

**Genesee County Economic Development Center  
Meeting Agenda**

Thursday, March 2, 2023

Location: 99 MedTech Drive, Innovation Zone

<b>PAGE #</b>	<b>1.0</b>	<b>Call to Order</b>	<b>4:00 pm</b>
	1.1	<b>Enter Public Session</b>	<b>4:00 pm</b>
		Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 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.	
	2.	Discussions regarding proposed, pending or current litigation.	
	1.2	<b>Enter Public Session</b>	<b>5:05pm</b>
	<b>2.0</b>	<b>Chairperson's Report &amp; Activities</b>	<b>5:05pm</b>
	2.1	Upcoming Meetings: <b>Next Scheduled Board Meeting: Thursday, March 30<sup>th</sup> at 4 p.m.</b> Audit & Finance Committee Meeting: Thursday, March 30 <sup>th</sup> at 3:00 p.m. STAMP Committee Meeting: Wednesday, March 29 <sup>th</sup> at 8 a.m.	
	2.2	Agenda Additions / Deletions / Other Business <b>**Vote</b>	
<b>2-14</b>	2.3	Minutes: February 2, 2023 <b>**Vote</b>	
	<b>3.0</b>	<b>Report of Management –</b>	<b>5:10pm</b>
<b>15-22</b>	3.1	Horizon Acres Associates, Inc. –	
<b>23-24</b>	a.	UTEP <b>**Vote</b> M. Masse	
<b>25-72</b>	b.	Final Resolution <b>**Vote</b> M. Masse	
<b>73</b>	3.2	Appointment of Member to NY Green <b>**Vote</b> M. Masse	
	<b>4.0</b>	<b>Audit &amp; Finance Committee – M. Gray</b>	<b>5:20pm</b>
<b>74</b>	4.1	Investment Report <b>**Vote</b>	
<b>75-106</b>	4.2	Procurement Report <b>**Vote</b>	
<b>107-108</b>	4.3	County Mowing Contract <b>**Vote</b>	
	<b>5.0</b>	<b>Governance &amp; Nominating Committee – C. Yunker</b>	<b>5:25pm</b>
<b>109-112</b>	5.1	Authority Self-Evaluation of Prior Year Performance <b>**Vote</b>	
<b>113-116</b>	5.2	Mission Statement & Measurement Report <b>**Vote</b>	
	<b>6.0</b>	<b>STAMP Committee – P. Zeliff</b>	<b>5:30pm</b>
<b>117-118</b>	6.1	Tree Purchases for Planting <b>**Vote</b>	
<b>119</b>	6.2	Easement Approvals <b>**Vote</b>	
	<b>7.0</b>	<b>Employment &amp; Compensation Committee – T. Bender</b>	<b>5:35pm</b>
	7.1	Nothing at this time.	
	<b>8.0</b>	<b>Housing Committee – P. Battaglia</b>	<b>5:35pm</b>
	8.1	Nothing at this time.	
	<b>9.0</b>	<b>Other Business</b>	<b>5:35pm</b>
	9.1	Nothing at this time.	
	<b>10.0</b>	<b>Adjournment</b>	<b>5:35pm</b>



**GCEDC Board Meeting**  
**Thursday, February 2, 2023**  
**Location: 99 MedTech Drive, Innovation Room**  
**4:00 PM**

**GCEDC MINUTES**

**Attendance**

Board Members: M. Gray, C. Kemp, M. Clattenburg, T. Bender  
Staff: L. Farrell, M. Masse, S. Hyde, L. Casey, J. Krencik, C. Suozzi (Video Conference), P. Kennett  
Guests: D. Cunningham (GGLDC Board Member), J. Tretter (GGLDC Board Member), Brian Quinn (Daily News), S. Noble-Moag (GGLDC Board Member), T. Felton (GGLDC Board Member), M. Fitzgerald (Video Conference), Linda Logan (Seneca Nation)  
Absent: C. Yunker, P. Battaglia, P. Zeliff

**1.0 Call to Order**

M. Gray called the meeting to order at 4:02 p.m. in the Innovation Zone.

Linda Logan left the meeting at 4:02 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 4:02 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.
2. Discussions regarding proposed, pending, or current litigation.

The motion was seconded by M. Clattenburg and approved by all members present.

**1.2 Enter Public Session**

M. Clattenburg made a motion to enter back into public session at 4:36 p.m., seconded by T. Bender and approved by all members present.

Linda Logan returned to the meeting at 4:36 p.m.

B. Quinn joined the meeting at 4:38 p.m.

**2.0 Chairman's Report & Activities**

**2.1 Upcoming Meetings:**

**Next Scheduled Board Meeting: Thursday, March 2<sup>nd</sup> at 4:00 p.m.**

Audit & Finance Committee Meeting: Tuesday, February 28<sup>th</sup> at 8:30 a.m.

STAMP Committee Meeting: Wednesday, March 1<sup>st</sup> at 8:00 a.m.

J. Krencik stated that the annual meeting will be held on April 28, 2023.

**2.2 Agenda Additions / Deletions / Other Business** – Nothing at this time.

**2.3 Minutes: January 12, 2023**

**M. Clattenburg made a motion to accept the January 12, 2023 minutes; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**3.0 Report of Management**

**3.1 SEQR Resolution** – In the SEQR resolution, which was included with the meeting materials, was the timeline and record of previous action taken on SEQR by the GCEDC as Lead Agency. The resolution also describes the scope of the items analyzed under this SEQR review.

M. Masse stated that this SEQR Resolution covers 1) the Edwards Vacuum project, 2) the Scannell Properties project and 3) infrastructure updates. The GCEDC has taken a hard look at the impacts and can recommend a negative declaration consistent of findings with the General Environmental Impact Study (GEIS) completed in 2012.

M. Fitzgerald reviewed the SEQR resolution in detail with the Board. Some of the key points are as follows:

1) Section I of the Resolution states the findings with respect to the current proposed STAMP development.

1) Section II of the Resolution analyzes the impacts of these projects (Edwards Vacuum, Scannell Properties and Infrastructure updates) as compared to the thresholds that were established in the original GEIS from 2012, specifically evaluating the impacts on land, geological features, surface water, groundwater, flooding, air, plants and animals, agricultural land resources, aesthetic resources, historic and archeological resources, open space and recreation, critical environmental areas, transportation, energy, noise, odor and light, public health, character and community plans, disadvantaged communities.

Just prior to the meeting, the GCEDC received a letter from the Tonawanda Seneca Nation objecting to the approval of the SEQR Resolution, stating that the approval is based on false, misleading, and outdated information. The letter stated that this SEQR approval does not take into consideration the Draft Determination of Eligibility for listing of the Nation’s Reservation Territory on the National Register of Historic Places. Additionally, the letter states that there are other false and misleading statements within the resolution.

M. Fitzgerald responded to the letter by stating that the Draft Determination of Eligibility for listing of the Nation's Reservation Territory on the National Register of Historic Places is not a public document yet. Further, when it becomes a public document, it will be incorporated into all future environmental reviews. SEQR also requires expedient action. Therefore, the implication that that the GCEDC should await the arrival of such documentation is improbable.

M. Fitzgerald then responded to the four points highlighted within the Tonawanda Seneca Nation's letter to the GCEDC dated January 31, 2022 but received February 2, 2022.

- 1) **Nation Comment:** The Tonawanda Seneca Nation objected to the GCEDC taking lead agency status for SEQRA purposes on Monday, October 31.  
**GCEDC Response:** The Tonawanda Seneca Nation is not an involved agency. Only an involved agency can object to lead agency status under SEQR.
- 2) **Nation Comment:** The GCEDC did not incorporate the Nation's comments into a revised SEQR Resolution of August 2022 and refused to take any of the action requested by the Nation and promptly issued an "amended" SEQR Resolution that merely added the dates of Nation's letters to a list of documents the GCEDC considered.  
**GCEDC Response:** In July of 2022, the GCEDC adopted a SEQR resolution. Thereafter, the GCEDC received a letter from the Nation with comments related to that resolution. The Board then amended that SEQR resolution in response to the comments received by the Nation. Currently, it is unclear, the Nation's specific objection(s) to the revised resolution.
- 3) **Nation Comment:** There has been no analysis of the impacts of the Scannell project, Edwards Vacuum, or the proposed Infrastructure on the Nation's culture or as a disadvantaged community under the Climate Leadership and Community Protection Act.  
**GCEDC Response:** One of the purposes of the development of STAMP, is to assist in rectifying the disadvantaged community status. Additionally, the SEQR resolution includes, and always has, included impacts on noise light and pollution. All environmental impacts have been mitigated to the maximum extent practicable, which is the obligation of SEQR and always has been.
- 4) **Nation Comment:** The Nation objects to the cultural resource screening document that was prepared.  
**GCEDC Response:** It was prepared pursuant to the process that is required in SEQR.

Having considered the Environmental Information, STAMP Environmental Record, and having considered the relevant environmental impacts, associated with the Current Proposed STAMP Development, and having weighed and balanced the relevant impacts with social, economic and other considerations, the Agency recertifies that:

- (i) The requirements of 6 N.Y.C.R.R. Part 617 have been met; and
- (ii) Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the Project remains one which avoids or minimizes adverse environmental effects to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable



by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

**Fund commitment:** None.

**Committee action request:** Recommend to the full Board that the Agency adopt by a majority vote the Negative Declaration (as defined in 6 N.Y.C.R.R. 617.2(y)), and is issued by the Agency pursuant to and in accordance with SEQRA, shall take effect immediately.

Resolution No. 02/2023 – 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO AMEND A NEGATIVE DECLARATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT CONCERNING CURRENT PROPOSED STAMP DEVELOPMENT THE WESTERN NEW YORK SCIENCE & TECHNOLOGY ADVANCED MANUFACTURING PARK.

**T. Bender made a motion to approve the SEQR Resolution 02/2023 – 01 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**3.2 Atlas Copco USA Holdings Inc & Subsidiaries (Edwards Vacuum)** - Edwards Vacuum is planning on building a dry pump manufacturing facility and two-story office building at STAMP for Phase I of their semiconductor supply chain factory of the future.

The new facility will produce approximately 20,000 dry pumps by 2026 at current forecast levels. The project aims to reshore the vacuum pump manufacturing to STAMP to support the company's US customers and the ambition behind the federal CHIPS Act program.

The Phase I capital investment will be \$212 million and plans to create 343 FTE's.

Edwards Vacuum is requesting assistance from the GCEDC with a sales tax exemption estimated at \$4,344,000, and a property tax abatement estimated at \$12,855,790, via a 20-year fixed 50% PILOT, for a total of approximately \$17,199,790 in estimated tax incentives.

A public hearing was held on January 31, 2023. No written or oral comments were received.

**3.2a UTEP** - The Board acknowledged that the UTEP was provided with meeting materials and concurs with each criterion. See the Statement of Compliance of Project Criteria listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details and Board approvals.

3.2b Final Resolution -

Resolution No. 02/2023 - 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 JANUARY 31, 2023, WITH RESPECT TO THE ATLAS COPCO USA HOLDINGS 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 AND (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

**M. Clattenburg made a motion to accept Final Resolution #2/2023-02, authorizing incentives as presented; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

**4.0 Audit & Finance Committee**

**4.1 D&O Insurance Renewal** - Lawley Insurance has provided us with a proposal for renewal of our current Directors & Officers/Employment Practices Liability Insurance with Travelers. The renewal price reflects a price of \$20,925 which would be split 50/50 between the GCEDC and GGLDC. This is an overall price increase of only \$2,739 (\$1,369.50/entity) compared to the current policy. The current policy expires on 2/23/2023.

Lawley did send our information to market, but noted that they received various declinations due to class of business or the recently settled claim.

The cost of this policy would be split between the GCEDC and GGLDC (\$10,462.50/entity). Each entity has included \$9,005 in their 2023 budget for this expense.

Lawley included a proposal for a mid-term re-write on cyber insurance to address the gap in coverage for the new STAMP entities. Our current carrier is not able to include the STAMP entities on our current policy due to the nature of operations. They were able to get another option for us, but retention is increased from \$10,000 to \$25,000 and the premium is double. There may be alternative options available at renewal. Given the lack of activity currently in the Water and Sewer Works Corps, staff's recommendation is to readdress this at renewal (7/1). The Committee agreed with this recommendation.

This item was recommended for approval by the Committee.

**M. Gray made a motion to approve the D & O Insurance Renewal with Travelers to be split 50/50 between the EDC and LDC as presented; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**4.2 December 2022 Unaudited Financial Statements** - L. Farrell reviewed the December 2022 unaudited financial statements with the Board. The following was noted:

- On the balance sheet, restricted cash decreased by about \$550,000 related to the \$8 Million and \$33 Million STAMP imprest accounts. GURFs were submitted to ESD and expenditures were paid in December.
- Prepaid expenses increased significantly related to the NYS retirement payment remitted in December. Accrued expenses decreased significantly for the same reason.
- On the P&L, we exceeded budget for origination fees at the end of December. We had budgeted \$375,000 and collected about \$405,000. We received the second half of the Mega Properties origination fee in December.
- Most operating expenses are within budget, except where anticipated. Property taxes are a little over budget but not by a large dollar amount.
- Other potential anticipated adjustments to the financial statements include increased accounts payable and the GASB 68 audit adjustment related to deferred pension inflows and outflows.

The financial statements were reviewed in detail by the Committee and are recommended for approval.

**M. Gray made a motion to approve the December 2022 Unaudited Financial Statements as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**4.3 Local Labor Monitoring & Reporting Proposal** - At the October 1, 2019 meeting, the GCEDC staff presented a sample proposal from Loewke Brill Consulting Group, Inc. on how they could assist companies that will have to report to the GCEDC under the local labor reporting requirements, including assistance with waiver requests and finding local contractors to bid their projects.

The GCEDC Staff had requested a quote for the costs related to the Edwards Vacuum Project at STAMP. A copy of the application for incentives was sent to Loewke Brill for them to calculate the fee. They submitted the following:

\$18,505 - 17 Inspections (\$325 per visit), 17 Monthly Reports (\$690 per month), 1 time set up fee (\$1,250)

The time was determined by what the projects listed for the duration of construction in their applications. GCEDC staff has the following recommendation which is consistent with prior approvals:

**Fund Commitment:** \$18,505 to be paid out of deposit from the company.

This was recommended for approval by the Committee.

**M. Gray made a motion to approve the Loewke Brill Agreement for the Edwards Vacuum project as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**5.0 Governance & Nominating Committee – C. Yunker**

**5.1 Nothing at this time.**

**6.0 STAMP Committee – P. Zelif**

**6.1 Authorizing Resolution for Edwards Vacuum, LLC** – Included with the meeting materials was a Purchase and Sale Agreement and Ground lease Agreement for Edwards Vacuum. A summary of those agreements is outlined in 6.1a. and 6.1b.

Resolution No. 02/2023 – 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i) THE SALE OF A PORTION OF CERTAIN AGENCY-OWNED REAL PROPERTY TO EDWARDS VACUUM, LLC, (ii) THE LEASE OF AN ADDITIONAL PORTION OF AGENCY-OWNED REAL PROPERTY TO EDWARDS VACUUM, LLC FOR USE AS A CONSTRUCTION STAGING AND PARKING AREA AND (iii) THE EXECUTION OF A PURCHASE AND SALE AGREEMENT, A DEED, ANY EASEMENT AGREEMENTS IN CONNECTION THEREWITH, A GROUND LEASE, AND ANY RELATED DOCUMENTS IN CONNECTION THEREWITH.

This was recommended for approval by the Committee.

**M. Clattenburg made a motion to recommend to the full Board the approval of Authorizing Resolution 02/2023 – 03 and payment of legal fees not to exceed \$25,000 as presented; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes



C. Kemp - Yes

The item was approved as presented.

**6.1a PSA** – The GCEDC has received a Purchase and Sale Agreement from a potential project to acquire approximately 50 acres for portions of tax parcel 10.-1-13.1 and part of 10.-1-15.11 for \$3,750,000.

**Fund Commitment:** Legal fees to Harris Beach not to exceed \$25,000.00 based on time and billing for the transaction.

**6.1b Ground Lease Agreement** - The GCEDC has received a Ground Lease Agreement with a right of first refusal from a potential project to lease approximately 30 acres for portions of tax parcel 10.-1-13.1 and part of 10.-1-15.11 in exchange for certain improvements made to the property.

**Fund Commitment:** None.

**6.2 Option Agreement for Scannell Properties** –The GCEDC has received an Option Agreement with a right of first refusal from Scannell Properties to lease approximately 88 acres for portions of tax parcel 10.-1-39.11, 10.-1-39.122, and 10.-1-43.12.

**Fund Commitment:** None.

**Committee Action Request:** Recommend approval of Letter of Intent for Option Agreement.

Resolution No. 02/2023 – 04

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE “AGENCY”) AUTHORIZING (i) THE OPTION TO PURCHASE CERTAIN AGENCY-OWNED REAL PROPERTY GRANTED TO SCANNELL PROPERTIES, LLC (THE “COMPANY”), OR ITS PERMITTED ASSIGNS (ii) THE EXECUTION OF AN OPTION TO PURCHASE BY AND BETWEEN THE AGENCY AND THE COMPANY.

This was recommended for approval by the Committee.

**M. Clattenburg made a motion to approve Authorizing Resolution 02/2023 – 04 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

**6.3 Phillips Lytle 2023 Fees** - Phillips Lytle prepared a proposal, which was included with the meeting materials, to cover the scope of work for the first six months of 2023 as it relates to Tech Team support for the off-site sewer permitting and wetland permitting, the wastewater treatment facility permitting, and force main installation.

