

Hamburg Industrial Development Agency

**Board of Directors Meeting
August 15, 2017
Court Room - Blasdel Village Hall**

Present

Tom Moses
Jeff Brylski
Bob Reynolds
Pattie Paul
Cameron Hall
Janet Plarr

Excused

Wence Valentin
Norma Rusert-Kelly
Lou McDonald

Guests

Nathan Neill
James Bucki
Chuck Papia

Executive Director

Michael J. Bartlett

Deputy Director

Olivia Hill

- **Move** to open the Board of Directors meeting at 8:01 am.

- RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING A LIMITED LIABILITY COMPANY TO BE FORMED, NOW KNOWN AS FARRELL NORTH PROPERTIES, LLC (THE "LESSEE") TO ACQUIRE A FIVE-TEN ACRE PARCEL OF LAND LOCATED ON BAYVIEW ROAD IN THE TOWN OF HAMBURG AND TO CONSTRUCT AN APPROXIMATELY 17,000 SQUARE FOOT BUILDING THEREON, AS AGENT FOR THE AGENCY FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE FOR THE SUB-SUBLEASE TO JAMESON ROOFING COMPANY, INC. (THE "SUBLESSEE") AND TO AUTHORIZE THE SUBLESSEE, AS AGENT FOR THE AGENCY, TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES, FOR SALE TO THE SUBLESSEE PURSUANT TO AN INSTALLMENT SALE TRANSACTION AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Janet Plarr

Seconded: Jeff Brylski

Ayes: Moses, Paul, Reynolds, Hall, Plarr, Brylski

Nays: none

Carried

- A discussion took place regarding an email that was sent to the Board by Board member Lou McDonald who was unable to attend the meeting. Lou expressed his feelings that the company has not lived up to their prior promises concerning noise, truck traffic and dirt and soot affecting property in the Village. Lou stated he was strongly opposed to extending any benefits to the company based on its perceived impact on the Village of Blasdel. A motion to table any action on the company's request for a month to get input from the Village residents was put forward by Board member Reynolds. At this point it was pointed out that we had just held a public hearing on the project and even though it was advertised in the Front Page, no residents were present to oppose the project. It was also pointed out that not all trucks entering the facility were company trucks. Jim Bucki promised the Board he would reinforce the routes company trucks would take and hand out flyers to non company trucks reinforcing what routes to take. It was felt that it was impossible to pinpoint where dirt and soot were coming from. The company also promised to notify Village Hall or Hamburg Dispatch of any explosions that occurred to enable them to respond to residents' concerns. A letter from the IDA will be sent to the company outlining the points discussed above. A letter will also be sent to County Legislator Lynne Dixon concerning no truck traffic signs posted on Lake Avenue. At this point, Mr. Reynolds' motion for postponement was seconded by Jeff Brylski and went to a vote.

- **Motion** to table any action on the Buffalo Shredding and Recovery LLC project until the next HIDA Board of Directors meeting.

Moved: Bob Reynolds

Seconded: Jeff Brylski

Ayes: Reynolds, Brylski

Nays: Moses, Paul, Plarr, Hall

Carried

- RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING BUFFALO SHREDDING AND RECOVERY LLC (THE "LESSEE") TO CONSTRUCT THREE 7200 SQUARE FOOT FLUFF STORAGE BUILDINGS ON THE SOUTH SIDE OF THEIR EXISTING BUILDING, AS AGENT FOR THE AGENCY, FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASEBACK TO THE LESSEE AND TO TAKE OTHER PRELIMINARY ACTION.

Moved: Janet Plarr **Seconded:** Bob Reynolds

Ayes: Moses, Hall, Brylski, Paul, Plarr, Reynolds

Nays: none

Carried

- The Board was informed that after discussions with representatives from Ford it was determined that there was an error in the number of existing employees set forth in the application. The full time employment figure is 896 not 1054 stated in the application. It was pointed out that the 896 full time employees is 312 more full time employees that were to be retained when the Agency previously approved an installment sale transaction in 2011.

- RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY AMENDING A PRIOR RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE AGREEMENT, AND OTHER INSTRUMENTS AND OTHER MATTERS FOR FORD MOTOR CO. BUFFALO STAMPING PLANT 2017-2021 TO CORRECT EMPLOYMENT NUMBERS.

Moved: Jeff Brylski

Seconded: Pattie Paul

Ayes: Moses, Hall, Plarr, Brylski, Paul

Nays: none

Abstain: Reynolds

Carried

- A copy of a letter from Carl Calabrese asking the HIDA to sign a semi-annual report which outlines the nature of the issues and government agencies and bodies it is involved with was discussed. Since the "Coalition for Community Building" has been formed, this function has been performed by the Amherst IDA on behalf of all the members of the Coalition. In the interest of fairness, it was suggested that this reporting function be rotated among the Coalition membership every couple of years. Carl is asking the HIDA to sign for the Coalition over the next one to two years. Director Bartlett sees no reason not to agree and hopes the Board feels the same.

- **Motion** authorizing Executive Director Bartlett to sign the semi-annual report which is submitted to the Joint Commission of Public Ethics on behalf of all members of the "Coalition for Community Building"

Moved: Cameron Hall

Seconded: Bob Reynolds

Ayes: Moses, Plarr, Brylski, Hall, Reynolds

Nays: none

Abstain: Paul

Carried

- A review of the Economic Opportunity and Development budget submitted to the Town for inclusion in the 2018 Town Budget was reviewed. Olivia Hill and Executive Director Bartlett will be meeting with Town representatives on August 16, 2017 to review the budget request. The Board will be notified of any changes to the request.

- In 2006, the HIDA approved property tax incentives for Southtown's Sports Inc. owned by Jack DeMeo, to assist in purchasing several buildings located at 200 Lake Avenue in Blasdell. At the same time, the Hamburg Development Corporation (HDC) approved a \$75,000 loan to assist Jack with the purchase. The loan was for seven years and still has not been paid in total. There have been a number of repayment plans worked out and, after a period of time, ignored.

Pursuit to section 7.1 of Jack's lease agreement with the Agency that states "A default under the mortgages or in respect of any evidence of indebtedness for money borrowed by the Lessee secured by a lien on the facility or any portion thereof" he is now considered in default in regards to his lease agreement with the Agency.

If within 30 days of receipt of a letter the IDA has sent he has not rectified his delinquent loan status with the Hamburg Development Corporation, we will terminate his benefits and return title to the property back to him. The result will be the loss of his payment in lieu or taxes (PILOT).

The Board was informed that the HDC Board of Directors is through with spending time and effort on recovering the remaining balance on this loan and have requested the HIDA re-convey the title of the property back and end the

PILOT which has four years remaining. The Board had no objections and the IDA will proceed with the re-conveyance immediately.

- **Motion** to approve the minutes from the June 20, 2017 Board of Directors meeting.

Moved: Cam Hall

Seconded: Jeff Brylski

Ayes: Moses, Paul, Reynolds, Plarr, Hall, Brylski

Nays: none

Carried

- **Motion** to approve the June 2017 and July 2017 Treasurer's Reports

Moved: Bob Reynolds

Seconded: Janet Plarr

Ayes: Moses, Brylski, Paul, Hall, Reynolds, Plarr

Nays: none

Carried

- **Motion** to adjourn at 8:20 am

Moved: Tom Moses

Seconded: Janet Plarr

Ayes: Reynolds, Brylski, Paul, Hall Moses, Plarr

Nays: none

Carried

Sincerely,

Michael J. Bartlett
Executive Director