



**Tuesday, July 11, 2017  
Upstate MedTech Centre – Innovation Zone  
11:00 AM**

**GCEDC MINUTES**

**Attendance**

Board Members: P. Battaglia, M. Gray, C. Yunker, P. Zeliff

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

Guests: T. Felton (GGLDC Board Member), H. Upson (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), G. Torrey (GGLDC Board Member), E. Wells (e3communications)

Absent: M. Wiater, M. Davis, J. Rizzo

**1.0 Call to Order**

P. Battaglia called the meeting to order at 11:00 a.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, August 3<sup>rd</sup> at 4:00pm – Rescheduled to 3pm**  
**\*\*GLOW Corporate Cup (possibly move meeting earlier)**  
 Audit & Finance Committee Meeting: Tuesday, August 1<sup>st</sup> at 8:30am – **Rescheduled to July 28<sup>th</sup> at 8:30am**  
 STAMP Committee Meeting: Tuesday, August 1<sup>st</sup> at 10am – **Rescheduled to July 28<sup>th</sup> at 10am**

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

**2.3 Minutes: June 1, 2017 and June 12, 2017**

**C. Yunker made a motion to approve the June 1, 2017 and June 12, 2017 Meeting Minutes as presented; the motion was seconded by M. Gray. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3.0 Report of Management**

**3.1 ADVJ Realty, LLC (Coach Tony’s) – Final Resolution –** M. Masse shared that Coach Tony’s food processor of sauces, has been a long-time business operating out of a leased building in the Town of Bergen. The company plans to expand, relocate and construct a 5,000-sq. ft. building on 3 acres at Apple Tree Acres. The GCEDC has previously approved a purchase and sale agreement for 3+/- acres

in Apple Tree Acres Corporate Park. The company plans to invest approx. \$380,000 and create 2.5 FTE, retaining 3 FTE.

The company is asking for assistance from the GCEDC with a sales tax exemption valued at approx. \$11,600 , a mortgage tax exemption valued at approx. \$3,125 and a property tax exemption valued at approx. \$35,592. A public hearing was not held as incentives do not exceed \$100,000.

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

M. Masse asked the Board to approve Resolution No. 07/2017-01, authorizing the incentives.

Resolution No. 07/2017-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (i) MAKING A DETERMINATION WITH RESPECT TO THE ADVJ REALTY, LLC PROJECT (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) 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 AUTHORIZED BY NEW YORK STATE LAW; AND (iv) AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND RELATED DOCUMENTS.

**C. Yunker made a motion to approve ADVJ Realty, LLC (Coach Tony's) – Final Resolution No. 07/2017-01 as presented; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

**The item was approved as presented.**

**3.2 Freightliner & Western Star of Batavia, LLC – Final Resolution –** M. Masse shared that the company is expanding from its current location in West Seneca, NY to a second location on State St. Rd. in the Town of Batavia. The facility includes new construction of a 40,000-sq. ft. parts warehouse and services center. The company is planning on hiring 24 FTE's in Batavia with a capital investment of \$7,120,000. The project will be located along the NY State Thruway and next door to Genesee Valley Educational Partnership (GVEP). The GVEP graduates are considered "ideal" workforce for the new facility.

The company is seeking assistance from the GCEDC with a mortgage tax exemption valued at approx. \$350,000, sales tax exemption valued at approx. \$360,000 and a property tax exemption, based on the incremental increase in assessed value, valued at approx. \$267,804. A public hearing was held on July 29, 2016 as benefits exceed \$100,000. A copy of the public hearing minutes are attached to the meeting materials. There was an increase in square footage and capital investment since the original application, but the scope of the project remains the same.

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

M. Masse asked the Board to approve Resolution No. 07/2017-02, authorizing the incentives.

**C. Yunker made a motion to approve Freightliner & Western Star of Batavia, LLC. – Final Resolution No. 07/2017-02 as presented; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

**The item was approved as presented.**

**3.3 2% Tax Cap Legislation** – S. Hyde shared since the 2% tax cap legislation has been in effect there have been difficulties recoding Payment In lieu of Taxes (PILOT) properties into the “Tax Levy Growth Factor” due to how the law was written. As a result, communities that are successful in attracting new economic growth through incentives provided by an Industrial Development Agency (IDA) are penalized, thereby preventing taxing jurisdictions – especially school districts – from gaining tax revenue they would otherwise receive if the project did not receive assistance from an IDA.

