

RESOLUTIONS:

1. AUTHORIZATION TO PAY INVOICE / AURORA CONSULTING GROUP

LIDA board members asked for an explanation of the circumstances that led to the issuance of the invoice from Aurora Consulting Group. Lynn Sacha and David Brown discussed the problem as well as the steps ACG took to correct the problem.

In February of 2014, the Town Clerk contacted ACG regarding the LIDA website, as she was having issues with spam showing on the website. ACG initially thought it was an internal network issue, which was not the case.

ACG made multiple attempts to resolve the issue. They also contacted Go Daddy for assistance. In total, ACG invested 26.5 billable hours to correct the problem. Lynn spoke to Phil Schwegler on ACG on 3/19/2014 to discuss the invoice and the steps ACG took to resolve the issue. Phil felt that all time billed by ACG was justified. David Brown also spoke to Phil Schwegler and asked if ACG might adjust the bill. ACG offered no adjustment and felt that all time billed was justified. An e-mail and copy of the ACG invoice were sent to LIDA board members on 6/27/2014 requesting approval of payment of the invoice in the amount of \$2,252.50. Board members Nunan, Fialkiewicz, Hoffman and Fudoli approved payment, although they and other board members also expressed dissatisfaction with the company's performance.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

MEMBER FIALKIEWICZ	VOTED	YES
MEMBER HOFFMAN	VOTED	YES
MEMBER KURTZMAN	VOTED	YES
MEMBER LOCICERO	VOTED	YES
MEMBER NUNAN	VOTED	YES
MEMBER O'BRIEN	VOTED	YES
CHAIRMAN FUDOLI	VOTED	YES

2. AUTHORIZATION TO PAY INVOICE / MAGAVERN MAGAVERN & GRIMM LLP FOR LEGAL SERVICES AND DISBURSEMENTS RELATED TO SALE OF CEMETERY ROAD PROPERTY

LIDA Board members raised a question concerning the amount of the brokerage fee and legal fees associated with the sale of the Cemetery Road property, which closed on July 22, 2014. Chairman Fudoli noted that the brokerage fee of 10% is appropriate per current industry standards related to the listing of vacant land and was agreed upon when signing the listing agreement.

Richard Grimm noted that complications arose in dealing with the Town to transfer the unsold portion of land back to the Town, including the creation of a new easement as a buffer between the parcel being sold and the existing Town bike path. The proceedings to sell and transfer the land were initiated on December 12, 2012. The resolutions between the LIDA and the Town of

Lancaster regarding the easements and transfer of the unsold portion of the parcel required 12 revisions. Legal fees were \$5,580.00, disbursements related to the sale were \$1,597.00 and the brokerage fee was \$6,500.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

MEMBER FIALKIEWICZ	VOTED	YES
MEMBER HOFFMAN	VOTED	YES
MEMBER KURTZMAN	VOTED	YES
MEMBER LOCICERO	VOTED	YES
MEMBER NUNAN	VOTED	YES
MEMBER O'BRIEN	VOTED	YES
CHAIRMAN FUDOLI	VOTED	YES

CURRENT BUSINESS

W. Main Street Traffic Study – Chairman Fudoli will discuss a proposal received from the Village of Lancaster for a proposed traffic study related to the W. Main Street development project.

Chairman Fudoli discussed the proposal with the LIDA board. Board members would like to request that the Village of Lancaster obtain a second proposal for the traffic study. Board Member Kenneth O'Brien, who is also a member of the Village of Lancaster Board of Trustees agreed to inform the Village of this request. Mr. O'Brien noted that the Village of Lancaster's procurement policy was adhered to.

Chairman Fudoli asked Richard Grimm if he could request a verbal agreement from the LIDA board to authorize payment to the Village of Lancaster in a not-to-exceed amount, so as not to delay the traffic study. Mr. Grimm advised that a motion to suspend a resolution could be made.

Chairman Fudoli made a motion to authorize reimbursement to the Village of Lancaster for a traffic study related to the W. Main Street development project for a not-to-exceed amount and was seconded by Member James Nunan.

