



**GCEDC Board Meeting
Thursday, July 2, 2020
Location: Electronically
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: P. Battaglia, C. Yunker, A. Vanderhoof, T. Bender, A. Young, P. Zelif, M. Gray
Staff: L. Farrell, M. Masse, L. Casey, P. Kennett, J. Krencik, S. Hyde, C. Suozzi
Guests: D. Cunningham (GGLDC Board Member), S. Noble-Moag
(GGLDC Board Member), M. Wiater (GGLDC Board Member), T. Felton
(GGLDC Board Member), R. Gaenzle (Harris Beach)
Absent:

1.0 Call to Order

P. Zelif called the meeting to order at 4:01 p.m. via conference call / video conference.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, this Meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

1.1 Enter Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:03 p.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 A. Vanderhoof and approved by all members present.

1.2 Enter Public Session

P. Battaglia made a motion to enter back into public session at 4:19 p.m., seconded by A. Vanderhoof and approved by all members present.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, August 6th at 4:00 p.m.
Audit & Finance Committee Meeting: Tuesday, August 4th at 8:30 a.m.
STAMP Committee Meeting: Tuesday, August 4th at 10:30 a.m.

2.2 Agenda Additions / Deletions / Other Business-

M. Gray made a motion to remove Agenda item 4.2 Assessment of the Effectiveness of Internal Controls; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

P. Battaglia made a motion to add Agenda item 3.2A as Economic Development Partner Fee; the motion was seconded by A. Vanderhoof. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

2.3 Minutes: June 4, 2020

M. Gray made a motion to approve the June 4, 2020 minutes as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Fancher / Brick House Corners BETP Housing Project – Fancher Final Resoluiton – J & R

Fancher Property Holdings, LLC is proposing to construct a three-story, mixed-use building on 2 buildable acres (7.9 acres total) at Buffalo East Technology Park in Pembroke, NY.

The \$3 million project includes:

- Create 17 market-rate 1-bedroom and 2-bedroom apartments on the second and third floors with indoor parking available and a fitness center.
- Create a "vanilla" box interior space on the first floor, a total of 4 spaces, to attract commercial tenants that will comprise less than 1/3 of total project costs.

Total planned square footage of new construction is 32,254 sq. ft.

Two recent studies by LaBella Associates - the Genesee County Housing Needs Assessment - and The Rockefeller Institute of Government (SUNY's Think Tank) - Generating Growth in Genesee County - identify housing availability as Genesee County's biggest challenge in order to fully realize the value of the economic development strategy that is in-place and being implemented. LaBella Associates reported

that 4,800 units are needed in the next 20 years across multiple sectors, including rental units and single-family homes. The GCEDC would be assisting the project with a sales tax exemption valued at \$134,400 mortgage tax exemptions valued at \$25,000 and property tax exemptions valued at \$456,524.

A virtual public hearing regarding the proposed incentives for the project was held on May 26, 2020. No written or oral comments were received.

See the Statement of Compliance of Project Criteria Listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details.

Resolution No. #07/2020 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON MAY 26, 2020, WITH RESPECT TO THE J & R FANCHER PROPERTY HOLDINGS, LLC (THE "COMPANY") PROJECT; (ii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iii) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY NEW YORK STATE LAW; AND (iv) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Final resolution #07/2020-01; authorizing incentives as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.2 Fraser-Branche Property, LLC / YWCA – Final Resolution- Fraser-Branche Property, LLC is seeking to purchase and renovate the YWCA building on North St. in the City of Batavia. The company will renovate approximately 67% of the 13,000 sf facility, including new HVAC, plumbing and electrical improvements, and a complete remodel of the existing, underutilized space for an expansion of their medical practice's pediatric care. The company will lease back the remainder of the facility to the YWCA and two other existing tenants.

The company is currently leasing space on Ellicott St in the City of Batavia and will move once the North St. location is ready. The company currently employs 5 full-time equivalents and is pledging to create an additional 1.5 FTE's.

The total project capital investment is \$1.4M, including \$1.0M of related construction costs.

The project will be part of the Batavia Pathway to Prosperity (BP2) model.

GCEDC is seeking to assist the project with sales tax exemption valued at \$50,105, mortgage tax exemption valued at \$12,653 and property tax abatement for the incremental increase in assessed value using the BP2 Model 67% fixed PILOT schedule valued at \$42,761.

Note: The property is a tax-exempt property and will be placed on the taxable side of the tax rolls at its base valuation upon acquisition. The PILOT will be for only the incremental increase in assessed value based on the purchase amount and the proposed improvements.

A public hearing regarding the proposed incentives for the project was held on November 20, 2019. No written or oral comments were received.

See the Statement of Compliance of Project Criteria Listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details.

