

**Hamburg Industrial Development Agency  
Board of Directors Meeting  
June 04, 2010  
Room 7 B - Hamburg Town Hall**

**Public Hearing - Carrier Coach Inc  
- Shaker Realty Ltd**

**Present**

Marcella Fugle  
Steve Walters  
Kevin Smardz  
Matt Dils  
Pattie Paul  
Janet Plarr

**Excused**

Tom Moses  
Mike Petrie  
Norma Rusert-Kelly

**Executive Director**

Michael J. Bartlett

**Guest**

Craig Cwick  
Nathan Neill  
Allen Miller  
Bill Savage  
Don Reeves

**Moved** to open the public hearing for Carrier Coach inc at 8:03 a.m.

- **Allen Miller, President of Carrier Coach Inc** was introduced and presented his project to the Board. As a result of being awarded three new contracts, Allen's company will see an increase of approximately 3600 individuals his company will be providing transportation to. His business is divided between special needs adult transportation, special needs student transportation both regular and early head start students and medical transportation. The company is looking to purchase property at 3985 Lakeshore Road and purchase approximately 80 mini-buses. The company is requesting a sales tax exemption for anything purchased for the project and an exemption from the 1% mortgage tax.

- **Move** to close the public hearing for Carrier Coach Inc at 8:06 a.m.

- **Move** to open the public hearing for Shaker Realty Ltd at 8:06 a.m.

- **Executive Director Bartlett** explained that Shaker Realty Ltd owns the building located at 4091 Jeffrey Blvd which currently has Carquest as its tenant. The lease is set to expire in August 2010. There are currently 49 employees working for Carquest at this location. The company has reviewed other sites for its operation. In order to make the Hamburg location a cost competitive alternative for Carquest, Shaker Realty is requesting that the Pilot continue for an additional five years bringing down the operating costs of the facility at 4091 Jeffrey Blvd.

- **Move** to close the public hearing for Shaker Realty Ltd at 8:06 a.m

- **Move** to open the Board of Directors meeting at 8:10a.m.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING CARRIER COACH, INC (THE "LESSEE") TO ACQUIRE AN APPROXIMATELY 19.13 ACRE PARCEL OF LAND LOCATED AT 3985 LAKESHORE ROAD WITH AN EXISTING TRUCK REPAIR FACILITY, TO ACQUIRE AND INSTALL MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION THEREWITH AND TO ACQUIRE APPROXIMATELY 70 MINI BUSES TO PROVIDE SCHOOL AND

SPECIAL NEEDS TRANSPORTATION, ALL FOR A COMMERCIAL OFFICE AND MAINTENANCE FACILITY, FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE AND/OR INSTALLMENT SALE TO THE LESSEE AND TO TAKE OTHER PRELIMINARY ACTION.

**Moved:** Matt Dils

**Seconded:** Steve Walters

**Ayes:** Walters, Smardz, Dils, Fugle, Plarr, Paul

**Nays:** None

**Carried**

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING A FIVE YEAR EXTENSION TO THE PAYMENT IN LIEU OF TAXES ORIGINALLY GRANTED TO THE SHAKER REALTY LTD IN CONNECTION WITH THE 1995 SUSSEN INCORPORATED PROJECT.

**Moved:** Steve Walters

**Seconded:** Matt Dils

**Ayes:** Walters, Smardz, Paul, Fugle, Dils

**Nays:** Plarr

**Carried**

- **67 CVR Holdings** - The company is requesting a one year extension for the 2009 CVR Holdings, LLC project due to delays in starting facade work to the front and rear of the building.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY GRANTING A ONE YEAR EXTENSION TO 67 CVR HOLDINGS, LLC THE 2009 67 CVR HOLDINGS, LLC PROJECT.

**Moved:** Janet Plarr

**Seconded:** Pattie Paul

**Ayes:** Walters, Smardz, Fugle, Dils, Plarr, Paul

**Nays:** None

**Carried**

- **Motion** to approve the minutes from the April 23, 2010 Board of Directors meeting.

**Moved:** Matt Dils

**Seconded:** Patti Paul

**Ayes:** Walters, Smardz, Fugle, Plarr, Dils, Paul

**Nays:** None

**Carried**

- **Motion** to approve the minutes from the May 14, 2010 Board of Directors meeting.

