

**Hamburg Industrial Development Agency
Board of Directors Meeting
February 12, 2010
Village of Hamburg Council Room
Public Hearing - Grimsview Properties, LLC**

Present

Steve Walters
Kevin Smardz
Tom Moses
Janet Plarr
Matt Dils
Marcella Fugle

Excused

Patti Paul
Michael Petrie
Norma Rusert Kelly

Executive Director

Michael J. Bartlett

Guest

Craig Cwick
Nathan Neill
Joseph Pinker
Dan Brooks
Tony Staub

- **Motion** to open the public hearing for Grimsview Properties, LLC at 8:05 a.m.

- **Joseph Pinker, Jr. President and Daniel Brooks CFO of K&H Industries Inc.** were introduced and presented their project and request for assistance to the HIDA Board of Directors. A detail writeup of this presentation is attached to these minutes as Exhibit A.

- **Motion** to close the public hearing for Grimsview Properties at 8:21 a.m.

- **Motion** to open the Board of Directors meeting at 8:21 a.m.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING GRIMSVIEW PROPERTIES, LLC (THE "LESSEE") TO ACQUIRE AND RENOVATE AN APPROXIMATELY 88,000 SQUARE FOOT BUILDING LOCATED AT 160 GRIMSBY DRIVE, VILLAGE AND TOWN OF HAMBURG, NEW YORK, FOR SALE OR LEASE TO THE AGENCY AND SUBSEQUENT LEASE OR SUBLEASE TO THE LESSEE FOR SUBLEASE TO K&H INDUSTRIES, INC. (THE "SUBLESSEE") AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Janet Plarr

Seconded: Marcella Fugle

Ayes: Walters, Smardz, Dils, Moses

Nays: None

Carried

-**Motion** to approve the minutes from the December 3, 2009 Board of Directors meeting.

Moved: Tom Moses

Seconded: Janet Plarr

Ayes: Walters, Smardz, Fugle, Dils

Nays: None

Carried

- **Motion** to approve the October 2009 Treasurer's Report.

Moved: Marcella Fugle
Ayes: Walters, Smardz, Dils, Moses
Nays: None
Carried

Seconded: Janet Plarr

- **Motion** to approve the November 2009 Treasurer's Report.

Moved: Tom Moses
Ayes: Smardz, Dils, Fugle, Plarr
Nays: None
Carried

Seconded: Steve Walters

- **Motion** to approve the December 2009 Treasurer's Report.

Moved: Janet Plarr
Ayes: Smardz, Moses, Fugle, Dils
Nays: None
Carried

Seconded: Steve Walters

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY")
ADOPTING A COMBINED FEE SCHEDULE FOR THE AGENCY

Moved: Janet Plarr
Ayes: Walters, Smardz, Dils, Moses
Nays: None
Carried

Seconded: Marcella Fugle

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING
THE EXECUTION AND DELIVERY OF A MORTGAGE IN THE PRINCIPAL AMOUNT OF \$75,000 IN
CONNECTION WITH THE 2006 SOUTHTOWN SPORTS INC. PROJECT

Moved: Tom Moses
Ayes: Smardz, Fugle, Plarr
Nays: Walters
Carried

Seconded: Matt Dils

- **Executive Bartlett** explained to the Board that the Battery Post is adding an addition to its existing building but is not requesting any HIDA benefits. However the original building was an IDA project and has a mortgage on it. Because they can get a better interest rate on the mortgage for the addition (\$214,000) they are requesting the HIDA to allow them to roll the original mortgage (\$186,000) together with the new mortgage to take advantage of the better rate.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING
4000 LAKESHORE ROAD CORP (THE "LESSEE") TO CONSTRUCT AN ADDITION TO THEIR EXISTING
BUILDING APPROXIMATELY 4,500 SQUARE FOOT BUILDING ON AN APPROXIMATELY 1.5 ACRE
PARCEL OF LAND LOCATED AT 4109 ST. FRANCIS DRIVE IN THE TOWN OF HAMBURG AND
AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE IN AN AMOUNT NOT TO EXCEED
\$400,000 AND OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE MORTGAGE TO TAKE
OTHER PRELIMINARY ACTION.

Moved: Janet Plarr
Ayes: Smardz, Moses, Dils, Fugle
Nays: None
Carried

Seconded: Steve Walters

- **Executive Director Bartlett** presented the following Board members as candidates for HIDA office in 2010:

Chairman -	Steve Walters
Vice Chairman -	Marcella Fugle
Secretary -	Tom Moses
Treasurer -	Norma Rusert Kelly
Chief Financial Officer -	Mary Dosch
Assistant Secretary -	Craig Cwick
Assistant Treasurer -	Janet Plarr

- **Motion** for Michael J Bartlett as Executive Director of the Town of Hamburg Industrial Development Agency to cast one ballot to elect the aforementioned officers for the year 2010 if there are no additional nominations.

Moved: Tom Moses

Seconded: Matt Dils

Ayes: Walters, Smardz, Plarr, Fugle

Nays: None

Carried

- **Motion** to amend the HIDA 2010 budget to reflect the \$6358.00 assessment by the NY State Division of Budget to cover the cost of central government services and to add \$500.00 to office supplies for the purchase of a new chair for the HIDA Executive Director.

Moved: Janet Plarr

Seconded: Tom Moses

Ayes: Walters, Smardz, Fugle, Dils

Nays: None

Carried

- **Hamburg New York Land Development Corporation** - The Board was told the Town is exploring the feasibility of creating a new Development Corporation which would allow the new corporation to issue bonds on behalf of the Town to assist civic facility projects, specifically Hilbert College. Those Board members in attendance indicated a willingness to serve on the new corporations Board and Board members not in attendance will be contacted. The fee structure would be the same as the HIDA with fees generated by the new corporation going to the HIDA.

- **By Law Amendments** - Changes to the By Laws were discussed which would allow for Board notification by e-mail and allowing Board members to participate by conference call. The exact language of the amendments will be sent to the Board within the next several weeks.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AMENDING THE PRIOR RESOLUTION ADOPTED ON JUNE 18, 2009 AUTHORIZING BUFFALO ROAD CATERING INC. D/B/A AVANTI MANSION TO CONSTRUCT AN APPROXIMATELY 12,000 SQUARE FOOT BANQUET AND CATERING FACILITY ON AN APPROXIMATELY 27 ACRE PARCEL OF LAND LOCATED AT 4409 SOUTH PARK AVENUE, HAMBURG, NEW YORK AND TO ACQUIRE AND INSTALL MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION THEREWITH, ALL FOR A COMMERCIAL BANQUET AND CATERING FACILITY, FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO BUFFALO ROAD CATERING INC. AND TO TAKE OTHER PRELIMINARY ACTION TO SUBSTITUTE LAURIE CLARK AND DAVID CLARK AS THE LESSEE IN PLACE OF BUFFALO ROAD CATERING INC.

Moved: Janet Plarr

Seconded: Tom Moses

Ayes: Walters, Smardz, Dils, Fugle

Nays: None

Carried

- **Resolution** authorizing Ciminelli Construction to act as an Agent for the Ford Motor Co. Project.

Moved: Janet Plarr

Seconded: Tom Moses

Ayes: Walters, Smardz, Fugle, Dils
Nays: None
Carried

- **Motion** to adjourn at 8:48 a.m.

Moved: Tom Moses
Ayes: Walters, Smardz, Fugle, Plarr
Nays: None
Carried

Seconded: Matt Dils

Sincerely,

Michael J. Bartlett
Executive Director