



Thursday, May 7, 2015
Upstate MedTech Centre – Suite 107
5:05 PM

GGLDC MINUTES

Attendance

Board Members: T. Felton, W. Hinchey, M. Wiater, J. Rizzo, H. Upson, P. Battaglia, S. Noble-Moag
Staff: S. Hyde, M. Masse, L. Farrell, P. Kennett, R. Tabelski, C. Suozzi
Guests:
Absent: A. Young, P. Zeliff

Call to Order / Enter Public Session

T. Felton called the meeting to order at 5:07 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 shared that item 5.2 and 5.6 will be removed from the agenda. During a discussion with M. Masse prior to the meeting it was brought to our attention that several Board Members would be abstaining on those items due to a conflict of interest resulting in a lack of quorum to vote on those items.

T. Felton shared that item 5.7 Innovation Zone Lease Agreement will be added to the agenda.

2.3 March 30, 2015 Minutes

W. Hinchey made a motion to approve the March 30, 2015 Minutes as presented; the motion was seconded by M. Wiater. Roll call resulted as follows:

T. Felton -	Yes	A. Young -	Absent
P. Zeliff -	Absent	M. Wiater -	Yes
H. Upson -	Yes	P. Battaglia -	Yes
J. Rizzo -	Yes	W. Hinchey -	Yes
S. Noble-Moag -	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 1st Quarter 2015 Financial Statements - L. Farrell reviewed the 1st Quarter 2015 financial statements with the Board. The financial statements were reviewed by the Audit and Finance Committee on May 5, 2015 and were recommended for Board approval. She noted a year to date net operating profit of \$202,728. PIF Grant Revenue recorded with no corresponding expense

drives net operating profit. PIF funds are used to pay principal and interest on an Ag Park bond. Expenditures are in line with the budget, except as noted.

L. Farrell asked the board to approve the 1st Quarter 2015 Financial Statements.

H. Upson made a motion to approve the 1st Quarter 2015 Financial Statements as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

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

The item was approved as presented.

4.2 D&O Insurance Limit Increase – T. Felton shared that as discussed at the GCEDC Board Meeting, the current limits will remain the same and this will be reviewed again in the future.

5.0 M. Masse – Real Estate Development / Management

5.1 Reimbursement of Legal Fees: Town of Alabama - \$2,250 (as reviewed by the STAMP Committee) – M. Masse asked the board to authorize reimbursement to the Town of Alabama for legal expenses related to STAMP in the amount of \$2,250. Based on contracts that have been completed at this time, there is space under the \$2M grant to include these expenses.

H. Upson asked if the Agency has received more of the detailed bills it was looking for.

M. Wiater shared that the Agency has still not received any of the detail it has requested. She asked if this was approved by the STAMP Committee.

M. Masse shared that this was reviewed by the STAMP Committee, however, since the STAMP Committee is a GCEDC Committee this is not officially recommended to the GGLDC for approval.

P. Battaglia mentioned previous conversations that the Agency has had regarding this, recalling that because we are simply reimbursing the Town for legal expenses, if they are satisfied with the billing then we are by default even if we don't like it.

W. Hinchey made a motion to approve the reimbursement of Legal Fees to the Town of Alabama related to STAMP in the amount of \$2,250 as presented; the motion was seconded by M. Wiater. Roll call resulted as follows:

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

The item was approved as presented.

5.2 P.W. Minor OCR Grant and Conflict of Interest Exception – Removed from the Agenda.

5.3 Ag Park: Raw Water Contract – Clark Patterson Lee - \$156,400 – M. Masse shared that Clark Patterson Lee has prepared an engineering contract to cover the design, permitting and construction related to the following items for the Aquifer Water access for the Genesee Valley Agri-Business Park:

1. Drilling and testing of a new 1.0 MGD production well adjacent to the City of Batavia's Well C location.
2. Installation of a well pump, piping and controls.
3. Construction of a well house and associated site work.
4. Installation of a SCADA control system that will be connected to the City of Batavia's system.
5. Improvements to the City of Batavia's current well system SCADA system.

