

Hamburg Industrial Development Agency

**Board of Directors Meeting
February 29, 2016
Robert Chesbro Conference Room**

Present

Pattie Paul
Tom Moses
Lou McDonald
Cameron Hall
Mike Sendor
Steve Walters

Excused

Norma Rusert-Kelly
Mike Quinn
Janet Plarr

Guests

Craig Cwick
Mike Kubiszyn
Paul Morrison Taylor

Executive Director

Michael J. Bartlett

Executive Assistant

Olivia Hill

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

- Suburban Property Maintenance is a company that specializes in the upkeep and maintenance of commercial buildings and grounds. Services they provide include parking lot sweeping, pressure washing, removal of graffiti, painting of light posts, etc. Some of their clients include The Buffalo Bills/Ralph Wilson Stadium, The Benderson Development Company, Home Depot and Walgreens. The company is owned by Marty Ballowe who is looking to purchase 6091 South Park Avenue and use it as his company's headquarters. The building has been vacant for over a year and needs quite a bit of both interior and exterior work. The Board was provided with a list of the work that needed to be done. Marty is requesting assistance in the form of an Adaptive Reuse project. If approved he would be eligible for an exemption from the 1% mortgage tax, the 8.75% NYS sales tax and a property tax abatement equivalent to the 485B. The purpose of the discussion was to determine if the Board felt the project qualified for HIDA assistance. After discussing the project, the Board instructed Executive Director Bartlett to inform the Company they felt the project was potentially eligible for assistance and they would accept an application for review.

- The HIDA has been asked to approve a resolution authorizing the execution and delivery of a gap mortgage, a mortgage consolidation and modification agreement, and an amended and restated Leaseback Agreement, if required, in connection with the refinancing of the 2010 North Forest Properties #5, LLC project. The purpose is to consolidate the outstanding principal balance of the original mortgage and the gap mortgage into a single mortgage in the principal amount of \$715,000.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF A GAP MORTGAGE, A MORTGAGE CONSOLIDATION AND MODIFICATION AGREEMENT AND AN AMENDED AND RESTATED LEASEBACK AGREEMENT, IF REQUIRED, IN CONNECTION WITH THE REFINANCING OF THE 2010 NORTH FOREST PROPERTIES #5, LLC PROJECT, AND FURTHER AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH

Moved: Pattie Paul

Seconded: Tom Moses

Ayes: Walters, Sendor, McDonald, Hall, Paul, Moses

Nays: none

Carried

- The HIDA conducted an Asbestos survey for 70 Lakeview Avenue, which showed Asbestos present in the building and garage in various areas. The Town of Hamburg Code Enforcement Department issued an RFP inviting companies to provide Asbestos abatement services. The following two bids were received:

1. Arric Corporation - \$11,830.00 (if Town supplies electricity)
\$16,245.00 (if Arric supplies electricity)
2. Hannah Demolition - \$2,000.00

In addition, we need to pay for someone to monitor the air while the abatement is being done. Kurt Allen recommends Robert Barr at a cost of \$400.00 a day. Kurt was told by Hannah Demolition that he can have the work done in one day. The Board agreed the obvious choice is Hannah Demolition.

RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR BARTLETT TO HIRE HANNAH DEMOLITION TO UNDERTAKE ASBESTOS REMOVAL AT 70 LAKEVIEW AVENUE FOR AN AMOUNT NOT TO EXCEED \$2000.00 AND TO HIRE ROBERT BARR TO MONITOR THE AIR DURING THE ASBESTOS REMOVAL AT A COST OF \$400.00 A DAY, NOT TO EXCEED \$1,200.00

Moved: Mike Sendor

Seconded: Cameron Hall

Ayes: Walters, Paul, Moses, McDonald, Sendor, Hall

Nays: none

Carried

- Executive Director Bartlett reviewed a proposed resolution with the Board to extend the PILOT for Keedahm Properties, Inc. by one year. The original project involved the purchase and renovation of an existing 8,400 square foot building located on approximately 3.0 acres at 3780 Hoover Road. The November 2014 storm did substantial damage to the building making it uninhabitable for a considerable period of time with the owner having to replace the building at his own cost. As a result of the damage, the owner did not receive the full benefit of the PILOT and has requested that the Agency agree to extend the term of the PILOT to provide an additional one year of benefits.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AMENDING THE PRIOR RESOLUTION ADOPTED ON MAY 11, 2012 AUTHORIZING KEEDAHM PROPERTIES, INC. (THE "LESSEE") TO RENOVATE AN EXISTING APPROXIMATELY 8,400 SQUARE FOOT BUILDING LOCATED ON AN APPROXIMATELY 3.0 ACRE PARCEL OF LAND AT 3780 HOOVER ROAD IN THE TOWN OF HAMBURG, WHICH BUILDING HAS BEEN VACANT FOR MANY YEARS AND WAS ONLY RECENTLY ACQUIRED BY THE LESSEE, TO PROVIDE PROFESSIONAL LANDSCAPING FOR THE ENTIRE PARCEL AS WELL AS PAVING APPROXIMATELY 13,000 SQUARE FEET OF DRIVEWAY AND PARKING LOT AND TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES REQUIRED IN CONNECTION THEREWITH, FOR LEASE BY THE LESSEE TO THE AGENCY FOR SUBLEASE TO THE LESSEE FOR SUB-SUBLEASE TO SWITCH HITS INC. AND TO TAKE OTHER PRELIMINARY ACTION TO EXTEND THE TERM OF THE PILOT AND TO TAKE OTHER ACTION

Moved: Lou McDonald

Seconded: Cameron Hall

Ayes: Walters, Moses, Sendor, Paul, McDonald, Hall

Nays: none

Carried

- Executive Director Bartlett presented the draft of a letter he would like authorization to send to our State legislators supporting legislation included in the FY 2016-2017 State Budget. The legislation would generate additional revenue for school districts and other local governments by treating IDA projects the same as other property for purposes of the two percent real property tax cap.

- **Motion** to authorize Executive Director Bartlett to sign a letter to be sent to the appropriate State legislators supporting S.115 (O'Mara) /A.3611 (Morelle) to be included in the adopted FY 2016-2017 State Budget.

Moved: Tom Moses

Seconded: Pattie Paul

Ayes: Walters, McDonald, Hall, Sendor, Moses, Paul

Nays: none

Carried

- Motion to approve the minutes from the December 22, 2015 Board of Directors meeting

Moved: Mike Sendor

Seconded: Cameron Hall

Ayes: Walters, Moses, Paul, McDonald, Sendor, Hall

Nays: none

Carried

- Motion to approve the December 2015 and January 2016 Treasurer's Reports

Moved: Lou McDonald

Seconded: Tom Moses

Ayes: Walters, Hall, Paul, Sendor, McDonald, Moses

Nays: none

Carried

- Motion to adjourn at 8:16 am

Moved: Cameron Hall

Seconded: Pattie Paul

Ayes: Walters, Moses, Sendor, McDonald, Hall, Paul

Nays: none

Carried

Sincerely,

Michael J. Bartlett
Executive Director