**Fund Commitment:** Not to exceed \$100,000 to be included in the \$8 million.

**Board Action Request:** Recommend approval to the full Board of Phillips Lytle contract not to exceed \$100,000.

This was recommended for approval by the Committee.

**M. Clattenburg made a motion to approve legal fees to Phillips Lytle in 2023 not to exceed \$100,000 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

**6.4 Phillips Lytle – Additional Legal Services** - Phillips Lytle prepared a proposal, which was included with the meeting materials, to cover the scope of work related to assistance in obtaining up to ten easements for the force main installation.

**Fund Commitment:** Not to exceed \$90,000.

**Board Action Request:** Recommend approval to the full Board of Phillips Lytle contract not to exceed \$90,000, which includes eminent domain without challenge.

This was recommended for approval by the Committee.

**M. Clattenburg made a motion to recommend to the full Board the approval of the Phillips Lytle contract to assist with obtaining easements not to exceed \$90,000 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Absent
T. Bender -	Absent	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

**6.5 Easement Agreements** - In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, there are several easements needed. We are seeking approval of the following easements:

1. Permanent Easement 10 - \$675
2. Permanent Easement 15A, 15B and Temporary Easement 23 – \$2,875
3. Temporary Easement 29 - \$500
4. Permanent Easement 17 - \$850

**Fund Commitment:** \$4,900 from the \$33 million.

**Board Action Request:** Approval of payment of \$4,900 to the holders of the easement numbers identified above.

This was recommended for approval by the Committee.

**M. Clattenburg made a motion to recommend to the full Board the approval of the ROW easement payments not to exceed \$4,900 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

**7.0 Employment & Compensation – T. Bender**

7.1 Nothing at this time.

**8.0 Housing Committee – P. Battaglia**

8.1 Nothing at this time.

**9.0 Other Business**

9.1 Nothing at this time.

**10.0 Adjournment**

As there was no further business, T. Bender made a motion to adjourn at 5:00 p.m., which was seconded by M. Clattenburg and passed unanimously.



Project Name: Atlas Copco USA Holdings Inc. & Subsidiaries  
(Edwards Vacuum)

Board Meeting Date: January 12, 2023

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

### PROJECT DESCRIPTION:

Edwards Vacuum is planning on building a dry pump manufacturing facility and two-story office building at STAMP for Phase I of their semiconductor supply chain factory of the future.

The new facility will produce approximately 20,000 dry pumps by 2026 at current forecast levels. The project aims to reshore the vacuum pump manufacturing to STAMP to support the company's US customers and the ambition behind the federal CHIPS Act program.

The Phase I capital investment will be \$209.25 million and plans to create 343 FTE's.

Edwards Vacuum is requesting assistance from the GCEDC with a sales tax exemption estimated at \$4,344,000, and a property tax abatement estimated at \$12,855,790 via a 20-year fixed 50% PILOT.

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

**Project details:** The project is planning on creating 343 direct jobs between \$51,000 - \$174,200 annual (weighted average \$86,035) plus benefits.

**Board Discussion:** None.

**M. Clattenburg made a motion to concur with Criteria #1; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	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 will enhance long term tax base with an investment of \$209.25 million and build 248,000 sq ft manufacturing and related office space.

**M. Clattenburg made a motion to concur with Criteria #2; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

Board Concurrence:  YES  NO If no, state justification:

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

**Project details:** N/A

**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.

The economic impacts (discounted value) on Local Benefits totals \$644,100,763 (\$628,707,932 in payroll and \$15,392,831 to the public in tax revenues). See attached MRB Cost Benefit Calculator.

**Project details:** For every \$1 of public benefit the company is investing \$39 into the local economy

**M. Clattenburg made a motion to concur with Criteria #4; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	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:** Yes, the project is a Semiconductor equipment supplier at STAMP

**M. Clattenburg made a motion to concur with Criteria #5; the motion was seconded by T. Bender.**

**Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zeff -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	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 planning to begin construction in 2023 and be operational for first phase within 18 months

**M. Clattenburg made a motion to concur with Criteria #6; the motion was seconded by T. Bender.**

**Roll call resulted as follows:**

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zeff -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

Board Concurrence:  YES NO If no, state justification:

*man*  
*1/5/23*

**Customer Information**

Potential Customer:	Horizon Acres Associates, Inc.	Opportunity Type:	Attraction
Project St. Address:	8524 Alleghany Road	Opportunity Product:	Property Sales & Mortgage Recording Taxes Only
City/Town/Village:	//Pembroke	Type of Project:	Attraction
Project Description:	2023 Pembroke Horizon Acres Associates	New Jobs:	400
Total Capital Investment:	\$142,000,000	Retained Jobs:	N/A
Incentive Amount:	\$19,337,000	School District:	Pembroke
Benefited Amount:	\$142,000,000	PILOT Applicable:	Increase in assessed value of land and/or other buildings (pre-project value of land and/or buildings excluded).

**Project Information**

Organization:	GCEDC
Opportunity Source:	Third-Party Professional Date of Public Hearing: TBD
Initial Acceptance Date:	1/12/2023 Inducement Date: TBD

**Opportunity Summary:** Horizon Acres Associates, Inc. is seeking to develop six flex commercial/industrial facilities that will total 1,500,000 square feet in the Town of Pembroke on 115 buildable acres near the NYS Thruway exit.

Horizon Acres Associates, Inc. is a developer that will offer the buildings for sale or lease to tenants fitting the current Pembroke Interchange zoning.

The \$142 million total project will be completed in phases, and projects to create 400 FTE's at full build-out.

Horizon Acres Associates, Inc. is requesting assistance from the GCEDC with a sales tax exemption estimated at \$6,240,000, a property tax abatement estimated at \$11,961,000 based on incremental increase in assessed value via new traditional PILOT, and a mortgage tax exemption estimated at \$1,136,000.

**Economic Impact:** The economic impacts (discounted value) on Local Benefits totals \$227,544,538 (\$218,379,342 in payroll and \$9,165,196 to the public in tax revenues). See attached MRB Cost Benefit Calculator. For every \$1 of public benefit the company is investing \$16 into the local economy.

**Project Detail (Total Capital Investment)**

Building Cost (Construction):	\$130,000,000 ✓
Land Cost (Real Estate):	\$6,000,000 ✓
Other:	\$6,000,000 ✓
Total Capital Investment:	\$142,000,000

**Estimated Benefits Provided**

Sales Tax Exempt:	\$6,240,000 ✓
Mortgage Tax Exempt:	\$1,136,000 ✓
Property Tax Exempt:	\$11,961,000 ✓
Total Estimated Tax Incentives Provided:	\$19,337,000



## Client Company Investment Project Financial Assistance PROPOSAL

*Figures on this Worksheet are **estimates only** and are subject to change*

man  
1/5/23

**Project Profile:**

<b>Company:</b>	<u>inputs</u> Horizon Acres - Pembroke			
Project Description:		building cost	non-mfg equipment	Date: 12/16/22
Project Cost		\$ 142,000,000	\$ 130,000,000	Start Date:
Project Cost subject to Sales Tax		\$ 78,000,000		
Project Cost to be Financed via Mortgage		\$ 113,600,000	\$ 0	
Estimated Assessed value of Real Property/Building upon completion*		\$ 75,000,000		
Jobs Created: next 3 years		-	1,500,000	\$ 50.00 *
Jobs Retained: next 3 years		-	sq ft	Assessed \$/sq/ft

**Applicable GCEDC Products:**

**Financial Assistance: Cost Reduction Through Tax Savings:**

**Sale/Leaseback (SLB):**

		1 Year View	3 Year View	Project Lifetime
Sales Tax Exemption (Savings):	8.00% \$	6,240,000	6,240,000	6,240,000
Mortgage Tax Exemption (Savings):	1.00% \$	1,136,000	1,136,000	1,136,000
Real Property Tax Abatement (PILOT):				
Average Abatement (savings %) over project life	40%			40%
PILOT Term in years	10			
Gross Property Tax Costs	\$ 26.58	\$ 1,993,500	\$ 5,980,500	\$ -
Payment Schedule (% Real Property Taxes Paid)				60%
Net Required Property Tax payments per PILOT				\$ -
PILOT Real Property Tax Savings (Next taxable year)		\$ 1,993,500	\$ 5,980,500	\$ 11,961,000
<b>Total Tax Savings via Sale/Leaseback (SLB):</b>		<b>\$ 9,369,500</b>	<b>\$ 13,356,500</b>	<b>\$ 19,337,000</b>

**Financing: Cost Reduction via low cost financing (below prime rate):**

**Revolving Loan Fund (RLF):**

Loan Factors:	\$ Financed	Term in mo	RLF APR	Prime + 1%
Interest Rate Savings:	\$ -		\$ -	\$ -
<b>Gross Cost Savings via GCEDC programs:</b>	<b>\$ 9,369,500</b>		<b>\$ 13,356,500</b>	<b>\$ 19,337,000</b>

**Participation Fees (Costs):**

GCEDC Application Fee (non-refundable):	\$ 250
GCEDC Project Fee (% Total Project Cost):	1.25% \$ 1,775,000
Legal Fees: SLB (Contract Development, Documentation, Filing fees)	\$ 20,500
Legal Fees: RLF (Contract Development, Documentation, Filing fees):	
<b>Total Participation Fees:</b>	<b>\$ 1,795,750</b>

**Summary:**

		1 Year View	3 Year View	Project Lifetime	National Grid	Total Savings
Total Costs Savings / Benefits via GCEDC programs(after participation f	\$	7,573,750	11,560,750	17,541,250	\$ 250,000	\$ 17,791,250
Total Benefits as % Total Project Cost:		5%	8%	12%		
Return on Investment (ROI) = Net Savings / Participation Fees:		422%	644%	977%		

**NOTE: PILOT REAL PROPERTY TAX ABATEMENT EFFECTIVE DATE DEPENDS UPON DATE OF SALE LEASE BACK (SLB) CLOSING COMPARED TO MUNICIPALITIES TAXABLE STATUS DATE.**

- 1) IF SLB CLOSING PRIOR TO TAXABLE STATUS DATE - PILOT WILL BE EFFECTED IN FOLLOWING TAXABLE YEAR AND CURRENT YEAR TAX BILLS WILL BE ADJUSTED ACCORDINGLY.
- 2) IF SLB CLOSING IS SUBSEQUENT TO MUNICIPALITIES TAXABLE STATUS DATE - THERE WILL BE A 12 MONTH DELAY IN PILOT IMPLEMENTATION.

**PLEASE PLAN CASH FLOW NEEDS ACCORDINGLY!**

96



Gross Property Tax Per Year \$ 1,993,500					Pembroke	\$ 1.32
Year of Exemption	% of Paid Taxes	Net Savings	Municipalities Tax to be Paid	Total	To be paid 100%	Fire District fee
1	20%	\$1,594,800	\$ 398,700	\$1,993,500	\$	99,000
2	20%	\$1,594,800	\$ 398,700	\$1,993,500	\$	99,000
3	20%	\$1,594,800	\$ 398,700	\$1,993,500	\$	99,000
4	30%	\$1,395,450	\$ 598,050	\$1,993,500	\$	99,000
5	30%	\$1,395,450	\$ 598,050	\$1,993,500	\$	99,000
6	30%	\$1,395,450	\$ 598,050	\$1,993,500	\$	99,000
7	50%	\$996,750	\$ 996,750	\$1,993,500	\$	99,000
8	50%	\$996,750	\$ 996,750	\$1,993,500	\$	99,000
9	70%	\$598,050	\$ 1,395,450	\$1,993,500	\$	99,000
10	80%	\$398,700	\$ 1,594,800	\$1,993,500	\$	99,000
Total	40%	\$11,961,000 ✓	\$7,974,000	\$19,935,000	\$	990,000

# Genesee County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: December 29, 2022  
 Project Title: Horizon Acres  
 Project Location: Pembroke, NY



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment:

\$142,000,000

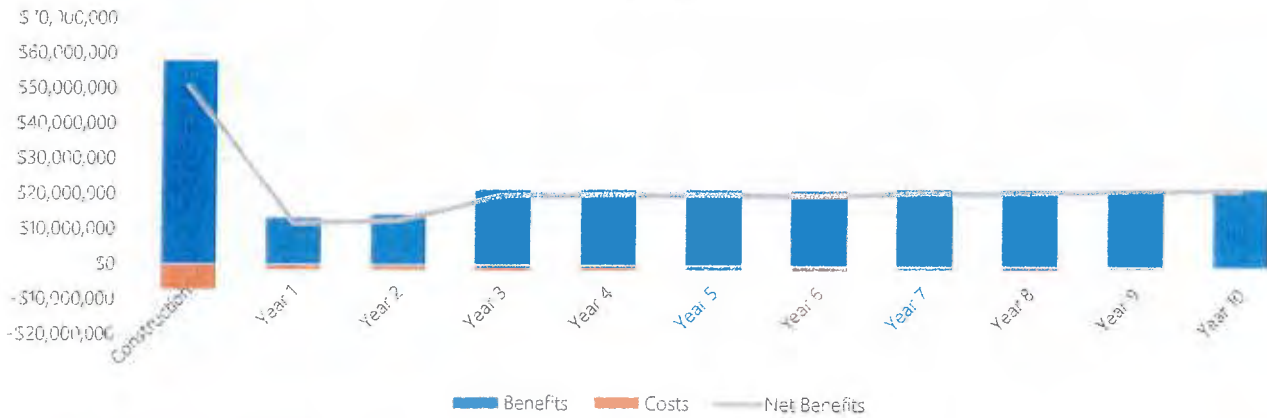
Temporary (Construction)			
	Direct	Indirect	Total
Jobs	558	164	722
Earnings	\$46,977,778	\$7,882,833	\$54,860,610
Local Spend	\$113,600,000	\$28,288,343	\$141,888,343

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	400	103	503
Earnings	\$143,960,000	\$33,194,775	\$177,154,775

Figure 1

Net Benefits



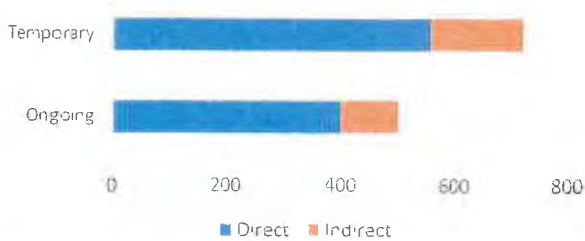
Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3

Total Jobs

Total Earnings



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$11,961,000 ✓	\$10,937,361
Sales Tax Exemption	\$6,240,000 ✓	\$6,240,000
Local Sales Tax Exemption	\$3,120,000	\$3,120,000
State Sales Tax Exemption	\$3,120,000	\$3,120,000
Mortgage Recording Tax Exemption	\$1,136,000 ✓	\$1,136,000
Local Mortgage Recording Tax Exemption	\$568,000	\$568,000
State Mortgage Recording Tax Exemption	\$568,000	\$568,000
<b>Total Costs</b>	<b>\$19,337,000</b>	<b>\$18,313,361</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$248,402,013</b>	<b>\$227,544,538</b>
To Private Individuals	<del>\$238,015,385</del>	<del>\$218,379,342</del>
Temporary Payroll	\$54,860,610	\$54,860,610
Ongoing Payroll	\$177,154,775	\$157,636,379
Other Payments to Private Individuals	\$6,000,000	\$5,882,353
To the Public	<del>\$10,386,628</del>	<del>\$9,165,396</del>
Increase in Property Tax Revenue	\$7,772,520	\$6,788,441
Temporary Jobs - Sales Tax Revenue	\$384,024	\$384,024
Ongoing Jobs - Sales Tax Revenue	\$1,240,083	\$1,103,455
Other Local Municipal Revenue	\$990,000	\$889,276
<b>State Benefits</b>	<b>\$12,064,800</b>	<b>\$11,049,843</b>
To the Public	<del>\$12,064,800</del>	<del>\$11,049,843</del>
Temporary Income Tax Revenue	\$2,468,727	\$2,468,727
Ongoing Income Tax Revenue	\$7,971,965	\$7,093,637
Temporary Jobs - Sales Tax Revenue	\$384,024	\$384,024
Ongoing Jobs - Sales Tax Revenue	\$1,240,083	\$1,103,455
<b>Total Benefits to State &amp; Region</b>	<b>\$260,466,813</b>	<b>\$238,594,382</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$227,544,538	\$14,625,361	16:1
State	\$11,049,843	\$3,688,000	3:1
<b>Grand Total</b>	<b>\$238,594,382</b>	<b>\$18,313,361</b>	<b>13:1</b>

\*Discounted at 2%

## Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? **Yes**

MAN  
1/1/23

## MRB Cost Benefit Calculator

Genesee County Industrial Development Agency

Date:   
 Project Title:   
 Project Location:

### Construction Phase - Project Assumptions

**Project Costs**

Project Costs Value  
 Enter total project costs:   
 Local Construction Spending\*  
 % of locally sourced materials and labor:   
 In-region construction spending:

#### Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$113,600,000
[Not Applicable]	0		\$0
[Not Applicable]	0		\$0
		100%	\$113,600,000

*Most projects will only have one line related to construction type.*

### Operation Phase - Project Assumptions

#### Jobs and Earnings from Operations

[NAICS Lookup](#)

Year 1 - Enter NAICS

	NAICS	Count	Per Job Annual Earnings	Total Earnings
General Warehousing and Storage	493110	133	\$40,000	\$5,320,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
<b>Total</b>		<b>133</b>		<b>\$5,320,000</b>

Year 2

	NAICS	Count	Per Job Annual Earnings	Total Earnings
General Warehousing and Storage	493110	266	\$40,000	\$10,640,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
<b>Total</b>		<b>266</b>		<b>\$10,640,000</b>

Year 3+ (Full Employment)

	NAICS	Count	Per Job Annual Earnings	Total Earnings
General Warehousing and Storage	493110	400	\$40,000	\$16,000,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
<b>Total</b>		<b>400</b>		<b>\$16,000,000</b>

### Fiscal Impact Assumptions

#### Estimated Costs of Incentives

Sales Tax Exemption	%	Value	PILOT Term (Years)	<input type="text" value="10"/>
Local Sales Tax Rate	4.00%	\$3,120,000 ✓	Escalation Factor	<input type="text" value="0%"/>
State Sales Tax Rate	4.00%	\$3,120,000 ✓	Discount Factor	<input type="text" value="2%"/>
Mortgage Recording Tax Exemption		<input type="text" value="\$1,136,000"/> ✓		
Local	0.50%	\$568,000		
State	0.50%	\$568,000		
<b>Total Costs</b>		<input type="text" value="\$19,337,000"/> (includes PILOT exemption, calculated below)		







max  
1/12/23



Project Name: Horizon Acres Associates, Inc.