3. RESOLUTION OF THE TOWN OF LANCASTER INDUSTRIAL DEVELOPMENT AGENCY TO AUTHORIZE REIMBURSEMENT TO THE VILLAGE OF LANCASTER FOR PROFESSIONAL SERVICES RELATED TO A TRAFFIC STUDY IN THE VILLAGE OF LANCASTER BUSINESS DISTRICT TO BE CONDUCTED BY A QUALIFIED LICENSED PROFESSIONAL ENGINEERING FIRM

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

MEMBER FIALKIEWICZ	VOTED	YES
MEMBER HOFFMAN	VOTED	YES
MEMBER KURTZMAN	VOTED	YES

MEMBER LOCICERO	VOTED	YES
MEMBER NUNAN	VOTED	YES
MEMBER O'BRIEN	VOTED	ABSTAINED
CHAIRMAN FUDOLI	VOTED	YES

NEW BUSINESS

Paul Leone will provide an update regarding a new application for consideration at the September meeting as well as the current status of potential projects.

Mr. Leone reported that a new application was submitted to the Agency by JPS Labs LLC. The company is purchasing 1 ½ acres of property in the Town of Lancaster and constructing a 10,000 sq. ft. building. The company manufactures and distributes high-end consumer electronics, headphones and cables nationally and internationally. A public hearing will be scheduled for the September meeting.

Mr. Leone also reported that he is working with Uniland for potential expansion at a building on Walden Avenue.

Discussions are also continuing with Nutrablend for a potential expansion project at their current location.

OTHER BUSINESS

September 9th LIDA meeting – Consider rescheduling or relocating due to Primary Day. Chairman Fudoli will inform the Board of Directors when the date is confirmed.

2015 Proposed LIDA Budget – David Brown, LIDA Chief Financial Officer presented an overview of the 2015 proposed LIDA budget.

The Scott's Buffalo Inn project was closed on May 28th.

Sale of vacant property on Cemetery Road to Gold Seal Equity Partnership was finalized on July 22, 2014.

NEXT LIDA MEETING – TUESDAY, SEPTEMBER 9, 2014 OR SEPTEMBER 10, 2014 AT 8:30 AM (TBD)

By Motion of Member Frank Fialkiewicz and seconded by Member James Nunan, the meeting was adjourned at 9:10 AM.

E. James Nunan, Secretary

RESOLUTION OF THE TOWN OF LANCASTER INDUSTRIAL
DEVELOPMENT AGENCY

WHEREAS, the Agency has previously established a policy requiring authorization from the LIDA Board of Directors for the payment of bills over \$2,000, and

WHEREAS, Aurora Consulting Group performed work related to the website of the LIDA and has submitted Invoice number 100223 in the amount of \$2,252.50 to the Agency.

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Directors of the LIDA hereby approves payment to Aurora Consulting Group in the amount of \$2,252.50.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

MEMBER FIALKIEWICZ	VOTED	YES
MEMBER HOFFMAN	VOTED	YES
MEMBER KURTZMAN	VOTED	YES
MEMBER LOCICERO	VOTED	YES
MEMBER NUNAN	VOTED	YES
MEMBER O'BRIEN	VOTED	YES
CHAIRMAN FUDOLI	VOTED	YES

August 12, 2014

RESOLUTION OF THE TOWN OF LANCASTER INDUSTRIAL
DEVELOPMENT AGENCY

WHEREAS, the Agency has previously established a policy requiring authorization from the LIDA Board of Directors for the payment of bills over \$2,000, and

WHEREAS, Magavern Magavern & Grimm LLP performed legal services related to the sale of vacant property located on Cemetery Road and has submitted Invoice number 58576 in the amount of \$7,177.00 to the Agency.