New recommended legislation has passed both the Assembly and the Senate in the 2017 session, and will generate additional revenue for school districts and other local governments. It will treat Industrial Development Agencies (IDA) projects the same as other property for purposes of the two percent real property tax cap. The new legislation would correct this inequity by allowing properties that are subject to a PILOT agreement to be included in the Tax Levy Growth Factor.

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

**4.1 May 2017 Financial Statements** – The May 2017 financial statements were reviewed with the Committee earlier today. A brief overview was given; all expenditures are in line with the budget, except as noted. The financial statements are being recommended for approval by the Committee.

**M. Gray made a motion to approve May 2017 Financial Statements as presented; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

**The item was approved as presented.**

**4.2 2018 Budget Timeline** – L. Farrell shared the 2018 budget timeline with the Board to ensure that the budget is approved by the September deadline for submission to the County.

**4.3 Corfu Waste Water Treatment Facility Expansion Funding** - The GGLDC’s Buffalo East Tech Park (BETP) is currently in the Town of Pembroke’s sewer district that discharges into the Village of Corfu’s Waste Water Treatment Facility (WWTF). That facility is designed to handle 135,000 gallons per day (gpd) of waste flow. The plant is currently at, or near, capacity. The GGLDC approved paying for 50% of

a CPL contract to split with the Town of Pembroke to design, engineer and permit an expansion to that facility, not to exceed \$100,000 in October of 2016. The total estimated cost of the expansion is approximately \$4,000,000. The Town has asked the GCEDC/GGLDC if they can contribute any funds towards the construction of the expansion. The GCEDC currently has approximately \$97,500 remaining from a Town of Pembroke grant where the funds are restricted in their use for infrastructure and development costs at the BETP. This funding is contingent upon the Town of Pembroke modifying their original Local Law from 2009 to include language to allow these funds to be utilized towards infrastructure, including a possible expansion/construction of a WWTF.

The Committee is recommending approval of a commitment of the balance of the restricted funds to go towards the Town of Pembroke's design, engineering, permitting and construction costs of the WWTF expansion in Corfu, currently approximately \$97,500, contingent upon the Town of Pembroke modifying their original Local Law from 2009 to include language to allow these funds to be utilized towards infrastructure, including a possible expansion/construction of a WWTF.

**M. Gray made a motion to approve the Corfu Waste Water Treatment Facility Funding 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

**The item was approved as presented.**

**4.4 Sandvoss GAIN! Loan Fund Request** - Sandvoss Farms has requested making a second loan from the GAIN! Loan fund. Empire State Development (ESD) has given approval to make a second loan to Sandvoss Farms in the amount of for \$170,749, contingent upon GCEDC approval.

Sandvoss Farms, LLC processes pasteurized cheese, milk and yogurt from raw goat's milk produced on their farm in East Bethany, NY. They will be using the funds to construct a new refrigeration and storage facility, and site work to improve access and traffic flow. A new hoop house will be built for feed and material storage and a new goat nursery facility. Additional funds for the project will come from a National Grid grant, a NYSERDA grant and an equity contribution from the owners in the form of cash.

The \$170,749 term loan will have an interest rate of 1% per annum and will be amortized over a 10-year term. The loan will be secured by a first position lien filing against the property being constructed as well as a personal guarantee of the members/owners. The project will allow the company to continue to expand their operations. This loan was reviewed by the Committee and is brought forth to the Board without recommendation. M. Gray suggested tabling this item to next month's agenda given that P. Battaglia would need to abstain on this item and therefore the item would not pass.

**M. Gray made a motion to table the Sandvoss GAIN! Loan Fund Request as presented to next month's meeting; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

The item was tabled and will be presented at the next meeting.