Board Meeting Date: January 12, 2023

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

### PROJECT DESCRIPTION:

Horizon Acres Associates, Inc. is seeking to develop six flex commercial/industrial facilities that will total 1,500,000 square feet in the Town of Pembroke on 115 buildable acres near the NYS Thruway exit.

Horizon Acres Associates, Inc. is a developer that will offer the buildings for sale or lease to tenants fitting the current Pembroke Interchange zoning.

The \$142 million total project will be completed in phases, and projects to create 400 FTE's at full build-out.

Horizon Acres Associates, Inc. is requesting assistance from the GCEDC with a sales tax exemption estimated at \$6,240,000, a property tax abatement estimated at \$11,961,000 based on incremental increase in assessed value via new traditional PILOT, and a mortgage tax exemption estimated at \$1,136,000.

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

**Project details:** The project is planning on creating 400 direct jobs between \$40,000-52,000 annual plus benefits.

### Board Discussion:

**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 an investment of \$142 million and 1.5 million sq. ft. The project is also estimated to contribute \$7,974,000 in PILOT payments compared to the project parcel's usage, which is estimated to generate \$201,480 in property taxes if not developed.

### Board Discussion:

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



**Criteria #3-** The Project will contribute towards creating a “livable 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.

The economic impacts (discounted value) on Local Benefits totals \$227,544,538 (\$218,379,342 in payroll and \$9,165,196 to the public in tax revenues). See attached MRB Cost Benefit Calculator.

**Project details:** For every \$1 of public benefit the company is investing \$16 into the local economy

**Board Discussion:**

**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:**

**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 2023 and be operational for first phase within 18 months

**Board Discussion**

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



MAN  
2/23/23

**FINAL RESOLUTION**  
*(Horizon Acres Associates Inc. Project)*

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, March 2, 2023.

The following resolution was duly offered and seconded, to wit:

Resolution No. 03/2023 - \_\_\_\_\_

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 JANUARY 30, 2023, WITH RESPECT TO THE HORIZON ACRES ASSOCIATES INC. (THE "COMPANY") PROJECT (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, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "State"), as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **HORIZON ACRES ASSOCIATES INC.**, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company") has submitted an application (the "Application") to the Agency, a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located on Alleghany Road, Town of Pembroke, Genesee County, New York and all other lands in the Town of Pembroke where, by license or easement or other agreement, the Company or its

3.1

25

designees are making improvements that benefit the Project (the "Land", being more particularly identified as tax parcel number 15.-1-2); (ii) the phased planning, design, construction, operation and leasing by the Company of approximately 1,500,000 square feet of commercial industrial space to be leased as single or multi-tenanted commercial industrial space, along with utility and site improvements, parking lots, loading docks, access and egress improvements, signage, curbage, sidewalks, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as agent of the Agency for the purpose of undertaking the Project pursuant to a project agreement (the "Project Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), a leaseback agreement (the "Leaseback Agreement"), a tax agreement (the "Tax Agreement") and related documents with the Company, (iii) take or title to or a leasehold interest in the Land, the Improvements, the Equipment and personal property constituting the Project (once the Lease Agreement, the Leaseback Agreement and the Tax Agreement have been negotiated), and (iv) provide 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 partial real property tax abatement structured through the Tax Agreement, and (c) a partial mortgage recording tax exemption as authorized by the laws of the State (collectively, the "Financial Assistance"); and

WHEREAS, on January 12, 2023, the Agency adopted a resolution (the "Initial Resolution") pursuant to which the Agency (i) accepted the Application of the Company, (ii) directed that a public hearing be held, and (iii) described the forms of financial assistance being contemplated by the Agency with respect to the Project; and

WHEREAS, pursuant to Section 859-a of the Act, on Monday, January 30, 2023, at 4:00 p.m., the Agency held a public hearing with respect to the Project and the proposed Financial Assistance being contemplated by the Agency (the "Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views. A copy of the Notice of Public Hearing published and forwarded to the affected taxing jurisdictions at least ten (10) days prior to said Public Hearing are attached hereto as Exhibit A; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to Article 18-A of the Act the Agency desires to adopt a resolution approving the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, the Project Agreement, the Lease Agreement, the Leaseback Agreement, the Tax Agreement and related documents will be negotiated and presented to the President/CEO,



Chair, Vice Chair and/or Senior Vice President of Operations of the Agency for approval and execution subject to adoption of the resolutions contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER AS FOLLOWS:

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Application, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing employment opportunities in Genesee County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a facility or commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Application and the Company's certifications therein, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(F) The Town of Pembroke Planning Board (the "Board") has conducted a review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). In addition to classifying the Project as a "Type 1" action (as defined in SEQRA), the Board issued a Negative Declaration on February 22, 2023 (the "Negative Declaration"), determining that the Project does not pose a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, including, but not limited to, the Full Environmental Assessment Form and the Negative Declaration, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Board pursuant to 6 N.Y.C.R.R. Part 617.7. A copy of the Negative Declaration issued by the Board is attached hereto as Exhibit B.

Section 2. The Public Hearing held by the Agency on Monday, January 30, 2023, at 4:00 p.m., concerning the Project and the Financial Assistance was duly held in accordance with the Act, including but not limited to the giving of at least ten (10) days published notice of the Public Hearing (such notice also provided to the Chief Executive Officer of each affected tax jurisdiction), affording interested parties a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

Section 3. The Agency is hereby authorized to provide to the Company the Financial Assistance 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 partial real property tax abatement structured through the Tax Agreement and (c) a partial mortgage recording tax exemption as authorized by the laws of the State.

Section 4. Based upon representations and warranties made by the Company in the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project, that would otherwise be subject to State and local sales and use tax in an amount up to **\$78,000,000**, which result in State and local sales and use tax exemption benefits ("Sales and Use Tax Exemption Benefits") not to exceed **\$6,240,000**. The Agency agrees to consider any requests by the Company for an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 5. Pursuant to Section 875(3) of the Act, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any Sales and Use Tax Exemption Benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the Sales and Use Tax Exemption Benefits; (ii) the Sales and Use Tax Exemption Benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the Sales and Use Tax Exemption Benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the Sales and Use Tax Exemption Benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving Sales and Use Tax Exemption Benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any Sales and Use Tax Exemption Benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 6. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the



Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, reconstruct, renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; *provided, however*, the Project Agreement shall expire on **December 31, 2024** (unless extended for good cause by the President/CEO of the Agency) if the Lease Agreement, the Leaseback Agreement and the Tax Agreement contemplated have not been executed and delivered.

Section 7. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to negotiate and enter into (A) the Project Agreement, (B) the Lease Agreement, pursuant to which the Company leases the Project to the Agency, (C) the related Leaseback Agreement, pursuant to which the Agency leases its interest in the Project back to the Company, and (D) the Tax Agreement; *provided, however*, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project and (ii) the terms of the Tax Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 8. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to execute, deliver and record the Mortgage securing an aggregate principal amount not to exceed **\$113,600,000.00**, and any security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") to assist with the undertaking of the Project, the acquisition of the Facility and/or the finance or re-finance the Facility or equipment and other personal property and related transactional costs (hereinafter, with the Project Agreement, Lease Agreement, Leaseback Agreement, Tax Agreement and the Mortgage, collectively called the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency shall approve, the execution thereof by the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 9. The Agency is hereby authorized to provide the Company with an exemption from mortgage recording taxes as permitted by New York State law in an amount not to exceed One Million One Hundred Thirty-Six Thousand and 00/100 Dollars (**\$1,136,000.00**).

Section 10. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 11. These Resolutions shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Peter Zeliff	[     ]	[     ]	[     ]	[     ]
Matthew Gray	[     ]	[     ]	[     ]	[     ]
Paul Battaglia	[     ]	[     ]	[     ]	[     ]
Craig Yunker	[     ]	[     ]	[     ]	[     ]
Todd Bender	[     ]	[     ]	[     ]	[     ]
Chandy Kemp	[     ]	[     ]	[     ]	[     ]
Marianne Clattenburg	[     ]	[     ]	[     ]	[     ]

The Resolutions were thereupon duly adopted.

**SECRETARY'S CERTIFICATION**  
*(Horizon Acres Associates Inc. Project)*

STATE OF NEW YORK            )  
COUNTY OF GENESEE        ) SS.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on March 2, 2023, with the original thereof on file in the offices of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Secretary

Exhibit A

Notice Letter, Notice of Public Hearing,  
Affidavit of Publication of *The Batavia Daily News*  
and Minutes of Public Hearing

[Attached Hereto]





PUBLIC HEARING NOTICE LETTER  
(HORIZON ACRES ASSOCIATES INC.)

January 19, 2023

To: Chief Executive Officers Listed  
on Schedule A attached hereto

Re: Genesee County Industrial Development Agency d/b/a Genesee County  
Economic Development Center and Horizon Acres Associates Inc.

Notice of Public Hearing and Disposition of Initial Resolution

Ladies and Gentlemen:

On Monday, January 30, 2023, at 4:00 p.m., local time, at Town of Pembroke Town Hall, 1145 Main Road, Pembroke, New York 14036, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to *The Daily News* for publication.

The Agency will broadcast the public hearing live at on the Agency's website at [www.gcedc.com](http://www.gcedc.com).

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the Project is located.



On January 12, 2023, the Agency adopted an inducement resolution (the "Inducement Resolution") with respect to the Project. pursuant to Chapter 766 of the Laws of 2022 of the State of New York, effective January 1, 2023, enclosed please find a copy of such as-adopted certified Inducement Resolution.

Very truly yours,

GENESEE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY d/b/a  
GENESEE COUNTY ECONOMIC  
DEVELOPMENT CENTER



SCHEDULE A

GENESEE COUNTY

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0161-46

Genesee County Manager  
Old Courthouse  
7 Main Street  
Batavia, New York 14020

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0161-53

Genesee County Legislature  
Attn: Chair  
Old Courthouse  
7 Main Street  
Batavia, New York 14020

TOWN OF PEMBROKE

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0161-91

Town of Pembroke  
Attn: Supervisor  
1145 Main Road  
Corfu, New York 14036

PEMBROKE CENTRAL SCHOOL DISTRICT

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0162-07

Pembroke Central School District  
Attn: Superintendent  
8750 Allegheny Road  
Corfu, New York 14036

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0162-14

Pembroke Central School District  
Attn: President of the Board of Education  
(on behalf of the Board of Education)  
8750 Allegheny Road  
Corfu, New York 14036

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Monday, January 30, 2023, at 4:00 p.m., local time, at Town of Pembroke Town Hall, 1145 Main Road, Pembroke, New York 14036, in connection with the following matter:

**HORIZON ACRES ASSOCIATES INC.**, for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located on Alleghany Road, Town of Pembroke, Genesee County, New York and all other lands in the Town of Pembroke where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land", being more particularly identified as tax parcel number 15.-1-2); (ii) the phased planning, design, construction, operation and leasing by the Company of approximately 1,500,000 square feet of commercial industrial space to be leased as single or multi-tenanted commercial industrial space, along with utility and site improvements, parking lots, loading docks, access and egress improvements, signage, curbage, sidewalks, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions, a mortgage recording tax exemption consistent with the policies of the Agency, and a partial real property tax abatement.

The Agency will broadcast the public hearing live at on the Agency's website at [www.gcedc.com](http://www.gcedc.com).

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's Project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: January 20, 2023

GENESEE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY D/B/A  
GENESEE COUNTY ECONOMIC  
DEVELOPMENT CENTER





**REPORT OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S PUBLIC HEARING OF HORIZON ACRES ASSOCIATES, INC. HELD ON MONDAY, JANUARY 30, 2023 4:00 P.M. AT THE TOWN OF PEMBROKE TOWN HALL, 1145 MAIN ROAD, PEMBROKE, NEW YORK, GENESEE COUNTY, NEW YORK**

**I. ATTENDANCE**

Jim Krencik, Director of Marketing and Communications – GCEDC  
Lauren Casey, Finance Assistant – GCEDC  
Mark Masse, Senior VP of Operations – GCEDC  
Thomas Schneider, Town of Pembroke Supervisor  
Gary Ryckman

**II. CALL TO ORDER**

The public hearing of Horizon Acres Associates, Inc. was opened at 4:00 p.m. at the Pembroke Town Hall, 1145 Main Road, in Pembroke, New York, Genesee County, New York.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

**III. PROJECT SUMMARY**

Horizon Acres Associates, Inc. is seeking to develop six flex commercial/industrial facilities that will total 1,500,000 square feet in the Town of Pembroke on 115 buildable acres near the NYS Thruway exit.

Horizon Acres Associates, Inc. is a developer that will offer the buildings for sale or lease to tenants fitting the current Pembroke Interchange zoning.

The \$142 million total project will be completed in phases, and projects to create 400 FTE's at full build-out.

Horizon Acres Associates, Inc. is requesting assistance from the GCEDC with a sales tax exemption estimated at \$6,240,000, a property tax abatement estimated at \$11,961,000 based on incremental increase in assessed value via new traditional PILOT, and a mortgage tax exemption estimated at \$1,136,000.

**IV. COMMENTS**

M. Masse began the public hearing by providing a summary of the above-outlined project. The purpose of the public hearing is to solicit comments and feedback from the public regarding the proposed incentives on the above outlined project. There were no written comments received ahead of time to be included with the written record.

Gary Ryckman asked if this was a normal request from a company for a tax abatement. M. Masse stated that the proposed incentives include a standard PILOT/abatement that most of our local manufacturers have received. Gary Ryckman then asked if the company is proceeding immediately with full build-out. M. Masse stated that the company will determine build-out plans as they secure tenants. This will dictate the size of the buildings/facilities. The proposed plans shared by the Town Supervisor, Tom Schneider, illustrate plans for the maximum build-out. Tom Schneider then showed, more specifically, the plans that are currently with the Town Planning Board. The GCEDC Board would not vote on the proposed incentives until the Town Planning Board has approved/completed the SEQR process.

M. Masse then provided more detail about the structure of the abatement. Each building will have its own PILOT. M. Masse also stated that fire district fees cannot be abated. Tom Schneider said that the company has been very committed to "outside the box" thinking that will benefit the community.

M. Masse also provided information about the Agency's application to FAST NY, as well as the Agency's development of Business Parks, which are at about 80%-90% occupancy, excluding STAMP. The majority of the companies that occupy these Business Parks have completed their PILOTS and are at the full tax rate now. The Agency has not experienced any instances when the PILOT is complete, the company moves or ends operations.

**V. ADJOURNMENT**

After all questions were answered, the public hearing was closed at 4:17 p.m.

**Exhibit B**

Negative Declaration of Town of Pembroke Planning Board

[Attached Hereto]

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Amended Part 1 of the Full  
Environmental Assessment Form  
Date: February 2, 2023**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Distribution Center 90		
Project Location (describe, and attach a general location map): Allegheny Road, Town of Pembroke, Genesee County, New York		
Brief Description of Proposed Action (include purpose or need): Construction of a distribution center off of New York State Thruway I-90 exit 48A consisting of 6 multi-use structures of approximately 1,500,000 square feet. The action has been defined broadly to include all proposed site improvements as well as all required approvals and permits from involved agencies including Site Plan Approval from the Town of Pembroke Planning Board. The proposed project is a Type I action pursuant to the State Environmental Quality Review Act ("SEQRA") since the impacts cross one of more of the applicable thresholds set forth in 6 NYCRR Part 617.4 of the SEQRA Regulations as promulgated by the NYSDEC.		
Name of Applicant/Sponsor: Gels Construction	Telephone: 216-218-3508	E-Mail: JM@Gelsco.net
Address: 10020 Aurora-Hudson Road		
City/PO: Streetsboro	State: Ohio	Zip Code: 44241
Project Contact (if not same as sponsor; give name and title/role): Jeffrey Martin, President	Telephone: 216-218-3508	E-Mail: JM@Gelsco.net
Address: 10029 Aurora- Hudson Road		
City/PO: Streetsboro	State: Ohio	Zip Code: 44241
Property Owner (if not same as sponsor): Horizon Acres Associates, Inc.	Telephone: 914-906-3838	E-Mail: aron@horizonacres.com
Address: 66 Truman Avenue		
City/PO: Spring Valley	State: NY	Zip Code: 10977

3.1

40



**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Pembroke Planning Board - Site Plan Approval	January, 2023
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building Permits	To be Determined
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Genesee County Health Department and Genesee County IDA (PILOT, etc.)	January, 2023
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT - ROW Highway Work Permit NYS DEC - Wetland review - sanitary sewer	December 2022 and January 2023
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACOE - Wetland review and Wetland Permit	December 2022
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?

