



Thursday, June 25, 2015
Upstate MedTech Centre – Suite 107
11:15 AM

GCEDC MINUTES

Attendance

Board Members: W. Hinchey, R. Cianfrini, M. Wiater, J. Rizzo, P. Battaglia, C. Yunker
Staff: S. Hyde, L. Farrell, M. Masse, R. Tabelski, C. Suozzi, P. Kennett
Guests: T. Felton (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), H. Upson (GGLDC Board Member), Rachel Endress (Harris Beach), Michael Pettinella (Buffalo News), Michael Nolan (WROTBC), Paul Mrozek (The Daily News), Tracey Turner (The Batavian)
Absent: P. Zelif

1.0 Call to Order / Enter Public Session

W. Hinchey called the meeting to order at 11:45 am in the Upstate MedTech Centre Innovation Zone conference room.

1.1 Executive Session

P. Battaglia made a motion to enter into the executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 11:45 am, for the following reasons:

- Discussions regarding proposed, pending or current litigation.
- To discuss 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. Wiater and approved by all members present.

1.2 Re-Enter Public Session

C. Yunker made a motion to enter back into public session at 11:55 a.m., seconded by P. Battaglia and approved by all members present.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings – W. Hinchey reviewed the upcoming meetings with the Board.

2.2 Agenda Additions – W. Hinchey asked the Board to approve adding item 2.3 Acceptance of P. Zelif's resignation from the GGLDC Board to the agenda.

J. Rizzo made a motion to approve adding item 2.3 to the agenda; the motion was seconded by M. Wiater. Roll call resulted as follows:

W. Hinchey -	Yes	C. Yunker -	Yes
P. Zelif -	Absent	M. Wiater -	Yes
R. Cianfrini -	Yes	P. Battaglia -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

2.3 Acceptance of P. Zelif's Resignation from the GGLDC Board (as recommended by the Governance Committee) – W. Hinchey asked the Board to accept P. Zelif's resignation from the GGLDC Board.

J. Rizzo made a motion to accept P. Zelif's resignation from the GGLDC Board; the motion was seconded by M. Wiater. Roll call resulted as follows:

W. Hinchey -	Yes	C. Yunker -	Yes
P. Zelif -	Absent	M. Wiater -	Yes
R. Cianfrini -	Yes	P. Battaglia -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

3.0 C. Suozzi: VP of Business Development

3.1 ADK Hospitality – C. Suozzi shared that the company is proposing to build an 82 room hotel in a 4 story art deco structure that will be constructed on the property to be conveyed to applicant by Western Region Off Track Betting (WROTB). The hotel will be connected by an enclosed passage way to Batavia Downs Gaming’s facility and will serve as an important amenity to the gaming, restaurant, banquet and racing activities at Batavia Downs. The WROTB board has decided that to retain the current customer base and attract new customers to the facility that they need to have an onsite hotel for guests. The addition of the hotel will ensure that the Down’s facility will continue to be a premiere destination tourism attraction for the region. Additional benefits will be realized by local taxing jurisdictions immediately after construction of the hotel as the property is not currently on the tax rolls, but will be taxable upon the change in ownership. The PILOT being considered will have the property paying 50% of assessed value in the first year of occupancy. The total capital investment is approximately \$5,489,000; the company will be creating 25 new jobs. The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$262,720, a mortgage tax exemption valued at approx. \$46,113, and a property tax exemption valued at approx. \$329,358. An economic impact analysis was done and for every \$1 of public benefit, the company is investing \$16.20 into the local economy.

3.1a Public Hearing Minutes Review – C. Suozzi shared that a public hearing was held for ADK Hospitality on June 22nd as benefits exceed \$100,000. A transcript of the minutes was disbursed to the Board in advance of today’s meeting. C. Suozzi asked the Board if they had any questions or comments regarding the public hearing.

P. Battaglia asked if C. Suozzi could help the Board understand why this project is considered ‘Tourism Destination’ and what is different about this project than the Clarion project.