**Moved:** Matt Dils

**Seconded:** Steve Walters

**Ayes:** Walters, Smardz, Fugle, Plarr, Dils, Paul

**Nays:** None

**Carried**

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING CERTAIN AMENDING DOCUMENTS FOR THE 2003 HILBERT COLLEGE PROJECT AND AUTHORIZING ANY NECESSARY ACTION IN CONNECTION THEREWITH.

**Moved:** Janet Plarr

**Seconded:** Marcella Fugle

**Ayes:** Walters, Smardz, Paul, Dils, Fugle, Plarr

**Nays:** None

**Carried**

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION OF A SUBLEASE AGREEMENT WITH E-ONE, INC FOR THE SUBLEASE OF A BUILDING LOCATED AT 4760 CAMP ROAD IN THE TOWN OF HAMBURG, WHICH BUILDING IS

CURRENTLY OWNED BY THE AGENCY AND LEASED TO BILLIE-LEE, LLC AND SUBLEASED TO AMERICAN LAFRANCE, THE TERMINATION OF THE SUBLEASE WITH AMERICAN LAFRANCE AND THE RELEASE AMERICAN LAFRANCE FROM THEIR OBLIGATIONS UNDER THE SUBLEASE AND THE ENVIRONMENTAL COMPLIANCE AND INDEMNIFICATION AGREEMENT AND TO TAKE OTHER PRELIMINARY ACTION.

**Moved:** Matt Dils

**Seconded:** Marcella Fugle

**Ayes:** Walters, Smardz, Fugle, Dils, Paul, Plarr

**Nays:** None

**Carried**

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AMENDING A PRIOR RESOLUTION ADOPTED ON AUGUST 26, 2008, AUTHORIZING AUTUMN VIEW MANOR PARTNERSHIP (THE "LESSEE") TO CONSTRUCT AN APPROXIMATELY 26,000 SQUARE FOOT 42 BED NURSING UNIT ADDITION TO THE EXISTING BUILDING LOCATED AT 4650 SOUTHWESTERN BOULEVARD, HAMBURG, NEW YORK, WHICH BUILDING IS ALREADY OWNED BY THE AGENCY AND LEASED TO THE LESSEE AND AUTHORIZING AUTUMN VIEW HEALTH CARE FACILITY, LLC (THE "SUBLESSEE") TO MAKE LEASEHOLD IMPROVEMENTS AND TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES REQUIRED IN CONNECTION THEREWITH, ALL FOR A SKILLED NURSING FACILITY AND RETAIL FACILITY UNDER THE ACT, FOR SALE TO THE AGENCY AND SUBSEQUENT LEASE TO THE LESSEE FOR SUBLEASE TO THE SUBLESSEE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT, AN EQUIPMENT LEASE AGREEMENT AND MORTGAGE IN AN AMOUNT NOT TO EXCEED \$5,000,000 AND OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE MORTGAGE AND TO TAKE OTHER PRELIMINARY ACTION TO INCREASE THE PROJECT COST FROM \$5,000,000 TO AN AMOUNT NOT TO EXCEED \$5,250,000.

**Moved:** Matt Dils

**Seconded:** Steve Walters

**Ayes:** Walters, Smardz, Paul, Plarr, Fugle, Dils

**Nays:** None

**Carried**

**Hamburg Studio Apartments-** Donald Reeves, a member of D.J. Reeves Real Estate LLC was introduced to present his project to the Board. Don's company is looking to purchase the former Howard Johnson Motel/Heritage Manor building located at 4050 Lakeshore Road in Hamburg. The building has been vacant for approximately nine years and has numerous environmental issues that need to be addressed. Don is proposing to clean up the environmental issues and rehabilitate the building and convert each room into a studio apartment. Executive Director Bartlett explained to the Board that this project qualifies under the new Adaptive Reuse policy. The Board agreed to hold a public hearing for the project on June 25, 2010.

- **Motion** to adjourn at 8:34 a.m.

**Moved:** Pattie Paul

**Seconded:** Steve Walters

**Ayes:** Walters, Smardz, Fugle, Dils, Paul, Plarr

**Nays:** None

**Carried**

Sincerely,

Michael J. Bartlett  
Executive Director