



Thursday, July 12, 2018
Upstate MedTech Centre – Innovation Zone
4:00 PM

GCEDC MINUTES

Attendance

Board Members: P. Battaglia, T. Bender, M. Gray, A. Young, C. Yunker, P. Zeliff, A. Vanderhoof

Staff: L. Farrell, M. Masse, E. Richardson, P. Kennett, S. Hyde

Guests: B. Broder (Pearl Solar/Cypress Creek) J. Krencik (The Daily News), G. Torrey (GGLDC Board Member), D. Cunningham (GGLDC Board Member), T. Felton (GGLDC Board Member), J. Gsell (Genesee County), R. Gaenzle (Harris Beach)

Absent:

1.0 Call to Order

P. Zeliff called the meeting to order at 4:00 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

P. Zeliff welcomed Amy Vanderhoof as the newest GCEDC board member.

Presentations:

Pearl Solar Presentation / Q&A

Ben Broder of Cypress Creek Renewables (Pearl Solar) gave an overview of their project, including a history of their company, the economic benefits of solar projects and their PILOT request. He then offered to answer any questions the Board may have.

C. Yunker asked what percentage of projects have similar incentives in place.

B. Broder shared that in New York, all of their current projects need PILOTs, or some type of exemption, in place in order to be successful.

C. Yunker asked if the current parcel(s) being considered for their project are currently being farmed and receiving an agriculture exemption. He also asked if a soil survey was performed to determine the quality of the soil.

B. Broder shared that the land is not currently being farmed. He is unaware if the current owners are receiving an agriculture exemption or if a soil survey has been performed.

D. Cunningham asked what the life expectancy was on their equipment.

B. Broder shared that the solar panels currently have a 25-30-year life. This lines up with their lease agreement which would be for 20 years.

P. Zeliff asked if this project was receiving any other incentives.

B. Broder shared that they have secured a NYSERDA grant for this project.

B. Broder and J. Krencik left the meeting at 4:26 p.m.

1.1 Enter Executive Session –

T. Bender made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:26 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 M. Gray and approved by all members present.

P. Battaglia joined the meeting at 4:40 p.m.

1.2 Enter Public Session –

M. Gray made a motion to enter back into public session at 5:10 p.m., seconded by T. Bender and approved by all members present.

J. Krencik re-joined the meeting at 5:10 p.m.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday August 2nd at 4pm

****GLOW Corporate Cup (Possibly move meeting to 3pm) ****

Audit & Finance Committee Meeting: Tuesday, July 31st at 8:30 a.m.

STAMP Committee Meeting: Tuesday, July 31st at 10:30 a.m.

2.2 Agenda Additions / Deletions / Other Business – None.

2.3 Minutes: June 7, 2018

A. Young made a motion to approve the June 7, 2018 minutes; the motion was seconded by P. Battaglia. Roll call resulted as follows:

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

The item was approved as presented.

T. Felton joined the meeting at 5:15 p.m.

3.0 Report of Management

3.1 J Rental – Final Resolution – M. Masse shared that the company is looking to build a 60,000 sq. ft. facility at Apple Tree Acres in Bergen, NY on a 19.5-acre lot. The company is planning to invest approx. \$6.3M and create 15 new jobs. They are seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$271,200, a mortgage tax exemption valued at approx. \$20,000 and a property tax

abatement valued at approx. \$432,608. As benefits exceed \$100,000, a public hearing was held. Two members of the community were present and asked a few questions about the project. Minutes of the public hearing were shared with the Board.

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

M. Masse asked the Board to approve resolution No. 07/2018-01, approving incentives for this project.

Resolution No. 07/2018-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JUNE 26, 2018, WITH RESPECT TO THE J RENTAL, INC. (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 LAW; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to approve the J. Rental Final Resolution No. 07/2018-01 as presented; the motion was seconded by T. Bender. 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 LanCor Development Corp – Final Resolution – M. Masse shared that the company is seeking to build a new 12,000 sq. ft. facility at the new LeRoy Food & Tech Park. The company is planning to invest approx. \$1.3M and create 5 new jobs and retain 7. They are seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$40,000 and a property tax abatement valued at approx. \$82,209. As benefits exceed \$100,000, a public hearing was held. There were no members of the community present.

