



6122 South Park Avenue
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**Hamburg Industrial Development Agency
Board of Directors Meeting
April 21, 2021, 7:30am
Blasdell Village Hall & Zoom Teleconferencing, due to the COVID 19 Pandemic**

Present

Cam Hall
Tom Moses
Janet Plarr - Zoom
Bob Hutchison
Andy Palmer
Davis Podkulski- Zoom
Robert Reynolds - Zoom
Norma Rusert-Kelly-Zoom

Excused

Wence Valentin

Guests

Jennifer Strong, Neill & Strong-Zoom
Mary Doran, HIDA
Francesca Bond, Hamburg Sun - Zoom
Kevin McAuliffe, Barclay Damon - Erie Wind
Anna Masucci, Village of Hamburg - Zoom

Executive Director

Sean Doyle

-Pledge

-Roll Call

-Motion to open the board meeting at 7:35am.

Moved: Cam Hall

Seconded: Tom Moses

Ayes: Hall, Moses, Hutchison, Palmer, Podkulski, Reynolds, Plarr, Rusert-Kelly

Nays: none

Carried

-Motion to approve the March 2021 board meeting minutes.

Moved: Bob Reynolds

Seconded: Norma Rusert-Kelly

Ayes: Hall, Moses, Hutchison, Palmer, Podkulski, Reynolds, Plarr, Rusert-Kelly

Nays: none

Carried

Treasurer, Bob Reynolds, gave an update on the financials. Payroll was the biggest expense, over all the expenses for the month totaled \$18,498.02 leaving an account balance as of \$610,959.76 as of March 31st.

-Motion to approve the March 2021 Treasurer Report.

Moved: Tom Moses

Seconded: Norma Rusert-Kelly

Ayes: Hall, Moses, Hutchison, Palmer, Podkulski, Reynolds, Plarr, Rusert-Kelly

Nays: none

Carried

Executive Director Update:

-Doyle stated the following projects are “open” and working on the closings:

- E-One
- 290 Lake
- K&H Industries
- Bayview Road Associates - should be completed any day now, construction has started to mobilize at the site.

-PARIS reports have been completed and submitted to the ABO for both the HIDA and HNYLDC. The annual audit has also been completed for both entities.

-Business development, the Hamburg Development Corporation approved a small business loan to Motovillage on Pleasant Avenue in Hamburg. They opened during the pandemic, therefore did not qualify for some of the other programs out there. It's a \$50,000 loan with 2 employees to be hired over the next 2 years. They sell and service electric vehicles.

-Doyle organized a meeting with Ed Rath, State Senator, and other local IDA's. Rath is on the NY Senate Local Governance Committee. They discussed proposed bills and what they hope to accomplish. It was a positive meeting.

-Pitch Hamburg update, all the legal paperwork and filings have been completed. It is in the fundraising stage. Additionally, a software developer donated his services to set up a “Mentor Deck” which is a virtual platform to connect startups with business individuals in the community who could lend them professional assistance/mentoring at no cost.

-Doyle has attended the public hearings for the Shoreline Trail – 3 different paths are being proposed.

-Last night the Town of Hamburg Comprehensive Plan committee has its first meeting with public comments. It was a good exchange. The main concerns/interest from the public are:

- Adaptive Reuse
- Parks and recreation

-Doyle has reconnected with National Fuel and NYSEG regarding our own projects and as well as other developments in Hamburg.

-Doyle stated the cost of lumber and raw materials has dramatically increased due to the pandemic. Currently 2 projects in our pipeline have been put on hold due to the spike in raw materials. In March of 2020 a bundle of lumber costing \$384 has risen to \$1,032 in April of 2021. Unfortunately the value of the property/project does not increase proportionately to the cost of lumber rising, driving down development.

-Looking into the future there could be a change in office space and more space needed/required per person along with more dividers. It is something to be aware of along with an uptick in co-working space.

Old Business:

-Doyle asked the board to complete/send their sexual harassment certificates to Mary. The ABO requires yearly training of each board member.

-By-Laws, at the last board meeting the board members were given proposed changes to the by-laws. The changes set new parameters for more organized public comments during board meetings/public hearings.

