



**Thursday, February 1, 2018  
Upstate MedTech Centre – Innovation Zone  
4:00 PM**

**GCEDC MINUTES**

**Attendance**

Board Members: P. Zelif, M. Gray, A. Young, P. Battaglia (via video conference)

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

Guests: T. Felton (GGLDC Board Member), D. Cunningham (GGLDC Board Member), M. Wiater (GGLDC Board Member), G. Torrey (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), R. Gaenzle (Harris Beach), J. Krencik (The Daily News), Shawn Merry, Lee Schuknecht (L&M Specialty Fabrication), Sarah Geissler (L&M Specialty Fabrication), Matt Geissler (L&M Specialty Fabrication), Jack Scoville (Haskell), Jerry Langford (Haskell), Juan Salom (Haskell)

Absent: C. Yunker, J. Rizzo, T. Bender

**1.0 Call to Order**

P. Zelif called the meeting to order at 4:03 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

**Presentation: L&M Specialty Fabrication**

Lee Schuknecht shared that they are a business that manufactures and repairs custom farm equipment. They are planning on building a 23,000 sq. ft. facility on Saile Drive near Bank St. Rd. in the Town of Batavia. The company will invest \$2.2M into this project. They see a lot of opportunity here in Genesee County for this type of business. The company manufactures mostly onion harvesting equipment. There is a lot of interest for their type of work from all over the country and even internationally. Another main part of their business will be repairing farm equipment with custom parts.

C. Suozzi shared that their initial resolution was approved in September of 2016. A public hearing was held, and they are now ready to seek final approval for their project.

Lee Schuknecht, Sarah Geissler, and Matt Geissler left the meeting at 4:10 p.m.

**1.1 Enter Executive Session**

M. Gray made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:10 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 A. Young and approved by all members present.

Jack Scoville, Jerry Langford, and Juan Salom joined the meeting at 4:30 p.m. and left the meeting at 4:56 p.m.

### **1.2 Enter Public Session**

M. Gray made a motion to enter back into public session at 5:40 p.m., seconded by A. Young and approved by all members present.

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

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

**Next Scheduled Board Meeting: Thursday, March 8<sup>th</sup> at 4:00 p.m.**

**GCEDC Annual Meeting: Friday, March 9<sup>th</sup> at 12:00 p.m.**

Audit & Finance Committee Meeting: Tuesday, March 6<sup>th</sup> at 8:30 a.m.

STAMP Committee Meeting: Tuesday, March 6<sup>th</sup> at 10:30 a.m.

Governance & Nominating Committee Meeting: Thursday, March 8<sup>th</sup> at 3:00 p.m.

STAMP Committee Meeting: Tuesday, March 27<sup>th</sup> at 10:30 a.m.

Audit & Finance Committee Meeting: Thursday, March 29<sup>th</sup> at 3:00 p.m.

**Board Meeting: Thursday, March 29<sup>th</sup> at 4:00 p.m.**

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

**P. Battaglia made a motion to approve adding item 5.3 Local Labor Waiver Request to the agenda and removing item 6.1 National Grid Cost Reimbursement Agreement from the agenda; the motion was seconded by A. Young. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
| T. Bender -    | Absent                 | P. Zelif -  | Yes    |
| A. Young       | Yes                    | M. Gray -   | Yes    |
| J. Rizzo -     | Absent                 |             |        |

**The item was approved as presented.**

**2.3 Minutes: January 11, 2018** – The minutes were tabled until next month.

## **3.0 Report of Management**

**3.1 L&M Specialty Fabrication Resolution** - C. Suozzi reminded the Board that L&M Specialty Fabrication, LLC is planning on building a 23,000 sq. ft. (previously estimated on 9/1/16 at 21,000 sq. ft.) facility on Saile Drive near Bank St. Rd. in the Town of Batavia. The company manufactures and repairs predominately agriculture specialty equipment. The company is seeking assistance from the GCEDC for a sales tax exemption valued at approx. \$84,000 (previously estimated on 9/1/16 at \$77,072) and a property tax abatement of approx. \$158,656 (previously estimated on 9/1/16 at \$124,850). No mortgage tax exemption is currently being requested (previously estimated on 9/1/16 at \$21,625). A public hearing was held on September 21, 2016 as benefits exceeded \$100,000. All comments received at the public hearing have been previously shared with the Board.

Resolution No. 02/2018-01

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 SEPTEMBER 21, 2016 WITH RESPECT TO THE L&M SPECIALTY FABRICATION, LLC (THE "COMPANY") PROJECT

(AS DEFINED BELOW, THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (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.

**M. Gray made a motion to approve the L&M Specialty Fabrication Resolution No. 02/2018-01 as presented; the motion was seconded by A. Young. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
| T. Bender -    | Absent                 | P. Zeff -   | Yes    |
| A. Young       | Yes                    | M. Gray -   | Yes    |
| J. Rizzo -     | Absent                 |             |        |

**The item was approved as presented.**

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

**4.1 December 2017 Unaudited Financial Statements** – The December 2017 Unaudited financial statements were reviewed with the Board. A brief overview was given; accounts payable consists mostly of STAMP related expenditures and the grants receivable increased because of STAMP related expenditures as well. All other expenditures are in line with the budget, except where noted.

