



**Tuesday, May 1, 2018**  
**STAMP Committee Meeting - GCEDC**  
**Andrews Conference Room**  
**11:30 am**

**MINUTES**

**ATTENDANCE**

Committee Members: P. Battaglia, P. Zelif, C. Yunker, J. Rizzo  
GCEDC / GGLDC Board Members:  
Staff: M. Masse, E. Richardson, S.Hyde, C. Suozzi  
Guests:  
Absent:

**1. Call to Order / Enter Public Session**

P. Zelif called the meeting to order at 11:47 a.m. in the Andrews Conference Room.

**2. Executive Session**

P. Battaglia made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 11:47 a.m., for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The motion was seconded by J. Rizzo and approved by all members present.

**Re-Enter Public Session**

C. Yunker made a motion to enter back into public session at 12:38 p.m., seconded by J. Rizzo and approved by all.

**3. Chairman's Report & Activities**

**3a. Agenda Additions / Other Business** – Nothing at this time.

**3b. Minutes: January 30, 2018**

**P. Battaglia made a motion to approve the minutes from January 30, 2018; the motion was seconded by J. Rizzo. Roll call resulted as follows:**

P. Zelif - Yes  
J. Rizzo - Yes  
P. Battaglia - Yes  
C. Yunker - Yes

**The item was approved as presented.**

#### **4. Discussions / Official Recommendations to the Board:**

**4a. \$33M STAMP Grant Draw Review YTD** – M. Masse reminded the Committee that the imprest account has been set up and on January 12, 2018 Empire State Development (ESD) deposited \$15,100,934 into the account. The first two Grant Utilization Request Forms (GURF) have been submitted and authorization has been received to release those funds. GURF #3 for approximately \$609,470.41 is currently in process.

**4b. Ratification of NYSDOT Land Donation Agreement** – On February 28, 2017 the GCEDC Board approved donating land it owns along Route 63/77 to NYSDOT to expand their existing right of way (ROW). The GCEDC has had all of the work completed and submitted to NYSDOT for their review. NYSDOT has sent out letters that request the Following:

1. Execution of an Affidavit of the Title Document for the land being donated.
2. Obtaining an Assignment of Claim and Release to be executed by NYS Urban Development Corp.
3. A resolution will be required from the Board of Directors for the GCIDA. The resolution shall ratify the Agreement and designate an officer or proper party to execute the closing paper on behalf of the GCIDA.

**C. Yunker made a motion to recommend approval of a resolution to state the ratification of the Land Donation Agreement with the NYSDOT and designate the Sr. VP of Operations to execute the closing documents, the motion was seconded by P. Battaglia. Roll call resulted as follows:**

P. Zelif - Yes  
J. Rizzo - Yes  
P. Battaglia - Yes  
C. Yunker - Yes

**The item was approved as presented.**

**4c. Programmatic Agreement** – The GCEDC has been working on a Programmatic Agreement between the United States Army Corps. of Engineers (USACE), the New York State Office of Parks, Recreation and State Historic Preservation Office (SHPO) regarding the STAMP project. This agreement will outline the steps necessary to complete the archeological investigations on the STAMP site as well as how any artifacts should be treated, and what steps to take for any archeological areas that would be

avoided. This agreement also outlines the procedures of how the work is to be completed as well as what parties need to be notified. This agreement also states that there will be a Traditional Cultural Properties (TCP) investigation completed in conjunction with the development of the STAMP site.

**P. Battaglia made a motion to recommend approval of signing the Programmatic Agreement, the motion was seconded by J. Rizzo. Roll call resulted as follows:**

P. Zeliff - Yes  
 J. Rizzo - Yes  
 P. Battaglia - Yes  
 C. Yunker - Yes

**The item was approved as presented.**

**4d. CC Environment & Planning – USFW Environmental Assessment Additional Work -** The GCEDC submitted a right of way request through Federal lands owned and managed by US Fish & Wildlife Services (USFWS). After receiving the request, USFWS determined that the GCEDC must complete an Environmental Assessment (EA) for their use in determining the compatibility of the proposed project with the mission of USFWS and the refuge. The EA was completed and submitted in accordance with a previously awarded contract with CC Environment. USFW has reviewed the EA and has sent back a list of questions and comments that need to be addressed in order to continue the permitting process.

The contract with CC Environment & Planning is not to exceed \$14,500 to be included in the \$33 million under the construction budget line item for environmental permitting.

**C. Yunker made a motion to recommend approval of the CC Environment and Planning contract not to exceed \$14,500 for additional work related to the USFW Environmental Assessment, the motion was seconded by J. Rizzo. Roll call resulted as follows:**

P. Zeliff - Yes  
 J. Rizzo - Yes  
 P. Battaglia - Yes  
 C. Yunker - Yes

**The item was approved as presented.**

**4e. LeChase Construction – Change Order No. 1 – Phase 1 Town of Alabama Water-** LeChase Construction Services, LLC has submitted Change Order No. 1 that is requesting to extend the substantial completion date of the project from January 28<sup>th</sup> to June 29<sup>th</sup>, as well as a deduct charge estimated at \$86,150 for additional construction administration and inspection costs.

**P. Battaglia made a motion to recommend approval of Change Order No. 1 – Phase 1 Town of Alabama water project; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Zeliff - Yes  
 J. Rizzo - Yes  
 P. Battaglia - Yes

C. Yunker - Yes

**The item was approved as presented.**

**4f. Clark Patterson Lee- Additional Construction and Inspection Contract Administration Costs –**

The Phase I water project has taken longer than anticipated to complete and this has caused the budget for contract administration and construction inspection that was previously approved to be almost exhausted. See attached proposal.

The Clark Patterson Lee contract is not to exceed an additional \$42,000 in construction administration and an additional \$115,000 in construction inspection to be covered under the \$33 million, in the contingency line item for the Phase I water budget. This is an extension of an existing contract.

**P. Battaglia made a motion to recommend approval of the increase in contract administration and construction inspection costs not to exceed \$42,000 in construction administration and \$115,000 in construction inspection for Phase I of the water project; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Zeff - Yes

J. Rizzo - Yes

P. Battaglia - Yes

C. Yunker - Yes

**The item was approved as presented.**

**4g. Sponsorship of SEMICON West Booth in NY Loves Nano –** The GCEDC, on behalf of WNY STAMP, would like to participate as a member of the NY Loves Nano team for the 2018 SEMICON West trade show. The buy-in fee for the booth is shared among partners across the state. We anticipate the cost will not exceed \$6,000 and may be lower. Following the GCEDC procurement policy, any expenditure over \$5,000 requires board approval. Half of the cost will be reimbursed through a National Grid STAMP Marketing Grant.

P. Zeff requested that the Board be provided with all expenditures related to the SEMICON West tradeshow trip prior to final approval.

**P. Battaglia made a motion to recommend approval, an amount not to exceed \$6,000, for the NY Loves Nano 2018 trade show booth at SEMICON West, contingent upon the Board receiving the cost of all expenditures related to the SEMICON West tradeshow trip; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Zeff - Yes

J. Rizzo - Yes

P. Battaglia - Yes

C. Yunker - Yes

**The item was approved as presented.**

**5. Adjournment**

As there was no further business, P. Battaglia made a motion to adjourn at 1:01 p.m., seconded by J. Rizzo and passed unanimously.