



**Report of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center Public Hearing of L&M Specialty Fabrication, LLC held on Wednesday, September 21, 2016, 4:00 PM – Batavia Town Hall – 3833 W. Main Street Road, Batavia, NY**

**I. ATTENDANCE**

Chris Suozzi, VP of Business Development, Genesee County EDC  
Betsy Richardson, Staff Accountant, Genesee County EDC  
Steven Gersz, Lee Shuknecht & Sons, Inc.  
Marc Shuknecht, Lee Shuknecht & Sons, Inc.

**II. CALL TO ORDER**

The public hearing of L&M Specialty Fabrication, LLC was called to order at 4:00 pm at the Batavia Town Hall.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

**III. PROJECT SUMMARY**

C. Suozzi described the project as follows:

The company is planning on building a 21,000 sq. ft. facility on Saile Drive near Bank St. Rd. in the Town of Batavia. The company manufactures and repairs predominately agriculture specialty equipment.

The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$77,072, a mortgage tax exemption valued at approx. \$21,625 and a property tax exemption, based on the incremental increase in assessed value, valued at approx. \$124,850.

**IV. COMMENTS**

Steven Gersz shared that his firm, Underberg & Kessler, LLP, has been engaged as special counsel to Lee Shuknecht & Sons, Inc. (LSSI). They were asked to appear at the public hearing regarding the application of L&M Specialty Fabrication, LLC (L&M) for financial assistance. LSSI has reason to believe that the principals of L&M have breached and are continuing to breach their fiduciary and other duties to LSSI, and that the business L&M intends to operating with that financial assistance is base, in part, upon confidential LSSI information and trade secrets which have allegedly been taken by L&M from LSSI. We understand that LSSI and its counsel are conducting a more detailed investigation into the activities of L&M's principals. Should that investigation confirm LSSI's current believes, LSSI intends to take all appropriate action to defend its rights, which may include commencement of a lawsuit against L&M or its principals. LSSI wishes to ensure that the Board is aware of all information relevant to its consideration of L&M's application for public benefits from the Genesee County IDA.

**V. ADJOURNMENT**

The public hearing was closed at 4:15 PM.