



**Thursday, February 2, 2017**  
**Upstate MedTech Centre – Suite 107**  
**4:00 PM**

## **GCEDC MINUTES**

### **Attendance**

Board Members: M. Wiater, M. Gray, C. Yunker, J. Rizzo, M. Davis, P. Zelif

Staff: S. Hyde, L. Farrell, M. Masse, E. Richardson, C. Suozzi, R. Tabela, P. Kennett

Guests: T. Felton (GGLDC Board Member), H. Upson (GGLDC Board Member), G. Torrey (GGLDC Board Member), J. Krencik (The Daily News)

Absent: P. Battaglia

### **1.0 Call to Order**

#### **1.1 Enter Executive Session**

P. Zelif made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:00pm 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 C. Yunker and approved by all members present.

#### **1.2 Enter Public Session**

C. Yunker made a motion to enter back into public session at 4:23pm, seconded by J. Rizzo and approved by all members present.

### **2.0 Chairman's Report & Activities**

**2.1 Upcoming Meetings** – P. Battaglia reviewed the upcoming meeting dates with the Board.

**Next Scheduled Board Meeting: Thursday, March 2<sup>nd</sup> at 4:00pm**

**GCEDC Annual Meeting: Friday, March 3<sup>rd</sup> at 12:00pm**

STAMP Committee Meeting: Thursday, February 23<sup>rd</sup> at 8:00am – *Rescheduled to February 28<sup>th</sup> at 11:00am*

Audit & Finance Committee Meeting: Tuesday, February 28<sup>th</sup> at 3:00pm – *Rescheduled to 1:00pm*

**2.2 Agenda Additions / Deletions / Other Business** – P. Zelif asked the Board to removed item 6.1 National Grid Support Services Agreement from the agenda.

**P. Zelif made a motion to approve the agenda additions/deletions as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

### **3.0 Report of Management**

**3.1 Nothing at this time.**

#### **4.0 Audit & Finance Committee – M. Gray**

**4.1 December 2016 Unaudited Financial Statements** - All expenditures are in line with the budget except as noted. There was a decrease in restricted cash as the \$107K Sandvoss Farms GAIN! Loan closed in December. The Agency closed on the Gateway I land sale in December and there were \$500K worth of STAMP improvements that were capitalized. The Empire Pipeline project participation fee was collected in December, but will not be earned until the company receives approval from FERC (Federal Energy Regulatory Commission).

**M. Gray made a motion to approve the December 2016 Unaudited Financial Statements as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

**4.2 Invest Buffalo Niagara (IBN) Funding** – Our agency currently invests in the IBN, a non-profit member supported business development and regional marketing organization, to assist with marketing and business development. IBN is an integral partner in our sales/marketing efforts for the attraction of new companies to our community.

M. Wiater asked if there was a way to monitor their value in terms of leads and other services.

R. Tabelski explained that IBN produces about 30 leads per year, which is about 20% of our sales funnel. Other services beyond regional site selection include marketing and design services, online property listing (CLS system) for development sites, business intelligence including demographics reports and mapping supporting our sales efforts, graphics design services for collateral development, ads, and other marketing materials as well as publicizing and supporting the GCEDC and STAMP throughout the Buffalo metro area as well as the Western New York Regional Council.

The Committee recommends approval of a renewal of the \$25,000 Invest Buffalo Niagara (IBN) marketing support funding. This investment was included within the 2017 budget.

**M. Gray made a motion to approve the Invest Buffalo Niagara 2017 Funding as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

**4.3 Dedication of Gateway I Parcel to Town of Batavia** – The GCEDC would like to dedicate parcel 8.-1-45.116 located in the Gateway I Corporate Park to the Town of Batavia. This parcel consists of .47 acres and is labeled as a “potential future roadway” on the subdivision map.

The Committee recommends approval of the dedication of parcel 8.-1-45.116 at Gateway I to the Town of Batavia.

**M. Gray made a motion to approve the dedication of parcel 8.-1-45.116 at Gateway I to the Town of Batavia as presented; the motion was seconded by P. Zeliff. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

**4.4 ECIDA Shared Services Agreement for IT Services** - The GCEDC has a shared services agreement with Erie County Industrial Development Agency (ECIDA) for on call IT support services. The GCEDC had this agreement in 2016 and was very pleased with the service and response time to our issues. They were also instrumental in 2016 in assisting us with major IT replacement including our main server, replacement laptops, iPads for the Board and software upgrades. We would like to continue this agreement in 2017. The agreement is at an hourly rate of \$85 per hour, not to exceed \$10,000 in 2017 and was included in the 2017 budget.

