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**Hamburg Industrial Development Agency  
Board of Directors Meeting  
April 19, 2023, 7:30am  
Blasdell Village Hall**

**Present**

Bob Reynolds  
Tom Moses  
Davis Podkulski  
Bob Hutchison  
Janet Plarr  
Andy Palmer  
Wence Valentin  
Jamel Perkins

**Excused**

Cam Hall

**Guests**

Jennifer Strong, Neill & Strong  
Mary Doran, HIDA  
James Farrell, Hamburg Sun

**Executive Director**

Sean Doyle

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**- Pledge of Allegiance**

**-Roll Call**

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

**Moved:** Tom Moses

**Seconded:** Bob Hutchison

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins

**Nays:** none

***Carried***

**-Motion** to approve the March 2023 board meeting minutes

**Moved:** Andy Palmer

**Seconded:** Jamel Perkins

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins

**Nays:** none

***Carried***

Treasurer, Bob Reynolds, gave an update on the financials. March had income of \$2,287.91 of which \$2,089.08 was interest earnings and expenses of \$19,067.51 of which \$16,377.70 consisted of payroll. Balance on the accounts is \$1,006,085.96.

**-Motion** to approve the March 2023 Treasurer Report

**Moved:** Bob Hutchison

**Seconded:** Andy Palmer

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins

**Nays:** none

***Carried***

Doyle noted the \$250,000 certificate of deposit at Upstate Bank was rolled over for another year and the interest rate went up .5%.

### **Executive Director Update:**

- Still carrying the following projects that have not yet closed; K&H, Staub and Mission Hills.
- As previously discussed, North Forest properties changed ownership with a year left on the PILOT. Since the new owner did not apply for the PILOT and did not have IDA approval for carry over of the current PILOT a recapture letter was sent with 30 day notice to respond. The new owner contacted Doyle and they will be remitting payment for the abated tax amount (approx. \$10,000).
- Meeting with Feedmore on April 27th, a local not for profit regarding bond financing through the HNYLDC for a food terminal in Hamburg.
- The Gateway building is under contract with Cedarland Development. Doyle had 2 meetings with them. The first was to talk about what the IDA can offer. The building is in distress, they are looking to stabilize the building, update the look and drive leasing, currently about half of the building is leased. The 2<sup>nd</sup> meeting was with the Town Supervisor to discuss brownfield opportunities at the site.
- There has been a lot of activity and calls of interest especially on the 0 Lakeshore Road parcel with the HNYLDC.
- 290 Lake Street is expiring, the property has new owner and they would have to reapply to the HIDA.
- Continuing to monitor the Amazon site which has had some truck activity over the past week. Hutchison commended Doyle for a news interview on the project, well done.
- SBA HUB Zone, Blasdell is eligible. Doyle is working with Empire State Development regarding the process to support this as a designated zone.
- Next board meeting is May 17<sup>th</sup>.
- Pitch Hamburg event is May 31<sup>st</sup>.
- There is interest in the old Dick's Sporting Goods store near the McKinley Mall. The potential tenant would use as a warehouse distribution facility for costumes with a small retail component.

### **New Business**

- Doyle read the following resolution for Key Capture Energy:

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**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY EXTENDING THE SALES TAX PERIOD FOR THE KCE NY 6, LLC, UNTIL OCTOBER 18, 2023**

*WHEREAS, the Town of Hamburg Industrial Development Agency (the "Agency") by resolution adopted on September 10, 2021 induced KCE NY 6, LLC, (the "Lessee") with respect to the construction and installation of a 20 mw utility servicing battery energy storage facility for wholesale electric markets at 2026 Electric Avenue in the Village of Blasdell (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 has requested that the time period for completion be extended for six months; 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 sales tax period for the Lessee from September 10, 2022 until October 18, 2023 and waives the extension fee; and*
  2. *This resolution shall take effect immediately.*
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**-Motion** to approve the above extension request for Key Capture Energy

**Moved:** Davis Podkulski

**Seconded:** Andy Palmer

Bob Reynolds questioned the waiver on extension fees. Strong stated the HIDA has never charged extension fees on projects post-closing. Reynolds inquired about the back office work and what goes into the extension. Strong stated it is writing the resolution and sending updated letters to New York State. None the less the Executive Committee will review the policy at their next meeting, it may be time to change or re-word the policy since the COVID pandemic has been officially declared as over. Additionally, Doyle stated granting extensions has been a good process for the HIDA to keep projects moving along and accountable.

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins

**Nays:** none

**Carried**

Janet Plarr joined the meeting at 8:01pm

**NOTE:** INTERNET ISSUES AT 8:05AM, WHICH AS AFFECTED THE ABILITY TO LIVE STREAM THE BOARD MEETING.

**-Sean** read the following resolution for K&H Industries, Inc:

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**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY EXTENDING THE INDUCEMENT PERIOD AND THE SALES TAX PERIOD FOR GRIMSVIEW PROPERTIES, LLC PROJECT, UNTIL OCTOBER 18, 2023.**

*WHEREAS, GRIMSVIEW PROPERTIES, LLC (the "Lessee") has entered into negotiations with the officials of the Town of Hamburg Industrial Development Agency (the "Agency") with respect to the construction, installation and equipping of an approximately 18,000 square foot addition to an existing advanced manufacturing facility at 160 Grimsby Drive in the Village of Hamburg for lease to the Agency and subsequent Leaseback to the Lessee and further sublease to K & H INDUSTRIES, INC. (the "Sublessee") who will be the sole tenant (the "Project"); and*

*WHEREAS, the Town of Hamburg Industrial Development Agency (the "Agency") by resolution adopted on October 20, 2021 approved assistance for the Project; and*

*WHEREAS, there has been delay in finishing the Project due to supply chain issues outside of the control of the Lessee; and*

**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 October 20, 2022 through October 18, 2023 and waives the extension fee.*

*2. This resolution shall take effect immediately.*

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**-Motion** to approve the above extension request for K&H Industries, Inc.

