

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 494th Meeting
August 18, 2017– 8:30 am
Agency Offices, 4287 Main Street

PRESENT: Carlton N. Brock, Jr.
Michele Marconi
Steven Sanders
E. Marshall Wood, Jr.
Edward F. Stachura
Michael R. Szukala
William M. Tuyn
David S. Mingoia, Executive Director
Kevin J. Zanner, Hurwitz & Fine PC

GUESTS: AIDA Staff
Stephen Watson, Buffalo News
Karen McMahon, Resident
Brian Kulpa, Mayor, Village of Williamsville
Craig Turner, Village of Williamsville
Rick Hanulewicz, Bureau Veritas
Ron George, Zaepfel Development
David Tytko, Uniland Development

Chairperson Carlton N. Brock, Jr. called the meeting to order and reminded everyone that the meeting was being audio recorded.

MINUTES

The July 2017 minutes were approved as presented.

BILLS & COMMUNICATIONS

There were no Bills & Communications presented at this meeting

TREASURER'S REPORT

The Treasurer's Report for July 2017 was approved as presented.

PUBLIC COMMENT

There was no Public Comment at this meeting.

A motion was made by Steven Sanders to modify the agenda to move the presentation by Mayor Kulpa and Mr. Turner, to this point in the meeting. Marshall Wood seconded the motion. Votes aye were made by Brock, Marconi, Sanders, Wood, Stachura, Szukala, Tuyn. Motion to modify the agenda passed 7-0.

Mayor Brian Kulpa and Mr. Craig Turner made a presentation and updated the Board on the Village of Williamsville Strategic Initiatives.

EXECUTIVE DIRECTOR REPORT

Executive Director's Report is attached to these minutes.

UNFINISHED BUSINESS

AIDA By-Laws, Governance and Finance & Audit Committee Charters

Board members received the AIDA By-Laws, Governance and Finance & Audit Committee Charters. Staff reviewed and suggested changes were highlighted in the documents. Additionally, staff reviewed the documents for operational accuracy and made several additional changes that reflect Agency functions. This item was tabled at the July 2017 meeting.

Michele Marconi made a motion to remove the AIDA By-Laws, Governance and Finance & Audit Committee Charters from the table. Steven Sanders seconded the motion. Votes of aye were made by Brock, Marconi, Sanders, Wood, Stachura, Szukala and Tuyn. The motion to remove the AIDA By-Laws, Governance and Finance & Audit Committee Charters from the table passed 7-0.

Michele Marconi made a motion to approve the AIDA By-Laws, Governance and Finance & Audit Committee Charters as presented. Steven Sanders seconded the motion. There was no discussion. Votes of aye were made by Brock, Marconi, Sanders, Wood, Stachura, Szukala and Tuyn. The motion to approve passed 7-0.

Executive Director Mingoia reminded the board that with the approval of the changes, they needed to modify the Governance Committee membership as it was not in compliance with the revised Governance Committee Charter, because there were Executive Committee members serving on the Governance Committee.

After a brief discussion, Michael Szukala made a motion to approve Marshall Wood as a member of the Executive Committee and that in the absence of Chairman Brock, Vice Chairman Michele Marconi would serve on the Governance Committee in his place. Steven Sanders seconded the motion. Votes of aye were made by Brock, Marconi, Sanders, Wood, Stachura, Szukala and Tuyn. Motion to approve passed 7-0.

NEW BUSINESS

I. Bureau Veritas Consumer Products Services, Inc.

Executive Director Mingoia briefly described the project using the Project Profile attached to these minutes.

Steven Sanders made a motion to approve the Bureau Veritas Consumers Products services, Inc. project. Marshall Wood seconded the motion. There was no discussion. Votes of aye were made by Brock, Marconi, Sanders, Wood, Stachura, Szukala and Tuyn. Motion to approve passed 7-0.