Resolution No. #07/2020 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 20, 2019, WITH RESPECT TO THE FRASER-BRANCHE PROPERTY, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY NEW YORK STATE LAW; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Final resolution #07/2020-02; authorizing incentives as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.2A Economic Development Partner Fee (Fraser-Branche Property, LLC / YWCA) –

M. Gray made a motion to approve the Economic Development Partner Fee to the Batavia Development Corp. in the amount of \$3,515 for the Fraser-Branche Property, LLC / YWCA Project; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof – Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

3.3 Batavia Senior Housing Preservation, LLC Project – Initial Resolutions- This project is a proposed recapitalization and preservation of an existing Section 8 apartment complex in the City of Batavia. The project offers 130 units to seniors 62+, all 130 units benefit from Section 8 rental subsidy. Of the 130 units, 16 are handicapped units. The Project consists of a single six-story elevator serviced building.

The proposed renovation, which is expected to include \$21,400 per unit in hard costs, will assure the Project remains viable as a safe and sanitary housing option for low income seniors for years to come. Residents will not be displaced during the rehabilitation.

GCEDC will seek to assist the project with a private activity bond, sales tax exemption, mortgage tax exemption and a property tax abatement program for the increase in future value only. For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution / economic impact of \$61 into the local / regional / state economy.

Resolution No. 07/20 – 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPEMNT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (1) TAKING OFFICIAL ACTION TOWARD THE ISSUANCE OF UP TO \$8,500,000 PRINCIPAL AMOUNT INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF FINANCING A CERTAIN PROJECT FOR THE BENEFIT OF BATAVIA SENIOR HOUSING PRESERVAITON, LLC; (2) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE ISSUER WITH RESPECT TO SUCH PROJECT; AND (3) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO SUCH FINANCING AND THE UNDERTACKING OF SUCH PROJECT.

P. Battaglia made a motion to accept initial resolution #07/2020-03, authorizing the scheduling of a public hearing; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof – Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 May 2020 Financial Statements- L. Farrell noted the following:

- Grants receivable decreased by about \$20,000. We collected two National Grid STAMP grants that were in place for 2019. These grants covered half of the 2019 e3communications STAMP contract, as well as marketing and travel expenses related to STAMP.
- On land held for development and sale there was only a small increase related to STAMP development costs.
- On the Profit & Loss Statement, no projects closed in May. However, all projects that have been projected to close and those we have approved to date are still on track to close.
- Under Grants there is \$575,000. This is STAMP Revenue, which is the recognition of the deferred revenue, the funds that ESD has given us in the imprest account.
- Expenses are where they should be to date.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the May 2020 Financial Statements as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Nothing at this time.

6.0 STAMP Committee – P. Zelif

6.1 Resolution to Submit an application for Transportation & Utility Systems & Facilities on Federal Lands – The GCEDC has completed the NEPA process with the US Fish and Wildlife for the Iroquois Refuge and received a favorable compatibility determination for the force main project at STAMP to direct discharge in the Oak Orchard Creek. The next step is to submit an Application for Transportation and Utility Systems and Facilities on Federal lands to receive our permit for construction. One of the requirements is to have the Board pass a resolution authorizing the submission of the application.

This was recommended for approval by the Committee.

Resolution No. 07/20 – 04

RESOLUTION AUTHORIZING THE GENESEE COUNTY INDUSTRIAL DEVELOPEMNT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE “AGENCY”) TO EXECUTE CERTAIN APPLICATION DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT.

A. Young made a motion authorize the Resolution to Submit an Application for Transportation & Utility Systems & Facilities on Federal Lands; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof – Yes

C. Yunker - Yes
P. Zeliff - Yes
M. Gray - Yes

The item was approved as presented.

6.2 Global Location Strategies – STAMP Site Analysis Consulting - In preparation for the next phase of marketing of the WNY STAMP site and the STAMP North and STAMP South campuses to companies, the GCEDC has engaged with Global Location Strategies (GLS) on a proposal for a reverse site search. The project would commence in August 2020 and provide the GCEDC with a deep evaluation of our site readiness, site marketing, and industry targets as STAMP. GLS is a leading site selection and location advisory firm, and their leadership proposes to perform a site asset analysis, a target industry audit, a site competitiveness analysis, and a marketing evaluation over three phases. Recommendations to the GCEDC will be provided throughout the process and at completion of the reverse site search. The project is intended to confirm STAMP's market placement and provide prioritized guidance as the GCEDC staff prepares delivery of site readiness, site infrastructure, project financing structures, and site marketing for a launch to market for projects at the shovel-ready 400-acre STAMP South Campus and 850-acre STAMP North campus. Based on the project proposal, and a requested National Grid matching grant, the estimated cost of all phases would be covered by the GCEDC's 2020 budget.

This was recommended for approval by the Committee.

A. Young made a motion to authorize contracting with Global Location Strategies for up to \$55,000, contingent upon a 50% matching grant from National Grid; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof – Yes

C. Yunker - Yes
P. Zeliff - Yes
M. Gray - Yes

The item was approved as presented.

7.0 Employment & Compensation – T. Bender

7.1 Nothing at this time.

8.0 Other Business

8.1 Nothing at this time.

9.0 Other Business

10.0 Adjournment

As there was no further business, M. Gray made a motion to adjourn at 4:42 p.m., which was seconded by A. Vanderhoof and passed unanimously.