



**Tuesday, June 27, 2017  
Upstate MedTech Centre – Suite 107  
5:00 PM**

## **GCEDC MINUTES**

### **Attendance**

Board Members: P. Battaglia, M. Gray, C. Yunker, P. Zeliff, J. Rizzo, M. Davis  
Staff: S. Hyde, L. Farrell, M. Masse, E. Richardson, C. Suozzi, R. Tabelski, P. Kennett  
Guests:  
Absent: M. Wiater

### **1.0 Call to Order**

P. Battaglia called the meeting to order at 5:00 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

### **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, July 13<sup>th</sup> at 4:00pm**

Audit & Finance Committee Meeting: Tuesday, July 11<sup>th</sup> at 8:30am

STAMP Committee Meeting: Tuesday, July 11<sup>th</sup> at 10am

**2.2 Agenda Additions / Deletions / Other Business**

### **3.0 Report of Management**

**3.1 Project Diary – Final Resolution** – C. Suozzi shared that a company is proposing to refurbish and restart the current idle Muller Quaker Dairy processing plant in Batavia, NY. Plans are to invest \$205M in facility, processing and filling equipment, and building improvements including adding new construction of a 100,000-sq. ft. refrigerated warehouse. The company would pledge to create 230 FTE's and purchase milk supply regionally through its network, if they complete the acquisition. The company is completing its due diligence prior to any potential purchase which includes the approval of any potential incentives.

They are asking for assistance from the GCEDC with a sales tax exemption, mortgage tax exemption and property tax exemption. Because incentives are valued at more than \$100,000, a public hearing was held. A copy of the public hearing minutes from earlier today were passed out and the Board was given a few minutes to read them. All comments received related to the project were positive.

The Board reviewed the Statement of Compliance of Project Criteria. See 'Attachment A'.

C. Suozzi asked the Board to approve Resolution No. 06/2017-03, authorizing the incentives.

Resolution No. 06/2017-03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (i) MAKING A DETERMINATION WITH RESPECT TO THE HP HOOD LLC PROJECT (THE "PROJECT") PURSUANT TO SEQRA, (ii) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN ASSIGNMENT AND ASSUMPTION OF AGREEMENTS, AN AGENT AGREEMENT, AN AMENDED AND RESTATED LEASE AGREEMENT, AN AMENDED AND RESTATED LEASEBACK AGREEMENT, AN AMENDED AND RESTATED TAX AGREEMENT AND RELATED DOCUMENTS; AND (iii) AUTHORIZING FINANCIAL ASSISTANCE WITH RESPECT TO THE PROJECT 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, AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT.

**C. Yunker made a motion to approve Project Diary – Final Resolution No. 06/2017-03 as presented; the motion was seconded by P. Zeliff. Roll call resulted as follows:**

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

**The item was approved as presented.**

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

4.1 Nothing at this time.

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

5.1 Nothing at this time.

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

6.1 Nothing at this time.

#### **7.0 Employment & Compensation Committee**

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, J. Rizzo made a motion to adjourn at 5:15p.m., which was seconded by C. Yunker and passed unanimously.



Project Name: Project Dairy

Board Meeting Date: June 27, 2017

## STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

### PROJECT DESCRIPTION:

The company is proposing to refurbish and restart the current idle Muller Quaker Dairy processing plant in Batavia, NY. Plans are to invest \$205 million in facility, processing and filling equipment, building improvements including adding new construction of 100,000 sq. ft. refrigerated warehouse. The company would pledge to create 230 FTE's and purchasing milk supply regionally through its network, if they complete the acquisition. The company is completing its due diligence prior to any potential purchase which includes the approval of any potential incentives.

**Criteria #1** – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

**Project details:** The project would pledge to create 230 FTE's at an average salary of \$47,000.

**Board Discussion: None**

**C. Yunker made a motion to approve the Project Dairy – Criteria #1; the motion was seconded by P. Zelif. Roll call resulted as follows:**

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

The item was approved as presented.

Board Concurrence: **YES** NO If no, state justification:

**Criteria #2-** Completion of the Project will enhance the long-term tax base and/or make a significant capital investment.

**Project details:** The project would enhance long term tax base with the current 363,000 sq. ft. plus expansion of 100,000 sq.ft. and \$205 million in new capital investment.

**Attachment A**

**Board Discussion: None**

**M. Gray made a motion to approve the Project Diary – Criteria #2; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**Board Concurrence:**  YES  NO **If no, state justification:**

**Criteria #3-** The Project will contribute towards creating a “liveable community” by providing a valuable product or service that is underserved in Genesee County.

**Project details:** The project would consume large volumes of regional dairy milk output in its production process.

**Board Discussion: None**

**M. Davis made a motion to approve the Project Diary – Criteria #3; the motion was seconded by P. Zelif. Roll call resulted as follows:**

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

**The item was approved as presented.**

**Board Concurrence:**  YES  NO **If no, state justification:**

**Criteria #4:** The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

**Project details:** For every \$1 of public benefit the company would invest \$45 into the local economy, not including the regional impact of potential local milk purchases.

**Attachment A**

**Board Discussion: None**

**C. Yunker made a motion to approve the Project Diary – Criteria #4; the motion was seconded by M. Davis. Roll call resulted as follows:**

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

**The item was approved as presented.**

**Board Concurrence:**  YES  NO **If no, state justification:**

**Criteria #5:** The Project is included in one of the Agency’s strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

**Project details:** This proposed project would impact the Agri-business and Food Processing industry sector with their local customer base.

**Board Discussion: None**

**C. Yunker made a motion to approve the Project Diary – Criteria #5; the motion was seconded by M. Davis. Roll call resulted as follows:**

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

**The item was approved as presented.**

**Board Concurrence:**  YES  NO **If no, state justification:**

**Criteria #6:** The Project will give a reasonable estimated timeline for the completion of the proposed project.

**Project details:** The project would plan to begin construction in Summer of 2017 and be operational by first quarter of 2019.

**Board Discussion: None**

**Attachment A**

**J. Rizzo made a motion to approve the Project Diary – Criteria #1; the motion was seconded by P. Zelif.**

**Roll call resulted as follows:**

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

**The item was approved as presented.**

**Board Concurrence:**  YES  NO **If no, state justification:**