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

**5.1 Nothing at this time.**

**6.0 STAMP Committee – P. Zelif**

**6.1 Access Roadway – Recommendation of Award** – P. Zelif shared that a total of six bids were received for the access road construction from Route 77/63. The low bidder was Keeler Construction of Albion, NY with a Base Bid amount of \$1,577,620, Alternate Bid 1 amount of \$111,600 for top course and striping for the access road and an Alternate Bid 2 of \$432,845 for the NYS Route 77/63 turn lane. Clark Patterson Lee has reviewed their qualifications and have discussed their bid in detail. They feel the bid received is a true representation of the costs to complete this project and that the contractor is qualified to complete to the work.

The Committee recommends accepting the bid and award the contract to Keeler Construction for a Base Bid amount of \$1,577,620, Alternate Bid 1 amount of \$111,600 and an Alternate Bid 2 amount of \$432,845, for a total contract award amount of \$2,122,065. This contract will be covered under the \$33M ESD grant.

**P. Zelif made a motion to approve the Access Roadway – Recommendation of Award as presented; the motion was seconded C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**6.2 Purchase of Mitigation Credits** - P. Zelif shared that in connection with the construction of the access roadway, there are unavoidable impacts to wetlands and it is necessary to have a culvert crossing where three “tributaries” converge on the site. These impacts have been permitted by the US Army Corps of Engineers (USACE) through a Nationwide permit. The USACE has issued this permit to authorize permanent impacts to approx. .41 acres of federally-regulated wetlands and 254 linear feet of stream. Impacts to wetlands greater than .10 acres trigger mitigation requirements. As a condition of this permit, the USACE has directed the GCEDC to purchase .5 credits from the Ducks Unlimited In-Lieu Fee Mitigation Program in the Niagara River Service Area. The GCEDC must supply a copy to the USACE of the signed Credit Sale Letter verifying acceptance of the full payment for the appropriate credits prior to commencement of construction. The credit purchase is a one-time fee. There are no further cost requirements associated with monitoring or contingency. Liability for the mitigation requirement transfers to Ducks Unlimited upon credit purchase.

The Committee recommended approval to purchase the appropriate mitigation credits in the amount of \$41,500.

**P. Zelifff made a motion to approve the Purchase of Mitigation Credits as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**6.3 Long-Term Management Plan** – P. Zelifff shared that this was discussed at the Committee meeting today. There were some changes that need to be made and will be brought back before the Committee next month for a final review before bringing it to the full Board.

**6.4 Material Testing for Roadway** – P. Zelifff shared that in connection with the construction of the entrance road at STAMP, Clark Patterson Lee has recommended that construction testing services be performed on the work by an independent third party. They have requested three quotes that would include the following work:

- a. Witness proof rolling of subgrade soils prior to placement of subbase materials
- b. Compaction testing of select fill material
- c. Compaction testing of subbase materials
- d. Compaction testing of asphalt courses

The low bidder was SJB Services, Inc. with a bid of \$10,000

The Committee recommended approval of a contract with SJB Services, Inc. for Materials Testing for Roadway Construction at STAMP not to exceed \$10,000. This will be covered under the \$33M ESD grant.

**P. Zelifff made a motion to approve the Material Testing for Roadway as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

## **7.0 Employment & Compensation Committee**

**7.1 Nothing at this time.**

## **8.0 Other Business**

P. Battaglia shared that he has spoken with R. Gaenzle (Harris Beach) and confirmed that M. Waiter is able to serve in the same capacity as GCEDC Vice-Chair and Employment & Compensation Committee Chair until either she is reappointed or a replacement is appointed.

## **9.0 Adjournment**

As there was no further business, P. Zelif made a motion to adjourn at 11:20 a.m., which was seconded by C. Yunker and passed unanimously.



Attachment A

**Project Name:** ADVJ Realty LLC (Coach Tony's)

**Board Meeting Date:** July 11, 2017

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

### PROJECT DESCRIPTION:

Coach Tony's, a specialty food processor of sauces, has been a long-time business operating out of a leased building in town of Bergen. The company is expanding, relocating and planning on constructing a 5,000-sq. ft. building on 3 acres at Apple Tree Acres. The GCEDC has previously approved a purchase and sale agreement for 3 +/- acres in Apple Tree Acres Corporate Park.

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

**Project details:** Currently, the company has 3 FTE and is planning on adding 2.5 FTE's after the project is completed.