Interchange

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Pembroke Central School District

b. What police or other public protection forces serve the project site?

Corfu Police, Genesee County, NYS Troopers

c. Which fire protection and emergency medical services serve the project site?

Pembroke Fire Department

d. What parks serve the project site?

Pembroke Town Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial, Industrial

b. a. Total acreage of the site of the proposed action? 210.7 acres

b. Total acreage to be physically disturbed? 103.7 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 210.7 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated 2

- Anticipated commencement date of phase 1 (including demolition) 04 month 2023 year

- Anticipated completion date of final phase 12 month 2028 year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

Future phasing is dependant on market conditions

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 6

ii. Dimensions (in feet) of largest proposed structure: 39 height; 260 width; and 1130 length

iii. Approximate extent of building space to be heated or cooled: 1,500,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Federal wetlands to be impacted as allowed by the USACOE



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
0.21 acre of Federal wetland area will be filled

---

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 6,075 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: Town of Pembroke Water District No. 1
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 6,750 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Pembroke WWTP
- Name of district: Pembroke Sanitary District 1
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

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Yes  No  
 Yes  No

• Do existing sewer lines serve the project site?  
 • Will a line extension within an existing district be necessary to serve the project?  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 Proposed gravity sanitary sewer extension along Allegany Road

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 79 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 210.7 acres (parcel size)  
 ii. Describe types of new point sources. Surface runoff from buildings, parking and roadways

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
On site bio-retention areas and wet ponds with outlet control structures per NYSDEC regulations  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 See Traffic study for all responses here in section "J."

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
See Traffic study turn lanes and access drives.

vi. Are public/private transportation service(s) or facilities available within 1/4 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 3500 KW

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
 Local Grid

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	6 am-9pm	• Monday - Friday:	24 hrs
• Saturday:	6 am-9pm	• Saturday:	24 hrs
• Sunday:	6 am-9pm	• Sunday:	24 hrs
• Holidays:	6 am-9pm	• Holidays:	24 hrs

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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
Typical construction noise

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: Currently a cornfield

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
Buildings will have wall pack lighting to provide for safety of night deliveries and security. Street lighting will be provided as well.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: Currently a cornfield

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
Diesel truck traffic.

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: 15 tons per Month (unit of time)  
 • Operation: 30 tons per Month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: Temporary dumpsters  
 • Operation: Recycle bins/ cardboard dumpsters

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: Licensed hauler to certified landfill  
 • Operation: Licensed hauler to certified landfill

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s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 NYS Thruway, Truck stops, Restaurants, Hotels

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
▪ Roads, buildings, and other paved or impervious surfaces	0	79.0	+79.0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	81.29	79.29	-2.0
• Agricultural (includes active orchards, field, greenhouse etc.)	80.0	0	-80.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	3.0	+3.0
• Wetlands (freshwater or tidal)	49.41	49.41	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

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c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes - Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes - Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 5-40' feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Collamer silt loam	62 %
Lamsen sandy loam	16 %
Dunkirk silt loam	18 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 1.5 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 30 % of site  
 Moderately Well Drained: \_\_\_\_\_ 40 % of site  
 Poorly Drained \_\_\_\_\_ 30 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 90 % of site  
 10-15%: \_\_\_\_\_ 10 % of site  
 15% or greater: \_\_\_\_\_ 0 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 837-64 Classification <sup>C</sup> \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 49.41
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No

If Yes:

i. Name of aquifer: Principal Aquifer \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site:

Deer _____	Mice _____	Skunk _____
Rabbits _____	Chipmunk _____	Various Insects _____
Squirrels _____	Opossum _____	Various Birds _____

n. Does the project site contain a designated significant natural community?  Yes  No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_

ii. Source(s) of description or evaluation: \_\_\_\_\_

iii. Extent of community/habitat:

- Currently: \_\_\_\_\_ acres
- Following completion of project as proposed: \_\_\_\_\_ acres
- Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

If Yes:

i. Species and listing (endangered or threatened): \_\_\_\_\_

Northern Long-eared Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

If Yes:

i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No

If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No

If Yes, provide county plus district name/number: GENE002

b. Are agricultural lands consisting of highly productive soils present?  Yes  No

i. If Yes: acreage(s) on project site? 92.7

ii. Source(s) of soil rating(s): USDA list of prime farmland

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No

If Yes:

i. Nature of the natural landmark:  Biological Community  Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No

If Yes:

i. CEA name: \_\_\_\_\_

ii. Basis for designation: \_\_\_\_\_

iii. Designating agency and date: \_\_\_\_\_

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e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe possible resource(s): "No Impact" letter from NYSORPHP issued on August 26, 2022 [Copy at Attachment "A"]	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: Indian Falls	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Vista	
iii. Distance between project and resource: _____ 2.0 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Horizon Acres Associates, Inc. Date February 2, 2023

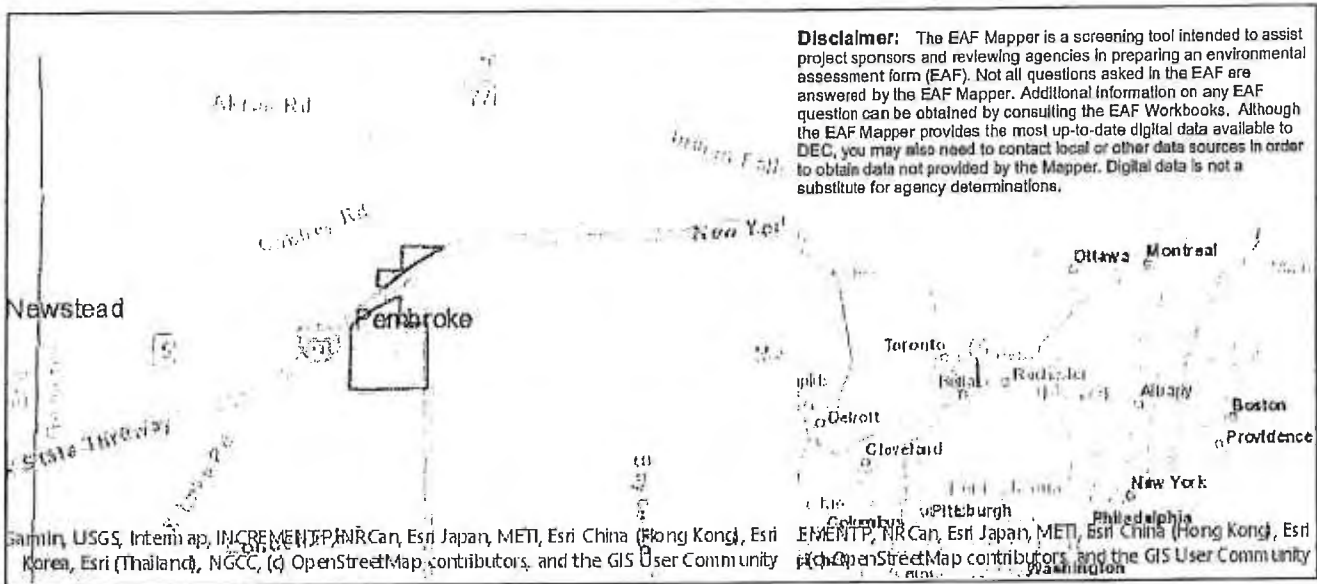
Signature  Title Attorney for Project Sponsor

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B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	837-64
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	GENE002
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Project:	Agency Use Only (If applicable) Distribution Center Project
Date:	February 22, 2023

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

NO  YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**

The proposed action may result in development on lands subject to flooding.

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

NO  YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2c	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflouorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a.	Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h <input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b <input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d.	The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e.	The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h <input type="checkbox"/>	<input type="checkbox"/>
f.	There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g <input type="checkbox"/>	<input type="checkbox"/>
g.	Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a.	The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e <input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f <input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g <input type="checkbox"/>	<input type="checkbox"/>



d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

**11. Impact on Open Space and Recreation**

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.  NO  YES

(See Part 1. C.2.c, E.1.c., E.2.q.)  
 If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**12. Impact on Critical Environmental Areas**

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)  NO  YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			



**17. Consistency with Community Plans**  
 The proposed action is not consistent with adopted land use plans.  NO  YES  
 (See Part 1. C.1, C.2. and C.3.)  
 If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**  
 The proposed project is inconsistent with the existing community character.  NO  YES  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**



**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached document providing justification for the Planning Board's Issuance of a Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA")

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Town of Pembroke Planning Board as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Distribution Center Project

Name of Lead Agency: Town of Pembroke Planning Board

Name of Responsible Officer in Lead Agency: David Knupfer

Title of Responsible Officer: Planning Board Chairman

Signature of Responsible Officer in Lead Agency: *David Knupfer* Date: February 22, 2023

Signature of Preparer (if different from Responsible Officer) *James Wolbert* Date: February 22, 2023

**For Further Information:**

Contact Person: James Wolbert, Code Enforcement Officer

Address: 1145 Main Road, Corfu NY 14036

Telephone Number: (585) 599-1209

E-mail: Zoning-codes@townofpembroke.org

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

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**FEAF Part 3b Reasons Supporting this Determination:  
Distribution Center Project  
February 22, 2023**

**1. Impact on Land:**

The project includes disturbance of vacant land for the construction of the proposed multiphase distribution center project. The depth to water table is greater than three feet on the Project Site and the proposed action does not involve construction on slopes of 15% or greater. The proposed action may result in increased erosion resulting from physical disturbance and vegetation removal; however, this is considered a small impact since construction activities will need to comply with required erosion control measures specified in the engineered plans prepared Michael Metzger of Metzger Engineering PLLC as well as the required Stormwater Pollution Prevention Plan ("SWPPP") for the project. The Project Site is not located within a designated Coastal Erosion hazard area.

Construction of the project is anticipated to occur in multiple phases to be determined based on market demand and the construction of the mixed-use project will occur for a period of more than one year. It has been determined that the construction of the project in multiple phases over a period of more than one year represents a moderate adverse environmental impact. Construction activities in furtherance of the project will be intermittent and represents a temporary and unavoidable adverse environmental impact that is not potentially significant. Each phase of the project will need to comply with the applicable stringent standards for stormwater management as well as applicable standards for required infrastructure improvements.

**2. Impact Geological Features:**

There are no unique or unusual land forms on the Project Site.

**3. Impact on Surface Water:**

The management of stormwater from impervious surfaces on the Project Site will require the installation of stormwater management improvements. The storm water management areas to be installed on the Project Site shall be designed to collect, discharge and improve the quality of surface water. The stormwater management system shall be installed per the applicable stringent stormwater quality and quantity standards of the New York State Department of Environmental Conservation ("NYSDEC").

Earth Dimensions Inc. completed a detailed wetland delineation of the Project Site, and the results of which are summarized in a Wetland Delineation Report dated September 9, 2022. There are 53.40 acres of jurisdictional federal wetlands located on the approximately 206.63 acre Project Site per the Jurisdictional Determination issued by the United States Army Corps of Engineers ("USACE") dated November 28, 2022. The project will only result in 0.21 acres of wetlands impacts and such the project will not result in any potentially significant wetland impacts. The Project Sponsor will be required to obtain wetland impact from the USACE for the minor proposed wetland impact.

**4. Impact on Groundwater:**

There will be minimal additional ground water introduced as a result of the proposed project. The project will connect to existing water services.

**5. Impact on Flooding:**

The Project Site does not include land located within the regulated 100-year floodplain and the regulated floodway. The proposed distribution project will require modifications of existing drainage patterns. Such modifications do not represent a potentially significant adverse environmental impact as a result of the requirement for the installation of a stormwater management system complying with the applicable stringent standards.

**6. Impacts on Air:**

This proposed distribution center project does not involve a State regulated air emission source.

**7. Impact on Plants and Animals:**

There is not any documented presence of protected, threatened or endangered species on the Project Site. The proposed project will result in impacts to undeveloped land that contains animals and plants but these impacts have been determined to be not potentially significant.

**8. Impact on Agricultural Resources:**

The Project Site does not contain agricultural resources and is not located in a County Agricultural District.

**9. Impact on Aesthetic Resources:**

The Project Site is located in an area that does not contain any protected aesthetic resources.

**10. Impact on Historic and Archeological Resources:**

On August 26, 2022, the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") issued a letter to Michael Metzger, P.E., the Project Sponsor's engineer stating as follows:

"We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).



Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.”

The Planning Board has determined that the proposed project will not result in any potentially significant adverse impacts on cultural or historic resources.

**11. Impact on Open Space and Recreation:**

The proposed project will not result in a loss of recreational opportunities or a reduction of protected open space.

**12. Impact on Critical Environmental Areas:**

The Project Site is not located within or adjacent to a designated Critical Environmental Area.

**13. Impact on Transportation:**

A Traffic Impact Study has been prepared by Passero Associates based on input received from the NYS Department of Transportation (“NYSDOT”) and Project Sponsor will update the TIS during the build-out of the multiphase project as required by NYSDOT. To ensure a comprehensive analysis of potential traffic impacts, a geographically broad study area was determined consisting of the following intersections:

- NY-77/NYS Thruway Exit 48A Ramp (signalized)
- NY-77/Flying J Truck Access (unsignalized)
- NY-77/Vision Parkway (unsignalized)
- NY/77/NY-5 (signalized)
- NY-5/Brickhouse Road (unsignalized)

The proposed project consists of constructing the following under each phase of development (subject to market demand):

- Phase 1: 560,000 square feet (SF) of industrial park space
  - Two separate buildings of 280,000 SF each
  - Buildings 1 and 2
- Phase 2: 380,000 SF of high-cube fulfillment center warehouse
  - One building consisting of 100,000 SF space and one consisting of 280,000 SF of space
  - Buildings 5 and 6
- Phase 3: 560,000 SF of industrial park space
  - Two separate buildings of 280,000 SF each
  - Buildings 3 and 4

The following sets forth the conclusions and recommendations of Passero Associates based upon the results of its comprehensive traffic analyses:

### Conclusions of TIS:

1. Phase 1 of the proposed project is expected to generate approximately 154 entering/36 exiting vehicle trips during the AM peak hour and 41 entering/149 exiting vehicle trips during the PM peak hour based upon the ITE Trip Generation Manual. Under full development of all phases, the project is expected to generate approximately 354 entering/83 exiting vehicle trips during the AM peak hour and 106 entering/335 exiting vehicle trips during the PM peak hour.
2. Generally, all movements at the study intersections operate at an acceptable level of service "D" or better during the AM and PM peak hours under existing, projected background, Phase 1, Phase 2, and Phase 3 conditions.
3. The study evaluated the available sight distances at the proposed access intersections along NY-77 and NY-5. The available sight distances along NY-77 at the proposed site driveways exceed the required SSD and desirable ISD. The available sight distances along NY-5 at the proposed site driveway exceeds the ISD and SSD to the left, but not to the right.
4. The warrants for a northbound left-turn lane were evaluated during both peak hours at the NY-77/Vision Parkway/Proposed Southerly Access intersection. The warrants are satisfied during the AM peak hour under Phase 1 conditions. Under Phase 2 and Phase 3 conditions, the warrants are fully satisfied during both peak hours. Based upon the warrants, a northbound left-turn lane should be constructed under Phase 1 conditions with an opposing southbound left-turn lane for Vision Parkway.
5. Volume warrants for a right-turn lane at the proposed access intersections along NY-77 and NY-5 were evaluated under Phase 1, Phase 2, and Phase 3 (NY-5 only) conditions given the volume of right-turn traffic entering the project site at those points. The evaluation showed that the warrants are satisfied during the AM peak hour at the NY-77/Vision Parkway/Proposed Access under Phase 3 conditions only. Based on this condition, no right-turn lanes are recommended.
6. The warrant for a traffic signal was evaluated at the NY-77/Vision Parkway/Proposed Southerly Access intersection. The warrants were not satisfied.

### Recommendations of TIS:

1. Periodic snapshots of actual traffic operations at the proposed access intersections and adjacent study intersections are recommended as part of a Monitoring and Mitigation Plan to determine if/when the identified improvement strategies are justified prior to each phase of development.
2. The northbound left-turn lane at the NY-77/Flying J Truck Access intersection should be restriped to accommodate the northbound left-turn lane at the NY-77/Proposed Northerly Access intersection. The lane should be 450 feet in length with a 75-foot taper.

3. An eastbound left-turn lane should be constructed at the NY-5/Brickhouse Road/Proposed Access intersection. The lane should be 450 feet in length with a 75-foot taper. This can be accomplished via restriping and minor roadway widening.
4. Advance intersection warning signage (MUTCD W2-2L) is recommended for installation in the eastbound direction at the NY-5/Brickhouse Road/Proposed Access intersection. A supplemental speed plaque beneath the sign should be considered and posted at 35 mph. This speed is chosen as the Intersection Sight Distance and Stopping Sight Distance will be satisfied at this speed for eastbound drivers. The sign should be installed facing eastbound drivers and at 250 to 325 feet in advance of the intersection.
5. No significant adverse traffic impacts are projected as a result of the proposed project at any of the study area intersections.
6. Based upon the expected delays under each development phase, the following traffic mitigation plan is recommended.