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

M. Masse asked the Board to approve resolution No. 07/2018-02, approving incentives for the project.

Resolution No. 07/2018-02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JUNE 27, 2018, WITH RESPECT TO THE LANCOR DEVELOPMENT CORP. (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, AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

A. Young made a motion to approve the LanCor Development Corp. Resolution No. 06/2018-02 as presented; the motion was seconded by C. Yunker. 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.

3.3 Pearl Solar – Initial Resolution – The company is planning two community solar farm projects in the Town of Batavia. Both projects have the same address but will have separate tax map ID numbers. Each project is a 2 MW solar generating system that will be interconnected with national Grid for a combined total of 4 MW.

M. Masse asked the Board to approve resolution No. 07/2018-03, accepting the application and scheduling a public hearing.

Resolution No. 07/2018-03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION WITH RESPECT TO A CERTAIN PROJECT, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to approve the Initial Resolution of Pearl Solar 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 -	No	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.4 Pearl Solar II – Initial Resolution – The company is planning two community solar farm projects in the Town of Batavia. Both projects have the same address but will have separate tax map ID numbers. Each project is a 2 MW solar generating system that will be interconnected with national Grid for a combined total of 4 MW.

M. Masse asked the Board to approve resolution No. 07/2018-04, accepting the application and scheduling a public hearing.

Resolution No. 07/2018-04

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION WITH RESPECT TO A CERTAIN PROJECT, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to approve the Initial Resolution of Pearl Solar II 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 -	No	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

4.0 Audit & Finance Committee – M. Gray

4.1 May 2018 Financial Statements- The May 2018 financial statements were reviewed in detail with the Committee. A brief overview was given; it was noted that restricted cash increased due to \$4M being received from Genesee County for water improvements in the Town of Alabama and the Town of Pembroke, and other Phase II improvements. This caused loans payable to increase by \$4M as well. All expenditures are in line with the budget, except as noted. This was recommended for approval by the Committee.

M. Gray made a motion to approve the May 2018 Financial Statements; 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.

4.2 Audit & Finance Committee Charter – The Audit & Finance Committee Charter is being recommended for approval by the Committee. There were no recommended changes at this time.

M. Gray made a motion to approve the Audit & Finance Committee Charter as presented; the motion was seconded by T. Bender. 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.

4.3 Site Access License Agreement – LanCor Development- M. Masse shared that in connection with a project at the Leroy Food & Technology Park, LanCor Development is seeking to start earthwork, grading and construction prior to closing on the land purchase. The Site Access Agreement will allow the company to begin work while the land sale closing gets completed, which is anticipated to happen by the end of July or early August.

M. Gray shared that the Committee recommended approval contingent upon receipt of the company's deposit for the land.

M. Masse shared that he confirmed with Harris Beach that they did receive the company's deposit.

M. Gray made a motion to approve the Site Access Agreement with LanCor Development contingent upon receipt of deposit 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.

4.4 City of Batavia Funding Request - S. Hyde shared that Matt Worth, Interim City Manager, sent a request to the GCEDC Board of Directors for funding support of \$10k to be a portion of a "match" by local partners to apply, via CFA, for an Empire State Development (ESD) "matching grant" for strategic planning/feasibility study activities as it relates to the Batavia City Centre campus.

Summary information related to the request is reflected below:

- This request has emerged from the Batavia City Centre property planning sub-team consisting of GCEDC (S. Hyde, R. Tabelski), the Batavia City manager (M. Worth) and the Batavia Development Corporation (BDC) (P. Cipollone, J. Pacatte). The formation of this sub-team and GCEDC "active" participation was discussed back in January 2018 with the GCEDC board of directors.
- Batavia City Council is aware of this activity and has approved funding of the grant writing expense with LaBella Associates along with its portion of local match of up to \$10K.
- Total CFA request to ESD will be in the \$40K - \$60K range.
- CFA application deadline to NYS is 4PM, 7/27/2018.
- Scope of Work: The CFA application for ESD strategic planning/feasibility funding looks to explore enhancement options associated with the Batavia City Centre campus and associated costs.

