

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 533rd Meeting
Friday, March 25, 2022 – 8:30 am – via Zoom
James J. Allen Boardroom
Agency Offices, 4287 Main Street

Pursuant to the provisions of Part E of Chapter 417 of the Laws of 2021, the Town of Amherst Industrial Development Agency Board of Directors Meeting was conducted through via Zoom and live streamed at www.AmherstIDA.com. In attendance at the meeting at Amherst IDA offices was Executive Director David Mingoia. A video recording of the meeting can be accessed and viewed at www.AmherstIDA.com

PRESENT via Zoom: Carlton N. Brock,Jr.
William Tuyn
Anthony Agostino
Timothy Drury
Frank LoTempio, III
Nicole Gavigan
David S. Mingoia, Executive Director
Kevin J. Zanner, Hurwitz & Fine PC

EXCUSED: Hadar Borden

GUESTS via Zoom: AIDA Staff
Jacqualine Berger, TOA Councilmember
Randall Shepard, Bonadio Group
Sean Hopkins, Esq.
Robert G. Murray, Esq.
Kate Donnelly, Remedy
Erik Wagner, Ciminelli Real Estate Corp

Chairman Carlton N. Brock, Jr. called the meeting to order and reminded everyone the meeting was being video recorded and live-streamed.

MINUTES

Upon a motion by Frank LoTempio seconded by William Tuyn and unanimously carried, the minutes of the February 2022 meeting were approved as presented.

BILLS & COMMUNICATIONS

There were no Bills & Communications presented at this meeting.

TREASURER'S REPORT

Upon a motion by Frank LoTempio, seconded by William Tuyn and unanimously carried, the Treasurer's Report for February 2022 was approved as presented.

PUBLIC COMMENT

There was no Public Comment at this meeting.

EXECUTIVE DIRECTOR'S REPORT

Attached to the minutes is the Executive Director's Report.

COMMITTEE REPORTS

Audit & Finance Committee – Anthony Agostino informed the board that the Audit & Finance Committee had met with the Agency's auditor, Randy Shepard from The Bonadio Group in February. Mr. Shepard was invited to speak to the board. Mr. Shepard gave the board a presentation of the 2021 Audited Financial Statements.

William Tuyn made a motion to accept the 2021 Audited Financial Statements as presented. Frank LoTempio seconded the motion. Votes of aye to accept the 2021 Audited Financial Statements were made by Brock, Tuyn, Agostino, Drury, LoTempio and Gavigan. Motion to approve passed 6-0.

Executive Committee – The Executive Committee recommended the approval the 2021 Mission Statement and Measurement Report as presented by Executive Director Mingoia. Frank LoTempio made a motion to approve the 2021 Mission Statement and Measurement Report. Nicole Gavigan seconded the motion. Votes of aye were cast by Brock, Tuyn, Agostino, Drury, LoTempio. And Gavigan. Motion to approve passed 6-0.

UNFINISHED BUSINESS

There was no Unfinished Business presented at this meeting.

NEW BUSINESS

Authorization Resolution – 199 Park Club Lane LLC and Amherst 203 APL RKC, LLC (203 Park Club Lane)

The proposed project consists of the construction of 30,000 sf building in which Roswell Park Cancer Institute (RPCI) will be the sole tenant. Under an approved Certificate of Need from the NYS Department of Health, Roswell will operate an off-campus hospital extension facility providing clinical, educational and research needs of cancer patients in the Northtowns as well as regional patients throughout Western and Central New York and Canada. This will allow RPCI to expand its capacity to provide comprehensive cancer care to patients.

The project qualifies under the Countywide Uniform Tax Exemption Policy and New York State Industrial Development Agency Statute as it will provide an expanded offering of medical services not currently available. The applicant provided a Certificate of Need from the NYS Department of Health certifying the need for this hospital grade facility that will provide state of the art radiology screening & diagnostic facilities, comprehensive infusion center, and a clinical laboratory with phlebotomy patient service center. As the tenant is not subject to sales and property taxes, this project would be wholly tax-exempt if it was undertaken solely by RPCI

Executive Director reviewed the Project Profile and Cost Benefit Analysis for the project. Frank LoTempio made a motion to approve the project. William Tuyn seconded the motion to approve.

Agency counsel Kevin Zanner took a roll-call of the votes. Brock, approve; Tuyn, approve; Agostino, approve, Drury, approve; LoTempio, approve; Gavigan, approve. The motion to approve the authorization of the 203 Park Club Lane project passed by a vote of 6-0.

Assignment of Lease – 111 North Maplemere, LLC to Amherst 111 APL RKC, LLC

111 North Maplemere LLC has informed the Agency that it has entered into a purchase and sale transaction with Amherst 111 APL RKC, LLC.

In connection with the purchase and sale transaction, Amherst 111 APL RKC, LLC has submitted a request that the Agency consent to an assignment of, and assume the rights and obligations of 111 North Maplemere LLC.

After a brief discussion, Frank LoTempio made a motion to approve the request by 111 APL RKC, LLC to assign the rights and obligations of 111 North Maplemere, LLC, to them. William Tuyn seconded the motion to approve.

Agency counsel Kevin Zanner took a roll-call of the votes. Brock, approve; Tuyn, approve; Agostino, approve, Drury, approve; LoTempio, approve; Gavigan, approve. The motion to approve the assignment of lease request by Amherst 111 APL RKC, LLC passed by a vote of 6-0.

9:09 am – Anthony Agostino made a motion to adjourn the meeting. William Tuyn seconded the motion. Motion to adjourn passed unanimously.