INTERSECTION	MITIGATION MEASURE AND IMPLEMENTATION TIMEFRAME
NY-77/NYS Thruway (Exit 48A)	<b>Phase 1:</b> No improvements recommended <b>Phase 2:</b> Monitor <b>Phase 3:</b> Monitor
NY-77/Flying J Truck Access	<b>Phase 1:</b> Restripe northbound left-turn lane <b>Phase 2:</b> Monitor <b>Phase 3:</b> Monitor
NY-77/Proposed Northerly Access	<b>Phase 1:</b> Install northbound left-turn lane as part of restriping at Flying J Truck Access <b>Phase 2:</b> Monitor <b>Phase 3:</b> Monitor
NY-77/Vision Parkway/Proposed Southerly Access	<b>Phase 1:</b> Install northbound left-turn lane as part of restriping along NY-77 <b>Phase 2:</b> Monitor <b>Phase 3:</b> Monitor
NY-5/NY-77	<b>Phase 1:</b> No improvements recommended <b>Phase 2:</b> Monitor <b>Phase 3:</b> Monitor
NY-5/Brickhouse Road/Proposed Access	<b>Phase 1:</b> Driveway not constructed under this phase <b>Phase 2:</b> Driveway not constructed under this phase <b>Phase 3:</b> Construct eastbound left-turn lane

The Planning Board has determined that the project will result in moderate traffic impacts as a result of the proposed improvements to be made in connection with the multiphase distribution project that will require NYSDOT approval.

**14. Impact on Energy:**

The proposed project will cause an increase in the use of energy. The proposed mixed-use project shall be designed to meet energy compliance standards through the installation of energy efficient facilities and features, having minimal impact on the environment.

**15. Impact on Noise, Odor, and Light:**

There will be temporary and unavoidable impacts to noise, odor and lighting during construction of the multiphase distribution center project but this is not a potentially significant adverse environmental impact.

**16. Impact on Human Health:**

The Project Site does not include a known source of regulated hazardous materials detrimental to human health. If regulated hazardous materials exceeding the applicable NYSDEC thresholds are unexpectedly encountered during the construction of the project, clean-up activities compliant with Federal, State and Local standards will be completed prior to construction on the relevant portions of the Project Site.

**17. Consistency with Community Plans:**

The proposed distribution project is consistent with the recommended land use per the Town of Pembroke Comprehensive Plan and the Project Site is properly zoned Interchange District pursuant to the Town of Pembroke Zoning Map. Per Section 408 of the Zoning Code, the intent of the Interchange District is designed to blend commercial and light industrial uses, thus maximizing the development potential of the NYS Thruway Interchange. The Planning Board has determined that the project is consistent with community plans.

**18. Consistency with Community Character:**

The proposed distribution project is consistent with the recommended land use per the Town of Pembroke Comprehensive Plan and the Project Site is properly zoned Interchange District pursuant to the Town of Pembroke Zoning Map. Per Section 408 of the Zoning Code, the intent of the Interchange District is designed to blend commercial and light industrial uses, thus maximizing the development potential of the NYS Thruway Interchange. The Planning Board has determined that the project is consistent with community plans.



## **BOARD RESOLUTION IN SUPPORT OF NEW YORK GREEN**

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### **BOARD RESOLUTION**

At the meeting of the Board of Directors of the Genesee County Economic Development Center on March 2, 2023, the following resolution was proposed and approved by the board:

Resolved:

WHEREAS the mission of the Genesee County Economic Development Center is mission is to be the driving force in fostering community economic success by providing comprehensive support, technical assistance and access to financial resources to businesses thereby enabling growth, expansion and retention of our existing business base and to market our community as "business friendly" facilitating new business attraction in order to build a sustainable long-term economy;

WHEREAS New York Green, Inc. (NYG), a nonprofit organization with a mission to facilitate informed and creative land use decisions to stimulate economic vitality and protect our natural environment, supports the mission of the Genesee County Economic Development Center;

That the Genesee County Economic Development Center Board is in full support of designating an individual representative to serve as a standing member to the NYG Board of Directors as stated in NYG Bylaws adopted by NYG Board of Directors July 16, 2012. The GCEDC Board appoints the Senior VP of Operations to the NY Green Board as its representative.

Signed:

(President) or (Chairman)

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# Genesee County Economic Development Center (GCEDC)

Annual Investment Report

For the year ended December 31, 2022

## Purpose of the Report:

Under Section 2925(6) of the Public Authorities Law, the GCEDC and its affiliates are required to prepare and approve an Annual Investment Report. The schedule below was approved by the Board on **March 2, 2023**.

Bank	Type	Account Description	12/31/22 G/L Balance	12/31/22 Bank Balance	Interest Rate
Five Star Bank	Checking	GCEDC Primary Checking	\$66,866.65	\$77,270.40	1.5%
Five Star Bank	Checking	GCEDC - BP2	\$34,992.43	\$34,992.43	1.5%
Five Star Bank	Savings	GCEDC Primary Savings	\$7,018,832.04	\$7,018,832.04	2.25%
Five Star Bank	Checking	GCEDC - GAIN LOAN Fund	\$224,800.99	\$224,800.99	1.5%
Bank of Castile	Savings	GCEDC - RLF#2	\$0.00	\$0.00	0.02%
Bank of Castile	Savings	GCEDC Investment	\$331,317.74	\$331,317.74	0.07%
Bank of Castile	Checking	GCEDC STAMP - Imprest Account \$8M	\$1,778,309.81	\$1,778,309.81	0.07%
KeyBank	Checking	GCEDC STAMP - Imprest Account \$33M	\$6,724,779.16	\$6,729,626.66	0.38%
KeyBank	Checking	GCEDC STAMP	\$1,004.47	\$1,004.47	0.00%

As of December 31, 2022, cash balances were fully collateralized. The funds currently on deposit with The Bank of Castile and Five Star Bank are secured by investments held with The Bank of New York Mellon and M&T Bank, respectively. The funds currently on deposit with KeyBank are secured by KeyBank's pledge pool held by Bank of New York. The GCEDC generated \$41,520 of interest income for the period January 1, 2022 through December 31, 2022.

\* No fees or commissions were paid.

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

**Procurement Information:**

Question	Response	URL (If Applicable)
1. Does the Authority have procurement guidelines?	Yes	<a href="https://www.gcedc.com/news/about-and-mission/gcedc-reports">https://www.gcedc.com/news/about-and-mission/gcedc-reports</a>
2. Are the procurement guidelines reviewed annually, amended if needed, and approved by the Board?	Yes	
3. Does the Authority allow for exceptions to the procurement guidelines?	No	
4. Does the Authority assign credit cards to employees for travel and/or business purchases?	Yes	
5. Does the Authority require prospective bidders to sign a non-collusion agreement?	Yes	
6. Does the Authority incorporate a summary of its procurement policies and prohibitions in its solicitation of proposals, bid documents, or specifications for procurement contracts?	Yes	
7. Did the Authority designate a person or persons to serve as the authorized contact on a specific procurement, in accordance with Section 139-j(2)(a) of the State Finance Law, "The Procurement Lobbying Act"?	Yes	
8. Did the Authority determine that a vendor had impermissible contact during a procurement or attempted to influence the procurement during the reporting period, in accordance with Section 139-j(10) of the State Finance Law?	No	
8a. If Yes, was a record made of this impermissible contact?		
9. Does the Authority have a process to review and investigate allegations of impermissible contact during a procurement, and to impose sanctions in instances where violations have occurred, in accordance with Section 139-j(9) of the State Finance Law?	Yes	

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A
**Procurement Transactions Listing:**

1.	Vendor Name	360 PSG, Inc.	Address Line1	678 Sheridan Drive
	Type of Procurement	Technology - Consulting/Development or Support	Address Line2	
	Award Process	Authority Contract - Competitive Bid	City	TONAWANDA
	Award Date	3/29/2022	State	NY
	End Date		Postal Code	14150
	Fair Market Value		Plus 4	
	Amount	\$8,050.00	Province/Region	
	Amount Expended For Fiscal Year	\$8,050.00	Country	United States
	Explain why the Fair Market Value is Less than the Amount		Procurement Description	Website Design & Development

2.	Vendor Name	716 Site Contracting, Inc.	Address Line1	PO Box 120
	Type of Procurement	Design and Construction/Maintenance	Address Line2	
	Award Process	Authority Contract - Competitive Bid	City	NORTH BOSTON
	Award Date	1/13/2022	State	NY
	End Date		Postal Code	14110
	Fair Market Value		Plus 4	
	Amount	\$1,535,015.00	Province/Region	
	Amount Expended For Fiscal Year	\$562,854.60	Country	United States
	Explain why the Fair Market Value is Less than the Amount		Procurement Description	STAMP: Crosby Rd Reconstruction; Water Main Installation

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

<b>3. Vendor Name</b>	Black & Veatch	<b>Address Line1</b>	PO Box 505618
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	SAINT LOUIS
<b>Award Date</b>	6/6/2019	<b>State</b>	MO
<b>End Date</b>		<b>Postal Code</b>	63150
<b>Fair Market Value</b>	\$1,430,636.00	<b>Plus 4</b>	
<b>Amount</b>	\$1,430,363.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$152,641.65	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Substation & Transmission Line Engineering

<b>4. Vendor Name</b>	CC Environment & Planning	<b>Address Line1</b>	23 Jackson Street
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BATAVIA
<b>Award Date</b>	3/3/2022	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14020
<b>Fair Market Value</b>	\$73,800.00	<b>Plus 4</b>	
<b>Amount</b>	\$73,800.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$47,837.29	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Part 182 Take Permit; Includes 9/1/22 Contract Amendment

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>5. Vendor Name</b>	CC Environment & Planning	<b>Address Line1</b>	23 Jackson Street
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BATAVIA
<b>Award Date</b>	3/7/2019	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14020
<b>Fair Market Value</b>	\$45,457.00	<b>Plus 4</b>	
<b>Amount</b>	\$45,457.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$5,004.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Site Development Environmental Services & Support; Includes 5/6/21 Contract Amendment

<b>6. Vendor Name</b>	CC Environment & Planning	<b>Address Line1</b>	23 Jackson Street
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BATAVIA
<b>Award Date</b>	10/7/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14020
<b>Fair Market Value</b>	\$40,117.00	<b>Plus 4</b>	
<b>Amount</b>	\$40,117.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$36,727.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Land Management 5 Year Plan Update; Includes 1/13/22 Contract Amendment

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4.2

Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>7. Vendor Name</b>	CCS of Western New York	<b>Address Line1</b>	116 Main Street
<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	DEPEW
<b>Award Date</b>	12/2/2021	<b>State</b>	NY
<b>End Date</b>	12/31/2022	<b>Postal Code</b>	14043
<b>Fair Market Value</b>	\$5,366.04	<b>Plus 4</b>	
<b>Amount</b>	\$5,366.04	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$5,366.04	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Cleaning Services -2022

<b>8. Vendor Name</b>	CCS of Western New York	<b>Address Line1</b>	116 Main Street
<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	DEPEW
<b>Award Date</b>	12/3/2020	<b>State</b>	NY
<b>End Date</b>	12/31/2021	<b>Postal Code</b>	14043
<b>Fair Market Value</b>	\$5,110.56	<b>Plus 4</b>	
<b>Amount</b>	\$5,110.56	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$425.88	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Cleaning Services -2021

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

<b>9. Vendor Name</b>	CNY Pomeroy Appraisers, Inc.	<b>Address Line1</b>	100 Eats Seneca Street
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	Suite 200
<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	MANLIUS
<b>Award Date</b>	1/13/2022	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	13104
<b>Fair Market Value</b>		<b>Plus 4</b>	
<b>Amount</b>	\$7,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$7,000.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Land Appraisals

<b>10. Vendor Name</b>	Clark Patterson Lee	<b>Address Line1</b>	205 St. Paul Street
<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	Suite 500
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	3/8/2019	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14604
<b>Fair Market Value</b>	\$1,350,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$1,350,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$92,840.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Onsite Wastewater Treatment Facility Design & Permitting

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<b>11. Vendor Name</b>	Clark Patterson Lee	<b>Address Line1</b>	205 St. Paul Street
<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	Suite 500
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	9/5/2019	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14604
<b>Fair Market Value</b>	\$900,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$900,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$103,145.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Engineering Services for Design & Permitting of 6 MGD Big Water System

<b>12. Vendor Name</b>	Clark Patterson Lee	<b>Address Line1</b>	205 St. Paul Street
<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	Suite 500
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	3/25/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14604
<b>Fair Market Value</b>	\$560,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$560,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$27,160.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Engineering Services Related to Construction of Force Main

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<b>13. Vendor Name</b>	Clark Patterson Lee	<b>Address Line1</b>	205 St. Paul Street
<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	Suite 500
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	3/25/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14604
<b>Fair Market Value</b>	\$75,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$75,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$52,700.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Engineering Services Related to Crosby Road Reconstruction and Onsite Water

<b>14. Vendor Name</b>	DDS Engineering & Surveying, LLP	<b>Address Line1</b>	45 Hendrix Road
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	WEST HENRIETTA
<b>Award Date</b>	2/3/2022	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14586
<b>Fair Market Value</b>	\$6,500.00	<b>Plus 4</b>	
<b>Amount</b>	\$6,500.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$6,500.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	LeRoy Food & Tech Park: Gas Feasibility Study

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<b>15. Vendor Name</b>	Deuel Archaeology & CRM	<b>Address Line1</b>	PO Box 51
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ATTICA
<b>Award Date</b>	9/1/2022	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14011
<b>Fair Market Value</b>	\$9,695.00	<b>Plus 4</b>	
<b>Amount</b>	\$9,695.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$4,847.50	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Phase II Cultural Resource Investigation

<b>16. Vendor Name</b>	Deuel Archaeology & CRM	<b>Address Line1</b>	PO Box 51
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ATTICA
<b>Award Date</b>	2/6/2020	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14011
<b>Fair Market Value</b>	\$7,395.00	<b>Plus 4</b>	
<b>Amount</b>	\$7,395.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$7,395.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Phase 1B Cultural Resource Investigation

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<b>17. Vendor Name</b>	Erie County Industrial Development Agency	<b>Address Line1</b>	95 Perry Street
<b>Type of Procurement</b>	Technology - Consulting/Development or Support	<b>Address Line2</b>	Suite 103
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
<b>Award Date</b>	1/7/2021	<b>State</b>	NY
<b>End Date</b>	12/31/2021	<b>Postal Code</b>	14203
<b>Fair Market Value</b>	\$8,500.00	<b>Plus 4</b>	
<b>Amount</b>	\$8,500.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$1,317.50	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Information Technology Support Services - 2021

<b>18. Vendor Name</b>	Erie County Industrial Development Agency	<b>Address Line1</b>	95 Perry Street
<b>Type of Procurement</b>	Technology - Consulting/Development or Support	<b>Address Line2</b>	Suite 103
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
<b>Award Date</b>	1/13/2022	<b>State</b>	NY
<b>End Date</b>	12/31/2022	<b>Postal Code</b>	14203
<b>Fair Market Value</b>	\$8,200.00	<b>Plus 4</b>	
<b>Amount</b>	\$8,200.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$5,402.56	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Information Technology Support Services - 2022

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19.	<b>Vendor Name</b>	Frandina Engineering & Land Surveying	<b>Address Line1</b>	1701 Hertel Ave.
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	10/7/2021	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14216
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>	\$15,260.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$14,560.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Utility & Easement Survey

20.	<b>Vendor Name</b>	Frandina Engineering & Land Surveying	<b>Address Line1</b>	1701 Hertel Ave.
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	1/7/2021	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14216
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>	\$13,070.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$13,070.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Survey of ROW for USFWS Force Main

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21.	<b>Vendor Name</b>	G. Devincintis & Son Construction	<b>Address Line1</b>	7 Belden Street
	<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	BINGHAMTON
	<b>Award Date</b>	3/25/2021	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	13903
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>	\$9,777,000.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$299,988.97	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Construction of Force Main - Contract A

22.	<b>Vendor Name</b>	Genesee Gateway Local Development Corp.	<b>Address Line1</b>	99 MedTech Drive
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	Suite 106
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BATAVIA
	<b>Award Date</b>	1/1/2022	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14020
	<b>Fair Market Value</b>	\$18,955.56	<b>Plus 4</b>	
	<b>Amount</b>	\$18,955.56	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$17,375.93	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Rent 2022

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23. Vendor Name	Genesee Gateway Local Development Corp. (Selective)	Address Line1	99 MedTech Drive
Type of Procurement	Other	Address Line2	Suite 106
Award Process	Authority Contract - Competitive Bid	City	BATAVIA
Award Date	12/2/2021	State	NY
End Date	12/31/2023	Postal Code	14020
Fair Market Value		Plus 4	
Amount	\$160.00	Province/Region	
Amount Expended For Fiscal Year	\$160.00	Country	United States
Explain why the Fair Market Value is Less than the Amount		Procurement Description	Reimbursement for Property Insurance / Selective

24. Vendor Name	Genesee Gateway Local Development Corp. (Travelers)	Address Line1	99 MedTech Drive
Type of Procurement	Other	Address Line2	Suite 106
Award Process	Authority Contract - Competitive Bid	City	BATAVIA
Award Date	2/3/2022	State	NY
End Date	12/31/2022	Postal Code	14020
Fair Market Value		Plus 4	
Amount	\$9,093.00	Province/Region	
Amount Expended For Fiscal Year	\$9,093.00	Country	United States
Explain why the Fair Market Value is Less than the Amount		Procurement Description	Reimbursement for D&O Insurance / Travelers