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Directors of the LIDA hereby approves payment to Magavern Magavern & Grimm LLP in the amount of \$7,177.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

MEMBER FIALKIEWICZ	VOTED	YES
MEMBER HOFFMAN	VOTED	YES
MEMBER KURTZMAN	VOTED	YES
MEMBER LOCICERO	VOTED	YES
MEMBER NUNAN	VOTED	YES
MEMBER O'BRIEN	VOTED	YES
CHAIRMAN FUDOLI	VOTED	YES

August 12, 2014

RESOLUTION OF THE TOWN OF LANCASTER INDUSTRIAL DEVELOPMENT AGENCY TO AUTHORIZE REIMBURSEMENT TO THE VILLAGE OF LANCASTER FOR PROFESSIONAL SERVICES RELATED TO A TRAFFIC STUDY IN THE VILLAGE OF LANCASTER BUSINESS DISTRICT TO BE CONDUCTED BY A QUALIFIED LICENSED PROFESSIONAL ENGINEERING FIRM

WHEREAS, the Village of Lancaster and the Lancaster Community Development Corporation have requested assistance from the Lancaster Industrial Development Agency (LIDA) for the funding of a traffic study in the village business district related to the W. Main Street Development project, and

WHEREAS, the Board of Directors of the LIDA has reviewed and discussed this request and has determined that a traffic study will benefit the entire community and is an important part of the proposed redevelopment of the Village of Lancaster's business district.

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Directors of the LIDA hereby authorizes reimbursement for the cost of the aforesaid traffic study to the Village of Lancaster in an amount not-to-exceed \$8,750.00, with the understanding that the Village of Lancaster will secure a minimum of two proposals from licensed professional engineering firms that have the necessary expertise in conducting studies of this nature and will select a qualified engineer to conduct the traffic study, according to the Village's guidelines for procurement of such services and that reimbursement will be made upon receipt of proper documentation which is acceptable to the Chief Financial Officer of the LIDA.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

MEMBER FIALKIEWICZ	VOTED	YES
MEMBER HOFFMAN	VOTED	YES
MEMBER KURTZMAN	VOTED	YES
MEMBER LOCICERO	VOTED	YES
MEMBER NUNAN	VOTED	YES
MEMBER O'BRIEN	VOTED	ABSTAINED
CHAIRMAN FUDOLI	VOTED	YES

August 12, 2014

TOWN OF LANCASTER
INDUSTRIAL DEVELOPMENT AGENCY
21 Central Avenue
Lancaster, NY 14086
(716) 683-1610

web: www.lancasterny.com
e-mail: lookatus@lancasterny.com

August 7, 2014

Mr. Dennis Powers, Supervisor
Town of Elma
1600 Bowen Road
Elma, NY 14059

James Bach, Supervisor
Town of Aurora
30 Glead Avenue
East Aurora, NY 14052

Re: JPS Labs, Inc.

Dear Supervisors Powers and Bach:

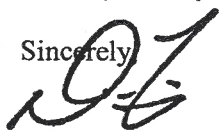
Pursuant to the guidelines of the Countywide IDA policy, we are notifying you as the chief elected officials of the Towns of Elma and Aurora that the Lancaster Industrial Development Agency (LIDA) has received an application from JPS Labs LLC for construction of a new facility in the Town of Lancaster.

JPS Labs LLC plans to move to the Lancaster location upon completion of the new facility. The company currently owns a facility located at 7601 Seneca Street, East Aurora, New York. JPS Labs LLC designs, manufacturers, markets and distributes high-end consumer electronics, headphones and custom cables, which are distributed in over 20 countries. The current building is unable to meet anticipated company expansion in the fields of research and development, manufacturing and distribution for their product lines.

The contact for the company is Mr. Joseph Skubinski. I have enclosed a copy of the company's application for your reference. The company has requested that the project be considered for approval at the LIDA board meeting on September 9, 2014. Your comments, if any, will be entered into the record for consideration and may be submitted in writing or you are welcome to address the board at the meeting.

Thank you for your consideration in this matter.

Sincerely,



Dino J. Fudoli
LIDA Chairman

Enclosure

Cc: LIDA Board

LIDA

LANCASTER, NY

TOWN OF LANCASTER
INDUSTRIAL DEVELOPMENT AGENCY
21 Central Avenue
Lancaster, NY 14086
(716) 683-1610

web: www.lancasterny.com
e-mail: lookatus@lancasterny.com

To: LIDA Board Members

From: David J. Brown, Chief Financial Officer 

Date: August 12, 2014

Re: 2015 Proposed Budget

Attached please find the 2015 Proposed Budget for the LIDA. I have prepared it to conform to the NYS Authority Budget Office (NYS ABO) online reporting format. The column headings are self-explanatory. The key column is the one entitled "Next Year (Proposed) 2015".

