



Thursday, June 4, 2015
Upstate MedTech Centre – Suite 107
6:05 PM

GGLDC MINUTES

Attendance

Board Members: T. Felton, W. Hinchey, M. Wiater, J. Rizzo, H. Upson, P. Battaglia, S. Noble-Moag, P. Zelif, C. Yunker
Staff: S. Hyde, M. Masse, L. Farrell, E. Richardson, R. Tabela, C. Suozzi
Guests: R. Endress (Harris Beach), P. Mrozek (The Daily News), Michael Pettinella (Buffalo News)
Absent: H. Upson

Call to Order / Enter Public Session

T. Felton called the meeting to order at 5:32 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

2.0 Chairman’s Report and Activities

2.1 Upcoming Meetings – T. Felton reviewed the upcoming meetings with the Board.

2.2 Agenda Additions/ Deletions / Other Business – T. Felton asked the Board to approve adding item 2.4 Audit & Finance Committee Review of RLF Applications to the agenda

2.3 May 7, 2015 Minutes

W. Hinchey made a motion to approve the May 7, 2015 Minutes as presented; the motion was seconded by P. Zelif. Roll call resulted as follows:

T. Felton -	Yes	P. Zelif -	Yes
M. Wiater -	Yes	P. Battaglia -	Yes
H. Upson -	Absent	W. Hinchey -	Yes
J. Rizzo -	Yes	S. Noble-Moag -	Yes
C. Yunker -	Yes		

The item was approved as presented.

2.4 Audit & Finance Committee Review of RLF Applications – T. Felton asked the Board to approve the review of RLF applications by the Audit & Finance Committee prior to Board review.

M. Wiater made a motion to approve the review of RLF applications by the Audit & Finance Committee as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

T. Felton -	Yes	P. Zelif -	Yes
M. Wiater -	Yes	P. Battaglia -	Yes
H. Upson -	Absent	W. Hinchey -	Yes
J. Rizzo -	Yes	S. Noble-Moag -	Yes
C. Yunker -	Yes		

The item was approved as presented.

3.0 C. Suozzi – Sales Management

3.1 Nothing at this time.

4.0 L. Farrell – Finance & Operations

4.1 April 2015 Financial Statements - L. Farrell reviewed the April 2015 financial statements with the Board. The financial statements were reviewed by the Audit and Finance Committee on June 2, 2015 and were recommended for Board approval. She noted a year to date net operating profit of \$198,028. Expenditures are in line with the budget, except as noted.

L. Farrell asked the board to approve the April 2015 Financial Statements.

P. Zeliff made a motion to approve the April 2015 Financial Statements as presented; the motion was seconded by W. Hinchey. Roll call resulted as follows:

T. Felton -	Yes	P. Zeliff -	Yes
M. Wiater -	Yes	P. Battaglia -	Yes
H. Upson -	Absent	W. Hinchey -	Yes
J. Rizzo -	Yes	S. Noble-Moag -	Yes
C. Yunker -	Yes		

The item was approved as presented.

5.0 M. Masse – Real Estate Development / Management

5.1 Reimbursement of Legal Fees: Town of Alabama - \$1,575 – M. Masse asked the board to authorize reimbursement to the Town of Alabama for legal expenses related to STAMP in the amount of \$1,575. Based on contracts that have been completed at this time, there is space under the \$2M grant to include these expenses.

P. Battaglia made a motion to approve the reimbursement of Legal Fees to the Town of Alabama related to STAMP in the amount of \$1,575 as presented; the motion was seconded by S. Noble-Moag. Roll call resulted as follows:

T. Felton -	Yes	P. Zeliff -	Yes
M. Wiater -	Yes	P. Battaglia -	Yes
H. Upson -	Absent	W. Hinchey -	Yes
J. Rizzo -	Yes	S. Noble-Moag -	Yes
C. Yunker -	Yes		

The item was approved as presented.