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25.	<b>Vendor Name</b>	Greater Rochester Enterprise	<b>Address Line1</b>	100 Chestnut Street
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	Suite 1910
	<b>Award Process</b>	Non Contract Procurement/Purchase Order	<b>City</b>	ROCHESTER
	<b>Award Date</b>		<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14604
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>		<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$50,000.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Sales & Marketing Services; Membership Dues

26.	<b>Vendor Name</b>	Harris Beach	<b>Address Line1</b>	99 Garnsey Road
	<b>Type of Procurement</b>	Legal Services	<b>Address Line2</b>	
	<b>Award Process</b>	Non Contract Procurement/Purchase Order	<b>City</b>	PITTSFORD
	<b>Award Date</b>		<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14534
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>		<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$33,704.42	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Misc Legal Services

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27. Vendor Name	Highlander Construction	Address Line1	5774 Kester Road
Type of Procurement	Design and Construction/Maintenance	Address Line2	
Award Process	Authority Contract - Competitive Bid	City	MEMPHIS
Award Date	5/6/2021	State	NY
End Date		Postal Code	13112
Fair Market Value		Plus 4	
Amount	\$2,600,000.00	Province/Region	
Amount Expended For Fiscal Year	\$892,055.12	Country	United States
Explain why the Fair Market Value is Less than the Amount		Procurement Description	STAMP: Construction of Force Main - Contract B

28. Vendor Name	Invest Buffalo Niagara	Address Line1	257 West Genesee Street
Type of Procurement	Other	Address Line2	Suite 600
Award Process	Non Contract Procurement/Purchase Order	City	BUFFALO
Award Date		State	NY
End Date		Postal Code	14202
Fair Market Value		Plus 4	
Amount		Province/Region	
Amount Expended For Fiscal Year	\$25,000.00	Country	United States
Explain why the Fair Market Value is Less than the Amount		Procurement Description	Membership Dues

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<b>29.</b>	<b>Vendor Name</b>	Keeler Construction Co., Inc.	<b>Address Line1</b>	13519 Weat Lee Road
	<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	ALBION
	<b>Award Date</b>	1/13/2022	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14411
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>	\$749,710.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$617,276.75	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Installation of Sanitary Sewer, Holding Tank & Pump Station, Temp. Access Road & Laydown Yard; includes 8/4/22 & 9/1/22 Contract Amendments

<b>30.</b>	<b>Vendor Name</b>	Lawley, LLC	<b>Address Line1</b>	361 Delaware Avenue
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	6/2/2022	<b>State</b>	NY
	<b>End Date</b>	7/1/2023	<b>Postal Code</b>	14202
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>	\$5,144.59	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$5,144.59	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Cyber Insurance

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<b>31. Vendor Name</b>	Loewke Brill	<b>Address Line1</b>	491 Elmgrove Rd
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	Suite 2
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	7/1/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14606
<b>Fair Market Value</b>	\$25,610.00	<b>Plus 4</b>	
<b>Amount</b>	\$25,610.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$12,180.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Local Labor Reporting - Plug Power

<b>32. Vendor Name</b>	Loewke Brill	<b>Address Line1</b>	491 Elmgrove Rd
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	Suite 2
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	7/1/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14606
<b>Fair Market Value</b>	\$19,520.00	<b>Plus 4</b>	
<b>Amount</b>	\$19,520.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$1,250.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Local Labor Reporting - Execlsior Energy

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<b>33.</b>	<b>Vendor Name</b>	Loewke Brill	<b>Address Line1</b>	491 Elmgrove Rd
	<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	Suite 2
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
	<b>Award Date</b>	7/1/2021	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14606
	<b>Fair Market Value</b>	\$17,390.00	<b>Plus 4</b>	
	<b>Amount</b>	\$17,390.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$8,605.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Local Labor Reporting - Ellicott Station

<b>34.</b>	<b>Vendor Name</b>	Loewke Brill	<b>Address Line1</b>	491 Elmgrove Rd
	<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	Suite 2
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
	<b>Award Date</b>	9/9/2021	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14606
	<b>Fair Market Value</b>	\$11,910.00	<b>Plus 4</b>	
	<b>Amount</b>	\$11,910.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$8,220.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Local Labor Reporting - Land Pro

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<b>35. Vendor Name</b>	Loewke Brill	<b>Address Line1</b>	491 Elmgrove Rd
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	Suite 2
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	9/1/2022	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14606
<b>Fair Market Value</b>	\$9,170.00	<b>Plus 4</b>	
<b>Amount</b>	\$9,170.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$2,320.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Local Labor Reporting - Nexgistics

<b>36. Vendor Name</b>	Loewke Brill	<b>Address Line1</b>	491 Elmgrove Rd
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	Suite 2
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ROCHESTER
<b>Award Date</b>	9/9/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14606
<b>Fair Market Value</b>	\$7,775.00	<b>Plus 4</b>	
<b>Amount</b>	\$7,775.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$5,520.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Local Labor Reporting - Liberty Pumps

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>37. Vendor Name</b>	Morsch Pipeline, Inc.	<b>Address Line1</b>	3929 South Avon Road
<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	AVON
<b>Award Date</b>	3/26/2020	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14414
<b>Fair Market Value</b>		<b>Plus 4</b>	
<b>Amount</b>	\$2,220,743.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$63,024.89	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Offsite Water Main Construction - Pembroke Line

<b>38. Vendor Name</b>	Mostert, Manzanero & Scott, LLP	<b>Address Line1</b>	4 Associate Drive
<b>Type of Procurement</b>	Financial Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	ONEONTA
<b>Award Date</b>	10/25/2021	<b>State</b>	NY
<b>End Date</b>	12/31/2022	<b>Postal Code</b>	13820
<b>Fair Market Value</b>	\$10,300.00	<b>Plus 4</b>	
<b>Amount</b>	\$10,300.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$10,300.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Audit of the 2021 Financial Statements

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

39.	<b>Vendor Name</b>	NYS & Local Employees Retirement	<b>Address Line1</b>	110 State Street
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
	<b>Award Process</b>	Non Contract Procurement/Purchase Order	<b>City</b>	ALBANY
	<b>Award Date</b>		<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	12244
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>		<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$86,000.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Retirement

40.	<b>Vendor Name</b>	NYS Economic Development Council	<b>Address Line1</b>	111 Washington Avenue
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	4th Floor
	<b>Award Process</b>	Non Contract Procurement/Purchase Order	<b>City</b>	ALBANY
	<b>Award Date</b>		<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	12210
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>		<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$6,000.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Membership and Sponsorships

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Procurement Report for Genesee County Industrial Development Agency  
Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

41. Vendor Name	NYS Economic Development Council	Address Line1	111 Washington Avenue
Type of Procurement	Other	Address Line2	4th Floor
Award Process	Non Contract Procurement/Purchase Order	City	ALBANY
Award Date		State	NY
End Date		Postal Code	12210
Fair Market Value		Plus 4	
Amount		Province/Region	
Amount Expended For Fiscal Year	\$5,000.00	Country	United States
Explain why the Fair Market Value is Less than the Amount		Procurement Description	SEMICON West Booth Sponsorship

42. Vendor Name	National Grid	Address Line1	300 Erie Blvd West
Type of Procurement	Other	Address Line2	
Award Process	Non Contract Procurement/Purchase Order	City	SYRACUSE
Award Date		State	NY
End Date		Postal Code	13202
Fair Market Value		Plus 4	
Amount		Province/Region	
Amount Expended For Fiscal Year	\$5,238.79	Country	United States
Explain why the Fair Market Value is Less than the Amount		Procurement Description	Electric Services

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>43. Vendor Name</b>	National Grid	<b>Address Line1</b>	P.O. BOX 29805
<b>Type of Procurement</b>	Design and Construction/Maintenance	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	NEW YORK
<b>Award Date</b>	10/29/2020	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	10087
<b>Fair Market Value</b>	\$5,301,825.00	<b>Plus 4</b>	
<b>Amount</b>	\$5,301,825.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$2,201,825.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: CRA National Grid Power Line Re-Route; Includes 1/13/22 Contract Amendment

<b>44. Vendor Name</b>	New York Power Authority	<b>Address Line1</b>	Department 110648
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	PO Box 5211
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BINGHAMTON
<b>Award Date</b>	5/5/2022	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	13902
<b>Fair Market Value</b>	\$53,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$53,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$51,067.45	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Facilities Study Agreement

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

<b>45. Vendor Name</b>	Niagara County Water District	<b>Address Line1</b>	5450 Ernest Road
<b>Type of Procurement</b>	Consulting Services	<b>Address Line2</b>	PO Box 315
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	LOCKPORT
<b>Award Date</b>	4/26/2019	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14095
<b>Fair Market Value</b>	\$3,115,852.00	<b>Plus 4</b>	
<b>Amount</b>	\$3,115,852.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$101,863.93	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Engineering & Legal Services; Includes 10/29/20, 12/3/20 & 10/6/22 Contract Amendments

<b>46. Vendor Name</b>	Park Strategies, LLC	<b>Address Line1</b>	101 Park Avenue
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	Suite 2506
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	NEW YORK
<b>Award Date</b>	3/3/2022	<b>State</b>	NY
<b>End Date</b>	3/31/2023	<b>Postal Code</b>	10178
<b>Fair Market Value</b>	\$18,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$18,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$13,500.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Government Relations Services (4/1/22 - 3/31/23)

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

<b>47. Vendor Name</b>	Park Strategies, LLC	<b>Address Line1</b>	101 Park Avenue
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	Suite 2506
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	NEW YORK
<b>Award Date</b>	3/4/2021	<b>State</b>	NY
<b>End Date</b>	3/31/2022	<b>Postal Code</b>	10178
<b>Fair Market Value</b>	\$18,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$18,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$4,500.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Government Relations Services (4/1/21 - 3/31/22)

<b>48. Vendor Name</b>	Phillips Lytle LLP	<b>Address Line1</b>	125 Main Street
<b>Type of Procurement</b>	Legal Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
<b>Award Date</b>	7/1/2021	<b>State</b>	NY
<b>End Date</b>	12/31/2022	<b>Postal Code</b>	14203
<b>Fair Market Value</b>	\$533,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$533,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$400,315.22	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Tech Team Support for Various Reviews & Approval Processes; Includes 1/13/22 and 10/6/22 Contract Amendments

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>49. Vendor Name</b>	Phillips Lytle LLP	<b>Address Line1</b>	125 Main Street
<b>Type of Procurement</b>	Legal Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
<b>Award Date</b>	2/4/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14203
<b>Fair Market Value</b>	\$185,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$185,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$7,954.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Main Substation; Includes 7/1/21 Contract Amendment

<b>50. Vendor Name</b>	Right of Way Professionals	<b>Address Line1</b>	2440 Sheridan Drive
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	Suite 10
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	TONAWANDA
<b>Award Date</b>	8/5/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14150
<b>Fair Market Value</b>	\$24,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$24,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$18,682.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Right of Way Agreements

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

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Status: UNSUBMITTED  
Certified Date : N/A

<b>51. Vendor Name</b>	Saratoga Associates	<b>Address Line1</b>	21 Congress Street
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	Suite 201
<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	SARATOGA SPRINGS
<b>Award Date</b>	12/2/2021	<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	12866
<b>Fair Market Value</b>		<b>Plus 4</b>	
<b>Amount</b>	\$15,983.75	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$15,927.69	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Visual Assessment Services; Includes 3/3/22 and 8/4/22 Contract / Amendments.

<b>52. Vendor Name</b>	Selective Insurance	<b>Address Line1</b>	PO Box 371468
<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	PITTSBURGH
<b>Award Date</b>	12/2/2021	<b>State</b>	PA
<b>End Date</b>	12/31/2022	<b>Postal Code</b>	15250
<b>Fair Market Value</b>		<b>Plus 4</b>	
<b>Amount</b>	\$20,251.01	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$20,251.01	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Business Insurance

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

53.	<b>Vendor Name</b>	The Research Foundation of SUNY UB	<b>Address Line1</b>	Ellicott Complex
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	1/13/2022	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14261
	<b>Fair Market Value</b>	\$11,700.00	<b>Plus 4</b>	
	<b>Amount</b>	\$11,700.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$11,700.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Site Work Monitor Services

54.	<b>Vendor Name</b>	Town of Alabama	<b>Address Line1</b>	2218 Judge Road
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
	<b>Award Process</b>	Non Contract Procurement/Purchase Order	<b>City</b>	OAKFIELD
	<b>Award Date</b>		<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14125
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>		<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$800.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	STAMP: Compensation for Temporary Easement

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

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Certified Date : N/A

<b>55.</b>	<b>Vendor Name</b>	Town of Alabama	<b>Address Line1</b>	2218 Judge Road
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	OAKFIELD
	<b>Award Date</b>	1/10/2019	<b>State</b>	NY
	<b>End Date</b>		<b>Postal Code</b>	14125
	<b>Fair Market Value</b>	\$110,711.99	<b>Plus 4</b>	
	<b>Amount</b>	\$110,711.99	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$26,775.42	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Reimbursement for Costs Related to STAMP; Includes 1/13/22 Contract Amendment

<b>56.</b>	<b>Vendor Name</b>	Univera	<b>Address Line1</b>	P.O. Box 5266
	<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Competitive Bid	<b>City</b>	BINGHAMTON
	<b>Award Date</b>	1/1/2022	<b>State</b>	NY
	<b>End Date</b>	12/31/2022	<b>Postal Code</b>	13902
	<b>Fair Market Value</b>		<b>Plus 4</b>	
	<b>Amount</b>	\$134,220.24	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$103,632.60	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Group Health Insurance - 2022

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
Status: UNSUBMITTED  
Certified Date : N/A

<b>57. Vendor Name</b>	e3communications	<b>Address Line1</b>	551 Franklin Street
<b>Type of Procurement</b>	Other	<b>Address Line2</b>	
<b>Award Process</b>	Non Contract Procurement/Purchase Order	<b>City</b>	BUFFALO
<b>Award Date</b>		<b>State</b>	NY
<b>End Date</b>		<b>Postal Code</b>	14202
<b>Fair Market Value</b>		<b>Plus 4</b>	
<b>Amount</b>		<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$100.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Social Media Advertisement on Facebook - Reimbursement

<b>58. Vendor Name</b>	e3communications	<b>Address Line1</b>	551 Franklin Street
<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
<b>Award Date</b>	12/2/2021	<b>State</b>	NY
<b>End Date</b>	12/31/2022	<b>Postal Code</b>	14202
<b>Fair Market Value</b>	\$24,000.00	<b>Plus 4</b>	
<b>Amount</b>	\$24,000.00	<b>Province/Region</b>	
<b>Amount Expended For Fiscal Year</b>	\$22,000.00	<b>Country</b>	United States
<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Public Relations / STAMP Marketing - 2022

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

 Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>59.</b>	<b>Vendor Name</b>	e3communications	<b>Address Line1</b>	551 Franklin Street
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	12/3/2020	<b>State</b>	NY
	<b>End Date</b>	12/31/2021	<b>Postal Code</b>	14202
	<b>Fair Market Value</b>	\$24,000.00	<b>Plus 4</b>	
	<b>Amount</b>	\$24,000.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$2,000.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Public Relations / STAMP Marketing - 2021

<b>60.</b>	<b>Vendor Name</b>	e3communications	<b>Address Line1</b>	551 Franklin Street
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	12/2/2021	<b>State</b>	NY
	<b>End Date</b>	12/31/2022	<b>Postal Code</b>	14202
	<b>Fair Market Value</b>	\$21,600.00	<b>Plus 4</b>	
	<b>Amount</b>	\$21,600.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$19,800.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Public Relations / GCEDC Marketing - 2022

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Procurement Report for Genesee County Industrial Development Agency

Fiscal Year Ending: 12/31/2022

Run Date: 02/24/2023  
 Status: UNSUBMITTED  
 Certified Date : N/A

<b>61.</b>	<b>Vendor Name</b>	e3communications	<b>Address Line1</b>	551 Franklin Street
	<b>Type of Procurement</b>	Other Professional Services	<b>Address Line2</b>	
	<b>Award Process</b>	Authority Contract - Non-Competitive Bid	<b>City</b>	BUFFALO
	<b>Award Date</b>	12/3/2020	<b>State</b>	NY
	<b>End Date</b>	12/31/2021	<b>Postal Code</b>	14202
	<b>Fair Market Value</b>	\$20,100.00	<b>Plus 4</b>	
	<b>Amount</b>	\$20,100.00	<b>Province/Region</b>	
	<b>Amount Expended For Fiscal Year</b>	\$1,675.00	<b>Country</b>	United States
	<b>Explain why the Fair Market Value is Less than the Amount</b>		<b>Procurement Description</b>	Public Relations / GCEDC Marketing - 2021

Additional Comments

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**GCEDC**  
**Audit & Finance Committee Meeting Report**

**Mowing contract for STAMP**

**Discussion:** The GCEDC Received a proposal for mowing of the stormwater pond at STAMP for 2023. This is included in the 2023 GCEDC budget as presented to the Committee at our previous meeting.

**Fund commitment:** \$2,800 from operational funds of STAMP. This amount was included in the 2023 GCEDC budget that was reviewed by the Board previously.

