

Hamburg Industrial Development Agency

**Board of Directors Meeting
December 22, 2015
Robert Chesbro Conference Room**

Present

Pattie Paul
Tom Moses
Lou McDonald
Cameron Hall
Mike Sendor
Norma Rusert-Kelly

Excused

Steve Walters
Mike Quinn
Janet Plarr

Guests

Brad Rowell
Tom Bestpitch
Nathan Neill
Sean Hopkins
Colby Smith
Andy Gow

Executive Director

Michael J. Bartlett

Executive Assistant

Olivia Hill

- **Move** to open the Board of Directors meeting at 8:02 am.

- Vish Sharma, Colby Smith, and Sean Hopkins were introduced to the Board. All three were present to update the Board on the status of the Premier Ambulatory Surgery Center Project in the Town of Hamburg. A copy of the Certified Certificate of Amendment confirming the approval of the change of name of the operating company from Frontier Ambulatory Services Development Company, LLC was discussed. The project operator apologized for not informing the HIDA Board for the reason the name change was necessary.

A letter issued by the NYS Department of Health confirming the contingencies contained in the Certificate of Need approval letter have been satisfied was discussed. The applicants pointed out that the issuance of a Certificate of Need for the proposed Ambulatory Surgery Center after the completion of a very rigorous process by the NYS Department of Health indicates there is a demonstrable need for surgery services that will be provided. They felt this proves the project qualifies pursuant to our Eligibility Policy since it will provide medical services that are not generally available in the Town of Hamburg.

The applicants also reviewed some development related challenges relative to the project site. Specifically, sewer issues and wetland issues were discussed.

The cost benefit analysis for the project was discussed. The analysis projects that total state and regional benefits would total \$1,760,499.00. This includes Income Tax revenue, PILOT payments and Sales Tax revenue. The incentives the project would receive are projected to be \$517,616.00. This includes the Mortgage Tax Exemption, Property Tax Abatement and Sales Tax Abatement. It was pointed out that the existing vacant land would pay an estimated \$14,397.00 in property taxes as compared to an estimated \$89,549.00 in PILOT payments on the improvements.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING SHARMA DEVELOPMENT LLC (THE "LESSEE") TO ACQUIRE AN APPROXIMATELY 12 ACRE PARCEL OF LAND LOCATED AT 2816 PLEASANT AVENUE AND TO CONSTRUCT AN APPROXIMATELY 22,306 SQUARE FOOT BUILDING THERON, AS AGENT FOR THE AGENCY AND AUTHORIZING PREMIER AMBULATORY SERVICES DEVELOPMENT COMPANY LLC (THE "SUBLESSEE") TO ACQUIRE AND INSTALL MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION THEREWITH, AS AGENT FOR THE AGENCY, ALL FOR AN ARTICLE 28 LICENSED AMBULATORY SURGERY CENTER, FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE FOR SUB-SUBLEASE TO THE SUBLESSEE WITH THE EQUIPMENT TO BE SOLD TO THE SUBLESSEE PURSUANT TO AN INSTALLMENT SALE TRANSACTION AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Norma Rusert-Kelly
Ayes: Moses, Paul, Hall, Rusert-Kelly, McDonald
Nays: none
Abstain: Mike Sendor
Carried

Seconded: Lou McDonald

- Tom Bestpitch and Brad Rowell were introduced to the Board. Tom is a principal in the investors purchasing the historic Salisbury building on Main Street in Hamburg, which was formally the location of Tina's Italian Kitchen. Brad and his wife Caryn will be the investors and operators of a new restaurant to be located on the first floor of the building which will be called the Grange Community Kitchen. It is the building owner's intention to restore the facade to its original state. The facade restoration and bringing the building up to code is costly. The owners are hoping the HIDA will assist in the project with tax incentives. A cost breakdown for the project was reviewed. Executive Director Bartlett explained that no application has been submitted. The Board is being asked to consider the eligibility of the project before any further action is taken.

The Board felt that based on the presentation of the new owners that they would be open to reviewing an application for assistance. Olivia Hill will run a cost/benefit analysis to review with Mr. Bestpitch before an application is submitted.

- HIDA 2016 Budget - the 2016 Budget was accepted by the Board on November 18, 2015 and placed on file in the Town Clerk's office. The Board now needs to formally adopt the 2016 Budget.

- **Motion** to adopt the 2016 HIDA Budget as submitted

Moved: Pattie Paul
Ayes: McDonald, Rusert-Kelly, Sendor, Hall, Paul, Moses
Nays: none
Carried

Seconded: Tom Moses

- **Motion** to approve the minutes from the November 18, 2015 Board of Directors meeting

Moved: Norma Rusert-Kelly
Ayes: Paul, Hall, Moses, McDonald, Rusert-Kelly, Sendor
Nays: none
Carried

Seconded: Mike Sendor

- Executive Director Bartlett has been informed that the contractor who has been using 70 Lakeview Avenue is vacating the building. A local volunteer fire company(s) has spoken with the Town's Building Inspection Department about having a controlled burn at the site for training purposes. Before we can allow this to take place, we need to get an asbestos survey. Building Inspection did provide us with one estimate totaling \$1,500.00 from 56 Services, Inc. According to Kurt Allen, they have used 56 Services on many projects in the past and have found them to be the low bidder on most projects. A call has been placed to Stohl Environmental to obtain a second quote but they never returned the call. Executive Director Bartlett asked the Board to pass a resolution authorizing the hiring of a firm to conduct an asbestos survey of 70 Lakeview Avenue (house and garage) for a fee not to exceed \$1,500.00.

- **Motion** authorizing Executive Director Bartlett to hire a firm to conduct an asbestos survey on the house and garage located at 70 Lakeview Avenue for an amount not to exceed \$1,500.00

Moved: Tom Moses
Ayes: Paul, Sendor, McDonald, Rusert-Kelly, Moses, Hall
Nays: none
Carried

Seconded: Cameron Hall

- **Motion** to approve the October 2015 and November 2015 Treasurer's Reports

Moved: Mike Sendor
Ayes: Moses, Hall, Paul, McDonald, Sendor, Rusert-Kelly
Nays: none
Carried

Seconded: Norma Rusert-Kelly

-Executive Director Bartlett mentioned he has not received any feedback in regards to the Governing Principles. He asked the Board to please review the principles and give him their comments. It is hoped that the Boards of all the suburban IDAs will adopt the principles early in 2016.

- Motion to adjourn at 8:50 am

Moved: Lou McDonald

Seconded: Mike Sendor

Ayes: Walters, Moses, Plarr, Brunner-Collins, McDonald, Sendor

Nays: none

Carried

Sincerely,

Michael J. Bartlett
Executive Director