



6122 South Park Avenue  
Hamburg, New York 14075  
716.648.4145  
[www.HamburgIDA.com](http://www.HamburgIDA.com)

**Hamburg Industrial Development Agency  
Board of Directors Meeting  
MEETING AGENDA  
Wednesday, June 15, 2022, 7:30 AM  
Blasdell Village Hall, Court Room, 121 Miriam Avenue, Blasdell, New York**

*Join Zoom Meeting*

<https://us02web.zoom.us/j/83850190596?pwd=Y2FqZ1dMWDhwnOg4WnBCWUFYcGZydz09>

*Dial by your location*

*+1 929 205 6099 US (New York)*

*Meeting ID: 838 5019 0596*

*Passcode: 14075*

1. Roll Call
2. Reading and Approval of May 2022 Minutes
3. Report of the Treasurer – May Treasurer Report
4. Executive Director Update

**New Business**

- Hilbert Sponsorship

**Unfinished Business**

- Rescind Resolution for Ford
- Agency D&O Insurance
- Board Member Opening
- HIDA Sexual Harassment Training – proof of training to Mary

5. Privilege of the Floor
6. Executive Session
7. Adjournment

**Next meeting: July 20, 2022, 7:30 AM Blasdell Village Hall**



**Unapproved/draft**  
(BOD motion for approval at 6/15/22 meeting)

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**Hamburg Industrial Development Agency  
Board of Directors Meeting  
May 18, 2022, 7:30am  
Blasdell Village Hall**

**Present**

Andy Palmer  
Tom Moses  
Davis Podkulski  
Bob Hutchison  
Janet Plarr  
Cam Hall

**Excused**

Wence Valentin  
Bob Reynolds

**Guests**

Jennifer Strong, Neill & Strong  
Mary Doran, HIDA  
Tony Reinhart, Director of State  
Relations Ford Motor Company

**Executive Director**

Sean Doyle

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**-Pledge of Allegiance**

**-Roll Call**

**-Motion** to open the board meeting at 7:33am.

**Moved:** Tom Moses                      **Seconded:** Andy Palmer

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall

**Nays:** none

**Carried**

***-Paused for a moment of silence in remembrance of those that lost their lives in a mass shooting at a Buffalo supermarket over the weekend.***

**-Motion** to approve the April 2022 board meeting minutes

**Moved:** Davis Podkulski                      **Seconded:** Bob Hutchison

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall

**Nays:** none

**Carried**

In Treasurer Bob Reynolds absence Doyle gave an update on the financials. \$7,550.76 was received in income last month \$7,458.34 in administrative fees from Billy Lee, LLC and \$92.42 in interest earnings on the bank accounts. Interest income from the new CD will not be reflected until May. Liabilities and equity totaled \$1,018,247.61.

**-Motion** to approve the April 2022 Treasurer Report

**Moved:** Cam Hall                      **Seconded:** Tom Moses

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall



Nays: none

**Carried**

Janet Plarr joined the meeting at 7:40am.

**Executive Director Update:**

-Billy Lee, LLC (E-One) closed on the sales tax only portion of their project for which they completed a new application and submitted on March 24, 2022.

-Key Energy, slowly moving along draft documents sent to them by our attorney.

-Johnson's Brewhouse, 290 Lake Street and K&H Industries (2 projects) still working thru financing.

-Board insurance – update later on agenda.

-Project activity, bond products seem to be reemerging

-CARES Grant Program, three grants have been approved to date totaling \$132,000. Actively working to deploy the remaining funds, 2 new applications have been received. There is a job creation requirement for grant recipients.

-Tremendous progress has been made on the PITCH Hamburg initiative in the last 2 months. A space has been leased, a new Executive Director has been hired (Anna Masucci), the Board of Directors has been expanded from 4 to 10 members, and met with Town of Hamburg and Village of Hamburg Boards. A lot of work went into the entire process; new hire setup, forms, insurances, paperwork, etc. Additionally, 2 companies are already interested and could benefit from the available space. It is all coming together, a grand opening is expected in June/July in which the HIDA board will be invited.

-An Economic Development Steering Committee has been initiated in anticipation of the new Buffalo Bills Stadium. Doyle is on the committee.

-Doyle met yesterday with the new owners of the McKinley Mall. It was a positive meeting. They have plans to readapt to today's mall standards; mixed use, entertainment etc.

-HDC loan fund, Hamburg business struggling thru the pandemic went out of business. The loan was paid back in full with legal assistance.