S. Hyde shared that the difference, when looking at what’s allowed within statute, is that we have a project here that is part of a destination model that would enable increased visitors from outside the economic development region of our community, which officials define as the nine counties included in the Finger Lakes Region. A new construction of a hotel that is fully integrated into the existing Downs facility will draw in visitors from outside of this region. This statement is backed by a market study confirming what the statute requires. This project fits within the four corners of what the law allows for an IDA to participate and award incentives.

He also shared that compared to assertions made by the Clarion Hotel, they did in fact qualify as a ‘Tourist Destination’ in 2010 when they constructed a water park and received a full package of IDA benefits which were more substantial than those that are being proposed today. Since that project was done, the law has changed which has greatly restricted IDA’s involvement in retail projects. More recent projects done by the Clarion did not fall under the exceptions of the new law, therefore the IDA was not able to participate in offering benefits.

C. Yunker shared that one of the things he likes best about this project is that this property is being conveyed to a private developer in turn placing it back on the tax rolls. That is a nice change from the direction that often happens. He believes that the benefits of the project to the community outweigh the concerns.

3.1b Final Resolution – C. Suozzi asked the Board to approve Resolution No. 06/2015-03.

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (i) MAKING A DETERMINATION WITH RESPECT TO THE ADK HOSPITALITY, LLC (THE "COMPANY") PROJECT PURSUANT TO SEQRA, (ii) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS; (iii) PROVIDING 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 AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) AN EXEMPTION FROM NEW YORK STATE AND LOCAL MORTGAGE RECORDING TAXES; AND (iv) AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND RELATED DOCUMENTS.

J. Rizzo made a motion to approve Resolution No. 06/2015-03 as presented; the motion was seconded by M. Wiater. Roll call resulted as follows:

W. Hinchey - Yes C. Yunker - Yes

P. Zelif -	Absent	M. Wiater -	Yes
R. Cianfrini -	Yes	P. Battaglia -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

3.2 Manning Squire Hennig – C. Suozzi shared that the company is planning to expand their corporate office and maintenance facilities in the Town of Batavia. A new 5,000 sq. ft. shop will be constructed. Two additions will be constructed on the main building adding 4,500 sq. ft. of office space. The existing shop and office space will be renovated as part of this project as well. The total capital investment is approximately \$1,300,000; the company will be retaining 88 jobs and creating 5 new jobs. The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$66,800, mortgage tax exemption valued at approx. \$12,500 and a property tax exemption, based on the incremental increase in assessed value, valued at approx. \$91,256. An economic impact analysis was done and for every \$1 of public benefit, the company is investing \$32.55 into the local economy.

3.2a Public Hearing Minutes Review - C. Suozzi shared that a public hearing was held for Manning Swuire Hennig on June 23rd as benefits exceed \$100,000. A copy of the minutes was disbursed to the Board in advance of today’s meeting. C. Suozzi asked the Board if they had any questions or comments regarding the public hearing.

C. Yunker wished to add that this is a great project and they are a great business that is great for the community.

3.2b Final Resolution – C. Suozzi asked the Board to approve Resolution No. 06/2015-04.

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (i) MAKING A DETERMINATION WITH RESPECT TO THE MANNING-SQUIRE-HENNIG CO., INC. PROJECT PURSUANT TO SEQRA, (ii) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS; (iii) PROVIDING FINANCIAL ASSISTANCE TO MANNING-SQUIRE-HENNIG CO., INC. (THE "COMPANY") IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) AN EXEMPTION FROM THE NEW YORK STATE MORTGAGE RECORDING TAX; AND (iv) AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND RELATED DOCUMENTS.

R. Cianfrini made a motion to approve Resolution No. 06/2015-04 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

W. Hinchey -	Yes	C. Yunker -	Yes
P. Zelif -	Absent	M. Wiater -	Yes
R. Cianfrini -	Yes	P. Battaglia -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

4.0 L. Farrell: Chief Financial Officer

4.1 Nothing at this time.

5.0 M. Masse: Senior VP of Operations

5.1 Nothing at this time.

6.0 S. Hyde: President & CEO

6.1 Nothing at this time.

7.0 R. Tabelski- Marketing & Communications Director

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; C. Yunker made a motion to adjourn at 12:00 p.m., seconded by J. Rizzo and passed unanimously