



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, March 13, 2024, 7:30 AM  
Blasdell Village Hall, Court Room, 121 Miriam Avenue, Blasdell, New York**

*Join Zoom Meeting*

<https://us02web.zoom.us/j/85240174874?pwd=YzJnU3JicnhSSVZyQ0xxMmIsejlkUT09>

*Meeting ID: 852 4017 4874*

*Passcode: 14075*

1. Roll Call
2. Reading and Approval of February 2024 Minutes
3. Report of the Treasurer – February Treasurer Report
4. Executive Director Update

**New Business**

- Staub Three, LLC – new building resolution
- CD Rollover
- Revised Fee Schedule
- 2023 Audit

**Unfinished Business**

- Sexual Harassment Training/ABO Board Survey/Board Oath

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

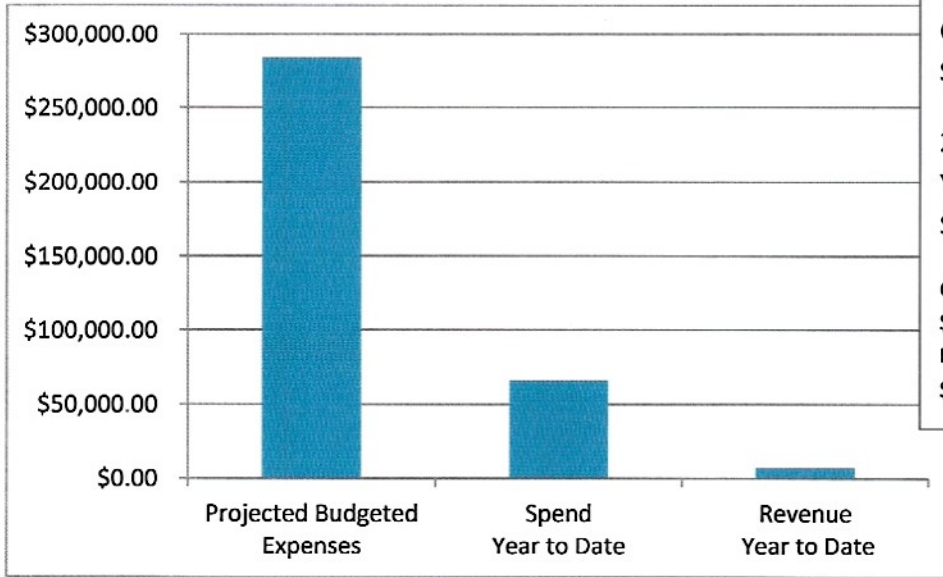
**Next meeting: April 10, 2024 7:30 AM Blasdell Village Hall  
(2nd Wednesday of the month)**

**HAPPY ST. PATRICK'S DAY**





### Financial Performance



2023 Payment in Lieu of Tax Revenue  
 Town \$358,750  
 County \$369,514  
 School \$1,115,928 (2023/2024)

2024 Approved Capital Investment  
 Year to Date (YTD)  
 \$0

Capital Investment Since 2018  
 \$144,577,884  
 PILOT Revenue Since 2018  
 \$12,897,600

Receivables due \$146,474.07

### Agency Employment Impact

Current Employment (2022): 1278  
 New Jobs Committed (2018-2023): 227  
 New Committed Employment 2024  
 Created: 0      Retained: 0  
*Reported as full time equivalent jobs*

### Sponsorships and Grants YTD

Pitch Hamburg Inc. \$50,000 – Startup Training  
 InVest Buffalo Niagara \$5,000 – Regional Development

### Project Activity

CLOSINGS	
Name	Expiration
Million Hills Phase IV	August 17, 2024
K&H Industries Expansion	July 17, 2024

Hamburg Development Corporation  
 Annual Filing - CDBG

- 3556 Lakeshore – Gateway Building- Under contract
- Expansion project – Village of Hamburg

**Prime Sites**

- Corssroads Site – 21ac Industrial Land Sale
- Lake Erie Commerce Center – Build to suit lease
- Iovate Jeffrey Blvd – Existing 200,000sf industrial for lease
- Worldwide – Existing 60,000sf industrial for lease
- Jeffrey Blvd – 10ac industrial for lease
- Camp Road Interchange
- 5272 South Park – re-use

## Community Engagement

- Amazon PR- Buffalo News, Sun and WKBW
- Pitch Hamburg- PR supported by HIDA
- Village EDC Meeting
- Public Hearings

*Opportunity awaits*

Newly built first-generation office/retail space available for lease. 2,610sf with two units; one at 785sf the other at 1,825sf or could be combined as one. Large customizable first-floor space in a very attractive building with ample parking. This is a premier spot for your business close to expressways and shopping.



3651 South Park Avenue,  
Blasdell, NY 14219

## Advocacy and Legislation

- Empire State development meeting
- Sen. Gallivan office – Add to meeting distribution

## Business Development

- 33 Scott – Update



April 10 – 7:30 AM HIDA & HNYLDC Board Meeting



UNAPPROVED/DRAFT  
(BOD motion for approval at 3/13/2024 meeting)

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**Hamburg Industrial Development Agency  
Board of Directors Meeting  
February 14, 2024, 7:30am  
Blasdell Village Hall**

**Present**

Bob Reynolds  
Davis Podkulski  
Andy Palmer  
Bob Hutchison  
Janet Plarr  
Cam Hall

**Excused**

Wence Valentin  
Tom Moses  
Jamel Perkins

**Executive Director**

Sean Doyle

**Guests**

Jennifer Strong, Neill & Strong  
Mary Doran, HIDA  
Daniel Kozub, Town Council  
Bob Mahoney, Assistant to Council  
Justin Sondel-McCarthy, Hamburg Sun

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**Pledge of Allegiance**

**-Roll Call**

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

**Moved:** Bob Reynolds      **Seconded:** Andy Palmer  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski  
**Nays:** none  
**Carried**

**-Motion** to approve the January 2024 board meeting minutes

**Moved:** Bob Reynolds      **Seconded:** Cam Hall  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski  
**Carried**

Treasurer, Bob Reynolds, gave an update on the financials. January had investment income of \$3,794.78. Expenses included a \$25,000 grant to Pitch Hamburg, a \$5,000 membership to Invest Buffalo and a \$1,000 sponsorship overall expenses including payroll totaled \$47,224.92. Expenses over income totaled -\$43,430.14 the balance on the accounts \$887,106.70.

