

**Hamburg Industrial Development Agency
Board of Directors Meeting
November 09, 2012**

Robert Chesbro Conference Room

Public Hearing - Pine Hill Fresh Foods, Inc

Present

Amy Ziegler
Tom Moses
Steve Walters
Patti Paul
Lou McDonald
Norma Rusert Kelly
Janet Plarr

Excused

Matt Dils

Guest

Craig Cwick
Nathan Neill
Jeff Russo
Mike Sendor

Executive Director

Michael J. Bartlett

- **Move** to open the public hearing for Pine Hill Fresh Foods Inc at 8:02AM.

- **Jeff Russo**, President and CEO of Pine Hills Fresh Foods Inc was introduced to the Board. The company produces refrigerated fresh sandwiches as well as a full line of fresh baked goods which it sells to convenience store operators, gas stations, in plant cafeterias and colleges. The product is shipped to locations in Western New York and as far away as New England. Due to its continued growth the company has out grown its current site in Orchard Park which it shares with Pine Hill Coffee Services. The company is seeking assistance to purchase and renovate the approximately 38,000 sq ft former Jubilee supermarket located at 4233 Lake Avenue in Hamburg. The company is eligible for a mortgage tax exemption, sales tax exemption and 10 year property tax abatement under our Enhancement Area policy.

- **Move** to close the public hearing for Pine Hills Fresh Foods Inc at 8:10AM.

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

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE"AGENCY") AUTHORIZING BOSTON STATE HOLDING COMPANY, LLC (THE "LESSEE") TO ACQUIRE AN EXISTING APPROXIMATELY 38,000 SQUARE FOOT BUILDING LOCATED AT 4233 LAKE AVENUE IN THE LAKE AVENUE ENHANCEMENT ZONE OF THE TOWN OF HAMBURG, WHICH BUILDING WAS FORMERLY A JUBILEE MARKET AND IS CURRENTLY VACANT AND TO RENOVATE THE EXISTING BUILDING, FOR LEASE BY THE LESSEE TO THE AGENCY FOR SUBLEASE BY THE AGENCY TO THE LESSEE FOR SUB-SUBLEASE BY THE LESSEE TO PINE HILL FRESH FOODS, INC (THE "SUBLESSEE") AND AUTHORIZING THE SUBLESSEE TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES REQUIRED IN CONNECTION THEREWITH, ALL FOR A FOOD PROCESSING AND DISTRIBUTION FACILITY AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Norma Rusert Kelly

Seconded: Amy Ziegler

Ayes: Walters, Ziegler, Paul, Moses, McDonald, Rusert Kelly, Plarr

Nays: None

Carried

An amendment to the resolution for the Hamburg Floor Covering project adopted on October 5, 2012 was presented to the Board. The amendment substitutes 3882 South Park Avenue, LLC as the Lessee in place of Hamburg Floor Covering, Inc with Hamburg Floor covering, Inc to be the Sublessee.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE"AGENCY") AMENDING THE PRIOR RESOLUTION OF THE AGENCY ADOPTED ON OCTOBER 5, 2012, AUTHORIZING HAMBURG FLOOR COVERING, INC TO ACQUIRE AND RENOVATE AN APPROXIMATELY 5,800 SQUARE FOOT BUILDING LOCATED AT 3882 SOUTH PARK AVENUE, BLASDELL, NEW YORK, WHICH BUILDING FORMERLY HOUSED THE CVS PHARMACY, AND TO ACQUIRE AND INSTALL MACHINERY AND EQUIPMENT REQUIRED IN CONNECTION THEREWITH, ALL FOR A SHOWROOM, OFFICE AND WAREHOUSE FOR A FLOOR COVERING CONTRACTOR, FOR LEASE TO THE AGENCY AND SUBSEQUENT SUBLEASE TO THE LESSEE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE IN CONNECTION THEREWITH AND TO TAKE OTHER PRELIMINARY ACTION TO SUBSTITUTE 3882 SOUTH PARK AVENUE, LLC AS THE LESSEE IN PLACE OF HAMBURG FLOOR COVERING, INC WITH HAMBURG FLOOR COVERING, INC TO BE THE SUBLESSEE.

Moved: Amy Ziegler

Seconded: Tom Moses

Ayes: Walters, Ziegler, McDonald, Plarr, Paul, Rusert Kelly, Moses

Nays: None

Carried

-2013 Budget-A copy of the proposed 2013 budget was discussed with the Board. It was explained that the Board was simply accepting the proposed budget at this time and placing it in the Town Clerk's office for 30 days. The actual vote to accept the 2013 budget will take place on Friday, December 14, 2012.

- **Motion** to accept the proposed 2013 budget and place it on file in the Town Clerk's office for 30 days.

Moved: Lou McDonald

Seconded: Pattie Paul

Ayes: Walters, Ziegler, Paul, Moses, Plarr, McDonald, Rusert Kelly

Nays: None

Carried

Employee Pension Plan- As part of the Hamburg IDA's benefit package established by the Board, each employee is to receive a contribution towards their respective retirements in lieu of a formal pension plan. The contributions are based on 8% of each employee's gross wages. The HIDA also covers the cost of the FICA at 7.65%.

- **Motion** granting the employee pension plan payment (SEP) for Beverly Franco and Michael J. Bartlett as presented, to be included in the December 7, 2012 payroll.

Moved: Norma Rusert Kelly

Seconded: Janet Plarr

Ayes: Walters, Ziegler, McDonald, Paul, Moses, Rusert Kelly, Plarr

Nays: None

Carried

- **Executive Director Bartlett** referred to a copy of the Budget & Financial Plan submitted to New York State as part of our obligation under the states PARIS Reporting System. It was pointed out that it is required to submit proposed budgets going out to 2016. With total uncertainty what revenues and expenses (especially revenues) will be in 2013 much less 2016 the numbers submitted are best guesses.

- **Executive Director Bartlett** asked the Board for approval to attend the New York State Economic Development

Council's IDA Conference being held on January 23rd and 24th in Albany, NY. Expenses would include hotel (2 nights), meals, entertainment, mileage and tolls.

Moved: Pattie Paul **Seconded:** Janet Plarr
Ayes: Walters, Ziegler, Moses, Rusert Kelly, McDonald, Paul, Plarr
Nays: None
Carried

- **Motion** to approve the minutes from the October 5, 2012 Board meeting.

Moved: Amy Ziegler **Seconded:** Steve Walters
Ayes: Ziegler, Paul, McDonald, Plarr, Rusert Kelly, Walters, Moses
Nays: None
Carried

- **Motion** to approve the September 2012 Treasurer's Report.

Moved: Amy Ziegler **Seconded:** Steve Walters
Ayes: McDonald, Moses, Paul, Ziegler, Walters, Plarr, Rusert Kelly
Nays: None
Carried

- **Motion** to adjourn at 8:22AM

Moved: Amy Ziegler **Seconded:** Tom Moses
Ayes: Walters, Moses, Paul, McDonald, Ziegler, Plarr, Rusert Kelly
Nays: None
Carried

Sincerely,

Michael J. Bartlett
Executive Director