5.2 Code of Ethics Policy and Policy Prohibiting Extension of Credit to Officers, Board Members or Employees

– M. Masse shared that the GGLDC has received a Revolving Loan Fund Application from PW Minor, LLC that is connected to their project which is expected to be awarded Office of Community Renewal (OCR) funding. As part of the award, the OCR encouraged the GGLDC to lend funds from its Revolving Loan Fund that is currently restricted by HUD guidelines. The GGLDC needs to review the conflict of interest as it relates to our current policies in place, with possible amendment of the policies. M. Masse shared a list of proposed changes to the policy for the Board to discuss.

C. Yunker asked if the proposed exceptions would violate item 8 of the Code of Ethics policy which states that “no director, officer or employee of the Corporation shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust.” He shared that when the Agency starts to consider exceptions, what is the public perception of making exceptions to the policy. That directly points to item 8 of the current policy. Were these exceptions written with item 8 in mind?

M. Wiater shared that her issue with these exceptions are that we are doing this in order to accommodate what we know is coming up. In doing so, the Agency has conducted a course of conduct that in fact raises suspicion.

P. Battaglia asked if the Governance Committee has reviewed these exceptions.

L. Farrell shared that we were unable to obtain a quorum for that committee to review the proposed changes.

P. Battaglia asked if all exceptions need to be met or if just one exception needs to be met.

M. Masse stated that all of the exceptions need to be met in order to extend credit to a director, board member or employee.

C. Yunker shared that he does not wish to slow down the process or impede a local business from receiving a loan and moving forward with their project, however he is concerned about the public optics and transparency. Although the GGLDC may have different strengths/abilities as the GCEDC, it may be hard for the public to make that distinction. We as an Agency need public support and the support and trust of the County Legislature. Optics is the main concern.

W. Hinchey stated that based in the merits of this project, there is definitely a willingness of the Board to participate and be a part of this deal.

P. Battaglia agrees that there is a willingness to see this project move forward; however the Board needs to make sure that the language allowing this deal to go through is proper and well thought out. We want to make sure it's been reviewed by our legal counsel as well.

T. Felton suggested scheduling a special GGLDC Governance Committee meeting to review and discuss these exceptions further prior to making a decision.

No vote was taken.

5.3 BETP: USDA Grant Application – M. Masse shared that the GGLDC has a potential project looking to locate at the BETP. This would require extension of additional infrastructure. The GGLDC is seeking grant funds from the USDA to help defer some of these costs. The funds that are shown as committed and available as matching funds will only be available if the project purchases the land at BETP. Therefore, the GGLDC would like to submit the application for the Rural Business Enterprise Grant in the amount of \$99,000. If awarded, acceptance of these funds would be contingent upon the project moving forward.

M. Masse asked the Board to approve submission of an application for the Rural Business Enterprise Grant to support additional infrastructure at BETP; Resolution No. L06/2015-01.

RESOLUTION OF THE GENESEE GATEWAY LOCAL DEVELOPMENT COPORATION
AUTHORIZING APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL BUSINESS ENTERPRISE GRANT PROGRAM FOR FINANCIAL ASSISTANCE IN THE
APPROXIMATE AMOUNT OF \$100,000 TO BE USED FOR CONSTRUCTION OF ROADWAY AND
EXTENSION OF UTILITIES AT THE BUFFALO EAST TECHNOLOGY PARK.

P. Battaglia made a motion to approve submission of an application for the Rural Business Enterprise Grant; the motion was seconded by C. Yunker. Roll call resulted as follows:

T. Felton -	Yes	P. Zeff -	Yes
M. Wiater -	Yes	P. Battaglia -	Yes
H. Upson -	Absent	W. Hinchey -	Yes
J. Rizzo -	Yes	S. Noble-Moag -	Yes
C. Yunker -	Yes		

The item was approved as presented.

6.0 S. Hyde

6.1 Nothing at this time.

7.0 R. Tabela

7.1 Nothing at this time.

8.0 Other Business

8.1 Nothing at this time.

9.0 Adjournment - As there was no further business, S. Noble-Moag made a motion to adjourn at 5:57 p.m., seconded by P. Zelif and passed unanimously.