

**TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY**

**Minutes of the 388<sup>th</sup> Meeting**

**July 21, 2006 – 8:30 am**

**Agency Offices, 4287 Main Street**

The meeting of the above captioned Agency was called to order by Chairman Edward Stachura.

**PRESENT:** Edward F. Stachura  
Barbara J. Batchen  
Fredrick A. Vilonen  
Randall L. Clark  
Ayesha Nariman  
Nathan S. Neill, Esq.  
James J. Allen, Executive Director

**EXCUSED:** John P. DeLuca  
Robert L. Miller

**GUESTS:** AIDA Staff  
Jim Cullinan  
William A. O'Loughlin, Jr., Town Liaison

Chairman Stachura reminded everyone that the meeting was being tape-recorded.

**MINUTES**

The Minutes of the June 2006 meeting were approved as presented.

**BILLS & COMMUNICATIONS**

Executive Director Allen read a letter from NYS Senator Dale M. Volker. The letter thanked Mr. Allen for his letter to him opposing the Sweeney/Maziarz IDA reform bill.

The board went in to Executive Session to discuss the draft response to the recent audit of the Agency by the NYS Comptrollers Office.

**TREASURER'S REPORT**

The Treasurer's Report for June 2006 was approved as presented.

**PUBLIC COMMENT**

There was no public comment at this meeting.

**EXECUTIVE DIRECTOR'S REPORT (See Attached)**

## **COMMITTEE REPORTS**

The Finance Committee met on Tuesday, July 18<sup>th</sup> with representatives from Fox & Company to discuss the Agency's 2005 audited financial statements. It was reported by Treasurer Batchen that the Agency received a clean audit without any weaknesses.

Upon a motion by Randall Clark, seconded by Fredrick Vilonen and unanimously carried, it was

**RESOLVED, THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY ACCEPT THE 2005 AUDITED FINANCIAL STATEMENTS PREPARED BY FOX & COMPANY.**

## **UNFINISHED BUSINESS**

There was no Unfinished Business conducted at this meeting.

## **NEW BUSINESS**

## **AUTHORIZATION RESOLUTION**

**Spindrift Property Associates II, LLC** – Company is requesting Agency consent for a \$60,000 supplemental mortgage to be used for improvements to the vestibule for their facility located at 297 Spindrift Drive.

The PILOT schedule will not be affected by this transaction and company will realize an estimated \$3,150 in sales tax exemption and approximately \$600 in mortgage tax exemption.

First Niagara Bank will provide the financing for this transaction.

Upon a motion by Randall Clark, seconded by Barbara Batchen and unanimously carried, it was

**RESOLVED THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZE THE EXECUTION AND DELIVERY OF A COLLATERAL MORTGAGE TO SECURE NEW MONEY IN THE PRINCIPAL AMOUNT OF \$60,000 AND TO REFINANCE THE OUTSTANDING PRINCIPAL BALANCE OF THE COLLATERAL MORTGAGE DATED AS OF FEBRUARY 1, 2005 IN THE ORIGINAL PRINCIPAL AMOUNT OF \$235,000 EXECUTED AND DELIVERED BY THE AGENCY AND SPINDRIFT PROPERTY ASSOCIATES II, LLC AND THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND AGREEMENTS REQUIRED IN CONNECTION THEREWITH IN CONNECTION WITH SUPPLEMENTAL FINANCING OF THE 2004 SPINDRIFT PROPERTY ASSOCIATES II, LLC PROJECT.**

Meeting adjourned 9:43 am.

## Executive Director's Report- July 2006

- ✓ The **draft response to the Comptroller's Report** will be discussed by the Board. Our response was prepared in conjunction with the staff of the Erie County IDA and both responses are consistent with one another. As we stated to the Comptroller's staff members that conducted the report, all six IDAs within the county are committed to working within the same parameters and policy guidelines and any changes that may be recommended will have to be agreed upon by all six agencies.
- ✓ The **IDA Leadership Council** was created in March 2005. It is comprised of the IDA chairmen, a staff member of the IDA, if applicable, the legal counsels of each agency, and appointees from the City, the Partnership, and BNE. The purpose of the Council is to discuss any and all issues pertaining to the operations and/or economic development policy development. The Council has been very effective in amending IDA policy and in developing responses to criticism of the economic development system currently in place. But, given the recent onslaught of proposed legislation in the NY Legislature, and in the Erie County Legislature, and the reopening of the discussion as to how many IDAs there should be in Erie County, it has been proposed that the Council develop a higher profile and make it clear to the public, through the press that all of the various economic development entities are committed to working in concert with one another and that any discussion regarding the economic development policy and restructuring (if needed) should be brought to the Council for its deliberation and consideration.
- ✓ **NYS Legislature-** the Sweeney bill passed the Assembly prior to the session ending. The Maziarz bill was never reported out of committee prior to adjournment. This means that the IDA reform called for in these two bills did not pass in this session. It is unlikely that the two bills will be reconsidered in a special session later this year but we must be prepared to fight these bills, and others, next year.
- ✓ There will be an **Economic Development Summit**, regarding the role of SUNY-Buffalo in the development of technology-based firms, technology transfer, and the commercialization of research underway within the university. The tentative date is October 31, 2006 at the Center for Tomorrow. Further details to follow.
- ✓ **Hardline with Hardwick-** I was a guest on Kevin Hardwick's show on WBEN radio (930 am) on July 2, 2006. I was given an opportunity to address some of the misinformation that has been thrown out by many people over the past several months. There were several callers to the program; none too negative regarding our efforts but all were examples of people who want more information. Our website can be the place where that information resides.

- ✓ We have reached the **\$100+ million level for redevelopment projects** (see attached press release). This information is the basis for our fourth ad in the Bee. Hopefully, it will dispel the rhetoric regarding the agency's lack of concern for redevelopment.
- ✓ The ad series in the Amherst Bee continues with the fourth ad scheduled this coming Wednesday, July 26. The series is as follows:
  - First ad- **Benefits of Economic Development** (general).
  - Second ad- **Cost of Services/Revenues Generated**
  - Third ad- **Globalization**
  - Fourth ad- **Redevelopment**
  - Fifth ad- **Role of small Business**
  - Sixth ad- **Importance of Collaboration**
- ✓ The **Fox and Company reports** are underway. The first is an update of the cost of service/revenue generated report and the second study is to track the revenue from all of our projects from the first PILOT agreement in 1979 to our current PILOTS. The second study will track the taxes currently being paid by projects for which we are no longer in title.