

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 474th Meeting
December 18, 2015 – 8:30 am
Agency Offices, 4287 Main Street

The meeting of the above captioned Agency was called to order by Chairman Fredrick A. Vilonen.

PRESENT: Fredrick A. Vilonen
Edward F. Stachura
Aaron Stanley
Carlton Brock
Steven Sanders
Michele Marconi
James Allen, Executive Director
Nathan Neill, Esq.

ABSENT: E. Marshall Wood, Jr.

GUESTS: AIDA Staff
Jim Fink, Business First
David Robinson, Buffalo News
Kent Gardener, CGR
Michael Silva, CGR

Chairman Vilonen called the meeting to order and reminded everyone that the meeting was being audio recorded.

MINUTES

The minutes for the November 2015 board of directors meeting were approved as presented. Michele Marconi noted that she felt that her request at the November 2015 meeting regarding a change to the AIDA bylaws in terms of adopting Robert's Rules of Order was not appropriately acted upon by the board of directors and not accurately reflected in the minutes.

After discussion, it was the consensus of the board that Mrs. Marconi's request was acted upon appropriately in that the request was to be forwarded to the Governance Committee for discussion. It was noted that the Governance Committee met on Tuesday, December 15th and the matter was discussed. The Governance Committee recommended that the matter be held and further discussed when the Governance Committee next meets. It was also noted that Mrs. Marconi was in attendance at the Governance Committee and was involved in the discussion. Mrs. Marconi said that her recollection was something different.

Chairman Vilonen noted for the record that it was discovered after the November 2015 meeting that the audio recording system had malfunctioned. He reported that it had been repaired and is currently functioning properly.

BILLS & COMMUNICATIONS

Executive Director Allen informed the board that the Agency received a letter from Amherst Supervisor Barry Weinstein informing the Agency that the Town Board received and discussed the 2016 Budget Recommendation. In the letter, Dr. Weinstein noted that the request was received and filed.

Steven Sanders told the board that while there were no formal comments from the Amherst Town Board on the matter, informal comments were made. Mr. Sanders reminded the board that he had shared those comments with the Audit and Finance Committee.

TREASURER'S REPORT

The Treasurer's Report for November 2015 was approved as presented.

PUBLIC COMMENT

There was no public comment at this meeting.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Allen informed the board that the ECIDA recently adopted the Good Standing Policy, which he supported as a member of the ECIDA Policy Committee. He reminded the board that the Good Standing Policy applies to any company or partner having more than 25% stake in an LLC, cannot apply for or receive ECIDA assistance if they owe taxes in Erie County.

Mr. Allen noted that there are several more policy issues on the ECIDA Policy Committee and that were going to be prioritized in early 2016. It was Mr. Allen's hope that the ECIDA Policy Committee and Board of Directors would include the IDA Leadership Council in the discussions on any amendments to the current County-wide policy originally adopted in 2001. Mr. Allen reminded the board that the IDA Leadership Council was formed at the same time the original county-wide IDA policy (UTEP-Uniform Tax Exempt Policy) was adopted. He noted that the UTEP eliminated the perceived competition of the six IDA's in Erie County. He said he hoped that the cooperation between the IDA's continued going forward.

Steven Sanders said the UTEP leveled the playing field for IDA's and businesses alike and would also like to see continued consensus and cooperation among Erie County's IDAs.

Michele Marconi questioned how the IDA Leadership Council was comprised and if it was all inclusive.

Mrs. Marconi was informed that each IDA either has representatives of staff, board members or both as members of the council. It was also noted that representatives of the City of Buffalo, BNE and Buffalo Niagara Partnership also are part of the Council and regularly attend meetings.

Mrs. Marconi said that the current UTEP, as written, doesn't lend itself to clearly defining the eligibility or ineligibility of projects. She noted that there was a "fuzziness" in the way it was written and that it was quite a lengthy document that had been amended over the years and it was difficult to follow.

She asked if AIDA staff could write a one-page summary of the policy so it wouldn't be difficult to determine eligibility of projects.

After discussion it was agreed that staff would request that the UTEP be placed on the agenda for discussion and review by the IDA Leadership Council with any recommendations and/or changes passed on to the individual IDA boards for consensus and approval.

COMMITTEE REPORTS

Governance Committee - The Committee met on Tuesday, December 15th to discuss the following items:

- **Discussion of recently adopted ECIDA Tax Good Standing Policy**
- **Discussion of AIDA/ADC implementing Robert's Rules of Order**
- **Discussion of ABO Recommended Practice of Conflict of Interest Policy for Public Authorities**

Edward Stachura gave an overview of the discussions that took place at the meeting and indicated the Governance Committee Meeting minutes were completed and available for those wishing further detail. Mr. Stachura informed the board that each item was held and will be on the agenda for future Governance Committee meetings in 2016.

UNFINISHED BUSINESS

There was no Unfinished Business at this meeting.

NEW BUSINESS

Executive Director Allen introduced Kent Gardner and Michael Silva, of the Center for Government Research (CGR). Mr. Allen reminded the board that the Agency had contracted with CGR to prepare and Economic Impact Report on Agency projects for the past 30 years.

Mr. Gardner and Mr. Silva then made their presentation to the board.

There was then discussion on the report and its findings.

Prior to adjournment, Edward Stachura asked for the board's attention so that he could recognize that it is was Chairman Vilonen's last meeting due to his term expiration. Mr. Stachura spoke of Mr. Vilonen's accomplishments as Chairman and presented him with a small plaque thanking him for his 24-year tenure on the board of directors.

Mr. Vilonen said a few words and then thanked the board and staff.

There was a round of applause.

Meeting adjourned at 10:05 am.