**-Motion** to approve the January 2024 Treasurer Report

**Moved:** Andy Palmer      **Seconded:** Davis Podkulski  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski  
**Nays:** none  
**Carried**



Janet Plarr joined the meeting at 7:40am.

**Executive Director Update:**

-Doyle reviewed the director report with the board. Andy inquired about the job numbers in the director report. Doyle stated it was reflecting retention plus expansion job numbers. Additionally, Doyle stated there is currently a 16% vacancy rate in the office market.

-HDC had one loan closing and hosted the annual breakfast meeting in January with a good turnout. Approximately 30 people attended. Frank Armento was the guest speaker at the meeting he spoke on the Hamburg Woodlawn Brownfield Opportunity Area.

-Annual surveys have been mailed will be compiling the information for PARIS reporting in March.

-Two public hearings will be held on March 6, 2024 Feedmore Project (8:30am Town Hall) and Staub Expansion (9:30am Village Hall), please mark your calendars accordingly.

Daniel Kozub asked for further information on the HDC Loan program, Doyle explained, the program funds come from HUD/Community Development. It does not compete with HIDA projects as the HDC loan program works on a much smaller scale it can only lend up to \$100k per applicant. Additionally, it can lend to retail and restaurants where the HIDA has restrictions.

Bob Mahoney asked for clarification on how long applicants have to complete projects, what if any consequences are in place for non-compliance? Doyle and board members discussed and elaborated on the board's Claw-back/Recapture Policy as well as the HIDA being held accountable to NYS in the annual PARIS reports.

Bob Mahoney inquired on Hamburg's Fair Housing Law – 10% of new developments marked for low income individuals/families. Doyle stated the HIDA adheres to the Town's policy.

**New Business:**

**Annual Meeting Elections and Committee Assignments**

**-Motion** to Elect the Executive Committee members Robert Hutchison, Chair; Janet Plarr , Vice Chair; Cameron Hall, Secretary and Robert Reynolds, Treasurer for a term ending February 13, 2025.

**Moved:** Andy Palmer                      **Seconded:** Davis Podkulski

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

**Nays:** none

***Carried***

**-Motion** to Elect Audit committee members Hutchison, Podkulski and Reynolds to the committee for a term ending February 13, 2025.

**Moved:** Cam Hall                      **Seconded:** Janet Plarr

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

**Nays:** none

***Carried***

**-Motion** to Elect Governance committee members Perkins, Hutchison and Podkulski to the committee for a term ending February 13, 2025.

**Moved:** Bob Reynolds                   **Seconded:** Janet Plarr  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski, Plarr  
**Nays:** none  
**Carried**

**-Motion** to Elect Finance committee members Hutchison, Reynolds, and Plarr to the committee for a term ending February 13, 2025.

**Moved:** Andy Palmer                   **Seconded:** Bob Hutchison  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski, Plarr  
**Nays:** none  
**Carried**

Doyle, thanked the Board members for their service on the committees.

**-Doyle** read the following resolution for Mission Hills Developers, LLC name change.

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**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") SUBSTITUTING A RELATED NAME ENTITY FOR MISSION HILLS DEVELOPER, LLC (THE "LESSEE") TO CONSTRUCT, INSTALL AND EQUIP 55 – TWO BEDROOM SENIOR HOUSING UNITS AND A COMMUNITY CENTER ON CAMP ROAD, TOWN OF HAMBURG, AS AGENT FOR THE AGENCY FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE AND TO TAKE OTHER ACTION.**

*WHEREAS, MISSION HILLS DEVELOPER, 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 55 – two bedroom senior housing units and a community center at Camp Road in the Town of Hamburg for lease to the Agency and subsequent Leaseback to the Lessee (the "Project"); and*

*WHEREAS, the Town of Hamburg Industrial Development Agency (the "Agency") by resolution adopted on August 17, 2022 approved assistance for the Project; and*

*WHEREAS, the Lessee has asked to substitute a related entity: Villages at Mission Hills Phase IV, LLC as the Lessee to receive the same benefits as approved.*

**NOW, THEREFORE, THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY HEREBY RESOLVES AS FOLLOWS:**

*Section 1. The Agency hereby consents to the assignment of the approved benefits from Mission Hills Developer, LLC to Mission Hills Phase IV, LLC*

*Section 2. The Agency hereby consents that Mission Hills Phase IV, LLC is now the Lessee.*

*Section 3. The Lessee will follow the Town of Hamburg fair Housing law and Marketing Plan Requirements.*

*Section 4. This resolution shall take effect immediately.*

**ADOPTED:** February 14, 2024

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**-Motion** to approve the above resolution for Mission Hills name change.

**Moved:** Cam Hall                   **Seconded:** Bob Reynolds  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski, Plarr  
**Nays:** none  
**Carried**



-**Motion** by Janet Plarr to amend both Mission Hills Developers, LLC resolutions presented today to include the Town of Hamburg’s conditions for low income housing in the resolutions as well. *(The Lessee will follow the Town of Hamburg fair Housing law and Marketing Plan Requirements.)*

**Moved:** Bob Hutchison                      **Seconded:** Bob Reynolds  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski, Plarr  
**Nays:** none  
**Carried**

-**Motion** to approve the resolution to for the Mission Hills name change as amended adding - *Section 3. The Lessee will follow the Town of Hamburg fair Housing law and Marketing Plan Requirements.*

**Moved:** Janet Plarr                              **Seconded:** Bob Reynolds  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski, Plarr  
**Nays:** none  
**Carried**

-Doyle read the following resolution for the Mission Hills Phase IV, LLC Extension