In light of the tragedy that happened in Buffalo last week, Doyle had an addition to the agenda. He introduced and read the following “**Hamburg Industrial Development Agency Diversity and Inclusion Policy**”.

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*Whereas, the Board of the Hamburg Industrial Development Agency (HIDA) condemns all forms of racism and discrimination, and the subsequent violence that it causes.*

*We mourn the innocent lives lost, and stand united in our support of those whose lives were forever changed by the cowardly and senseless act of violence that took place on May 14<sup>th</sup>.*

*And whereas, Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees and members, invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.*

*We embrace and encourage our employees' and members differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees and membership unique and balanced.*

*Now therefore be it resolved that, we pledge in action and voice to make the Town of Hamburg a place where all are welcomed and respected.*

*Any employee or member found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.*

*Employees and members who believe they have been subjected to any kind of discrimination that conflicts with this diversity policy and initiatives should seek assistance from a supervisor or an HR representative.*

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**-Motion** to approve the above policy

**Moved:** Cam Hall

**Seconded:** Bob Hutchison

Andy Palmer thought “inappropriate behavior” needs to be defined. And asked about “HR supervisor” since the HIDA does not technically have one.

Attorney Strong stated “inappropriate behavior” is really a case by case basis and cannot be defined, unless we want to refer to the HIDA Harassment Policy.

The board discussed at length and agreed to amend the policy by removing the second to last paragraph and rewording the last paragraph as follows:

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*Employees, members, potential applicants or applicants to the HIDA who believe they have been subjected to any kind of discrimination that conflicts with this diversity policy and initiatives should seek assistance from the agency Executive Director or Board President.*

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**-Motion** to amend the policy by removing the second to last paragraph and rewording the last paragraph as written above.

**Moved:** Janet Plarr

**Seconded:** Cam Hall

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall, Plarr

**Nays:** none

**Carried**

**-Motion** to approve the amended Diversity and Inclusion Policy

**Moved:** Janet Plarr

**Seconded:** Andy Palmer

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall, Plarr

**Nays:** none

**Carried**

Due to a representative from Ford attending via Zoom Doyle went out of order on the agenda to accommodate.

Doyle talked to the issue at hand. Ford was approved for sales tax benefits via their application in January of 2022. In the application/approved resolution by the board it states they have to commit to “x” number of jobs. Ford is hesitant to commit as the representative from Ford explained.



Tony Reinhart, Director of State Relations Ford Motor Company, states their issue with the job commitment numbers. Their application for sales tax exemption is for the equipment to refurbish/re-tool the plant. Ford has to shut the plant down and essentially remodel to keep up with the ever changing technology. To do this they need to temporarily lay off employees (6 months to a year) in which they supplement their pay as they fully plan to rehire after the refurbishment of the plant. Due to the temporary layoffs they would knowingly be in violation of the job commitment numbers for which they agreed to on their application. The job numbers are submitted yearly to the state in the HIDA's PARIS report. The HIDA has worked with Ford for years and this has not been an issue however in 2018 NYS changed the law. It was after Ford's last agreement with the HIDA.

If a company is in violation of their employment numbers they are subject to "Recapture" by the HIDA. The Recapture Policy does allow for board discretion on a case by case basis to support businesses in unforeseen circumstances. For example they were flexible with companies who could not make their job commitment numbers during the COVID crisis. However, it would be too risky for Ford count on board discretion on a decision years out with a future board (possible turnover of members).

The board discussed potential solutions at length. They agreed to table resolution and look into the following potential solutions:

- Sales Tax Enhancement Zones – Doyle will check with Supervisor
- Possible staggering of benefits, multiple resolutions in stages with the project – Attorney Strong will look into
- Check and see how the layoffs are reported since Ford is supplementing their pay.

**-Motion** to table the Ford Resolution

**Moved:** Andy Palmer                      **Seconded:** Bob Hutchison

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall, Plarr

**Nays:** none

***Carried***

**New Business:**

-The Governance Committee met and reviewed the HIDA Board Survey Summary results. Overall, the results were positive and the committee agreed on some activities to keep positive results;

- Annually distribute IDA training package provided by Neill & Strong
- Annually provide information on attending ABO training
- Annually provide information on attending EDC "Basic Economic Development Course"
- Annually provide link sheet to helpful resources

Additionally, the committee will review the PARIS report annually. The director will point out any shortfalls. Currently 6 projects fell short of employment numbers, will review, document and speak to at the June board meeting. The reports can be found at [www.abo.ny.gov](http://www.abo.ny.gov) or at [www.hamburgida.com](http://www.hamburgida.com). They are required to be filed within 90 days of each new calendar year.

