

TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
Minutes of the 536th Meeting
Friday, September 16, 2022 – 8:35 am – via Zoom
James J. Allen Boardroom
Agency Offices, 4287 Main Street

PRESENT: Carlton N. Brock, Jr.
William Tuyn
Anthony Agostino
Timothy Drury
Hadar Borden
Nicole Gavigan
David S. Mingoia, Executive Director
Kevin J. Zanner, Hurwitz & Fine PC

EXCUSED: Frank LoTempio, III

GUESTS via Zoom: AIDA Staff
Jacqueline Berger, TOA Councilmember
David Tytko, Uniland Development
John Lenio, CBRE, Inc.

Chairman Carlton Brock called the meeting to order and reminded everyone the meeting was being video recorded and live-streamed.

MINUTES

Upon a motion by Hadar Borden, seconded by Anthony Agostino and unanimously carried, the minutes of the May 2022 meeting were approved as presented.

BILLS & COMMUNICATIONS

There were no Bills & Communications presented at this meeting.

TREASURER'S REPORT

Treasurer Agostino reviewed the highlights of the Treasurer's Reports for May, June, July and August 2022.

Upon a motion by Hadar Borden, seconded by William Tuyn and unanimously carried, the Treasurer's Reports for May, June, July and August 2022 were 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 on June 2, 2022 and reviewed all of the existing Amherst IDA policies. The Governance Committee recommends changes to the following policies:

1. AIDA/ADC Shared Services Policy
2. Board of Directors Statement of Duties
3. Credit Card Policy
4. Data Gathering Policy
5. Fixed Asset Policy
6. Investment Policy
7. Procurement Policy
8. Property Disposal Policy
9. Travel and Expenses Policy

The Governance Committee does not recommend changes to the following policies, found at AmherstIDA.com/policies, but affirms their accuracy per State guidelines:

1. Code of Ethics
2. Compensation
3. Conflict of Interest
4. Defense & Indemnification
5. Fee Schedule
6. Local Labor
7. Recapture of Benefits Policy
8. Real Property Acquisition
9. Whistle-Blower
10. Sexual Harassment

William Tuyn made a motion to approve the recommended changes in the nine listed Amherst IDA policies along with the recommendation to approve and affirm the additional ten Amherst IDA policies that have been reviewed and with no recommended changes. Anthony Agostino seconded the motion.

Votes of aye were cast by Brock, Tuyn, Agostino, Borden and Gavigan. Motion to approve carried by a vote of 5-0.

UNFINISHED BUSINESS

There was no Unfinished Business presented at this meeting.

NEW BUSINESS

I. Ingram Micro, Inc.

Ingram Micro is the sole tenant leasing approximately 200,000 square feet of existing office buildings located at 1759 Wehrle Drive. The company is negotiating to purchase the buildings, which will require substantial renovations on interior improvements and new furniture, fixtures and equipment. The value is estimated at \$13,600,000. The current property pays \$259,525 annually in

property taxes.

Ingram Micro is evaluating options of where to deploy capital across its network which includes similar facilities in Miami, Florida, Scottsdale, Arizona and Greer, South Carolina. This particular investment is evaluated against the Miami facility, which according to an economic analysis conducted by CBRE's Americas Consulting team, would cost \$4.8 million more in Amherst over a 10-year period.

Ingram Micro is seeking approval of Amherst IDA incentives before making a final decision. The company is also working with other economic development entities, including Empire State Development, on additional incentives.

William Tuyn made a motion to approve the project request from Ingram Micro, Inc. Anthony Agostino seconded the motion to approve. Votes of aye were cast by Brock, Tuyn, Agostino, Borden and Gavigan. Motion to approve the Ingram Micro project request, passed by a vote of 5-0.

8:51 am – Board member Drury entered the meeting

8:52 am – William Tuyn made a motion for the board to enter into Executive Session to discuss a personnel matter. Hadar Borden seconded the motion. Votes of aye were cast by Brock, Tuyn, Agostino, Drury, Borden and Gavigan. Motion to approve the board entering into Executive Session passed by a vote of 6-0.

9:26 am – the board came out of Executive Session and the meeting was re-opened.

Chairman Brock stated that the purpose of Executive Session was to discuss the employment contract for the Executive Director.

9:27 am – William Tuyn made a motion to adjourn the meeting. Hadar Borden seconded the motion. Motion to approve the adjournment passed unanimously.