Dils  
**Ayes:** Walters, Ziegler, Rusert-Kelly, Moses, McDonald, Paul, Dils  
**Nays:** None  
**Carried**

-The HIDA has been asked by **Abasco Inc.** to approve the refinancing of their project.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED LEASE AGREEMENT OR LEASE AGREEMENT AMENDMENT, IF REQUIRED, A MORTGAGE AND THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND AGREEMENTS REQUIRED IN CONNECTION THEREWITH IN CONNECTION WITH THE REFINANCING OF THE 2007 ABASCO INC. PROJECT

**Moved:** Steve Walters **Seconded:** Norma Rusert-Kelly  
**Ayes:** Ziegler, McDonald, Moses, Dils, Rusert-Kelly, Paul, Walters  
**Nays:** None  
**Carried**

- The HIDA has been asked to amend the **Evans Bank, NA** resolution adopted on April 26, 2013 to substitute Evans Bank, NA as the Lessee in place of Evans Bancorp, Inc.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AMENDING THE PRIOR RESOLUTION ADOPTED ON APRIL 26, 2013 AUTHORIZING EVANS BANCORP, INC. (THE "LESSEE") TO ACQUIRE AN EXISTING APPROXIMATELY 6,563 SQUARE FOOT BUILDING ON AN APPROXIMATELY 2.68 ACRE PARCEL OF LAND LOCATED AT 485 SUNSET DRIVE IN THE VILLAGE AND TOWN OF HAMBURG AND TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES REQUIRED IN CONNECTION THEREWITH, FOR LEASE TO THE AGENCY AND SUBSEQUENT SUBLEASE TO THE LESSEE AND TO TAKE OTHER PRELIMINARY ACTION TO SUBSTITUTE EVANS BANK, N.A. AS THE LESSEE IN PLACE OF EVANS BANCORP, INC.

**Moved:** Matt Dils **Seconded:** Tom Moses  
**Ayes:** Walters, Ziegler, Paul, McDonald, Rusert-Kelly, Dils, Moses  
**Nays:** None  
**Carried**

- The HIDA has been asked by **3880 Jeffrey Boulevard Inc.** To approve Iovate Health Sciences USA, Inc. as a sublessee for the 2008 3880 Jeffrey Boulevard Inc. Project.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY APPROVING IOVATE HEALTH SCIENCES USA, INC. AS SUBLESSEE FOR THE 208 3880 JEFFREY BOULEVARD INC. PROJECT.

**Moved:** Tom Moses **Seconded:** Steve Walters  
**Ayes:** Ziegler, Paul, McDonald, Dils, Rusert-Kelly, Moses, Walters  
**Nays:** None  
**Carried**

- **Executive Director Bartlett** gave a brief overview of a memo received from NYSEDC regarding the Governor's Start Up NY program. In addition to the SUNY schools, private colleges and universities may apply to Empire State Development for an allocation of square feet to be designated Start Up NY sites. There have been discussions with Hilbert College in regards to the program. Due to the restrictions imposed on the program, the college is not sure it will apply.

- **The HIDA has received a proposal** from Masiello, Martucci, Calabrese and Associates to serve as the government affairs consultant and advocate for the Hamburg IDA in its efforts to gain direct access to Route 5 from our Bayview/Route 5 property. This is a critical component when attracting users to the site. We are currently told the Department of Transportation won't consider access to a limited access road such as Route 5 without a user. The process can take 1-2 years, and no company interested in the site is going to wait this length of time. They will go elsewhere. Masiello, Martucci, Calabrese and Associates are proposing to work with state government to get pre-approved access to Route 5. The proposed one year contract would cost \$2,500.00 per month. It was decided by the board that it was premature to enter into an agreement with Masiello, Martucci, Calabrese and Associates at this time.

- **Village Veterinary Clinic of Hamburg**- Executive Director Bartlett stated his opinion that this project qualified under the special impact provision of IDA legislation by offering 24/7 emergency service with a licensed vet in attendance. In researching the existing Veterinary Clinics in the Town of Hamburg and one in Eden, it was determined that none offered 24/7 emergency service. All referred emergency cases to either the Greater Buffalo Emergency Clinic or Orchard Park Veterinary Medical Center. In case of an emergency, pet owners living in Hamburg, Eden, Evans or other Southtowns would agree that Orchard Park is not offering services that are readily available. The incentives that would be offered would be mortgage tax exemption and sales tax exemption. There would be no property tax abatement offered to the project. The majority of the Board felt that due to the proximity of the 24/7 emergency service being available in Orchard Park that the project did not qualify for HIDA assistance. Executive Director Bartlett will inform the owners of the Clinic of the Board's decision

- **Motion** to adjourn at 8:42 am.

**Moved:** Lou McDonald

**Seconded:** Norma Rusert-Kelly

**Ayes:** Walters, Ziegler, Moses, Paul, Dils, McDonald, Rusert-Kelly

**Nays:** None

**Carried**

Sincerely,

Michael J. Bartlett  
Executive Director