RESOLUTION OF THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EQUIPPING OF COMMERCIAL SPACE BY BUREAU VERITAS CONSUMER PRODUCTS SERVICES, INC. TO BE LOCATED AT 100 NORTHPOINTE PARKWAY, AMHERST, NEW YORK FOR SALE OR LEASE TO THE AGENCY AND SUBSEQUENT LEASE OR RECONVEYANCE PURSUANT TO AN INSTALLMENT SALE CONTRACT TO BUREAU VERITAS CONSUMER PRODUCTS SERVICES, INC. THE EXECUTION OF LEASE AGREEMENTS AND/OR AN INSTALLMENT SALE CONTRACT AND THE TAKING OF OTHER ACTIONS.

II. 100 Northpointe Commerce Park, LLC Project

Executive Director Mingoia briefly described the project, using the Project Profile attached to these minutes.

Steven Sanders made a motion to approve the 100 Northpointe Commerce Park, LLC project. Edward Stachura seconded the motion. There was no discussion. Vote of aye were made by Brock, Marconi, Sanders, Wood, Stachura, Szukala and Tuyn. Motion to approve passed 7-0.

RESOLUTION OF THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE CONSTRUCTION AND EQUIPPING OF AN APPROXIMATELY 43,500 SQUARE FOOT EXPANSION TO AN EXISTING BUILDING BY NORTHPOINTE COMMERCE PARK, LLC TO BE LOCATED AT 100 NORTHPONTE PARKWAY, AMHERST, NEW YORK FOR LEASE TO THE AGENCY AND SUBSEQUENT LEASE OR RECONVEYANCE PURSUANT TO A LEASE AGREEMENT TO NORTHPOINTE COMMERCE PARK LLC FOR SUBLEASE TO BUREAU VERITAS CONSUMER PRODUCTS SERVICES, INC., THE EXECUTION OF A MORTGAGE AGREEMENT, LEASE AGREEMENT AND/OR INSTALLMENT SALE CONTRACT AND PILOT AGREEMENT AND THE TAKING OF OTHER ACTIONS.

9:43 am – meeting adjourned.

Executive Director's Report

August 18, 2017

Imagine Amherst

The Town Planning Board is expected to review Comprehensive Plan updates to Chapters 3 and 10, at its August 17th meeting. No action is expected that evening as the Planning Board has indicated that they would like to review code language that accompanies these changes and directly relates to the classification of 68 Commercial and Mixed-Use Areas throughout Town. The Planning Board is holding a public information session on August 31st to review all materials.

An Imagine Amherst meeting is scheduled for 7PM on August 23rd to review the project and draft code language.

Williamsville Grocery Co-Operative

A group has established By-laws and a Board of Directors to establish a grocery co-op in the Village of Williamsville. You may recall this was one of the possible tenants for the Village's application for state funding to redevelop a building on Spring Street. The initial plan is to finalize organizational documents (articles of incorporation) and initiate a feasibility study that would determine the size of its membership pool and corresponding facility. A feasibility study costs \$6-10,000 and we've been approached as a possible partner in that study.

Regional Private Sector Job Growth

The U.S. Bureau of Labor Statistics just released data on private sector job growth in the 53 markets having more than 400,000 private sector jobs. Our metro private sector employment grew 0.4% (+1,800 jobs) in the last year totaling 476,800. Not that long ago our employment did not see gains and often private sector growth was negative. Unfortunately, we are lagging national leaders realizing 3-4% private sector job growth, and ranked 51 out of 53 major markets.

Business First published an excellent summary that can be accessed at: <https://www.bizjournals.com/buffalo/news/2017/08/08/new-job-growth-numbers-raise-cautionary-flag-for.html>

PROJECT PROFILE:
BUREAU VERITAS CONSUMER PRODUCT SERVICES, INC.
\$2,140,000
August 18, 2017



ELIGIBILITY

- NAICS Code—561 (Office Administrative Services)

COMPANY INCENTIVES (EST.)

- Sales Tax = \$175,000

PROJECT BENEFITS (EST.)