These expenditures will be covered under the existing Office of Community Renewal Grant.

M. Masse asked the Board to approve a contract with Clark Patterson Lee for \$156,400 for Raw Water.

H. Upson made a motion to approve contract with Clark Patterson Lee for \$156,400 for Raw Water as presented; the motion was seconded by S. Noble-Moag. Roll call resulted as follows:

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

The item was approved as presented.

5.4 BETP: Purchase & Sale Agreement – Fancher Properties, LLC – M. Masse shared that Fancher Properties, LLC is looking to acquire +/- 2.6 acres in the Buffalo East Tech Park for \$130,000. The purchaser has checked the following contingencies:

- a. Development approvals
- b. Subdivision / land separation approvals
- c. Percolation and subsurface tests
- d. Sale and transfer of title contingency (includes that they need to sell their current building first)
- e. Attorney approval
- f. Environmental audit

P. Battaglia asked what type of company it was.

C. Suozzi explained that Fancher Properties, LLC is a specialty company that supports contractors with distribution and installation of interior fixtures including signage and organizational units to name a few.

T. Felton asked if they are currently based in Genesee County.

C. Suozzi shared that the company is currently based in Erie County and will be moving its operations to Genesee County.

R. Gaenzle shared that there is Anti-Pirating legislation effecting IDA's which does not allow IDA's to try to incentivize a company to move out of their current county. This is not what was done here. The facts are that the company needs to move based upon space and other needs.

M. Masse shared that the company will be meeting with Erie County and will be providing the Agency something in writing stating that no pirating was done here.

M. Masse asked the Board to approve a Purchase & Sale Agreement with Fancher Properties, LLC for approx. 2.6 acres within the Buffalo East Tech Park for \$130,000.

P. Battaglia made a motion to approve a Purchase & Sale Agreement with Fancher Properties, LLC for approx. 2.6 acres within the Buffalo East Tech Park for \$130,000 as presented; the motion was seconded by W. Hinchey. Roll call resulted as follows:

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

The item was approved as presented

5.5 GGLDC / U.S. Gypsum Grant Agreement – M. Masse shared that at the June 5, 2014 meeting the GGLDC approved an OCR grant agreement between the Town of Oakfield and the GGLDC for the Community Development Block Grant award that was made to U.S. Gypsum Company in the amount of \$196,000. The GGLDC will then make a grant to U.S. Gypsum Company

in the amount of \$180,000 with the remaining \$16,000 to be used to cover the administrative costs of delivering this grant. This agreement is between the GGLDC and U.S. Gypsum.

M. Masse asked the Board to approve the GGLDC / U.S. Gypsum Grant Agreement.

J. Rizzo made a motion to approve the GGLDC / U.S. Gypsum Grant Agreement as presented; the motion was seconded by W. Hinchey. Roll call resulted as follows:

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

The item was approved as presented

5.6 P. W. Minor, LLC RLF Request – Removed from the Agenda.

5.7 Innovation Zone Lease Agreement – T. Felton shared that there was a discussion held at the Audit & Finance Committee meeting earlier this week regarding the Innovation Zone. The MedTech Centre is held by the GGLDC and the intention of this space is not just for our use at Board meetings but to be used by other entrepreneurs and businesses. There have been discussions of what the process would be for leasing this space for other purposes and it is advisable that the GGLDC sublease the Innovation Zone space to the GCEDC so that they can manage it with the staff they have. The proposal is for the lease to be \$1 per year as the GCEDC recognizes the work and expense that goes into maintaining this space.

S. Noble-Moag made a motion to approve the Innovation Zone Lease Agreement as presented; the motion was seconded by M. Wiater. Roll call resulted as follows:

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

The item was approved as presented

6.0 S. Hyde

6.1 Nothing at this time.

7.0 R. Tabelski

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, H. Upson made a motion to adjourn at 5:25 p.m., seconded by P. Battaglia and passed unanimously.