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**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) EXTENDING THE INDUCEMENT PERIOD AND SALES TAX PERIOD FOR MISSION HILLS DEVELOPER, LLC AND MISSION HILLS PHASE IV, LLC (THE “LESSEE”) TO CONSTRUCT, INSTALL AND EQUIP 55 – TWO BEDROOM SENIOR HOUSING UNITS AND A COMMUNITY CENTER ON CAMP ROAD, TOWN OF HAMBURG, AS AGENT FOR THE AGENCY FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE AND TO TAKE OTHER ACTION.**

WHEREAS, MISSION HILLS DEVELOPER, 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 55 – two bedroom senior housing units and a community center at Camp Road in the Town of Hamburg for lease to the Agency and subsequent Leaseback to the Lessee (the "Project"); and

WHEREAS, the Town of Hamburg Industrial Development Agency (the “Agency”) by resolution adopted on August 17, 2022 approved assistance for the Project; and

WHEREAS, there has been delay in finishing the Project and in obtaining financing; and

WHEREAS, Mission Hills Developer, LLC has changed its entity name to Mission Hills Phase IV, LLC by resolution on February 14, 2024

NOW, THEREFORE, THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY HEREBY RESOLVES AS FOLLOWS:

1. *The Agency does hereby extend the inducement period and the sales tax period a second extension for the Lessee from February 17, 2024 through August 17, 2024 upon payment by the Lessee of the extension ½ fee per the Agency Fee Schedule due to a six-month extension; and*
2. *The Lessee will follow the Town of Hamburg fair Housing law and Marketing Plan Requirements.*
3. *This resolution shall take effect immediately.*

ADOPTED: February 14, 2024

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-**Motion** to approve the extension request for Mission Hills Phase IV, LLC above as amended include; *The Lessee will follow the Town of Hamburg fair Housing law and Marketing Plan Requirements.*

**Moved:** Andy Palmer                              **Seconded:** Bob Hutchison  
**Ayes:** Hutchison, Reynolds, Hall, Palmer, Podkulski, Plarr  
**Nays:** none  
**Carried**

**Unfinished Business:**

-Doyle read the following resolution:

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***RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY")  
TERMINATING THE LEASE AND ASSOCIATED BENEFITS WITH K-TECHNOLOGIES, INC. (THE  
"LESSEE")***

*WHEREAS, K-Technologies, Inc. (the "Lessee") has entered into an agreement with the officials of the Town of Hamburg Industrial Development Agency (the "Agency") with respect to the construction, installation and equipping of the approximately 53,860 square foot building located at 4199 Bayview Road, Hamburg, New York and the acquisition and installation of machinery required in connection therewith, all for a manufacturing facility, for sale or lease to the Agency and subsequent lease or sublease to the Lessee or in the alternative enter into an installment sale transaction with the Lessee (the "Project") ; and*

*WHEREAS, the Lessee has failed to hire train and maintain employees at the agreed upon levels ; and*

*WHEREAS, the Agency has provided due notice and curation period for the employment shortfall*

*NOW, THEREFORE, THE TOWN OF HAMBURG INDUSTRIAL AGENCY HEREBY RESOLVES AS FOLLOWS:*

*Section 1. In accordance with the Agency Policy for Recapture and / or Termination and / or Modification of Financial Assistance re-adopted June 21, 2023 the Project has been deemed non-compliant.*

*Section 2. Following a meeting of the Executive Committee on February 7, 2024 the committee recommends to the Agency to terminate the remaining benefits due to non-compliance.*

*Section 3. This resolution shall take effect immediately.*

*ADOPTED: February 14, 2024*

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**-Motion to approve the K-Technologies Resolution**

**Moved:**Bob Reynolds

**Seconded:** Janet Plarr

Board discussed their original job commitment number of 56, currently at 39 a difference greater than 10 employees. The resolution will go into effect immediately. There is 2 years left on the 15 year PILOT, since the 2024 Town and County Tax bills has already been generated for this year, it will eliminate the abatement on the 2024/2025 and 2025/2026 school tax bills as well as the 2025 Town and County billing.

**Ayes:** Hutchison, Reynolds, Hall, Podkulski, Plarr

**Nays:** none

**Abstain:**Palmer

***Carried***

**-Reminder** 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. Additionally, Mary will send out a training link to all board members to use if training is not offered/or available by employer.

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



**-Motion to adjourn at 8:25am**

**Moved:** Janet Plarr

**Seconded:** Cam Hall

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

**Nays:** none

***Carried***

Sincerely,

Sean Doyle, Executive Director

**Next meeting: March 13, 2024 7:30AM Blasdell Village Hall**

## Town of Hamburg Industrial Development Agency

03/05/24

## Treasurer's Report

Accrual Basis

As of February 29, 2024

	Feb 29, 24	Dec 31, 23
<b>ASSETS</b>		
Current Assets		
Checking/Savings		
Cash		
Cash-Checking	12,411.84	21,019.42
Cash-Savings	24,679.88	54,446.99
CD Mature 4/2024	250,000.00	250,000.00
Demand Deposit Account	588,710.55	608,865.21
Total Cash	875,802.27	934,331.62
Total Checking/Savings	875,802.27	934,331.62
Total Current Assets	875,802.27	934,331.62
<b>TOTAL ASSETS</b>	<b>875,802.27</b>	<b>934,331.62</b>
<b>LIABILITIES &amp; EQUITY</b>		
Equity		
Opening Balance Equity	499,980.27	499,980.27
Retained Earnings	434,351.35	573,013.48
Net Income	-58,529.35	-138,662.13
Total Equity	875,802.27	934,331.62
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>875,802.27</b>	<b>934,331.62</b>