-Board member opening, the opening has to be approved by the Town of Hamburg Board. They could benefit from our guidance think about, what perspective were lacking. If any board member has a name of an individual that would be a good fit please forward to the director.

**Unfinished Business:**

-E-One was sent a 30 day notice on their 1<sup>st</sup> PILOT. It has 3 years remaining and they are in violation of the insurance requirement. We will exercise the agency's right to request an early termination of the Leaseback Agreement and reconvey the parcel to the owner.

-Insurance for agency officers (proposed policy attached in the meeting packet) covers up to 1 million plus employment practices

*Be it Resolved that the Hamburg Industrial Development Agency authorizes the Executive Director to execute a Directors and Officers and Employment Practices Liability Insurance Policy with Travelers insurance in an amount not to exceed \$1,260,00 annually.*

**-Motion** to approve the above resolution for Directors and Officers and Employment Practices Liability Insurance.

**Moved:** Janet Plarr                      **Seconded:** Andy Palmer

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall, Plarr

**Nays:** none

**Carried**

-If you have not already done so, please return your required annual proof of sexual harassment training to Mary.

**-Privilege of the Floor** – no comments

**-Motion** to adjourn at 8:52am

**Moved:** Davis Podkulski                      **Seconded:** Cam Hall

**Ayes:** Palmer, Moses, Podkulski, Hutchison, Hall, Plarr

**Nays:** none

**Carried**

Sincerely,

Sean Doyle, Executive Director

**Next meeting: June 15, 2022, 7:30AM Blasdell Village Hall**

## Town of Hamburg Industrial Development Agency

## Treasurer's Report

As of May 31, 2022

06/08/22

Accrual Basis

	May 31, 22	Dec 31, 21
<b>ASSETS</b>		
Current Assets		
Checking/Savings		
Cash		
Cash-Checking	15,222.78	5,240.44
Cash-Savings	740,323.28	1,059,774.67
CD Mature 4/2023	250,000.00	0.00
<b>Total Cash</b>	<b>1,005,546.06</b>	<b>1,065,015.11</b>
<b>Total Checking/Savings</b>	<b>1,005,546.06</b>	<b>1,065,015.11</b>
<b>Total Current Assets</b>	<b>1,005,546.06</b>	<b>1,065,015.11</b>
<b>TOTAL ASSETS</b>	<b>1,005,546.06</b>	<b>1,065,015.11</b>
<b>LIABILITIES &amp; EQUITY</b>		
Equity		
Opening Balance Equity	499,980.27	499,980.27
Retained Earnings	565,034.84	152,241.18
Net Income	-59,469.05	412,793.66
<b>Total Equity</b>	<b>1,005,546.06</b>	<b>1,065,015.11</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,005,546.06</b>	<b>1,065,015.11</b>



## Town of Hamburg Industrial Development Agency

## Treasurer's Report

May 2022

06/08/22

Accrual Basis

	May 22	Jan - May 22
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
Administrative Fees	0.00	13,587.34
Interest Earnings	100.78	554.15
Interest Earnings CD	182.66	182.66
Refund	0.00	134.71
<b>Total Income</b>	<u>283.44</u>	<u>14,458.86</u>
<b>Gross Profit</b>	283.44	14,458.86
<b>Expense</b>		
Audit	0.00	4,500.00
Business Expenses & Mileage	194.78	1,665.04
Cell Phone	83.33	416.65
<b>Complete Payroll</b>		
Payroll and Benefits	9,319.62	51,754.41
Processing Payroll	99.10	654.80
Total Tax Liabilities	<u>695.27</u>	<u>4,547.12</u>
<b>Total Complete Payroll</b>	10,113.99	56,956.33
Conferences & Seminars	0.00	100.00
Membership Dues	0.00	5,000.00
<b>Office Expenses</b>		
IT Support	0.00	110.00
Office Equipment	0.00	195.62
Postage	18.08	176.58
Subscriptions	14.99	133.95
Supplies	<u>34.97</u>	<u>259.89</u>
<b>Total Office Expenses</b>	68.04	876.04
Payroll Expenses/Insurance	1,484.85	1,557.85
Publicity & Public Hearings	0.00	596.00
Sponsorship	<u>1,040.00</u>	<u>2,260.00</u>
<b>Total Expense</b>	<u>12,984.99</u>	<u>73,927.91</u>
<b>Net Ordinary Income</b>	<u>-12,701.55</u>	<u>-59,469.05</u>
<b>Net Income</b>	<u><u>-12,701.55</u></u>	<u><u>-59,469.05</u></u>