

**Hamburg Industrial Development Agency
Board of Directors Meeting
September 07, 2012**

Room 7B - Hamburg Town Hall

Present

Amy Ziegler
Tom Moses
Steve Walters
Norma Rusert Kelly
Patricia Paul
Matt Dils

Excused

Janet Plarr
Lou McDonald

Guest

Craig Cwick
Nathan Neill
Jeff Donner

Executive Director

Michael J. Bartlett

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

- **Jeff Donner, owner of Gateway Printing & Graphics**, was introduced and presented his project to the Board. Gateway Printing is a commercial printer offering 5 color offset printing, color & black and white digital printing, in-house binding and finishing services and warehousing/promotional product distributor. The company is looking to add a 10,000 sq ft addition to an existing building located at 3970 Big Tree Road in the Town for production and warehousing purposes. The company is eligible for a mortgage tax exemption, a sales tax exemption and a 7 year property tax abatement.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY ADOPTING A NEGATIVE DECLARATION IN CONNECTION WITH THE APPLICATION FOR PROJECT FINANCING BY 3970 BIG TREE ROAD, LLC AND GATEWAY PRINTING & GRAPHICS, INC.

Moved: Steve Walters

Seconded: Amy Ziegler

Ayes: Ziegler, Moses, Walters, Dils, Rusert Kelly, Paul

Nays: None

Carried

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING 3970 BIG TREE ROAD, LLC (THE "LESSEE") TO CONSTRUCT AN APPROXIMATELY 10,000 SQ FT ADDITION TO THE LESSEE'S EXISTING BUILDING LOCATED AT 3970 BIG TREE ROAD, HAMBURG, NEW YORK AND AUTHORIZING GATEWAY PRINTING & GRAPHICS, INC (THE "SUBLESSEE") TO ACQUIRE AND INSTALL MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION THEREWITH, ALL FOR A COMMERCIAL PRINTING FACILITY, FOR LEASE TO THE AGENCY AND SUBSEQUENT SUBLEASE TO THE LESSEE FOR SUB-SUBLEASE TO THE SUBLESSEE AND AUTHORIZING AN EQUIPMENT LEASE AGREEMENT OR INSTALLMENT

SALE AGREEMENT BETWEEN THE AGENCY AND THE SUBLESSEE AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Amy Ziegler

Seconded: Norma Rusert Kelly

Ayes: Walters, Paul, Moses, Dils, Ziegler, Rusert Kelly

Nays: None

Carried

Proposed changes to the HIDA By Laws were discussed. The changes involved the creation of a Finance Committee and changes to the Audit Committee dropping the Treasurer as a member of the committee to avoid appearance of a conflict of interest

- **Motion** to approve the amended Hamburg Industrial Development Agencies By Laws as presented.

Moved: Amy Ziegler

Seconded: Norma Rusert Kelly

Ayes: Walters, Dils, Moses, Paul, Ziegler, Rusert Kelly

Nays: None

Carried

Executive Director Bartlett informed the Board that several other minor changes still needed to be made to the By Laws. There is a discrepancy as far as the number of Board members serving on the Executive Committee. The Executive Committee (Section 1) refers to two members and the Nominating Committee (Section 2) refers to three members. Bond Council recommends two members to keep the Executive Committee from forming a quorum. Also the By Laws refers to monthly meetings when we actually meet as needed.

- **Motion** to approve the Finance Committee Charter as presented.

Moved: Matt Dils

Seconded: Amy Ziegler

Ayes: Walters, Rusert Kelly, Moses, Ziegler, Dils, Paul

Nays: None

Carried

- **Motion** to approve the amended Audit Committee Charter as presented:

Moved: Matt Dils

Seconded: Patricia Paul

Ayes: Walters, Rusert Kelly, Moses, Ziegler, Dils, Paul

Nays: None

Carried

Chairman Walters updated the Board on proposed changes to the Common Policy in regards to Hotels. Under the new policy the only Hotel projects which will be eligible are those connected with convention centers, are connected with a major regional destination attraction or is an adaptive reuse project. A concern was raised regarding the definition of a regional destination attraction. Also it was felt hotels located in Enhancement Areas should be eligible for assistance. Both points will be taken under consideration.

Executive Director Bartlett reviewed a letter from State Senator Patrick Gallivan inviting us to a public hearing on proposals for IDA reform in Erie County on September 26, 2012 from 2 pm to 4 pm in the Buffalo & Erie County Library.

The agreement between the Hamburg IDA and Masiello, Martucci, Calabrese and Associates for consulting services needs to be renewed. Executive Director Bartlett stated that he feels strongly that continued membership in the Coalition for Community Building is important. It not only keeps us informed about issues in Albany that affect Economic Development, it provides us an opportunity to have input on these issues.

- **Motion** to continue the Hamburg IDA's participation in the Coalition for Community Building for an additional 12 month period in an amount not to exceed \$500.00 a month and authorizing Executive Director Bartlett to sign a new

agreement with Masiello, Martucci, Calabrese & Assoc. with the ability of either party to cancel the agreement with a 30 day written notice.

Moved: Norma Rusert Kelly

Seconded: Matt Dils

Ayes: Walters, Ziegler, Moses, Rusert Kelly, Dils

Abstain: Patricia Paul

Carried

The Board was informed that a letter was received from Marcella Fugle informing us that due to recent health problems she is resigning from the Board of Directors of the Hamburg IDA and Hamburg NYLDC effective August 27, 2012. Executive Director Bartlett pointed out that Marcella has served on the Board for over 21 years and suggested an appropriate gift be presented to Marcella in honor of her many years of service.

- **Motion** to approve the minutes from the August 10, 2012 Board of Directors meeting.

Moved: Patricia Paul

Seconded: Matt Dils

Ayes: Walters, Moses, Rusert Kelly, Dils, Paul

Nays: None

Carried

- **Motion** to adjourn at 8:39 a.m.

Moved: Norma Rusert Kelly

Seconded: Steve Walters

Ayes: Paul, Walters, Moses, Rusert Kelly, Dils

Nays: None

Carried

Sincerely,

Michael J. Bartlett
Executive Director