**Board action request:** Approval of mowing contract for \$2,800 with Genesee County Highway Department.



# GENESEE COUNTY HIGHWAY DEPARTMENT

153 Cedar Street  
Batavia, New York 14020  
Phone: (585) 344-8508 Fax: (585) 343-9303

Timothy J. Hens, P.E. Highway Superintendent  
David Wozniak, Deputy Superintendent  
Paul Osborn, Deputy Superintendent – Facilities, Parks, Recreation & Forestry

Jason Long  
Airport Supervisor  
Chris Klein  
Fleet Maintenance Supervisor  
Laura Wadhams, P.E.  
Assistant County Engineer  
Justin Gerace  
Assistant County Engineer - Water

November 16, 2022

GGLDC  
Attn: Mark Masse, Sr. VP of Operations, Managing Member  
99 MedTech Drive  
Suite 106  
Batavia, NY 14020

Dear Mark:

Here are the requested quotes for providing mowing services at the business parks listed below for the 2023 season:

*A. Genesee Valley Agri-Business Park -*

1. Mowing adjacent to paved roadways within park 1 time a month
2. Finish mow Rt. 5 entry sign lawn areas on a regular basis (avg. every 7-10 days)
3. Finish mow Rt. 63 entry sign lawn area on a regular basis (avg. every 7-10 days)
4. Mowing 2 retention ponds 2 times a year

*B. Upstate Med & Tech Park -*

1. Mowing adjacent to ponds and drainage channel within park 1 time a month
2. Mowing 2 retention pond 2 times a year

Mowing - @\$1,600.00 per month x 6 (May-Oct)	= \$ 9,600.00
Ponds - @\$500.00 each time per year x 2	= \$ 1,000.00
<b>2023 Upstate Med &amp; Tech, GVAB Park mowing Total</b>	<u>\$10,600.00</u>

*C. WNY Stamp Business Park*

- |   |                    |
|---|--------------------|
| 1. Mow 1 retention pond 2 times a year @ \$400.00 each time | = \$ 800.00        |
| 2. Mow Part 182 Mitigation Field 1 time between Aug 15-31   | = \$ 1,000.00      |
| <b>2023 STAMP Mowing Total</b>                              | <u>\$ 1,800.00</u> |

**2023 Mowing total for all 3 Parks minus NW Field = \$12,400.00**

*D. WNY Stamp Business Park*

- |  |               |
|--|---------------|
| 1. 2023 Mow 1x NW Field off "Patterson Road" | = \$ 1,000.00 |
|--|---------------|

If you have any questions regarding this proposal, please feel free to contact me at (585) 344-8508 ext. 3704 or via email at [paul.osborn@co.genesee.ny.us](mailto:paul.osborn@co.genesee.ny.us).

Paul A. Osborn, Genesee County Deputy Highway Superintendent

Proposal Acceptance: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## Authority Self-Evaluation of Prior Year Performance

**Local Public Authority Name:** Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (GCEDC)

### 2021 Measurements and results:

1. Secure capital / business investment commitments of \$35 million (not including any project over \$50 million in capital investment).
  - A. **2022 result was \$33 million (the total for the year is \$97 million if the over \$50 million in capital investments, RRH and YMCA Healthy Living Campus, are included).**
2. Secure pledges to create 90 jobs.
  - A. **2022 result was 16 pledged jobs to be created (the total for the year was 117 if the over \$50 million in capital investments, RRH and YMCA Healthy Living Campus, are included).**
3. Achieve the GCEDC 2022 budget from a bottom-line financial operation performance (EBITDA) standpoint.
  - A. **The GCEDC will exceed the 2022 budget from a bottom-line standpoint. For the Operating Fund, Project Origination Fee Revenue collected exceeded the budgeted amount. The GCEDC collected \$405K in Project Origination Fee Revenue as compared to the \$375K budgeted for 2022. Several operating expenditure line items will come in significantly under budget as well.**
4. Continue an active outreach campaign. Continue engagements with state, federal, regional, local and educational partners focused on advancing the GCEDC's development strategy enabling local/regional economic growth and quality job opportunities for our residents and children.
  - A. **The GCEDC continued its efforts in 2022 to provide enhanced communications and outreach with federal, state and local government officials and staff on various economic development issues. This has been accomplished through direct communications with these officials, but also through our activities with and appointments to various civic, government and private sector entities which allows for constant interaction with our federal, state and local government representatives and staff.**

#### 1. Federal:

- Provided guidance on market conditions and needs during the development of the CHIPS and Science Act with Senate Majority Leader Schumer's regional and economic development policy staff, as well as Rep. Morelle's regional and economic development policy staff. This added a critical focus on the supporting shovel-readiness for strategic sites, including STAMP, and connections with potential industry supporters.
- Made requests to our congressional delegation to make outreach to key federal agencies regarding support at STAMP, including federal reviews and approvals of required site and infrastructure development.

#### 2. State/Regional:

- Coordinated state and local support enabling Plug Power's investments into a green hydrogen project and construction of a campus-wide substation at STAMP.
- Continued to explore funding opportunities at STAMP through discussions with the Governor's office, including Empire State Development, and members from the Rochester and Finger Lakes delegation to the New York State Legislature following the

approval and deployment of grants for infrastructure to support active and future projects at STAMP.

- Continued to financially support the economic development initiatives of the Greater Rochester Enterprise (GRE) and Invest Buffalo Niagara (IBN). These investments include a seat on the board of directors of both organizations and active support for sales and marketing outreach.
- The GCEDC's CEO serves on Finger Lakes Regional Economic Development Council (FLREDC). Several members of the GCEDC staff also serve on workgroups for the FLREDC.
- Members of the GCEDC staff also serve on Invest Buffalo Niagara's Industrial Real Estate Strategy Taskforce, including site readiness and marketing workgroups.

### **3. Local (County, City and Town):**

- Continued to increase outreach and dialogue with local municipalities. In 2022, these conversations also included a successful partnership with the towns of Elba and Oakfield, and Genesee County, to negotiate financial agreements that are estimated to generate \$87 million in revenue from the Hecate Energy Cider Solar project. Municipalities where projects under consideration of the GCEDC board are contacted before and after board actions, and before and after public hearings, including project applications, public hearing minutes, and project summaries.
- The GCEDC has engaged with towns, villages, and the city of Batavia to identify areas that have zoning, utilities and local support for housing developments in conjunction with the GCEDC's targeted housing development initiative. This includes the development of an 8-acre area in the City of Batavia for future housing development.
- In addition to project communications, the GCEDC engages with municipalities and local government officials through participation in local board meetings and discussions on potential projects, long-term developments, and properties and buildings that can be marketed for investment.
- The GCEDC staff also participates on many community boards relevant to economic development, business, and community development across the County.

### **4. Educational Institutions:**

- Our workforce partners included K-12 Schools, GV BOCES/BEA, GLOW WIB and Genesee County Career Center, Genesee Community College, and regional institutions. All are critical partners to our economic development initiatives, especially our efforts to bring new businesses to our shovel-ready parks and enable the growth of existing businesses.
- Superintendents, teachers, counselors, and students across the Genesee Valley BOCES. (GV BOCES) districts have been working with the GCEDC to increase STEM programming in the classroom and gaining awareness of skill-based career choices.
- Building on the launch of The GLOW With Your Hands program, the GCEDC and partners continued online GLOW With Your Hands Virtual website available to all Genesee County high school students in addition to an in-person GLOW With Your Hands program.
- 11<sup>th</sup> and 12<sup>th</sup> grade Electro-mechanical, or "Mechatronics" has been an asset. The youth apprenticeship and pre-apprenticeship bootcamp have given students connections to local companies. Both programs have leveraged the \$800,000 of new equipment sponsored by GCEDC/GGLDC for the mechatronics lab at GV BOCES
- This workforce development effort is intended to provide employers with a skilled workforce, as well as build a worker pipeline for the future companies attracted to our region, including businesses we are recruiting to bring to the STAMP Campus.

5. Continue site development activities at the tech and industrial parks which facilitates achievement of our jobs and investment goals.
  - A. **2022 results for the STAMP site are that the power line reroute, and the 345 kV to 115 kV substation have begun construction. The onsite water line, hold and haul tank, and the onsite construction storage yard have completed construction as well. The NYSDEC has issued the SPDEA permit for the WWTF and the final design and bidding package will be completed in 2023. The STAMP site is now at a market ready status for the large-scale infrastructure needed for mega sized projects.**
  
6. Continue active participation with the City of Batavia, Batavia Development Corp., County, School district, Finger Lakes REDC, New York State and related community partners with respect to revitalization activities and projects in the City of Batavia to include development and implementation of the Batavia DRI Strategic Investment Plan. This will include the importance of the development and support of Placemaking.
  - A. **The GCEDC built on placemaking initiatives including engagement with local stakeholders and project managers for strategic Downtown Revitalization Initiative projects at the Healthy Living Campus, Ellicott Station, Ellicott Place and others. The GCEDC provided active guidance in the redevelopment of BOA sites at the City Center/mall and Creek Park, as well as the deployment of the DRI's Building Improvement Fund.**
  
7. Continue active sales and marketing efforts focused on company attractions, expansions and retentions to achieve our investment and jobs goals and continued focus on economic expansion.
  - A. **In 2022, the GCEDC had 12 wins, 117 jobs committed, and \$97 million in capital investment committed. The results exceeded the GCEDC's goals. The GCEDC had 7 company attraction projects which included J & R Fancher Properties, LLC mixed use project at BETP. There were two expansion projects which were J Rental in Apple Tree Acres and Rochester Regional Health building adjacent to the Gateway II Corporate Park. The selling activity continued to be robust, and the sales funnel remains very active. The GCEDC sales and business development team responded to 111 leads in 2022. Eleven of those leads converted to projects and were approved for incentives/funding support from either the boards of GCEDC/GGLDC/GCFC and/or New York State.**
  
8. Continue workforce development activities with our education partners focused on worker pipeline enhancement enabling growth by our existing base of businesses and supporting company attractions to the community/region.
  - A. **Throughout 2022 our efforts have focused on both Higher Education and especially K-12 with the goal to influence students' interest in STEM careers and career paths in the skilled trades.**
    - Managed the "Genesee --> F.A.S.T." (Food Processing, Advanced Manufacturing, Skilled Trades & Technicians) Workforce Development team in the region.
    - Continued to fine tune workforce programs. Coach's Corner column with the Batavia Daily News & The Batavian. Articles were published three times throughout 2022. Also, "Coach Swazz" appeared on the Batavia Daily News online streaming of High School Sectional Football game in September. The goal is to reach parents/students on careers in their backyard.
    - The GCEDC's VP of Business and Workforce Development presented at 2022 NYATEP & NYSEDC Partners of Workforce & Economic Development Fall Conference on "How to become a Workforce Champion". Over 400 professionals attended the virtual webinar with over 20 in the actual break out room.
    - As Co-Chairman of "GLOW with Hands", the GCEDC's VP of Business and Workforce Development was instrumental in the coordination of the event to include 3 regional



IDA's and workforce support teams, 30 school districts. As the sponsorship committee leader, the GCEDC's VP of Business and Workforce Development led the way to raise over \$150k in the first four years. This year (2022), we were successful with 1000 students and 64 vendors in attendance.

**Continue GV BOCES Involvement:**

- Advisor of WNY Tech Academy, Computer Graphics, Mechatronics, Metal Trades, & Building Trades
  - Led the setup of a Pre-Apprenticeship bootcamp program for youth ages 18-24 with 7 companies planned to participate in 2022 with 4 students.
  - Youth Apprenticeship Program – Led the charge to coordinate the program along with Finger Lakes Youth Apprenticeship [www.fingerlakesyouthapprenticeship.com](http://www.fingerlakesyouthapprenticeship.com) team. The program established 11<sup>th</sup> grade CTE students to job shadow and in 12<sup>th</sup> grade a paid internship at local manufacturing companies. In 2022, the programs 33 students in Mechatronics to participate and 31 students were accepted in the program with 7 participating companies.
  - As an active executive board member of the Business Education Alliance, Chris was instrumental in Year 2 of the Genesee County Premier Workforce Membership Program. The program is an up-selling technique to dramatically increase the membership dues to strategic organizations. The highlights of the program include an easy one payment sponsorship for all workforce related events including participating in a Senior Job Fair, Lunch N Learn, GLOW with Your Hands Gold Level Sponsorship and Video recording. Eight companies were secured raising \$37,500 in total.
  - The “Cornell in High School” first year had 12 students graduate the 3-day bootcamp. We recruited students from a combination of GV BOCES Culinary program and local and regional schools. I was successful in securing a \$10k grant from WDI to support the overall cost of the program.
9. Commence strategic planning and related advocacy/communications activities regarding the need for additional investment to implement STAMP Phase II site and infrastructure development helping to make the 1,250-acre site globally competitive by better aligning infrastructure readiness timelines with market needs (market ready/shovel-ready).

**The GCEDC has utilized the additional \$8M for STAMP Track 2 infrastructure and has completed the design, engineering and permitting that was needed to bring the main manufacturing portion of the STAMP campus to a Market Ready state that has significantly reduced the timelines as it relates to large infrastructure deployment. We are currently pursuing a FAST NY grant application to secure funds to begin construction of some of that large scale capacity infrastructure.**



**Local Public Authority Name:** Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (GCEDC)

**Fiscal Year:** January 1, 2023 – December 31, 2023

**Enabling Legislation** (enables Local Public Authority Mission Statement): Industrial development agencies (“IDAs”) are formed under Article 18-A of New York State General Municipal Law, as public benefit corporations. IDAs were created to actively promote, encourage, attract and develop job and recreational opportunities and economically-sound commerce and industry in cities, towns, villages and counties throughout New York State (the “State”). IDAs are empowered to provide financial assistance to private entities through tax incentives in order to promote the economic welfare, prosperity and recreational opportunities for residents of a municipality (“Benefited Municipality”).

**Mission Statement:** The GCEDC is the primary economic development agency in Genesee County, NY. The GCEDC’s mission is to facilitate local economic growth and development which fosters investment and job creation for the benefit of our residents and children. We do this by offering financial assistance, real estate solutions, workforce development programming and placemaking options in order to build back local and regional manufacturing and by supporting the continued growth and success of our local businesses all across Genesee County.

**2023 Measurements:**

1. Secure capital / business investment commitments of \$47 million (not including any project over \$50 million in capital investment).
2. Secure pledges to create 93 jobs.
3. Achieve the GCEDC 2023 budget from a bottom-line financial operation performance standpoint.
4. Continue an active outreach campaign. Continue engagements with state, federal, regional, local, and educational partners focused on advancing the GCEDC’s development strategy enabling local/regional economic growth and quality job opportunities for our residents and children.
5. Continue site development activities at the tech and industrial parks which facilitates achievement of our jobs and investment goals. Initiate environmental scan for potential next generation shovel ready park development.
6. Continue active participation with the City of Batavia, Batavia Development Corp., County, School district, Finger Lakes REDC, New York State and related community partners with respect to revitalization activities and projects in the City of Batavia to include development and implementation of the Batavia DRI Strategic Investment Plan. This will include the importance of the development and support of Placemaking activities.
7. Continue active sales and marketing efforts focused on company attractions, expansions, and retentions to achieve our investment and jobs goals and continued focus on economic expansion.
8. Continue workforce development activities with our education partners focused on worker pipeline enhancement enabling growth by our existing base of businesses and supporting company attractions to the community/region.

**Authority Stakeholder(s):** Genesee County Legislature

**Authority Beneficiaries:** The residents and taxing jurisdictions of Genesee County

**Authority Customers:** The Business Community of Genesee County

**Authority self-evaluation of prior year performance** (based upon established measurements): To Be provided by March 31, 2023 related to 2022 performance.

**Governance Certification:**

1. Have the board members acknowledged that they have read and understood the mission of the public authority?

Board of Directors Response: Yes

2. Who has the power to appoint management of the public authority?

Board of Directors Response: The Board of Directors

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority.

Board of Directors Response: The Board has not adopted a final, written policy; however, the Board follows the prudent and reasonable past practice of appointing responsible individuals.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

Board of Directors Response: The role of the Board regarding the implementation of the public authority's mission is to provide strategic input, guidance, oversight, mission authorization, policy setting and validation of the authority's mission, measurements and results. The role of management is to collaborate with the Board in strategy development / strategy authorization and to implement established programs, processes, activities and policies to achieve the public authority's mission.