**Board Discussion: None.**

**P. Zelif made a motion to approve the ADVJ Realty, Inc. (Coach Tony's) – Criteria #1; the motion was seconded by MG. Roll call resulted as follows:**

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

**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 will enhance long term tax base with their new 5,000 sq.ft. facility and \$380,000 in capital investment.

**Board Discussion:**

**M. Gray made a motion to approve the ADVJ Realty, Inc. (Coach Tony's) – Criteria #2; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

Attachment A

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: N/A

Board Discussion:

**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 \$155 into the local economy.

Board Discussion: None.

C. Yunker made a motion to approve the ADVJ Realty, Inc. (Coach Tony’s) – Criteria #4; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

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: Impacts the Agri-business and Food Processing strategic industry.

Board Discussion: None.

C. Yunker made a motion to approve the ADVJ Realty, Inc. (Coach Tony’s) – Criteria #5; the motion was seconded by P. Zelif. Roll call resulted as follows:

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

P. Zelif -	Yes
M. Gray -	Yes

Attachment A

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 is planned to begin construction in Fall of 2017 and operation by 4<sup>th</sup> quarter of 2018.

**Board Discussion:** None.

**C. Yunker made a motion to approve the ADVJ Realty, Inc. (Coach Tony's) – Criteria #6; the motion was seconded by P. Zelif. Roll call resulted as follows:**

P. Battaglia -	Yes
M. Wiater -	Absent
M. Davis -	Absent
J. Rizzo -	Absent

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

The item was approved as presented.

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



Attachment B

**Project Name:** Freightliner & Western Star of Batavia, LLC

**Board Meeting:** July 11, 2017

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

**PROJECT DESCRIPTION:**

The company is expanding from West Seneca, NY to its second location on State. St. Rd in the town of Batavia. The facility includes new construction of 40,000 sq. ft. parts warehouse and service center. The company is planning on hiring a minimum of 24 FTE's in Batavia. The ideal location will be along NY State Thruway and next door to Genesee Valley BOCES. The GV BOCES graduates are seen as "ideal" workforce for the new facility.

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

**Project details:** The company is pledging to create a minimum of 24 FTE's at an average salary of over \$43,750.

**Board Discussion: None.**

**C. Yunker made a motion to approve the Freightliner and Western Star of Batavia, LLC – Criteria #1; 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

**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 will enhance long term tax base with their new 40,000 sq.ft. facility and \$7,120,000 in capital investment.

Board Discussion: None.

Attachment B

**P. Zelif made a motion to approve the Freightliner and Western Star of Batavia, LLC – Criteria #2; the motion was seconded by M. Gray. Roll call resulted as follows:**

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

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 company is enhancing education and workforce development with a partnership with Genesee Valley Education Partnership (BOCES).

Board Discussion: None.

**M. Gray made a motion to approve the Freightliner and Western Star of Batavia, LLC – 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 -	Absent	M. Gray -	Yes
J. Rizzo -	Absent		

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 is investing \$22.50 into the local economy.

Board Discussion: None.

**M. Gray made a motion to approve the Freightliner and Western Star of Batavia, LLC – Criteria #4; 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 - Absent  
J. Rizzo - Absent

M. Gray - Yes

Attachment B

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:** The project is indirectly related to all strategic industries.

**Board Discussion: None.**

**C. Yunker made a motion to approve the Freightliner and Western Star of Batavia, LLC – Criteria #5; the motion was seconded by M. Gray. Roll call resulted as follows:**

P. Battaglia - Yes  
M. Wiater - Absent  
M. Davis - Absent  
J. Rizzo - Absent

C. Yunker - Yes  
P. Zelif - Yes  
M. Gray - 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 is planned to begin construction by Fall of 2017 and operation by 4<sup>th</sup> quarter of 2018.

**Board Discussion: None.**

**C. Yunker made a motion to approve the Freightliner and Western Star of Batavia, LLC – Criteria #6; the motion was seconded by P. Zelif. Roll call resulted as follows:**

P. Battaglia - Yes  
M. Wiater - Absent  
M. Davis - Absent  
J. Rizzo - Absent

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

The item was approved as presented.

Board Concurrence:  YES NO If no, state justification: