

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 478th Meeting
April 15, 2016 – 8:30 am
Agency Offices, 4287 Main Street

The meeting of the above captioned Agency was called to order by Chairman Carlton Brock.

PRESENT:	Carlton N. Brock Michele F. Marconi Aaron Stanley Steven Sanders Edward F. Stachura Michael R. Szukala David S. Mingoia, Deputy Director Nathan Neill, Esq.
ABSENT:	E. Marshal Wood, Jr.
GUESTS:	AIDA Staff David Robinson, Buffalo News David Tytka, Uniland Development Company Jim Fink, Business First Brian Kulpa, Village of Williamsville Craig Turner, Village of Williamsville Charlie Specht, Village of Williamsville Rick Hoagland, GEICO Michael Piette, Bond Schoeneck & King

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

MINUTES

The minutes of the March 2016 meeting were approved with the board agreeing that both James Allen's and Edward Stachura's written comments/recommendations regarding the request for Amendment to the 5000 Main Street LLC and 5010 Main Street LLC (Lord Amherst) project presented at the March 18th meeting be included in the official minutes of the meeting.

BILLS & COMMUNICATIONS

There were no Bills & Communications presented at this meeting.

TREASURER'S REPORT

The Treasurer's Report for March 2016 was approved as presented.

PUBLIC COMMENT

There was no public comment at this meeting.

Board member Aaron Stanley made a motion to suspend the rules of order to discuss an unlisted agenda item. Steven Sanders seconded the motion and there were aye votes from, Brock, Marconi, Stachura and Szukala to suspend the rules of order so the board could discuss an unlisted item on the agenda.

Chairman Brock announced the retirement of Executive Director James J. Allen. Mr. Brock deferred to Mr. Szukala who read a brief statement about Mr. Allen's retirement. The board thanked Mr. Allen for his service.

Aaron Stanley made a motion to appoint David Mingoia Interim Executive Director, CEO and CFO of the Town of Amherst Industrial Development Agency and the Town of Amherst Development Corporation. Edward Stachura seconded the motion. Votes of aye from Brock, Marconi, Sanders and Szukala, the motion to appoint David Mingoia Interim Executive Director, CEO and CFO of the Town of Amherst Industrial Development Agency and the Town of Amherst Development Corporation carried with a vote of 6-0.

Steven Sanders made a motion to resume the meeting. The motion was seconded by Edward Stachura and aye votes were from Brock, Marconi, Stanley, and Szukala to resume the meeting.

EXECUTIVE DIRECTOR'S REPORT

Interim Executive Director Mingoia distributed a flyer informing the board of an upcoming presentation by Ellen Dunham-Jones, author of Retrofitting Suburbia. The presentation will be held on Monday, April 25th at the Darwin Martin House Complex beginning at 8:30 am.

COMMITTEE REPORTS

There were no committee reports at this meeting.

UNFINISHED BUSINESS

A brief discussion took place regarding certain management reports that board member Marconi requested the staff to develop. The first of a series of reports was distributed to the board. The report highlights the Net Exemptions Agency projects received in 2015.

Interim Executive Director Mingoia stated that staff continues to work on the development of additional reports as requested by Mrs. Marconi.

NEW BUSINESS

I. Assignment & Assumption of Lease – from TCC Building "R" Associates, LP to GEICO, Inc.

Company requested an Assignment and Assumption of Lease from TCC Building "R" Associates, LP to GEICO, Inc. GEICO will be purchasing the 255,467 square foot facility. There will be no financing involved with the transaction. GEICO currently employs 2,693.

The PILOT agreement for this property will not be affected by this transaction. Property begins paying full taxes in 2022.

Should the Agency agree to this request, company is requested a reduction in the Agency fee from 1% of the sale price to .5% of the sale price.

Interim Director Mingoia noted that the GEICO has been an asset to the Town and WNY as well as an excellent corporate citizen. He recommended the request be approved.

There was a motion to approve the request by Aaron Stanley, seconded by Steven Sanders. Mrs. Marconi inquired as to whether there were two motions for this request, first being the Assignment of Lease request and second being a request in the fee reduction. Mrs. Marconi was told there would be only one motion that included both items.

With votes of aye from Brock, Stachura and Szukala and a vote of no from Marconi. The motion was carried with a vote of 5-1, it was

RESOLVED, THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY APPROVE THE ASSIGNMENT TO AND ASSUMPTION BY GOVERNMENT EMPLOYEES INSURANCE COMPANY ("GEICO") OF THE LEASEHOLD INTEREST OF TCC BUILDING "R" ASSOCIATES, L.P. IN THE 2005 300 CROSSPOINT PARKWAY PROJECT LOCATED AT 300 CROSSPOINT PARKWAY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED LEASE AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND THE EXECUTION AND DELIVERY OF A DEED FROM THE AGENCY TO GEICO AND A LEASE TO AGENCY BETWEEN GEICO AND THE AGENCY.

II. Request for AIDA financial assistance to the Village of Williamsville proposed Marketing Campaign.

Mayor Brian Kulpa addressed the board regarding a proposed Marketing Campaign and Branding effort for the Village of Williamsville – copy of proposal attached. Mayor Kulpa noted that the Village of Williamsville was requesting \$15,000 from the Agency rather than \$20,000 as noted in the original proposal.

Aaron Stanley made a motion to allocate \$7,500 to the initiative with a review of the initiative prior to allocating the additional \$7,500.

Edward Stachura asked Mayor Kulpa what the timeframe was to begin the implementation of the campaign. Mr. Stachura also asked about community acceptance of the campaign. Mayor Kulpa responded that there have been open conversations with the community and that the Village always actively encourages public dialogue. Mayor Kulpa reminded the board that retail hasn't blossomed as well as residential growth over the past 10 years. Mayor Kulpa noted that it is his hope that this initiative will be on the fast track and that they can accomplish what should be a 10-year project, within five years.

Board member Steven Sanders requested an amendment to Mr. Stanley's motion. Mr. Sanders motioned to approve the \$15,000 request for the Village of Williamsville Marketing Campaign in its entirety. Mr. Sanders noted that this is exactly what the Agency should be spending its funds on and that there was enough in the 2016 AIDA budget line item Local Redevelopment Initiatives to cover this expenditure. Edward Stachura seconded the motion.

With aye votes from Brock, Marconi, Stanley and Szukala, the amended motion to allocate \$15,000 for the Village of Williamsville Marketing Campaign was carried, 6-0.

Aaron Stanley made a motion to go into Executive Session to discuss the Legal RFP. Michele Marconi seconded the motion. With aye votes from Brock, Sanders, Stachura and Szukala the motion carried 6-0 and the board went into Executive Session at 9:22 am.

9:38 am – the board came out of Executive Session.

Edward Stachura made a motion to come out of Executive Session. Aaron Stanley seconded the motion. With aye votes from Brock, Marconi, Stanley and Szukala, the motion to come out of Executive Session and resume the board meeting was carried by a vote of 6-0.

Steven Sanders made a motion to suspend the rules of order to discuss an unlisted agenda item. Michele Marconi seconded the motion. With aye votes from Brock, Stanley, Stachura and Szukala, the motion to suspend the rules of order to discuss an unlisted agenda item carried, 6-0.

Steven Sanders made a motion that the board approve a severance package related to James Allen's retirement which will compensate him until the end of the year. Michele Marconi seconded the motion. With aye votes from Brock, Stanley, Stachura and Szukala, the motion to approve a severance package related to James Allen's retirement which will compensate him until the end of the year carried, 6-0.

9:43 am – meeting adjourned.