Doyle read the following resolution:

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY TO
ADOPT UPDATED BY-LAWS

WHEREAS, the Town of Hamburg Industrial Development Agency has reviewed its By-Laws and would like to amend the same to adjust its meeting agenda to allow for greater public participation at its meetings.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The HIDA hereby adopts the attached amended By-Laws;
2. The HIDA Secretary is hereby directed to promptly provide the new By-Laws to all Board Members and employees and to post the same on the official website; and
3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on April 21, 2021 which resulted as follows:

-Motion to approve the resolution as stated above

Moved: Bob Hutchison

Seconded: Janet Plarr

Roll Call Vote:

Hall – aye, Moses – aye, Hutchison – aye, Palmer – aye, Podkulski – aye, Reynolds – aye, Plarr – aye,
Rusert-Kelly – aye

Carried

-Doyle stated in the meeting packet today there is documentation for the board to review on a new records retention policy which will be voted on at the next board meeting.

-The Oaks at South Park is requesting a 3rd extension due to issues obtaining materials and supplies due to the pandemic. Doyle read the following resolution:

**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY
EXTENDING THE INDUCEMENT PERIOD AND THE SALES TAX PERIOD FOR THE
OAKS AT SOUTH PARK, LLC, UNTIL OCTOBER 21, 2021**

WHEREAS, the Town of Hamburg Industrial Development Agency (the “Agency”) by resolution adopted on June 25, 2019 induced The Oaks at South Park, LLC (the “Lessee”) with respect to the acquisition and equipping by the Agency with the proceeds of a lease with mortgage for the acquisition by the Lessee of an approximately 27 acre parcel of land located at 5138 South Park Avenue in the Town of Hamburg, the construction by the Lessee, as agent for the Agency (i) the adaptive re-use of a former school building and re-development the parcel of land for construction of 19 two-story buildings totaling 152 housing units and (ii) installation of baseball and softball fields and other amenities and the acquisition and installation of machinery, equipment, furnishings and fixtures by the Lessee, as agent for the Agency, all for a residential housing complex with additional services (the “Project”). The project will be leased by the Lessee to the Agency for sublease back to the Lessee for sub-sublease to residential tenants which will be the occupants of the project;

WHEREAS, due to COVID - 19 pandemic and the mandated construction shutdown and the supply-chain delays as a result of border closings and supply demands, the Lessee has been unable to complete the Project within the time frame originally anticipated and had requested and received an extension from, June 26, 2020 to March 26, 2021;

WHEREAS, for reasons above an additional extension from April 21, 2021 through October 21, 2021 is now requested; and

WHEREAS, The Town of Hamburg Industrial Development Agency approved a temporary policy to waive extension fees for project extensions for COVID-19 Pandemic related delays on May 26, 2020 to lessen the economic burden of induced project delays related to the COVID-19 Pandemic.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY AS FOLLOWS:

1. The Agency does hereby extend the inducement period and the sales tax period for the Lessee from today until October 21, 2021 **and waives the extension fee.**
2. This resolution shall take effect immediately.

-Motion to approve the resolution granting a 3rd extension to the Oaks at South Park

Moved: Andy Palmer

Seconded: Bob Hutchison

Roll Call Vote:

Hall – aye, Moses – aye, Hutchison – aye, Palmer – aye, Podkulski – aye, Reynolds – aye, Plarr – aye, Rusert-Kelly – aye

Carried

Cam Hall asked “What is the cost to us to keep extending this?”

Doyle stated the HIDA waived extension fees of about \$70,000 last year. He would be concerned if the site was not active this construction site is very active. Fees are meant to drive the project forward, this project is moving along but has delays due to pandemic.

-Doyle stated 290 Lake Street is also looking for an extension and read the following resolution:

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY EXTENDING THE INDUCEMENT PERIOD 290 LAKE STREET HOLDINGS, LLC (THE “LESSEE”) TO CONSTRUCT AN APPROXIMATELY 19,260 SQUARE FEET MIXED-USE INFILL DEVELOPMENT ON A FORMER VEHICLE REPAIR FACILITY, CONSISTING OF 12,840 SQUARE FEET OF 10 MARKET RATE APARTMENTS AND 6,420 SQUARE FEET OF SPECULATIVE PROFESSIONAL OFFICE AND / OR RETAIL SPACE LOCATED AT 290 LAKE STREET, IN THE VILLAGE OF HAMBURG, AS AGENT FOR THE AGENCY, FOR LEASEBACK BY THE LESSEE TO THE AGENCY, TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES REQUIRED IN CONNECTION HERewith, AND TO TAKE OTHER PRELIMINARY ACTION, UNTIL OCTOBER 21, 2021

WHEREAS, the Town of Hamburg Industrial Development Agency (the “Agency”) by resolution adopted on July 28, 2021 induced 290 Lake Street Holdings LLC (the “Lessee”) with respect to the above Project;

