

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 450th Meeting
February 15, 2013 – 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 Barry A. Weinstein, MD Stuart Shapiro James Allen, Executive Director Nathan Neill, Esq.
ABSENT:	Barbara Nuchereno Carlton N. Brock, Jr.
GUESTS:	AIDA Staff Jonathan Epstein, Buffalo News Jim Fink, Business First Dave Tytka, Uniland Development

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

MINUTES

The minutes of the December 2012 meeting were approved as presented.

BILLS & COMMUNICATIONS

There were no Bills & Communications at this meeting.

TREASURER'S REPORT

The Treasurer's Reports for December 2012 and January 2013 were approved as presented.

PUBLIC COMMENT

There was no Public Comment at this meeting.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Allen reported that he had reviewed the Governor's proposed budget. Mr. Allen noted that the Governor included a provision in the budget which would limit IDAs ability to provide State sales tax exemption on project unless certain criteria were met. Mr. Allen said that the proposal was draconian at best and that it would essentially eliminate and IDA's ability to do redevelopment and adaptive re-use projects. Mr. Allen told the board that several business groups along with NYC Mayor Bloomberg are opposed to this provision and that he is hopeful that it will be eliminated from the budget.

Board member Stuart Shapiro questioned Mr. Allen about the Agency's Business Development consultant Paul Leone and what his position entails.

Mr. Allen explained that Mr. Leone meets with potential clients to explain IDA programs, but he holds seminars and information sessions with local real estate and banking professionals.

COMMITTEE REPORTS

I. Reaffirmation of Agency Mission Statement and Performance Measurements

Pursuant to the Public Authorities Accountability Act the Agency must annually adopt a Mission Statement and Performance Measurements. The Agency adopted its mission statement and performance measurements in February 2011. The Governance Committee met Tuesday, February 12, 2013 to review the 2012 Agency Mission Statement and Performance Measurements Report (attached).

Upon a motion by Barry Weinstein, seconded by Stuart Shapiro and unanimously carried, it was

RESOLVED, THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY APPROVE AND ADOPT THE MISSION STATEMENT AND PERFORMANCE MEASUREMENTS FOR 2013 AS PRESENTED.

NEW BUSINESS

I. REFINANCING TRANSACTIONS

Northpointe Commerce Park, LLC – Company is requesting Agency consent to refinance the existing mortgage on the following properties:

20 Northpointe Parkway Associates, LLC
25 Northpointe Parkway Associates, LLC
60 Northpointe Parkway Associates, LLC
85 Northpointe Parkway Associates, LLC
100 Northpointe Parkway Associates, LLC
170-220 Northpointe Parkway Associates, LLC
270 Northpointe Parkway Associates, LLC
275 Northpointe Parkway Associates, LLC

The total amount of the proposed transaction would not exceed \$28,250,000. There would be no new money associated with this transaction. The balance on the current mortgage is \$31,717,512.

Applicant states that this transaction will have a seven (7) year term with a lower principal amount and a lower interest rate.

The project is located within the Sweet Home Central School District. The PILOT agreements for these properties will not be affected by this transaction.

The Variable Annuity Life Insurance Company will provide the financing for this transaction.

Upon a motion by Edward Stachura, seconded by Stuart Shapiro and unanimously carried, it was

RESOLVED, THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZE THE EXECUTION AND DELIVERY OF A MASTER AMENDED AND RESTATED LEASE AGREEMENT AMENDMENT, A MORTGAGE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$28,250,000 AND AN ASSIGNMENT OF LEASES AND RENTS IN CONNECTION WITH THE REFINANCING OF THE 2007 NORTHPOINTE COMMERCE PARK LLC PROJECT AND FURTHER AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS AS MAY BE REQUIRED IN CONNECTION THEREWITH.

9:00 am – Meeting adjourned.

Authority Mission Statement and Performance Measurements-2012 Report

Name of Public Authority: Town of Amherst Industrial Development Agency (AIDA)

Mission Statement: To promote economic diversity, employment opportunities and to broaden the tax base of the Town of Amherst in order to reduce the tax burden on homeowners, while helping to maintain and enhance a high quality living environment.

Date adopted: February 18, 2011

Date(s) Reaffirmed: February 17, 2012;

List of Performance Goals:

Goal #1: Promote private investment with focus on targeted industries and redevelopment

Measured by: (1) Value of new private investments from tax incentives for new and existing Town of Amherst companies; (2) Value of new private investment in existing sites and buildings in Enhancement Areas.

The AIDA approved 10 projects in 2012 totaling \$84,365,750 in private sector investment in the construction, renovation and equipping of 450,040 square feet. Upon completion of these projects, 495 new jobs will be created, 564 jobs retained and \$6,400,331 in new property taxes will be generated.

