

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 529th Meeting
Monday, December 6, 2021 – 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
Philip Meyer
Hadar Borden
Frank L. LoTempio III
David S. Mingoia, Executive Director
Kevin J. Zanner, Hurwitz & Fine PC

ABSENT: Timothy Drury

GUESTS via Zoom: AIDA Staff
Jacqueline Berger, TOA Councilmember
Brian Kulpa, TOA Supervisor
Angela Rossi, TOA Dept of Economic Development
Sean Hopkins, Hopkins & Sgroi
Erik Wagner, Ciminelli Development Co.

Chairman Carlton Brock requested that Vice Chairman Tuyn chair the meeting as he was driving. Vice Chairman William Tuyn 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 Philip Meyer and unanimously carried, the minutes of the December 6, 2021 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 Hadar Borden and unanimously carried, the Treasurer's Report for November 2021 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

The Governance Committee met to discuss the Amherst Central Park Infrastructure Fund and Administration Agreement. They recommended to advance the Agreement to the board of directors of the Town of Amherst Industrial Development Agency for deliberation.

The Town of Amherst Industrial Development Agency (the "AIDA") is being asked to approve the Amherst Central Park Infrastructure Fund and Administration Agreement.

The Agreement specifies the AIDA, the Town of Amherst, and the Sweet Home Central School District (the "School District") are parties to that certain Amherst Central Park Infrastructure Fund and PILOT Application Agreement (the "PILOT Application Agreement") pursuant to which the parties agreed to have AIDA redirect a portion of Town PILOT payments and a portion of School District PILOT payments received by AIDA to a restricted fund (the "Amherst Central Park Infrastructure Fund" or "Fund"), to be managed and disbursed by AIDA in accordance with the Agreement.

Frank LoTempio made a motion to approve the Amherst Central Park Infrastructure Fund and Administration Agreement. Anthony Agostino seconded the motion to approve. After discussion a roll call of votes was taken: Brock-aye; Tuyn-aye; Agostino-aye; Meyer-aye; Borden-aye; LoTempio-aye. Motion to approve passed 6-0.

UNFINISHED BUSINESS

There was no Unfinished Business presented at this meeting.

NEW BUSINESS

Authorization Resolution – 111 North Maplemere, LLC

The proposed project consists of the development of a state of the art healthcare facility consisting of 163,200 square feet integrating innovative specialized medical tenants, mainly consisting of not-for-profit medical providers. Kaleida, University Orthopedic Services, Great Lakes Imaging, Bones and Guts, and General Physicians, PC, are locating at the project to improve healthcare collaboration, community synergies, and improve patient outcomes.

Executive Director Mingoa reviewed the Project Profile and Cost Benefit analysis for the project with the board. Project counsel, Sean Hopkins then provided a brief overview of the project.

Frank LoTempio made a motion to approve the 111 North Maplemere, LLC project. Carlton Brock seconded the motion. After discussion, a roll call of votes was taken: Brock-aye; Tuyn-aye; Agostino-

aye; Meyer-aye; Borden-aye; LoTempio-aye. Motion to approve passed 6-0.

8:59 am – A Public Hearing was held for the Amherst NY Properties KP6, LLC project.

Project counsel, Sean Hopkins provided a brief overview of the project. There was no public comment made at the hearing.

9:05 am – The Public Hearing was closed.

Authorization Resolution – Amherst NY Properties KP6, LLC

Aspen Heights, through Amherst NY Properties KP6, LLC, is proposing to construct and manage a multi-phase student housing development on the Muir Woods parcel to include 830 beds in cottage/townhome style units. This project was previously induced in April 2021 for York Acquisitions, LLC to undertake the project, but the change to an unrelated corporate entity requires further Agency approval. The developer is faced with estimates of \$5,000,000 in extraordinary off-site public benefit infrastructure expenses as directed by the New York State Department of Transportation and others. Included in these costs is design allowance for a future NFTA Metro Light Rail or Enhanced Transit Stop. Construction costs, through material and labor increases caused by the pandemic, impact the feasibility of the project.

Executive Director Mingoia reviewed the Project Profile and Cost Benefit analysis for the project with the board.

Frank LoTempio made a motion to approve the Amherst NY Properties KP6, LLC project. Anthony Agostino seconded the motion to approve. After discussion a roll call of votes was taken: Brock-aye; Tuyn-aye; Agostino-aye; Meyer-aye; Borden-aye; LoTempio-aye. Motion to approve passed 6-0.

9:13 am – Phil Meyer made a motion to adjourn the meeting. Frank LoTempio seconded the motion. Motion to adjourn was unanimously approved.