The Committee recommends approval of continuing the Support Services Agreement with costs not to exceed \$10,000.

**M. Gray made a motion to approve ECIDA Shared Services Agreement for IT Services; the motion was seconded by M. Wiater. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

## **5.0 Governance & Nominating Committee – J. Rizzo**

**5.1 Nothing at this time.**

## **6.0 STAMP Committee – P. Zeliff**

**6.1 National Grid Support Services Agreement** – Removed from the agenda.

**6.2 Town of Alabama 2017 Project Reimbursement Agreement** – During discussions with the Town of Alabama and the STAMP Tech Team, there were additional scope of work items that needed to be addressed in 2017 that the Town will need to utilize their Town attorney and consultants to complete. They have provided the cost amount and Phillips Lytle has drafted a Project Expense Agreement. The total estimated cost of these services is not to exceed \$148,000. This expense will be covered under the existing \$33 million NY ESD Grant, and \$108,000 is within budget of the regulatory, industry and permitting line item while the other \$40,000 is included in the Phase I and Phase II water project construction line item.

The Committee recommends approval of the 2017 Project Reimbursement Agreement with the Town of Alabama not to exceed \$148,000.

**P. Zeliff made a motion to approve Town of Alabama 2017 Project Reimbursement Agreement as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

**6.3 Phillips Lytle – Additional Scope of Work** – Phillips Lytle has prepared a proposal for an additional scope of work for 2017. This work will cover some of the issues that have come up over the last year of the project. It is expected not to exceed \$98,000 and will be covered under the existing \$33 million NY ESD grant, and is within budget of the regulatory, industry and permitting line item, electrical, sewer construction, and program management line items.

The Committee recommends approval of a contract with Phillips Lytle not to exceed \$98,000.

**P. Zeliff made a motion to approve the Phillips Lytle additional scope of work not to exceed \$98,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

**6.4 CC Environment & Planning Contract – Phase II of Request for Additional Information –** The GCEDC had submitted our Joint Permit Application (JPA) to the New York State Department of Environmental Conservation (DEC) and the United States Army Corps. Of Engineers (USACE) in October of 2013. After review, both agencies have sent out Request for Additional Information (RAI) in connection with the proposed impacts and mitigation of wetlands, tributaries, and buffer area at the STAMP site in connection with the proposed Master Plan. Based on the RAI that was received, CC Environment & Planning has drafted a new scope of work to address the DEC and USACE's questions so we can continue to keep moving this project forward and continue the momentum we currently have with the agencies. The total proposal was for \$160,440, however, \$80,000 (Phase 1) of this contract was covered under the \$2 million NYS ESD grant that has since been closed out and was previously approved by the board. The GCEDC is now looking to complete the JPA process with the USACE and is seeking to authorize Phase II of that contract of \$80,440. This expense is included in the \$33 million NYS ESD grant under the budget line item for regulatory, industry and permitting.

The Committee recommends approval of the contract with CC Environment & Planning for Phase II Request for Additional Information not to exceed \$80,440.

**P. Zeliff made a motion to approve the CC Environment & Planning Contract not to exceed \$80,440 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

**6.5 CC Environment & Planning Contract – Environmental Assessment for USFWS Right of Way Request** - The GCEDC has submitted a right of way request through Federal lands owned and managed by US Fish & Wildlife Service (USFWS). After receiving the request, USFWS determined that that 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 majority of this information is already available through the previous 6 years' worth of work that the Tech Team has completed on the STAMP project, although some specific information as it relates to the refuge will need to be compiled. This contract will complete the work necessary to submit the Environmental Assessment not to exceed \$19,010. Funds to pay this expense are included in the \$33 million NYESD grant under the construction budget line item for sewer construction.

The Committee recommends approval of a contract with CC Environment & Planning for Phase II of Request for Additional Information not to exceed \$19,010.

**P. Zeliff made a motion to approve the CC Environment & Planning Contract not to exceed \$19,010 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

## **7.0 Employment & Compensation Committee**

7.1 Nothing at this time.

## **8.0 Other Business**

## **9.0 Adjournment**

As there was no further business, J. Rizzo made a motion to adjourn at 4:41 p.m., which was seconded by J. Yunker and passed unanimously.