Utilizing IMPLAN economic development software to determine multiplier effects in the region, 492 construction and supply jobs are supported, and \$55,858,821 in additional spending occurs due to construction and equipment investments. Expanded firms also contribute an additional \$170,125,591 in annual output to the regional economy.

1. 5000 Group, LLC	\$ 28,000,000	Enhancement Area
2. 3d Partners, LLC	\$ 1,455,000	Enhancement Area
3. 6325 Main St. Associates, Ltd	\$ 3,000,000	
4. Village Park Associates, LLC	\$ 10,000,000	
5. 15 Limestone, LLC	\$ 1,650,000	
6. 60 John Glen, LLC	\$ 1,300,000	
7. 1085 Eggert Road LLC	\$ 2,200,000	Redevelopment
8. 1760 Wehrle Drive, LLC	\$ 14,125,000	
9. PHH Mortgage, Inc.	\$ 20,000,000	
10. Lord Amherst	\$ 9,885,750	Enhancement Area

Goal #2: Support implementation of economic development elements of the Town of Amherst Bicentennial Comprehensive Plan and Williamsville Community Plan that maintain and enhance a high quality living environment

Measured by: (1) Number of collaboration efforts with Town of Amherst and Village of Williamsville on redevelopment initiatives.

Four (4) redevelopment projects were approved in 2012, three (3) of which were in Town of Amherst designated Enhancement Areas. The AIDA has approved 53 redevelopment projects totaling over \$200 million in new investment since 2000. These renovated, reused and expanded facilities will pay \$16 million in additional property taxes over the course of their PILOT periods.

As Amherst continues to mature, redeveloping its older commercial areas is vital to maintaining its high quality of life. This forms the basis for Amherst's Bicentennial Comprehensive Plan and the AIDA's redevelopment strategy. Redeveloping existing properties leverages greater use of public infrastructure and reduces pressures on further "Greenfield" development.

Economic Development Update Town of Amherst Bicentennial Comprehensive Plan – The AIDA reviewed and provided input to the Comprehensive Plan. 2010 employment data reinforces the Town's role as a regional employment center with 104,149 jobs. Furthermore, 80% of all new jobs in the region since 1980 were created in the Town of Amherst.

Traditional Neighborhood (TNB) Zoning— The AIDA worked with the Town of Amherst Planning Department on an overlay that was approved for the "Superblock" that encompasses the streets of Main-Kenmore-Niagara Falls Blvd-Eggert-Bailey. Part of the project area incorporates the TNB Zoning, but a new zoning classification, "Live-Work" was developed for properties along Kenmore and Bailey Avenues that combine residential dwellings with limited on-site working/commercial space. The intent of an overlay is to encourage developers and property owners to undertake expansion and improvements of properties by removing outdated zoning restrictions associated with parking, building set-backs and the amount of a site a building can occupy.

Picture Main Street Plan – The AIDA has been an active part of a planning effort to improve the Main Street corridor through infrastructure and other aesthetic improvements. The concept focuses on refining the Williamsville Community Plan resulting in actual construction documents in 2013. Community visioning is nearing completion on the actual desired improvements. AIDA involvement is focusing on funding elements to implement infrastructure and redevelopment efforts including a possible façade program.

Main Street Corridor Market Study – The AIDA, the Town of Amherst, and Village of Williamsville, hired David Versel, an economic consultant, to conduct a market study of the Main Street retail corridor from the I-290 to Youngs Road. The market study will help guide comprehensive planning updates and the development of zoning/design regulations by analyzing future retail, housing, and office markets for the project area based on 5, 10 and 20 year planning horizons. This study is expected to be complete by the middle of 2013.

Goal #3: Support collaboration and implementation of regional economic development activities
Measured by: (1) Number of collaboration efforts with Erie County and Regional Organizations on economic development initiatives.

Countywide Eligibility Policy – The AIDA worked with the IDAs of Erie County on revisions that led to the approval to eliminate incentive eligibility for renovating existing hotels. Hotels that are a component or attached to a regional tourism destination, located in an Enhancement Area or part of a redevelopment project remain eligible to apply for incentives.

Work also commenced on modifying the Neighborhood Enhancement Area and Adaptive Reuse eligibility criteria to create a unified Redevelopment Policy dealing with both aspects of investment. Main goals in revising the policy include highlighting the strategic importance of eliminating chronic vacancy in addition to assisting communities throughout Erie County define their Enhancement Areas.

Coalition For Community Building – The AIDA worked with a diverse set of groups including FAIR and local chambers of commerce identifying chokepoints to development including wetlands regulations that are not uniform throughout the State and infrastructure funding shortages in WNY. Additionally, the groups focused on redevelopment and held a forum in the Fall that included the Council for New Urbanism as the lead speaker on its importance.