WHEREAS, due to COVID - 19 pandemic and the mandated construction shutdown and the supply-chain delays as a result of border closings and supply demands, the Lessee has been unable to close on the Project within the time frame originally anticipated and had requested and received an extension from today until to October 21, 2021;

WHEREAS, The Town of Hamburg Industrial Development Agency approved a temporary policy to waive extension fees for project extensions for COVID-19 Pandemic related delays on May 26, 2020 to lessen the economic burden of induced project delays related to the COVID-19 Pandemic.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY AS FOLLOWS:

- 1. The Agency does hereby extend the inducement period to allow additional time to close on this Project from today until October 21, 2021 and waives the extension fee.**
- 2. This resolution shall take effect immediately.**

-Motion to approve the resolution granting an extension to 290 Lake Street Holdings.

Moved: Norma Rusert-Kelly

Seconded: Janet Plarr

Roll Call Vote:

Hall – aye, Moses – aye, Hutchison – aye, Palmer – aye, Podkulski – aye, Reynolds – aye, Plarr – aye, Rusert-Kelly – aye

Carried

Bob Reynolds stated, and several board members agreed with Bob, that after 6 months if this project is not moving along the HIDA will no longer waive the extension fee. Nothing is currently going on at the site because of financing issues.

-Doyle read the following the following motion for Erie Wind – requesting a deviation from the Local Labor Policy.

-Motion - to approve a waiver from the Town of Hamburg Industrial Development Agency (Agency), local labor policy. Relative to the construction and installation of wind turbines associated with the Erie Wind, LLC and Huron Holdings, LLC (Project) that GE Renewable Energy requires approved contractors to either be GE Personnel or vendors approved by GE. The agency will waive the local labor requirement to allow for the warranty exception to apply with contract requirements between Erie Wind, LLC, Huron Holdings, LLC and GE Renewable Energy. All other aspects of the construction and operation will comply with the terms of the policy.

Kevin McAuliffe, Barclay Damon - Erie Wind was there to speak of the deviation. He explained there is a lack of approved individuals in the area to do this type of work on windmills. It's a very specialized trade. If workers do not have the proper certification from GE, GE does not warranty the product. There will be 74 people assigned to the project of which 9 union crane operator positions minimum would be filled locally.

Janet Plarr does not agree with giving a "blanket waiver" to the project. It needs to be more specific. Bob Reynolds agreed with Janet. Bob said we need to see the jobs and what is necessary to get properly trained so individuals in our area can be trained. This issue should be addressed now as it is likely in the future more jobs of this nature will be coming to our area. Bob continued that the training /certification process may be very simple and the opportunities should be afforded to the local labor market area.

Kevin McAuliffe, had a list of jobs that required specific training. He read the list to the board. The board was in agreement to amend the motion to include the titles Kevin just read and have the motion state they are warranty exception jobs.

Moved: Cam Hall

Seconded: Andy Palmer

Roll Call Vote:

Hall – aye, Moses – aye, Hutchison – aye, Palmer – aye, Podkulski – aye, Rusert-Kelly – aye
Reynolds – nay, Plarr – nay

Carried

-Motion to adjourn at 8:44am

Moved: Tom Moses

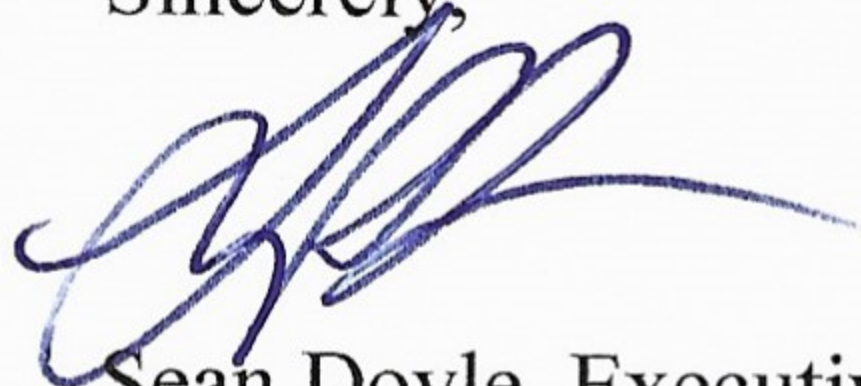
Seconded: Andy Palmer

Ayes: Hall, Moses, Hutchison, Palmer, Podkulski, Rusert-Kelly, Reynolds, Plarr,

Nays: none

Carried

Sincerely,



Sean Doyle, Executive Director

Next meeting May 19st 7:30am, Blasdel Village Hall