## Town of Hamburg Industrial Development Agency

03/05/24

## Treasurer's Report

Accrual Basis

February 2024

	Feb 24	Jan - Feb 24
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
Interest Earnings - Bank Acct	115.84	235.98
Interest Earnings CD	1,170.45	2,340.90
Interest Income Demand Deposit	2,341.15	4,845.34
<b>Total Income</b>	<b>3,627.44</b>	<b>7,422.22</b>
<b>Gross Profit</b>	<b>3,627.44</b>	<b>7,422.22</b>
<b>Expense</b>		
<b>Business Expenses</b>		
Meetings/luncheons	206.75	206.75
Mileage	159.43	200.70
<b>Total Business Expenses</b>	<b>366.18</b>	<b>407.45</b>
<b>Cell Phone</b>	<b>83.33</b>	<b>166.66</b>
<b>Complete Payroll</b>		
Employee Health Insurance	852.90	2,558.70
Employer Payroll Taxes	927.68	2,498.49
Payroll and Benefits	10,736.46	26,780.15
Processing Payroll	108.96	377.04
<b>Total Complete Payroll</b>	<b>12,626.00</b>	<b>32,214.38</b>
<b>Grants</b>	<b>0.00</b>	<b>25,000.00</b>
<b>Membership Dues</b>	<b>455.00</b>	<b>5,000.00</b>
<b>Office Expenses</b>		
Postage	50.53	116.53
Supplies	150.83	208.55
Office Expenses - Other	0.00	28.00
<b>Total Office Expenses</b>	<b>201.36</b>	<b>353.08</b>
<b>Rent</b>	<b>1,200.00</b>	<b>1,200.00</b>
<b>Sponsorship</b>	<b>0.00</b>	<b>1,000.00</b>
<b>Training</b>	<b>0.00</b>	<b>610.00</b>
<b>Total Expense</b>	<b>14,931.87</b>	<b>65,951.57</b>
<b>Net Ordinary Income</b>	<b>-11,304.43</b>	<b>-58,529.35</b>
<b>Net Income</b>	<b>-11,304.43</b>	<b>-58,529.35</b>

**RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING STAUB THREE, LLC (THE "LESSEE") TO ACQUIRE VACANT LAND AND TO CONSTRUCT, INSTALL AND EQUIP AN APPROXIMATELY 58,000 SQUARE FOOT ADVANCED MANUFACTURING FACILITY AT 0 GRIMSBY DRIVE, VILLAGE OF HAMBURG, AS AGENT FOR THE AGENCY FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE AND FURTHER SUBLEASE TO STAUB PRECISION MACHINE, INC. (THE SUBLESSEE") AND TO TAKE OTHER ACTION.**

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 58,000 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 inducement of a previous project with the Lessee by the Agency dated October 20, 2021 has expired and the Project contemplated herein replaces the 2021 application by the Lessee; and

WHEREAS, the assistance contemplated by the Agency will include mortgage tax abatement; sales tax exemption on any materials and/or equipment purchased for incorporation into Project; and real property tax abatement in accordance with existing Agency Uniform Tax Exemption Policy and Guidelines; and

WHEREAS, the Lessee has submitted an Eligibility Questionnaire and other materials and information to the Agency (collectively hereinafter the "Eligibility Questionnaire") to initiate the accomplishment of the above; and

WHEREAS, the Agency has, after giving all required notices, held a public hearing on the Project pursuant to Section 859-A of the General Municipal Law; and

WHEREAS, the Eligibility Questionnaire sets forth certain information with respect to the Lessee, including the following: that the Lessee desires Agency assistance with respect to the acquisition, construction, installation and equipping of an approximately 58,000 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 the Sublessee for the continued growth of the Sublessee. **If the assistance is granted, the Sublessee anticipates retaining 33 FTE and hiring another 5 FTE employees at the Project location** in the Village of Hamburg within two years following the completion of the Project; that the Project will result in substantial capital investment; that there will be no adverse disruption of existing employment at facilities of a similar nature in the Village or Town of Hamburg; if Agency assistance is disapproved, the Lessee would have to scale back the Project negatively impacting future growth in New York; and that, therefore, Agency assistance is necessary to encourage the Lessee to proceed with the Project in the Village and Town of Hamburg; and

WHEREAS, the Agency desires to further encourage the Lessee with respect to the



Project, if by so doing it is able to induce the Lessee to proceed with the Project in the Village of Hamburg.

NOW, THEREFORE, THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY HEREBY RESOLVES AS FOLLOWS:

Section 1. The Agency hereby determines that the acquisition, construction, equipping and installation of the Project and the financing or other assistance thereof by the Agency pursuant to the New York State Industrial Development Agency Act will promote and is authorized by and will be in furtherance of the policy of the State as set forth in said Act. The Agency further hereby determines, on the basis of the Eligibility Questionnaire and supplemental information furnished by the Lessee, as follows: (a) it would not have financed or otherwise assisted the Project except to induce the location of the Project in the area to be served by the Project as there is a demonstrable need for the Project; (b) that Agency financing and/or other assistance is reasonably necessary to promote economic development and to induce the Lessee to proceed with the Project; (c) there will be no substantial adverse disruption of existing employment or facilities of a similar nature to the Project in such area; (d) the Project will allow the Lessee to expand its business in the Town of Hamburg; (e) the Project will create additional employment and provide substantial capital investment; The Agency further determines, on the basis of the Lessee's Eligibility Questionnaire that; (f) the Project as represented is reasonably necessary to provide the purposes of the Act, subject to verification and confirmation of such representations prior to the into a lease with mortgage or lease only transaction and (g) the Project is an integral part of the Lessee's plan to proceed with the Project in the Village of Hamburg.

Section 2. The Chairman, Vice Chairman, Executive Director, Secretary and Assistant Secretary of the Agency and other appropriate officials of the Agency and its agents and employees are hereby authorized and directed to take whatever steps may be necessary to cooperate with the Lessee to assist in the acquisition, construction equipping and installation of the Project.

Section 3. The Lessee is authorized to initiate the acquisition, construction, installation and equipping of an approximately 58,000 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 the Sublessee at a total Project Cost of approximately **\$8,835,000.00**, subject to the obtaining of all required approvals from the Village of Hamburg and other involved governmental agencies, and to advance such funds as may be necessary to accomplish such purposes.

Section 4. The Agency is hereby authorized to enter into such agreements with the Lessee and the Sublessee, as the Chairman, Vice Chairman, Executive Director or other officer may deem necessary in order to accomplish the above.

Section 5. The Lessee and Sublessee are authorized to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an amount up to **\$2,740,500.00** which may result in a New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed

**\$239,793.75.** The Agency may consider any requests by the Lessee and Sublessee for increases in the amount of sales and use tax benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services necessary for the completion of the Project.