The figures in the proposed budget are simply my estimates based on my interpretation of recent trends in the agency's revenues and expenditures. Ultimately, it is the responsibility of the Board to determine the adopted budget, so please provide feedback if changes are desired. If the Board makes no changes, the proposed figures will be transferred over to the "Next Year (Adopted) 2015" column.

Note that the NYS ABO requires a proposed 3 year financial plan beyond next year's budget. I have taken the liberty to project those figures and have attempted to do so conservatively for 2016, 2017, and 2018. Keep in mind that they are just proposed projections and the agency is not bound by them in any way.

The statutory deadline for submission of the adopted the budget to NYS is November 1. I respectfully ask that you be prepared to discuss any possible changes to the proposed budget at the meeting of September 9, 2014 and to adopt the budget at the meeting of October 14. Prior to adoption, the proposed budget is required to be submitted to the Lancaster Town Board for their review, but not for their approval, for a period of not less than 20 business days. The budget will be transmitted to the Town Board today. This time frame allows ample time for the 20 business day review period to run prior to adopting it on October 14.

If any member of the LIDA board would like to discuss the proposed budget prior to the next board meeting, please feel free to give me a call at your convenience. In order to change any of the figures in the budget, there would have to be a consensus of a majority of the board prior to adoption for such changes to be effective.

If you wish to provide feedback to me, I can be reached at 601-0714 or via email at davebrown@lancasterny.com. Thanks for your consideration.

Enclosure

Lancaster Industrial Development Agency
 Budget & Financial Plan
 Fiscal Year Ending December 31, 2015

	Last Year (Actual) 2013	Current Year (Estimated) 2014	Next Year (Proposed) 2015	Next Year (Adopted) 2015	Projected 2016	Projected 2017	Projected 2018
Estimated Revenues							
Operating Revenues:							
Project Application Fees	140,134	125,000	125,000		125,000	125,000	125,000
Interest on Loans	6,000	6,000	6,000		6,000	6,000	6,000
Total Operating Revenues	146,134	131,000	131,000		131,000	131,000	131,000
Non-Operating Revenues:							
Earnings on Investments	1,820	1,000	1,000		1,000	1,000	1,000
Other Non-operating Revenue	3,714	57,000	0		0	0	0
Total Non-Operating Revenue	5,534	58,000	1,000		1,000	1,000	1,000
Total Estimated Revenues	151,668	189,000	132,000		132,000	132,000	132,000
Estimated Expenses							
Administrative/Secretarial Support - Town of Lancaster							
Secretarial services	30,000	30,000	30,000		30,000	30,000	30,000
Grants-in-Aid - Community Enhancement	5,000	5,000	5,000		5,000	5,000	5,000
Chief Financial Officer - Salary	0	0	25,000		25,000	25,000	25,000
Chief Financial Officer - Payroll Taxes & Expenses	1,419	1,500	1,500		1,500	1,500	1,500
Consultant Fees - Leone	18,000	18,000	18,000		18,000	18,000	18,000
Administration of PILOT agreements	3,600	3,600	3,600		3,600	3,600	3,600
Professional Services	10,700	9,000	10,000		10,000	10,000	10,000
Insurance	3,678	3,800	4,000		4,000	4,000	4,000
Accounting/Audit Fees	7,500	7,600	7,600		7,700	7,800	7,900
Legal Fees	3,538	12,000	5,000		5,000	5,000	5,000
Legal Notices	91	300	500		500	500	500
Printing	0	0	500		500	500	500
Advertising	1,010	1,000	3,000		3,000	3,000	3,000
Miscellaneous	3,999	5,000	5,000		5,000	5,000	5,000
Internet/Website expenses	588	1,000	1,000		1,000	1,000	1,000
Total Estimated Expenses	94,123	102,800	124,700		124,800	124,900	125,000
Excess of Estimated Revenues Over/(Under) Expenses	57,545	86,200	7,300		7,200	7,100	7,000