- Income Taxes \$3,338,717
- Sales Taxes = \$2,939,428

EMPLOYMENT

- 260 Full-Time and 4 Part-Time Jobs Retained
- 5 New Full Time Jobs Created After Project Completion
- Salary of Positions Range from \$39 —\$111,000 Annually Plus Benefits

PROJECT SCHEDULE

- September 2017 Equipment Purchasing Begins
- March 2018 Project Expected To Be Complete

Project Address:

100 Northpointe Parkway
 Amherst, New York 14228
 (Sweet Home Central School District)

Investment:

Equipment: \$2,140,000



Company Description:

Created in 1828, Bureau Veritas is a global leader in Testing, Inspection and Certification. The company offers innovative solutions that go beyond simple compliance with regulations and standards, reducing risk, improving performance and promoting sustainable development. The Buffalo branch works with retailers and manufacturers of consumer products worldwide to assess their products and manufacturing processes for compliance with regulatory, quality and performance requirements. Its services include testing products, inspecting goods, assessing factories, conducting social audits and training personnel. 87% of this location’s services are to customers outside of New York State.

Project Description:

The proposed project would expand the company’s Amherst testing capabilities. Multiple locations throughout the Audubon Industrial Park has created redundancies resulting in inefficient operations. Consolidating to one expanded building will allow the company to grow its operations an estimated 20-30% and better compete for capital across the Bureau Veritas worldwide footprint.

The Agency’s financial assistance is necessary for the company to undertake the project. One notable area of expansion is an expanded food lab, which would be located outside of New York State. The expanded building allows the company to bring outsourced testing locally, including expanding its flammability testing, large product testing, and chemical testing that is currently being done at a sister lab in Asia. Two relocation options provided by the company include Niagara County and an existing facility in Ontario.

PROJECT PROFILE:
BUREAU VERITAS CONSUMER PRODUCT SERVICES, INC.
\$2,140,000

AIDA COMPANY HISTORY:

None with the Current Owner.

In March 1998, the AIDA induced ACTS Testing Labs to construct a 40,000 Square Feet facility at Northpointe Parkway. Employment was 174 at time of inducement and was expected to grow to 250.

MATERIAL TERMS:

1. Achievement of 266 total full-time equivalent jobs at the project location two years after project completion, and retention of such jobs for the duration of the PILOT.
2. Investment of not less than \$1,819,000 in new equipment at the project location as noted in the application.

**PROJECT PROFILE:
NORTHPOINTE COMMERCE PARK, LLC**

\$6,975,000

August 18, 2017



ELIGIBILITY

- NAICS Code—561 (Building Expansion For Bureau Veritas)

COMPANY INCENTIVES (EST.)

- Sales Tax = \$306,250
- Mortgage Tax = \$37,500
- Property Tax = \$800,586

PROJECT BENEFITS (EST.)

- PILOT Revenue = \$285,144
- Income Taxes \$114,933
- Sales Taxes = \$76,104

EMPLOYMENT

- 260 Full-Time and 4 Part-Time Jobs Retained
- 5 New Full Time Jobs Created After Project Completion
- Salary of Positions Range from \$39 —\$111,000 Annually Plus Benefits

PROJECT SCHEDULE

- September 2017 Construction Begins
- November 2018 Project Expected To Be Complete

Project Address:

100 Northpointe Parkway
Amherst, New York 14226
(Sweet Home Central School District)

Investment:

New Construction: \$3,500,000
Renovation: \$2,500,000
Land Purchase: \$75,000
Soft Costs: \$900,000

Company Description:

Zaepfel Development is a full-service real estate development firm located in Williamsville, New York. The Zaepfel team has more than 40 years of real estate development, real estate services, property management, leasing and brokerage, and construction management experience. Ranked as one of Western New York’s top five development firms, Zaepfel has developed, owned, managed, built or sold nearly five million square feet of office, warehouse, industrial and flex space in Western New York, Pennsylvania and the southeast.

Project Description:

The proposed project would provide a single, expanded building for Bureau Veritas’s Amherst testing capabilities. Zaepfel will expand the existing 54,000 square feet building to 93,000 square feet, which will allow Bureau Veritas to consolidate three other leased locations to one efficient building enabling its forecasted growth.



PROJECT PROFILE:

NORTHPOINTE COMMERCE PARK, LLC

\$6,975,000

AIDA COMPANY HISTORY:

None

MATERIAL TERMS:

1. Achievement of 266 total full-time equivalent jobs at the project location two years after project completion, and retention of such jobs for the duration of the PILOT.
2. Investment of not less than \$5,928,750 at the project location as noted in the application.
3. Compliance with the Agency's Local Labor Policy in connection with the construction of the Project