

MINUTES

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 455th Meeting
July 19, 2013 – 8:30 am
Agency Office, 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 Barry A. Weinstein, MD Stuart Shapiro Barbara Nuchereno Carlton N. Brock, Jr. James Allen, Executive Director Nathan Neill, Esq.
ABSENT:	Aaron Stanley
GUESTS:	AIDA Staff David Robinson, Buffalo News Dave Tytka, Uniland Development David Chiazza, Iskalo Development Samuel Shapiro, Esq. Thomas Hammond, Ingram Micro, Inc. Andy Reynolds, Coalition for Economic Justice

Chairman Vilonen reminded everyone that the meeting was being recorded.

MINUTES

The minutes of the June 2013 meeting were approved as presented.

BILLS & COMMUNICATIONS

There were no Bills & Communications at this meeting.

TREASURER'S REPORT

The Treasurer's Report for May & June 2013 were approved as presented.

PUBLIC COMMENT

There was no public comment at this meeting.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Allen informed the board that he had recently met with several potential applicants for senior housing. The potential applicants told Mr. Allen that there is a market for Senior Housing in Amherst and that it cannot be done without incentives.

COMMITTEE REPORTS - GOVERNANCE COMMITTEE

There were no Committee Reports at this meeting.

UNFINISHED BUSINESS

There was no Unfinished Business at this meeting.

NEW BUSINESS

I. Assignment & Assumption of Lease – 8600 Transit Road, LLC to Iskalo Development Corp – on behalf of an Iskalo-related LLC to be formed

Company is requesting an Assignment and Assumption of Lease from 8600 Transit Road, LLC to Iskalo Development Corp – on behalf of an Iskalo-related LLC to be formed.

M & T Bank will be financing the short-sale transaction in the amount of \$2,125,000.

The PILOT agreement for this property will not be affected by this transaction and expires in 2021.

Upon a motion by Edward Stachura, seconded by Carlton Brock and unanimously carried, it was

RESOLVED, THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY APPROVE THE ASSIGNMENT TO AND ASSUMPTION BY A LIMITED LIABILITY COMPANY TO BE FORMED BY ISKALO DEVELOPMENT CORP. OF THE LEASEHOLD INTEREST OF 8600 TRANSIT ROAD LLC IN THE 2005 TRANSIT ROAD LLC PROJECT LOCATED AT 8600 TRANSIT ROAD, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED LEASE AGREEMENT, A MORTGAGE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$2,125,000 AND OTHER SECURITY DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND THE EXECUTION AND DELIVERY OF A DEED FROM THE AGENCY TO A LIMITED LIABILITY COMPANY TO BE FORMED BY ISKALO DEVELOPMENT CORP. AND A LEASE TO AGENCY BETWEEN THE LIMITED LIABILITY COMPANY TO BE FORMED AND THE AGENCY.

II. Authorization Resolution – Ingram Micro, Inc.

Project Applicant

Ingram Micro, Inc.
1759 Wehrle Drive and 395 South Youngs Road
Amherst, New York 14221

Project Eligibility

- The purposes of an industrial development agency shall be to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities per Section 858 of General Municipal Law.

- The company is eligible under NAICS 541512 as a computer systems services, back office facility under the Countywide Eligibility Policy.
- The project complies with the Town of Amherst Comprehensive Plan as it maintains and grows the tax base through a high quality development that includes job retention and creation.

Project Description

The applicant is requesting assistance for a Lease Transaction in an amount not to exceed \$11,000,000 for the renovation of its existing facilities, along with purchase of furniture, fixtures, equipment and information technology. The project is located at 1759 Wehrle Drive and 395 South Youngs Road in the Town of Amherst and within the Williamsville Central School District.

Ingram Micro, Inc. is a wholesale technology distributor and provides information technology supply-chain, mobile device lifecycle services and logistics solutions services. Ninety-four percent of its sales are generated from outside New York State.

The applicant states that over the past three years 326 additional employees have been hired at their facilities at 1759 Wherle Drive and 395 South Youngs Road. The applicant intends to renovate its buildings at 1745 Wehrle Drive and 395 South Youngs Road to accommodate the hiring of 249 additional employees.

Ingram states that IDA participation is necessary in order to justify its continued existence in New York State as an economically viable operation on a competitive basis versus other facilities nationwide. Empire State Development also provided an incentive through its Excelsior Jobs program to incentivize the creation and retention of jobs locally and in response to the company's ability to locate this expansion at facilities outside of New York State.

Employment

The project will retain 1,534 jobs and create an estimated 249 full-time jobs by year-end 2015.

PILOT SCHEDULE

There is no PILOT requested on this transaction.

Previous PILOT agreements at 1759 Wehrle Drive and 395 South Youngs Road have expired and pay the full taxes.

Project Tax Savings

As a result of the Agency's participation in this transaction, the project applicant would realize an estimated \$866,250 in sales tax savings and an estimated \$110,000 in mortgage tax savings.

After a discussion and motion by Barry Weinstein, seconded by Barbara Nuchereno and a vote of no by Stuart Shapiro, it was

RESOLVED, THAT THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZE INGRAM MICRO INC. (THE "APPLICANT" AND "SUBLESSEE") TO MAKE RENOVATIONS TO TWO EXISTING BUILDINGS LOCATED AT 1759 WEHRLE DRIVE AND 395 SOUTH YOUNGS ROAD, AMHERST, NEW YORK, WHICH BUILDINGS ARE OWNED BY THE AGENCY AND LEASED TO FT-AMHERST PROPERTY LLC (THE "LESSEE") AND SUBLEASED TO THE SUBLESSEE AND AUTHORIZING THE SUBLESSEE TO ACQUIRE AND INSTALL MACHINERY, EQUIPMENT, FURNISHINGS AND FIXTURES REQUIRED IN CONNECTION THEREWITH, ALL FOR A SINGLE-TENANT INDUSTRIAL/PRODUCER FACILITY FOR LEASE THE LESSEE FOR SUBLEASE TO THE SUBLESSEE AND TO ENTER INTO AN INSTALLMENT SALE AGREEMENT OR EQUIPMENT LEASE AGREEMENT WITH THE SUBLESSEE AND TO TAKE OTHER PRELIMINARY ACTION.

9:08 am – meeting adjourned.