

Wayne Economic Development Corp.
Minutes – Special Meeting
September 12th, 2014

The special meeting of Wayne Economic Development Corp. was called to order by Chairman Spickerman at 10:26 a.m. on Friday, September 12th, 2014. The meeting was held in the first floor conference room, 16 William Street, Lyons. Members present: Pamela Heald, David Spickerman, Willard Milliman, James Hoffman and Robert Havrilla. Also present: Ken Miller, Palmyra Town Supervisor, John Morell, Esq., Bob McNary, Director of Planning & Economic Development and M. Churchill, D. Richards and M. Leisenring.

On motion of Ms. Heald, seconded by Mr. Milliman the minutes of 6/27/2014 were unanimously approved.

DNT Express Realty LLC
DNT Express, Inc.

Release Life Insurance Requirement

Whereas, DNT Express Realty LLC was approved for a \$300,000 second mortgage loan by WCIDA and WEDC on June 27, 2014 with the corporate guaranty of DNT Express, Inc. and personal guaranties of Timothy and Danny Nickels, which approval required the assignment of \$300,000 insurance on the lives of the personal guarantors; and

Whereas, the personal guarantors have applied for such insurance coverage and found that one individual is not insurable and the other's premium cost would be prohibitive; and

Whereas, both DNT Express Realty LLC and DNT Express, Inc. have an Operating Agreement and Stock Purchase Agreement that includes provision for ownership buyouts with stated valuations in the case of death of any member or owner; and

Whereas, management of the companies will continue in the case of the death of one or both of the members/owners; be it hereby

Resolved, that the WEDC and WCIDA board of directors hereby approves the release of the requirement for the assignment of insurance on the lives of one Timothy and Danny Nickels.

Moved: Mr. Havrilla Second: Mr. Milliman
Ayes: Ms. Heald and Messrs. Havrilla, Hoffman, Spickerman, Milliman
Nays: None

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DNT Express Realty, LLC – Amend Loan Approval

Whereas, DNT Express Realty, LLC was approved for a \$300,000 permanent second mortgage loan by WCIDA and WEDC on June 27, 2014 that together with a first mortgage from Lyons National Bank will allow them to make a 37, 500 square foot addition to their existing Clyde, NY warehousing facility leased to DNT Express, Inc.; and

Whereas, the approval was based on an as-completed appraisal of \$2,750,000 and the actual appraised value is \$2,400,000; and

Whereas, the Lyons National Bank mortgage will be in the amount of \$2,040,000, still leaving \$360,000 of value to cover the WCIDA/WEDC \$300,000 second mortgage; be it therefore

Resolved, that WCIDA and WEDC re-approve the loan to DNT Express Realty, LLC in the amount of \$300,000 based on the current appraised value.

Moved: Mr. Havrilla Second: Mr. Milliman
Ayes: Ms. Heald and Messrs. Havrilla, Milliman, Hoffman, Spickerman
Nays: None

There being no further business, the meeting adjourned at 10:29 a.m.

Respectfully submitted

Marie Leisenring
Assistant Secretary