**M. Gray made a motion to approve the December 2017 Unaudited Financial Statements; the motion was seconded by A. Young. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
| T. Bender -    | Absent                 | P. Zeff -   | Yes    |
| A. Young       | Yes                    | M. Gray -   | Yes    |
| J. Rizzo -     | Absent                 |             |        |

**The item was approved as presented.**

**4.2 Apple Tree Acres Land Swap** – The GCEDC has sold property in the past at the Apple Tree Acres park that was part of a proposed roadway out to Route 19. The GCEDC has had to look at alternate ways for a road to connect out. One way is along the southern end of the property that is to the east of RJ Properties, LLC that would square off their parcel. RJ Properties, LLC has proposed a land swap of 1.22 acres shown as Parcel A (70' wide to accommodate a future roadway) they would give to the GCEDC in exchange for 2.98 acres shown as Parcel B as a straight up swap. One of the factors to consider is the black dots on the map which show the location of the electric lines that were installed a few years ago. In order for RJ Properties, LLC to utilize the parcel that they would receive, they would need to have those poles relocated at their own cost (which could be \$100,000 per acre additional cost).

**This item will be tabled until next month.**

**4.3 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 2017 and was very pleased with the service and response time

to our issues. We would like to continue this agreement in 2018. The agreement is at an hourly rate of \$85. The staff would like Board approval to spend up to \$8,000 on these services in 2018. The \$8,000 is what was included in the 2018 budget that was approved by the Board for 2018. In 2017 we budgeted \$10,000, but only spent \$2,285.07.

**M. Gray made a motion to approve the ECIDA Shared Services Agreement for IT Services not to exceed \$8,000 for 2018; the motion was seconded by A. Young. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
| T. Bender -    | Absent                 | P. Zelif -  | Yes    |
| A. Young       | Yes                    | M. Gray -   | Yes    |
| J. Rizzo -     | Absent                 |             |        |

**The item was approved as presented.**

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

**5.1 Authority Self-Evaluation of Prior Year Performance –** M. Masse shared that Public Authorities are required to perform a self-evaluation of prior year’s goals/measurements annually. This report will be submitted to the ABO. In previous years the Committee/Board has reviewed the Agency’s results separately. To streamline the process, the Agency’s results are being presented using this form.

The Agency had 16 project wins in 2017, with a total pledged capital investment of \$240 million and 288 pledged jobs. These projects resulted in a combined \$915 million economic impact.

This is being recommended for approval by the Committee.

**P. Zelif made a motion to approve the Authority Self-Evaluation of Prior Year Performance; the motion was seconded by A. Young. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
| T. Bender -    | Absent                 | P. Zelif -  | Yes    |
| A. Young       | Yes                    | M. Gray -   | Yes    |
| J. Rizzo -     | Absent                 |             |        |

**The item was approved as presented.**

**5.2 Mission Statement & Measurement Report –** M. Masse shared that the Authority’s Board must annually review the authority’s mission statement and performance goals to ensure that its mission has not changed and that the authority’s performance goals continue to support its mission. This report will be submitted to the ABO.

M. Masse added that the capital investment and job creation goals are based on an average of the last four years of actual pledged capital investment and job creation. Mega projects and one-time larger projects were removed from this average as shown in a spreadsheet provided to the Committee. The other suggested goals are somewhat over-arching goals that the entire staff can work towards achieving.

This is being recommended for approval by the Committee.

**P. Zelif made a motion to approve the Mission Statement & Measurement Report; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
|----------------|------------------------|-------------|--------|

|             |        |            |     |
|-------------|--------|------------|-----|
| T. Bender - | Absent | P. Zelif - | Yes |
| A. Young    | Yes    | M. Gray -  | Yes |
| J. Rizzo -  | Absent |            |     |

**The item was approved as presented.**

**5.3 Local Labor Waiver Request** – M. Masse shared that 4 local labor waiver requests have been submitted to the GCEDC by Haskell Engineering (General Contractor for HP Hood, LLC project). The reasons for the requests are as follows:

1. Warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation only approved installers,
2. Specialized construction for which qualified Local Labor Area Workers are not available, and
3. Cost differentials in bids whereby use of local labor significantly increases the construction cost of the project.

Resolution No. 02/2018-02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER GRANTING HP HOOD LLC's REQUEST FOR FOUR WAIVERS FROM THE LOCAL LABOR REQUIREMENT.

**P. Zelif made a motion to approve Resolution No. 02/2018-02, subject to receiving additional information that was requested by the Board; the motion was seconded by M. Gray. Roll call resulted as follows:**

|                |                        |             |        |
|----------------|------------------------|-------------|--------|
| P. Battaglia - | Yes (video conference) | C. Yunker - | Absent |
| T. Bender -    | Absent                 | P. Zelif -  | Yes    |
| A. Young       | Yes                    | M. Gray -   | Yes    |
| J. Rizzo -     | Absent                 |             |        |

**The item was approved as presented.**

**6.0 STAMP Committee – P. Zelif**

**6.1 ~~National Grid Cost Reimbursement Agreement~~** – Removed from the agenda.

**7.0 Employment & Compensation Committee**

**7.1 Nothing at this time.**

**8.0 Other Business**

**9.0 Adjournment**

As there was no further business, P. Battaglia made a motion to adjourn at 5:50 p.m., which was seconded by M. Gray and passed unanimously.