Section 6. Any such action heretofore taken by the Lessee in initiating the acquisition, construction, installation and equipping of the Project is hereby ratified, confirmed and approved.

Section 7. Any expenses incurred by the Agency with respect to the Project and the financing thereof shall be paid by the Lessee. By acceptance hereof, the Lessee agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, officers, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Project and the financing thereof.

Section 8. The Agency hereby authorizes and approves real property tax abatement benefits structured through a **ten year PILOT** ("PILOT Agreement") estimated to provide **\$1,461,134.00 in real property tax abatement benefits**, and resulting in estimated total payments in lieu of taxes of **\$388,403.00** over the term of the PILOT Agreement.

Section 9. The Agency hereby authorizes and approves that the value of the mortgage to be placed upon the facility of approximately **\$8,835,000.00** ; **but that** the mortgage tax exemption benefit shall not exceed **\$66,262.50**.

Section 10. The execution and delivery of a Project and Agent Agreement, Closing Agreement, Lease to Agency, and Leaseback Agreement between the Agency and the Lessee, each being substantially in the form approved by the Agency for prior transactions or in form approved by the Chairman, Vice Chairman, Executive Director, Secretary or Assistant Secretary is hereby authorized. The appropriate officers of the Agency are hereby authorized to execute, seal, acknowledge and deliver such agreement and any and all papers, instruments, opinions, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary or proper for carrying out this resolution. The execution and delivery of each such instrument shall be conclusive evidence of due authorization and approval.

Section 11. The execution and delivery of a mortgage from the Agency and the Lessee to a lender selected by the Lessee and approved by the Chairman, Vice Chairman, Executive Director, Secretary or Assistant Secretary of approximately **\$8,835,000.00** and other ancillary documents, if required, which mortgage and ancillary documents shall be substantially in the form approved by the Agency for prior transactions or in form approved by the Chairman, Vice Chairman, Executive Director, Secretary or Assistant Secretary is hereby authorized. The appropriate officers of the Agency are hereby authorized to execute, seal, acknowledge and deliver such agreement and any and all papers, instruments, opinions, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary or proper for carrying out this resolution. The execution and delivery of each such instrument shall be conclusive evidence of due authorization and approval.



Section 12. The Agency has made and makes no representation or warranty whatsoever, either express or implied, with respect to the merchantability, condition, environmental status, fitness, design, operation or workmanship of any part of the Project, its fitness for any particular purpose, the quality or capacity of the materials in the Project, or the suitability of the Project for the Lessee's purposes or needs. The Lessee is satisfied that the Project is suitable and fit for Lessee's purposes. The Agency shall not be liable in any manner whatsoever to anyone for any loss, damage or expense of any kind or nature caused, directly or indirectly, by the Project property or the use or maintenance thereof or the failure of operation thereof, or the repair, service or adjustment thereof, or by any delay or failure to provide any such maintenance, repairs, service or adjustment, or by any interruption of service or loss of use thereof or for any loss of business howsoever caused, and the Lessee hereby indemnifies and holds the Agency harmless from any such loss, damage or expense.

Section 13. The provisions of Section 875 of the General Municipal Law shall apply to this Project. In the event it is determined that an agent, project operator or other person or entity obtained state sales and use exemptions benefits for which they were not entitled or which were in excess of the amount authorized or which are for property or services not authorized or taken in cases where such Lessee, its agents, project operators or other person or entity failed to comply with a material term or condition to use property or services in the manner required by Agreements entered into between the Agency and the applicant with respect to the Project, the agent, project operator or other person or entity shall comply with all the provisions of Section 875 and pay back to the Agency the amount of the state sales and use tax exemptions benefits that they obtained but were not entitled to.

Section 14. Should the Agency's participation in this Project be challenged by any party, in the courts or otherwise, the Lessee shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from such challenge, including, but not limited to, the fees and disbursements of the Agency's counsel. Should any court of competent jurisdiction determine that the Agency is not authorized under Article 18-A of the General Municipal Law to participate in the Project, this resolution shall automatically become null, void and of no further force and effect, and the Agency shall have no liability to the Lessee hereunder or otherwise.

Section 15. This resolution is subject to compliance with all local building and zoning requirements.

Section 16. The Agency has reviewed the approvals adopted by the Hamburg Village Board on October 18, 2021 determining that the proposed action will not have a significant impact on the environment and that a draft environmental impact statement will not be required to be prepared and the Agency hereby determines, based upon information furnished to the Agency by the Village of Hamburg and such other information as the Agency has deemed necessary to make this determination, that the Project does not require the preparation of an environmental impact statement under the State Environmental Quality Review Act, being Article 8 of the New York State Environmental Conservation law, as the contemplated actions will not have a significant effect on the environment and the Agency hereby confirms the negative declaration previously adopted by the Village of Hamburg attached hereto and made a part hereof.

Section 17. The provisions of the Town of Hamburg Industrial Development Agency Policy for Recapture and/or Termination or Modification of Financial Assistance and Local Labor Policy shall be applicable to this Project.

Section 18. This Resolution shall take effect immediately and shall continue in full force and effect for two (2) years from the date hereof and on or after such two (2) year anniversary, the Agency may, at its option (a) terminate the effectiveness of this Resolution (except with respect to the obligations of the Lessee pursuant to Sections 12, 13, 14 and 17 of this Resolution which shall survive any expiration or termination) or (b) allow the Lessee additional time in which to close the transactions contemplated by this Resolution based upon affirmative actions taken by the Lessee to complete such transactions. Upon any allowance of additional time to close, the Agency may charge the Lessee an extension fee in accordance with the Agency's fee schedule.

ADOPTED: March 13, 2024

ACCEPTED: March \_\_\_\_, 2024

STAUB THREE, LLC  
as Lessee

By \_\_\_\_\_  
Joseph Pinker Jr., Member

STAUB PRECISION MACHINE, INC.  
as Sublessee

By: \_\_\_\_\_  
Joseph Pinker, Jr., President



**PROJECT PROFILE:**

# Staub Precision Machine—New Building

**\$8,835,000**

**March 6, 2024**



**ELIGIBILITY**

- 10 Year PILOT—Precision manufacturing including research and design. Eligible for Erie County and NY sales tax exemption

**COMPANY INCENTIVES (EST.)**

- Property Tax = \$1,461,134
- Mortgage Tax = \$66,263
- Sales Tax = \$239,794

**PROJECT BENEFITS (EST.)**

- Property Taxes = \$388,403
- Income Taxes = \$31,417,238
- Sales Taxes = \$192,431
- Benefit Ratio 21:1

**EMPLOYMENT**

- 5 New Full-time Jobs Created
- Average hourly pay \$24.00 plus overtime and fringe
- Retaining 33 existing jobs

**PROJECT SCHEDULE**

- Start May 2024

**Project Address**

Vacant lot - Grimsby Drive  
Hamburg, New York 14075  
(Hamburg Central School District)

**Investment**

Acquisition: \$400,000  
Utility work: \$210,000  
Construction: \$7,830,000  
FF&E: \$85,000  
Soft Costs : \$310,000



**Company Description:**

The applicant is manufacturer that produces high-precision machined components. These components are used in ventilators, oxygen therapy equipment, guitars and aerospace industry to name a few. Due to increased demand, the owner is looking to significantly scale operations and increase production volume to meet customer orders.

**Project Description:**

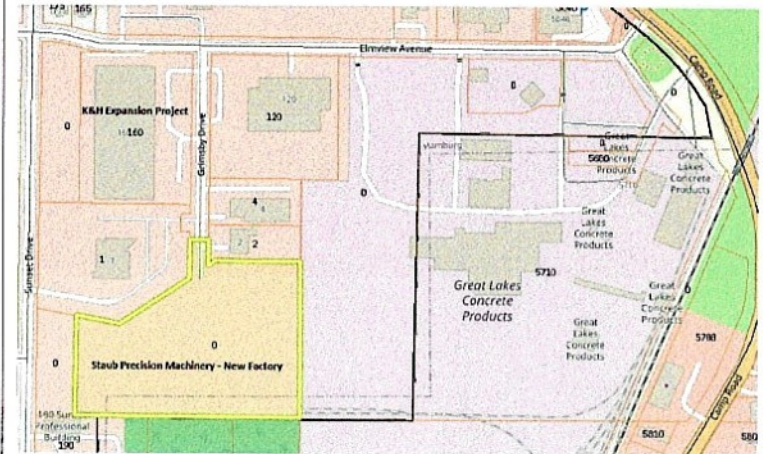
The owner is seeking financial assistance to maximize production capabilities and alleviate space constraints by building a new 58,000 square foot manufacturing facility for Staub Precision Machining. Staub Precision machining would then consolidate its high-volume manufacturing equipment into this building. This would allow the company to scale operations significantly to meet customer demand and projected growth.

**PROJECT PROFILE:**

**Staub Precision Machine—New Building**  
**\$8,835,000**

**HIDA COMPANY HISTORY:**

2011—STAUB—Current PILOTS for 2 Grimsby and 4 Grimsby Ending in Tax fiscal year 2022  
**PILOT terms are current**



**MATERIAL TERMS:**

1. Achievement of total 5 full-time equivalent jobs at the project location two years after project completion.
2. Investment of not less than \$8,835,000 at the project location as noted in the application.
3. Compliance with the Agency's Local Labor Policy in connection with the construction of the Project .





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

**Hamburg Industrial Development Agency  
PUBLIC HEARING, Staub Precision Machine  
March 6, 2024 – 8:30am  
Hamburg Village Hall & via Zoom Teleconferencing**

**Present**

Jamel Perkins  
Andy Palmer  
Bob Reynolds  
Bob Hutchison  
Tom Moses - Zoom

**Excused**

Cam Hall  
Janet Plarr  
Davis Podkulski  
Wence Valentin

**Guests**

Jennifer Strong, Neill & Strong - Zoom  
Mary Doran, HIDA  
Kim Peck, Senator Gallvin's Office  
Mary McKee, Hamburg Village  
Tom Tallman, Hamburg Village Mayor  
Jonathan Halas, Staub

**Executive Director**

Sean Doyle

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A RECORDING OF THE FULL PUBLIC HEARING MAY BE VIEWED ON YOUTUBE, Channel - Hamburg IDA

Director Doyle read the public hearing notice below that was printed in the February 23<sup>rd</sup> edition of *The Hamburg Sun*.

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**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING OF THE  
TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY**

Wednesday, March 6, 2024 at 9:30AM – **IN PERSON and VIA ZOOM VIDEOCONFERENCE**

**PLEASE TAKE NOTICE** that the Town of Hamburg Industrial Development Agency will hold a public hearing to consider the following proposed financial assistance requested of the Agency.

Pursuant to Article 18-A of NYS General Municipal Law, a public hearing will be conducted electronically and in - person, as hereinafter described, by the Town of Hamburg Industrial Development Agency (the "Agency") on March 6, 2024 at 9:30AM regarding the project, as described below.

**Members of the Agency will be in attendance at the Hamburg Village Hall, 100 Main Street, Hamburg, New York 14075.**

**Staub Three, LLC, and Staub Precision Machine, Inc. PROJECT** - Request for Agency assistance for in the form of a lease only or lease leaseback with mortgage transaction for a total Project Amount not to exceed \$8,835,000. The assistance contemplated by the Agency will include mortgage tax abatement, sales tax exemption on any materials and/or equipment purchased for incorporation into Project and real property tax abatement in accordance with existing Agency Uniform Tax Exemption Policy and

Guidelines, as amended. Staub Three, LLC (the "Lessee") and Staub Precision Machine, Inc. (the "Tenant") has entered into negotiations with the officials of the Town of Hamburg Industrial Development Agency (the "Agency") with respect to a lease leaseback with mortgage for the new construction of an approximately 58,000 square feet advanced manufacturing facility located at SBL # 182.16-3-26.1, 0 Grimsby Drive, Hamburg, New York., by the Lessee, as Agent for the Agency, for lease to the Agency and leaseback by the Agency to the Lessee. The Project will allow the Lessee to expand its operations and employment in the Village of Hamburg. (the "Project").

The Agency will present information relative to this project and application at the public hearing. Persons interested may attend and will be given an opportunity during the public hearing to make statements. Also written comments may be submitted to the Agency at or before the hearing.

**PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:**

In accordance with Section 859-a of the NYS General Municipal Law, a representative of the Agency will present a copy of the Company's project Application which is also available for viewing on the Agency's website at [www.hamburgida.com](#). In furtherance of the provisions of Section 859-a of the NYS General Municipal Law requiring interested parties will be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

The Agency will provide public access to provide oral comments during the Public Hearing at:

**IN PERSON**

Hamburg Village Hall  
100 Main Street  
Hamburg, New York 14075

**VIA ZOOM VIDEOCONFERENCE**

To be registered to attend the meeting please email request to [HamburgIDA@TownofHamburgNY.com](mailto:HamburgIDA@TownofHamburgNY.com) or call 716-648-4145 for meeting login information by **2:00 PM on March 5, 2024.**

Finally, the Agency also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record until the comment period closes on March 12, 2024.

Additional information can be obtained from and written comments may be addressed to:

Hamburg Industrial Development Agency  
Sean Doyle, Executive Director  
6122 South Park Avenue  
Hamburg, New York 14075



Doyle opened the hearing to the public at 9:34am.

Bob Hutchison, HIDA Board Chairman, welcomed everyone to the public hearing. He spoke of the tour the board had at K&H Industries a few weeks back and how it was an eye opener to what the company does and the work/workforce that drives their business.

Jonathan Halas, was glad everyone came for the tour. He apologized for the absence of Joe Pinker, owner, who could not attend the meeting today. (This project was previously approved in 2021. Due to rise in building costs it could not be completed as originally planned. The 2021 project expired and the project being presented today is the same project with design modifications to the building to significantly lower costs). Jonathan stated that last time he was in front of the board the primary concern was the length of time. He said realistically it will take 2 years, they are hoping to break ground in the next few weeks. It will take a year to build the building and another year to transition operations. Therefore he is requesting a 2 year timeframe upfront.

Doyle stated since the last time they presented to the board there has been an emerging policy modification that co-insides with that 2 year narrative. Additionally, Doyle said the change is being made to better suit our customer's needs.

Bob Reynolds inquired about increasing business in NYS with the new facility. Jonathan stated within the last year they hired a consultant on to help expand their operation and since then they have been able to expand locally.

Andy Palmer thanked Jonathan for their investment in Hamburg.

Doyle asked 3 times for any further comments from the public, none were stated and no comments were received.

Public hearing was tabled at 8:51am and will be resumed at the HIDA Board meeting on March 13, 2024 at 7:30am, Blasdell Village Hall.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Doyle', with a stylized flourish at the end.

Sean Doyle, Executive Director

**TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY  
FEE SCHEDULE**

**Adopted:** June 8, 2012, re-adopted as written April 7, 2020,  
re-adopted as written June 16, 2021, re-adopted as written April 20, 2022,  
re-adopted as amended June 21, 2023

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**Application Fee:** At the time of application for approval by the Agency of any transaction there shall be a non-refundable application fee of Five Hundred Dollars (\$500.00). If the request is for refinancing of an existing Project of the Agency where no public hearing is required, this Application Fee will be applied as an offset against all or a portion of the Agency Administrative Fee Due.

Approved projects will close within twenty-four (24) months of resolution date. If the Lessee requests an extension, the fee shall be one half (1/2) of the agency administrative fee for each twelve (12) month extension. Post – closing sales tax extensions will be a \$600 processing fee for each twelve (12) month extension.

**Agency Administrative Fees:**

1. New Projects

The Agency Administrative Fee for new Projects shall be 1% of the dollar amount of the Project as determined by the Agency. One quarter of the Agency Administrative Fee or .25% must be received by the Agency prior to the issuance of a Sales Tax Letter by the Agency except for installment sale transactions when the entire Agency Administrative Fee of 1% is due at time of the issuance of the Sale Tax Letter. The balance of the Agency Administrative Fee or .75% shall be due on the closing of the transaction.

2. Refinancing's

The Agency Administrative Fee for refinancing shall be \$500 plus one half of one percent (1/2%) of any new money being financed.

By way of illustration, if the Agency authorized a Project with a Project Cost of \$1,200,000, the initial Agency Administrative Fee payable would have been a total of \$12,000 with .25% or \$3,000 due at the time of the sales tax letter and \$9,000 payable at the closing. For purpose of illustration, we will assume that the Project was financed through bonds or a note and mortgage in the principal amount of \$1,000,000. At the end of five years, the Lessee comes to the Agency for assistance in refinancing the Project with a new borrowing of \$1,300,000. The Lessee will have to advise the Agency of the outstanding principal balance remaining on the bond or note. For purpose of illustration, we will assume that the principal balance has been reduced by \$100,000 leaving a remaining principal balance of \$900,000. The Lessee would have to pay an Agency Administrative Fee of one half of 1% on the amount over the original \$1,200,000 authorized and for which the Agency Administrative Fee was paid or 1% of

\$100,000 (\$500) plus an administrative fee of 1/2% on the difference between the \$1,000,000 originally borrowed and the remaining principal balance or 1/2% of \$100,000 (\$500) because that amount would also constitute new money. This would be in addition to the \$500 refinancing fee for a total Agency Administrative Fee of \$1,500.

3. Sublease Approvals

The Agency fee for approval of a new sublease for the entire Project shall be \$500.

4. Approval of Lease Assignment and Assumptions

The Agency Administrative Fee for approval of Lease Assignments and Assumptions shall be one quarter percent (.25%) of Agency Administrative Fee which would have been due if the Project was a new Project but reduced by the percentage of the benefit already received with respect to real property tax abatement.

By way of illustration, if it is assumed that the Agency provided a ten year real property tax abatement as set forth below

Year	Tax Paid	Abatement
1997	20%	80%
1998	25%	75%
1999	30%	70%
2000	35%	65%
2001	40%	60%
2002	45%	55%
2003	50%	50%
2004	55%	45%
2005	60%	40%
2006	60%	40%
Total Abatement		5.8 years of abatement

If after year 2002, an application was received requesting that the Agency approve the assignment and assumption of the lease agreement, four years of abatement are remaining. If you add up the percentage of abatement for each year the total remaining abatement is 1.75 years of abatement. The fee would be .25% of the percentage remaining of the real property tax abatement (1.75 divided by 5.8 = .301724138 x .25 times the original Project Cost) Assuming the original Project Cost was \$1,000,000, the fee at the time of the original Project would have been \$10,000. The fee for the assignment and assumption would be \$1,000,000 x .0025 x .301724138 = \$754.31.

Additional Fees

Additional costs associated with meeting the Agency's current environmental policy are the responsibility of the Applicant.

If the Project Application is withdrawn or does not close, the Applicant is responsible for any



costs, including Agency Counsel Fees, incurred by the Agency on behalf of the Project.

Agency Counsel Fees

<u>Bond/Mortgage/Lease Project Cost</u>	<u>Legal Fee</u>
to \$750,000	\$5,000*
\$750,001 to \$1,500,000	\$7,500
\$1,500,001 to \$3,000,000	\$10,000
\$3,000,001 to \$5,000,000	\$12,500
\$5,000,001 to \$10,000,000	\$15,000
above \$10,000,000	\$20,000 minimum with additional legal fees payable based upon the circumstances and work involved

\* With respect to legal fees for Projects up to \$750,000, this Legal Fee would include only two drafts of documents. In addition, if due to delays caused by the Lessee or the Lender, the closing is delayed beyond a sixty day period from the date of the first draft, additional time may also be billed by Agency Counsel in his or her discretion. If further drafts are required or the closing is unreasonably delayed, additional time shall be billed at the hourly rate then in effect of Agency Counsel for the additional time only which hourly rates are currently \$250 per hour.

Legal Fees for refinancings shall be based upon the dollar amount refinanced in accordance with the above schedule. In the case of minor amendments of the prior loan documents, Agency Counsel Fees shall be charged on a time basis at the hourly rate then in effect for Agency Counsel. Agency Counsel shall determine whether the amendment to the prior loan documents is a minor amendment in his or her sole reasonable discretion.

<u>Ordinary Installment Sale Transactions</u>	<u>Legal Fee</u>
to \$750,000	\$3,000*
\$750,001 to \$1,500,000	\$5,000
\$1,500,001 to \$3,000,000	\$7,500
over \$3,000,000	\$10,000 minimum with additional legal fees payable based upon the circumstances and work involved

\* With respect to legal fees for Projects up to \$750,000, this Legal Fee would include only two drafts of documents. In addition, if due to delays caused by the Lessee or the Lender, the closing

is delayed beyond a sixty day period from the date of the first draft, additional time may also be billed by Agency Counsel in his or her discretion. If further drafts are required or the closing is unreasonably delayed, additional time shall be billed at the hourly rate then in effect of Agency Counsel for the additional time only.

### **Installment Sale Transactions for Enhancement Zone Projects Only**

#### **Agency Administrative Fee**

For Sales Tax Only Projects with costs from \$10,000 to \$69,999	\$500
For Sales Tax Only Projects with costs of \$70,000-\$99,999	.75% of project value
For Sales Tax Only Projects with costs above \$100,000	1% of project value

#### **Agency Legal Fees**


For Sales Tax Only Projects with costs from \$10,000 to \$100,000	No charge*
For Sales Tax Only Projects with costs from \$100,000 to \$200,000	\$500*
For Sales Tax Only Projects with costs from \$200,000 to \$300,000	\$1,000*
For Sales Tax Only Projects with costs above \$300,000	\$2,000*

\*This is contingent on not more than two drafts (preliminary and final) and closing within 60 days sending of preliminary draft. If additional drafts are required or if closing period is extended for more than 60 days from the date of the preliminary draft, Agency Counsel reserves the right to charge for additional time.

Legal Fees for Assignment and Assumptions shall be on a time basis.

In addition to counsel fees, disbursement of up to \$1,000 will be added to each closing for normal bond/mortgage/lease transactions and normal installment sale transactions. Lesser disbursements will apply to the enhancement area installment sales transactions. If additional transcripts above the normal amount are required (5 for lease only and 7 for bond or mortgage transactions), they will be billed to reflect the additional copy cost and the additional binding costs and may exceed the \$1,000 total.

# Annual Update/Renewal Board Member Forms & Surveys - 2024

	Cam Hall	Bob Hutchison	Tom Moses	Andy Palmer	Janet Plarr	Jamel Perkins	Davis Podkulski	Bob Reynolds	Wence Valentin
<b>Survey for Authority Budget Office</b>	X	X		X		X	X	X	
<b>Board Member Conflict of Interests/ Disclosure Form</b>	X	X		X		X	X	X	
<b>NEW Public Officer Oath of Office</b> <i>Per the directive on the bottom of the form a copy of sections 73, 73-a, 74, 75, 76, 77 and 78 was emailed (included in the email with the February agenda) to all board members on February 8, 2024.</i>	X	X		X			X	X	
<b>Sexual Harassment Training Forms</b> <i>Attached if needed, information was emailed to all board members on Jan 18<sup>th</sup>. All board members are required to take annual sexual harassment training. If you complete this thru your place of employment, please send me proof via certificate etc. If it is not offered thru your employment, use the link below for the NYS training video. It is a little different than the previous year's link. Complete attached worksheet sign, date then please send me a copy. The training is about an hour.</i> <a href="https://youtu.be/A9gudpiQ40M">https://youtu.be/A9gudpiQ40M</a>	X	X	X	X		X		X	
<b>ONLY IF YOU ARE ON THE COMMITTEE:</b>									
<b>Finance Committee Survey</b>	n/a	X	n/a	n/a		n/a	n/a	X	n/a
<b>Audit Committee Survey</b>	n/a	X	n/a	n/a	n/a	n/a	X	X	n/a

Highlighted = needs to be returned

n/a = does not apply

X = received