**Moved:** Bob Reynolds

**Seconded:** Bob Hutchison

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins, Plarr

**Nays:** none

**Carried**



-Sean read the following resolution for Staub Three, LLC.

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**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY EXTENDING THE INDUCEMENT PERIOD AND THE SALES TAX PERIOD FOR STAUB THREE, LLC PROJECT, UNTIL OCTOBER 18, 2023.**

*WHEREAS, STAUB THREE, LLC (the "Lessee") has entered into negotiations with the officials of the Town of Hamburg Industrial Development Agency (the "Agency") with respect to the acquisition, construction, installation and equipping of an approximately 50,000 square foot advanced manufacturing facility at 0 Grimsby Drive in the Village of Hamburg for lease to the Agency and subsequent Leaseback to the Lessee and further sublease to STAUB PRECISION MACHINE, INC. (the "Sublessee") who will be the sole tenant (the "Project"); and*

*WHEREAS, the Town of Hamburg Industrial Development Agency (the "Agency") by resolution adopted on October 20, 2021 approved assistance for the Project; and*

*WHEREAS, there has been delay in finishing the Project due to supply chain issues outside of the control of the Lessee; and*

*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 October 20, 2022 through October 18, 2023 and waives the extension fee.*
- 2. This resolution shall take effect immediately.*

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Doyle stated the project has expressed challenges with estimates and contracts completion by extension date seems ambitious. If they request an additional extension in October will need to see significant progress on the project.

**-Motion** to approve the above extension request for Staub Three, LLC.

**Moved:** Bob Reynolds

**Seconded:** Bob Hutchison

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins, Plarr

**Nays:** none

**Carried**

-PARIS reports were submitted to the state and are available on our website.

-The 2022 Audit has been completed and copies were given to the board. It will be reviewed at next board meeting.

**-Employment Contracts – Doyle read the following resolution:**

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*WHEREAS, HIDA Executive Assistant Mary Ellen Doran is a hard- working and valued employee of the HIDA;*

*WHEREAS, the HIDA Board recognizes the talents, hard work and dedication of Ms. Doran and wishes to continue her employment with the HIDA.*

*NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:*

- 1. That the HIDA Chairmen is hereby authorized and directed to enter into an Employment Agreement Extension with Mary Ellen Doran for a term of three years (June 21, 2023 through June 30, 2026).*
- 2. This resolution shall take effect immediately.*

*The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 19, 2023.*

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Valentin – stepped out of the meeting on a call.

**-Motion** to approve the employment contract for Mary Ellen Doran

**Moved:** Bob Reynolds                      **Seconded:** Janet Plarr

**Roll Call Vote:** Moses - Aye, Podkulski - Aye, Hutchison - Aye, Plarr – Aye , Palmer – Aye, Reynolds – Aye, Perkins – Aye

**Nays:** none

**Carried**

Valentin returned to the meeting.

Chairman, Bob Hutchison, read the following resolution:

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*WHEREAS, HIDA Executive Director Sean Doyle is a hard working and valued employee of the HIDA;*

*WHEREAS, the HIDA Board recognizes the talents, hard work and dedication of Mr. Doyle and wishes to continue his employment with the HIDA.*

*NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:*

*1. That the HIDA Chairmen is hereby authorized and directed to enter into an Employment Agreement Extension with Sean Doyle for a term of three years (July 1, 2023 through June 30, 2026).*

*2. This resolution shall take effect immediately.*

*The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 19, 2023.*

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Additionally, Bob stated, Doyle’s performance over the past 5 years has elevated the organization to a new level.

**-Motion** to approve the employment contract for Sean Doyle

**Moved:** Andy Palmer                      **Seconded:** Jamel Perkins

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins, Plarr

**Nays:** none

**Carried**

Plarr stated the vacation days on the contracts are not in sync Doran has day after Thanksgiving, Doyle does not. Plarr made the following motion:

**-Motion** to amend the Doyle employment contract to include the day after Thanksgiving as a day off.

**Moved:** Janet Plarr                      **Seconded:** Bob Reynolds

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins, Plarr

**Nays:** none

**Carried**

**-Motion** to approve the Doyle employment contract as amended to include the Day after Thanksgiving as vacation day.

**Moved:** Bob Reynolds                      **Seconded:** Janet Plarr

**Roll Call Vote:** Moses - Aye, Podkulski - Aye, Hutchison - Aye, Plarr – Aye , Palmer – Aye, Reynolds – Aye, Perkins – Aye, Valentin - Aye

**Nays:** none

**Carried**

**-Motion** to re-adopt the Town of Hamburg Industrial Development Agency Policies as of April 19, 2023:

- Reimbursement and Attendance Policy
- Real Property Acquisition Policy
- Combined conflict of interest and code of ethics policy
- Defense and indemnification of officers and employees policy
- Complaint form – Sexual harassment policy
- Financial Disclosure Policy

**Moved:** Bob Reynolds

**Seconded:** Wence Valentin

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins, Plarr

**Nays:** none

***Carried***

\* **Reminder** to the board annual sexual harassment training is required by law for all board members. Training thru current employer is acceptable please forward the HIDA proof of completion.

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

**-Motion** to adjourn at 8:28am

**Moved:** Andy Palmer

**Seconded:** Tom Moses

**Ayes:** Moses, Podkulski, Hutchison, Palmer, Reynolds, Valentin, Perkins, Plarr

**Nays:** none

***Carried***

Sincerely,



Sean Doyle, Executive Director

**Next meeting: May 17, 2023 7:30AM Blasdell Village Hall**