

**Hamburg Industrial Development Agency
Board of Directors Meeting
September 10, 2010
Room 7 B - Hamburg Town Hall**

Public Hearing - Native Development LLC

Present

Marcella Fugle
Steve Walters
Tom Moses
Mike Petrie
Pattie Paul
Norma Rusert-Kelly

Excused

Janet Plarr
Matt Dils
Kevin Smardz

Executive Director

Michael J. Bartlett

Guest

Craig Cwick
Nathan Neill
Anthony Houle
John Cappellino
Joe Iafallo

Moved to open the public hearing for Native Development LLC at 8:05 a.m.

- **Anthony Houle**, the comptroller/general manager for Native Development LLC was introduced to present his project to the Board. The company is purchasing the former Hoaks Armor Inn located at 5381 Abbott Road in the Town of Hamburg. The project consists of a comprehensive rehabilitation and development of a building that has been vacant for approximately five (5) years. The applicant will operate a restaurant/banquet facility on site and will offer some live entertainment that is yet to be determined. The company will employ 20-30 people including some that will work for a catering company that will be based at the site. The project falls under the agencies Adaptive Reuse Policy.

- **Move** to close the public hearing for Native Development LLC at 8:18 a.m.

- **Move** to open the Board of Directors meeting at 8:18a.m.

- **Joe Iafallo** owner/president of Golden Armor Properties was introduced to present his project to the Board. Joe has purchased a building located at 83 Lake Avenue in the Village of Blasdell. He is doing a total rehab of building with commercial space on the first floor and apartments on the second floor. The building has been vacant for eight years and has 1400 sq ft on each floor. The applicant is requesting a sales tax exemption under the Town's Enhancement Area Program for anything purchased in connection with the renovation of the first floor commercial space only.

- **John Cappellino**, Director of Business Development for the ECIDA was introduced to speak about subscribing to a service which would allow us to have our application available to companies that would allow them to apply online. The ECIDA has a full time IT person who would work with us to get the application on line. The ECIDA would host the web based application, offer phone support, customize the application and provide backups. The cost for this service is \$1000.00 a year. After some discussion Executive Director Bartlett was direct to contact the HIDA's web designer to get a second cost estimate.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY")
AUTHORIZING NATIVE DEVELOPMENT, LLC (THE "LESSEE") TO ACQUIRE AN EXISTING
APPROXIMATELY 8,000 SQUARE FOOT BUILDING ON AN APPROXIMATELY 1.3 ACRE PARCEL OF

LAND LOCATED AT 5381 ABBOTT ROAD IN THE TOWN OF HAMBURG, TO RENOVATE THE EXISTING BUILDING AND TO ACQUIRE AND INSTALL MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION THEREWITH, ALL FOR A COMMERCIAL RESTAURANT AND BANQUET FACILITY, FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Mike Petrie

Seconded: Steve Walters

Ayes: Walters, Moses, Fugle, Rusert-Kelly, Petrie, Paul

Nays: None

Carried

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE AGREEMENT WITH GOLDEN ARMOR PROPERTIES, INC. (THE "COMPANY") AND OTHER INSTRUMENTS AND MATTERS IN CONNECTION WITH THE RENOVATION OF THE EXISTING BUILDING LOCATED AT 83 LAKE AVENUE IN THE VILLAGE OF BLASDELL INCLUDING RENOVATION OF THE FIRST FLOOR AND RECONSTRUCTION OF THE ROOF AND FACADE BUT EXCLUDING ANY WORK ON THE SECOND FLOOR AND THE ACQUISITION AND INSTALLATION OF MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION WITH THE OPERATION OF A MULTI-TENANT RETAIL FACILITY IN THE TOWN OF HAMBURG.

Moved: Mike Petrie

Seconded: Marcella Fugle

Ayes: Walters, Paul, Fugle, Rusert-Kelly, Moses, Petrie

Nays: None

Carried

- **Executive Director Bartlett** informed the Board that due to unexpected delays including contracts, curb cut and site plan approval, Jeff Kryszak was unable to sign the contract with his contractor until July 1, 2010. As a result, he is requesting an extension of his sales tax exemption until June 30, 2011.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY GRANTING AN APPROXIMATELY TEN MONTH EXTENSION TO K-TECHNOLOGIES, INC FOR SALES TAX EXEMPTIONS TO THE 2010 K-TECHNOLOGIES, INC PROJECT.

Moved: Norma Rusert-Kelly

Seconded: Tom Moses

Ayes: Walters, Fugle, Paul, Petrie, Rusert-Kelly, Moses

Nays: None

Carried

NYSEDC war chest - The Board reviewed correspondence from the New York State Economic Development Council regarding a \$1000.00 contribution we had made to NYSEDC to help fund a statewide effort to fight an IDA tax passed by the NYS Legislature last year. The effort resulted in the Attorney General's office agreeing not to collect the tax. NYSEDC collected \$104,000 and paid \$50,000 in attorney fee's. NYSEDC was giving us the option of requesting the return of our pro rata share of the balance collected or to keep our share in a war chest for future IDA battles. The Board agreed to keep the money in the war chest.

- **Motion** to approve the August 2010 Treasurer's Report.

Moved: Tom Moses

Seconded: Norma Rusert-Kelly

Ayes: Walters, Paul, Fugle, Petrie, Moses, Rusert-Kelly

Nays: None

Carried

- **Motion** to approve the minutes from the August 20, 2010 Board of Directors meeting.

Moved: Marcella Fugle
Ayes: Walters, Fugle, Petrie, Rusert-Kelly, Moses, Paul
Nays: None
Carried

Seconded: Patti Paul

- **Motion** to adjourn at 8:51 a.m.

Moved: Norma Rusert-Kelly
Ayes: Walters, Petrie, Fugle, Paul, Rusert-Kelly, Moses
Nays: None
Carried

Seconded: Tom Moses

Sincerely,

Michael J. Bartlett
Executive Director