S. Hyde shared that this request largely ties to the phase 2 discussion of the GCEDC strategic assessment process that was discussed last month with the GCEDC board of directors. \$10K was appropriated to support phase 2 activities once better defined. Since Batavia City Center campus enhancement is a transformation strategic implementation project tied to the GCEDC strategic assessment process and activities that GCEDC is engaged with and better defines key activities as it relates to the Phase 2 GCEDC strategic assessment, he requests the GCEDC board consider approval of the \$10K local matching funds to go along with the City's funding commitment of same supporting this grant application for funding to NYS to enable the Batavia City Centre planning study.

C. Yunker made a motion to approve a payment of \$10K to the City of Batavia for matching funds supporting a grant application for funding to enable the Batavia City Centre planning study; 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.

5.0 Governance & Nominating Committee

5.1 Nothing at this time

6.0 STAMP Committee – P. Zelif

6.1 Town of Alabama Invoice – Road and Road Infrastructure Costs- The GCEDC has completed the site plan approval of design and engineering of the roadway, including storm water maintenance. The Town of Alabama hired Wendel Engineering to review the plans and recommend any actions to the Planning Board. The Planning Board approved the project. While reviewing the internal accounting regarding the bills, the Town found a bill that had not been sent over to the GCEDC for reimbursement. Since the road site plan review was not included in the reimbursement agreement, the GCEDC approved these bills as they were sent over. The GCEDC has received the final invoice in connection with this review in the amount of \$284.94.

C. Yunker made a motion to approve reimbursement to the Town of Alabama for \$284.94 for road infrastructure expenses related to STAMP; 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.

7.0 Employment & Compensation Committee – T. Bender

7.1 Nothing at this time.

8.0 Other Business

9.0 Adjournment

As there was no further business, M. Gray made a motion to adjourn at 5:28 p.m., which was seconded by T. Bender and passed unanimously.



Project Name: J Rental, Inc.

Board Meeting Date: July 12, 2018

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

PROJECT DESCRIPTION:

The company is looking to build 60,000 sq.ft. facility at Apple Tree Acres in Bergen, NY on 19.5-acre lot.

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

Project details: The project will create 15 FTE’s at an average salary range of \$30,000-\$35,000 per job.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #1; the motion was seconded by M. Gray.

Roll call resulted as follows:

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

The items were 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 will enhance long term tax base with a planned new facility of 60,000 sf and \$6,334,000 in capital investment. We are proposing a standard 60% average abatement PILOT.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #2; 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 items were 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: n/a

Board Discussion:

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 is investing \$14 into the local and regional economy. See economic impact report for further details.

Board Discussion: None.

A. Young made a motion to concur with Criteria #4; 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. Zeliff - Yes
M. Gray - Yes

The items were 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: n/a

Board Discussion:

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 is planning to begin construction in Fall of 2018 and be operational by summer of 2019.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #6; the motion was seconded by A. Young.

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 items were approved as presented.

Board Concurrence: YES NO If no, state justification:



Project Name: LanCor Development Corp

Board Meeting Date: July 12, 2018

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

PROJECT DESCRIPTION:

The company is looking to build a 12,000 sq.ft. facility at Leroy Food & Tech Park.

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

Project details: The project will create 5 FTE’s and retain 7 at an average salary range of \$40,000-\$70,000 per job.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #1; the motion was seconded by T, Bender.

Roll call resulted as follows:

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

The items were 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 will enhance long term tax base with a planned new facility of 12,000 sf and \$1,300,000 in capital investment. We are proposing a standard 60% average abatement PILOT.

Board Discussion: None.

T. Bender made a motion to concur with Criteria #2; the motion was seconded by A. Young.

Roll call resulted as follows:

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

P. Zelif - Yes
M. Gray - Yes

The items were 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: n/a

Board Discussion:

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 is investing \$28.5 into the local and regional economy. See economic impact report for further details.

Board Discussion: None.

M. Gray made a motion to concur with Criteria #4; 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 items were 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: The company does advanced manufacturing

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #5; the motion was seconded by A. Young.

Roll call resulted as follows:

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

The items were 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 is planning to begin construction in Summer of 2018 and be operational by Spring of 2019.

Board Discussion: None.

T. Bender made a motion to concur with Criteria #6; the motion was seconded by A. Young.

Roll call resulted as follows:

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

The items were approved as presented.

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