5. Has the Board acknowledged that they have read and understood the response to each of these questions?

Board of Directors Response: Yes

2022 Projects

Type of Project	Number of Projects (wins)	Total Jobs Committed	Total Jobs Retained	Total Capital Investment Committed	Inform Analytics Economic Impact (in millions)
Sale Leaseback Transactions	8	16	13	\$ 32,197,447	\$
Revolving Loan Fund Transactions	-	-	-	\$ -	\$ -
Grants	-	-	-	\$ -	\$ -
Consulting	1	31	-	\$ 22,490,000	\$
Bonds	1	70	-	\$ 42,034,807	\$
Land Sales	2	-	-	\$ 371,500	\$
Land Acquisitions	-	-	-	\$ -	\$ -
<b>TOTAL CLOSED PROJECTS</b>	<b>12</b>	<b>117</b>	<b>13</b>	<b>97,093,754</b>	<b>\$</b>
Less duplicate projects	(1)				
Revised closed projects	11				
Per activity tracking report	22	85	26	\$ 995,910,578	
**Projects Approved - Not Yet Closed					
Projects going to next Board meeting, or have initial resolution approval					
Highly likely category	20	212	-	\$ 819,800,000	
Per sales funnel report					
Per sales funnel report					
<b>Totals</b>	<b>64</b>	<b>414</b>	<b>39</b>	<b>\$ 1,912,804,332</b>	

Total 2022 Actual Results as Compared to 2022 Agency Goals (Over / (Under))

	Number of Projects (wins)	Total Jobs Committed	Total Jobs Retained	Total Capital Investment Committed
2022 Agency Goals				
Core Projects	N/A	90	N/A	\$ 35,000,000
Major Projects	N/A	-	N/A	\$ -
Mega Projects	N/A	-	N/A	\$ -
<b>Total</b>	<b>N/A</b>	<b>90</b>	<b>N/A</b>	<b>\$ 35,000,000</b>
2022 Results:				
Core Projects	12	117	13	\$ 97,093,754
Major Projects	-	-	-	\$ -
Mega Projects	-	-	-	\$ -
<b>Total 2022 Results</b>	<b>12</b>	<b>117</b>	<b>13</b>	<b>\$ 97,093,754</b>
<b>OVER / (UNDER)</b>	<b>N/A</b>	<b>27</b>	<b>N/A</b>	<b>\$ 62,093,754</b>

Total 2022 project fee revenue compared to 2022 budget (cash and accrual)

	CASH			ACCRUAL		
	Actual	Budget	Over (under)	Actual	Budget	Over (under)
Origination fee	\$ 404,968	\$ 375,000	\$ 29,968	\$ 404,968	\$ 375,000	\$ 29,968
Land sales	67,500	-	67,500	67,500	-	67,500
Operating budget shortfall	279,650	247,662	(168,012)	-	-	-
<b>Total needed for 2022</b>	<b>\$ 752,118</b>	<b>\$ 822,662</b>	<b>\$ (70,544)</b>	<b>\$ 472,468</b>	<b>\$ 375,000</b>	<b>\$ 97,468</b>

	GCEDC	Other	Commercial realtors	GRE	IBN	TOTAL
Leads	28	11	9	40	23	111
Opportunities (receive an application)	10	-	1	-	-	11
Site visits virtual	18	4	2	2	1	27
Site visits physical	16	2	1	1	1	21

This is the cash collected from termed out prior year origination fees (HP Hood - \$279,650).  
This is the projected loss on the Board approved budget for 2022.

As of 12/31/22 Final year end numbers

Calculation using historic core project data: Source = GCEDC Activity Tracking Database (does not include major projects over \$10 m or mega projects over \$50 m)

Year	Pledged Job Creation	Number of projects	Jobs Retained	Capital Investment	
2007	44	6	534	\$ 14,690,000	UMMC - \$16.71 m, Empire pipeline - \$29.1 m, Target - \$14.2 m, Darien Lake \$109 m not included
2008	150	18	545	\$ 60,000,000	No core projects in excess of \$10 m capex or \$50 m capex
2009	40	5	119	\$ 52,200,000	UMMC \$18m and Kreher \$12m not included
2010	36	23	475	\$ 21,600,000	No core projects in excess of \$10 m capex or \$50 m capex
2011	120	28	671	\$ 17,800,000	Alpina - \$17.5 m capex, Oatka - \$16 m capex not included
2012	241	37	526	\$ 18,400,000	Muller Quaker Dairy, LLC - \$206 m capex
2013	270	28	1,295	\$ 29,940,000	No major or mega projects
2014	91	17	594	\$ 37,401,000	Yancey's Fancy \$20.7 million capex
2015	158	18	822	\$ 32,950,000	Oatka \$20.99 million capex
2016	28	16	553	\$ 21,500,000	
2017	40	14	771	\$ 18,100,000	Bonduelle and HIP Hood removed
2018	99	16	620	\$ 33,800,000	
2019	150	22	836	\$ 39,000,000	
2020	78	18	7	\$ 83,000,000	
2021	53	5	75	\$ 21,677,000	
2022	16	9	13	\$ 32,565,000	

Calculation using historic major or mega project data: Source = GCEDC Activity Tracking Database (only includes major projects over \$10 m or mega projects over \$50 m)

Year	Pledged Job Creation	Number of projects	Jobs Retained	Capital Investment	
2007	138	4	69	\$ 169,010,000	UMMC - \$16.71 m, Empire pipeline - \$29.1 m, Target - \$14.2 m, Darien Lake \$109 m
2008	-	-	-	\$ -	No core projects in excess of \$10 m capex or \$50 m capex
2009	12	2	630	\$ 30,000,000	UMMC \$18m and Kreher \$12m
2010	-	-	-	\$ -	No core projects in excess of \$10 m capex or \$50 m capex
2011	52	2	315	\$ 33,500,000	Alpina - \$17.5 m capex, Oatka - \$16 m capex
2012	186	1	0	\$ 206,250,000	Muller Quaker Dairy, LLC - \$206 m capex
2013	-	-	-	\$ -	
2014	50	1	108	\$ 20,671,000	Yancey's Fancy
2015	21	1	334	\$ 20,990,000	Oatka
2016	41	2	0	\$ 63,360,000	Kreher's \$35.36m ESD STAMP grant \$28m
2017	248	2	0	\$ 222,200,000	Bonduelle and HIP Hood
2018	0	0	0	\$ -	
2019	50	1	0	\$ 22,000,000	Upstate purchase of Alpina building
2020	0	0	0	\$ -	
2021	118	3	0	\$ 321,837,000	Plug Power, Ellicott Station, and Liberty Pumps
2022	101	2	0	\$ 64,525,000	RRH and YMCA Healthy Living Campus

Totals of core projects, major projects and mega projects by year

Year	Pledged Job Creation	Number of projects	Jobs Retained	Capital Investment	
2007	182	10	603	\$ 183,700,000	
2008	150	18	545	\$ 60,000,000	
2009	52	7	749	\$ 82,200,000	
2010	36	23	475	\$ 21,600,000	
2011	172	30	986	\$ 51,300,000	
2012	427	38	526	\$ 224,650,000	
2013	270	28	1,295	\$ 29,940,000	
2014	141	18	702	\$ 58,072,000	
2015	179	19	1,156	\$ 53,940,000	\$ 1,124,362,000 Total capex
2016	69	18	553	\$ 84,860,000	2,065 Total job commitment
2017	288	16	771	\$ 240,300,000	
2018	99	16	620	\$ 33,800,000	
2019	200	23	836	\$ 61,000,000	
2020	78	18	7	\$ 83,000,000	
2021	171	8	75	\$ 343,514,000	
2022	117	12	13	\$ 97,090,000	

Totals of all projects (adjusted to remove large attraction projects, or large non-recurring projects):

Year	Pledged Job Creation	Number of projects	Jobs Retained	Capital Investment	
2007	26	7	208	\$ 31,400,000	(Removed Target, Empire Pipeline and Darien Lake)
2008	150	18	545	\$ 60,000,000	
2009	52	7	749	\$ 82,200,000	
2010	36	23	475	\$ 21,600,000	
2011	137	29	475	\$ 33,800,000	(Removed Alpina)
2012	241	37	1,301	\$ 18,400,000	(Removed Muller Quaker Dairy)
2013	150	27	1,295	\$ 22,940,000	(Removed Dicks Sporting Goods, 120 jobs, \$7 million capex, can no longer assist reta)
2014	141	18	702	\$ 58,072,000	
2015	179	19	1,156	\$ 53,940,000	
2016	19	17	553	\$ 19,800,000	(Removed Kreher's and ESD STAMP grant)
2017	58	13	463	\$ 20,000,000	(Removed HIP Hood)
2018	99	16	620	\$ 33,800,000	
2019	150	22	836	\$ 39,000,000	(Removed Upstate purchase of Alpina building)
2020	78	18	7	\$ 83,000,000	
2021	103	7	75	\$ 57,804,000	(Removed Plug Power)
2022	16	9	13	\$ 32,565,000	(Removed RRH and YMCA Healthy Living Campus)

	Jobs Created	Capital Investment
8 year average	88	\$ 42,488,625
4 year average	87	\$ 53,092,250

Prior approved Board Goals Budgets:

Year	Job Creation	Capital Investment	
2011	100	\$ 13,800,000	Note: The Board chose to set a different goal than the calculated three year rolling average for 2011. This goal of 100 jobs created was higher than the calculated goal of 79 jobs. The Board feels that 100 jobs is a better goal because the 2009 and 2010 actual job creation numbers were very low due to the downturn in the economy.
2012	126	\$ 18,690,000	2012 goals based on a 5% increase to 2011 actual core project job creation and capital investment numbers
2013	132	\$ 19,250,000	Core projects only. Board also set a goal of one major project with a \$10 m capx and job creation goal of 50.
2014	200	\$ 32,000,000	
2015	205	\$ 35,000,000	
2016	360	\$ 140,000,000	(210 from core projects and 150 from one mega project) (\$40m in core projects and \$100m from one mega project)
2017	122	\$ 39,000,000	
2018	125	\$ 40,000,000	
2019	90	\$ 32,000,000	
2020	90	\$ 32,000,000	
2021	90	\$ 35,000,000	
2022	90	\$ 45,000,000	
Recommended goals for 2023:			
2023	93	\$ 47,000,000	



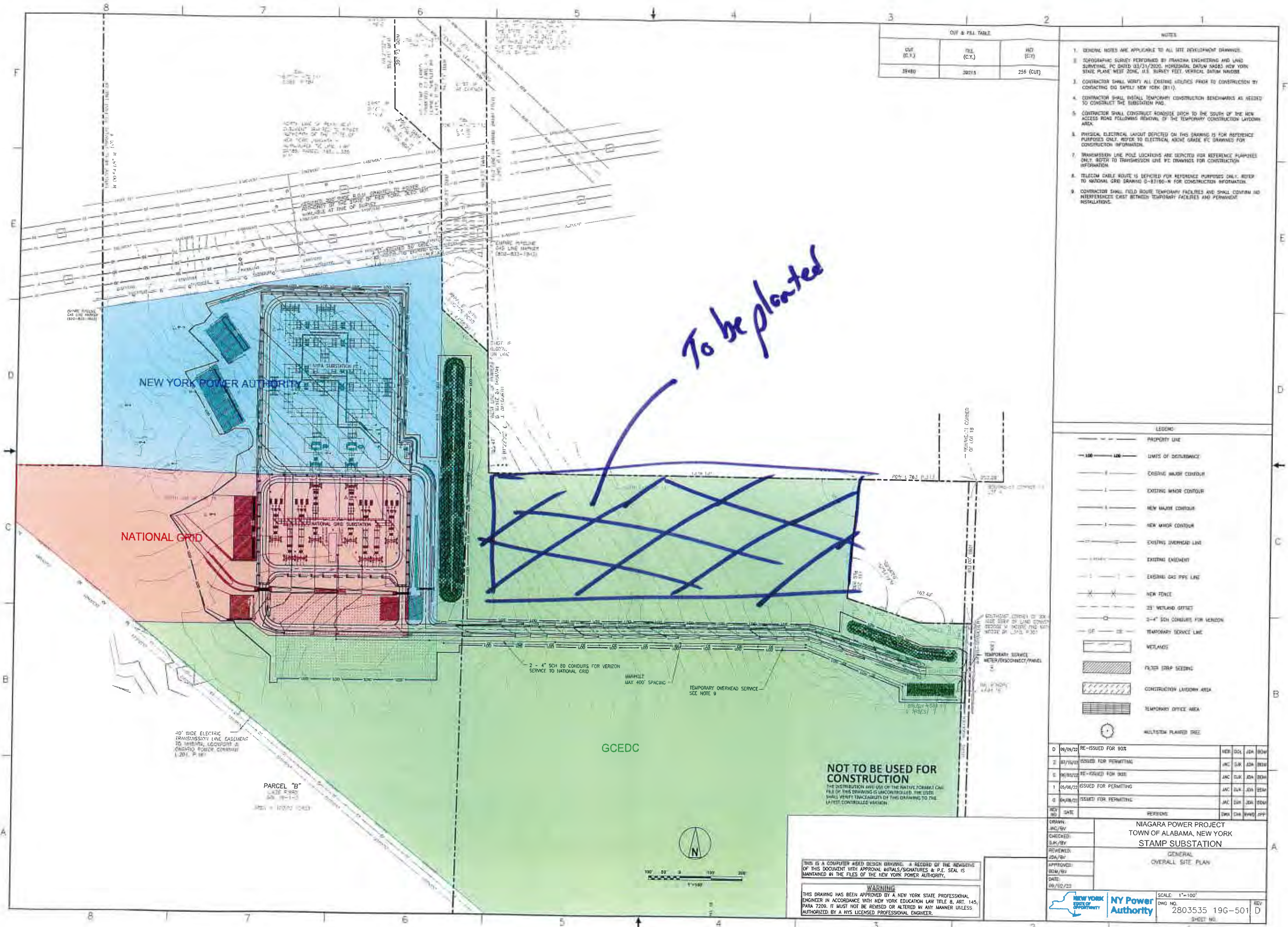
### **STAMP tree purchase**

**Discussion:** In conjunction with the Town of Alabama Planning Board approval of the substation, they requested that trees be planted in the open space area to the north of the substation entrance road to provide more future screening to the residents. This 7 acres is located in the 300 foot buffer area that is zoned Ag/Res and cannot be developed. Through the tree purchase program at Genesee Soil & Water Conservation District we can purchase these trees at a discounted rate. We will work with local organizations to get them planted at no cost. This will also reduce the amount of open space that would require annual maintenance such as mowing.

**Fund Commitment:** \$4,473 from operational funds.

**Board Action Request:** Approval of payment of \$4,473 to Genesee Soil & Water Conservation District.

6.1



CUT & FILL TABLE		
CUT (CY)	FILL (CY)	NET (CY)
35480	30213	256 (CUT)

- NOTES
- GENERAL NOTES ARE APPLICABLE TO ALL SITE DEVELOPMENT DRAWINGS.
  - TOPOGRAPHIC SURVEY PERFORMED BY FRANKLIN ENGINEERING AND LAND SURVEYING, P.C. DATED 03/31/2020. HORIZONTAL DATUM: NAD83, NEW YORK STATE PLANE WEST ZONE, U.S. SURVEY FEET. VERTICAL DATUM: NAVD83.
  - CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION BY CONTACTING DIG SAFELY NEW YORK (811).
  - CONTRACTOR SHALL INSTALL TEMPORARY CONSTRUCTION BENCHMARKS AS NEEDED TO CONSTRUCT THE SUBSTATION PAD.
  - CONTRACTOR SHALL CONSTRUCT ROADSIDE SOAK TO THE SOUTH OF THE NEW ACCESS ROAD FOLLOWING REMOVAL OF THE TEMPORARY CONSTRUCTION LAYDOWN AREA.
  - PHYSICAL ELECTRICAL LAYOUT DEPICTED ON THIS DRAWING IS FOR REFERENCE PURPOSES ONLY. REFER TO ELECTRICAL ABOVE GRADE P.C. DRAWINGS FOR CONSTRUCTION INFORMATION.
  - TRANSMISSION LINE POLE LOCATIONS ARE DEPICTED FOR REFERENCE PURPOSES ONLY. REFER TO TRANSMISSION LINE P.C. DRAWINGS FOR CONSTRUCTION INFORMATION.
  - TELECOM CABLE ROUTE IS DEPICTED FOR REFERENCE PURPOSES ONLY. REFER TO NATIONAL GRID DRAWING S-21180-W FOR CONSTRUCTION INFORMATION.
  - CONTRACTOR SHALL FIELD ROUTE TEMPORARY FACILITIES AND SHALL CORRECT ANY INTERFERENCES EXIST BETWEEN TEMPORARY FACILITIES AND PERMANENT INSTALLATIONS.

LEGEND

- PROPERTY LINE
- LIMITS OF DISTURBANCE
- EXISTING MAJOR CONTOUR
- EXISTING MAJOR CONTOUR
- NEW MAJOR CONTOUR
- NEW MAJOR CONTOUR
- EXISTING OVERHEAD LINE
- EXISTING EASEMENT
- EXISTING GAS PIPE LINE
- NEW FENCE
- 25' WETLAND OFFSET
- 3"-4" SCH. CONDUITS FOR VERIZON
- TEMPORARY SERVICE LINE
- WETLANDS
- FILTER STRIP SEEDING
- CONSTRUCTION LAYDOWN AREA
- TEMPORARY OFFICE AREA
- MULTISTEM PLANTED TREE

REV	DATE	DESCRIPTION	BY	CHK	APP
D	06/09/23	RE-ISSUED FOR BOX	JAC	DJA	BDW
Z	03/15/23	ISSUED FOR PERMITTING	JAC	DJA	BDW
E	06/06/22	RE-ISSUED FOR BOX	JAC	DJA	BDW
1	06/06/22	ISSUED FOR PERMITTING	JAC	DJA	BDW
0	04/08/22	ISSUED FOR PERMITTING	JAC	DJA	BDW

**NOT TO BE USED FOR CONSTRUCTION**  
 THE DISTRIBUTION AND USE OF THE NATIVE FORMAT CAD FILE OF THIS DRAWING IS UNCONTROLLED. THE USER SHALL VERIFY THE ACCURACY OF THIS DRAWING TO THE LATEST CONTROLLED VERSION.

**WARNING**  
 THIS DRAWING HAS BEEN APPROVED BY A NEW YORK STATE PROFESSIONAL ENGINEER IN ACCORDANCE WITH NEW YORK EDUCATION LAW TITLE 8, ART. 145, PARA 2209. IT MUST NOT BE REVISED OR ALTERED IN ANY MANNER UNLESS AUTHORIZED BY A HIS LICENSED PROFESSIONAL ENGINEER.

NIAGARA POWER PROJECT  
 TOWN OF ALABAMA, NEW YORK  
 STAMP SUBSTATION  
 GENERAL  
 OVERALL SITE PLAN

SCALE: 1"=100'  
 DNG NO. 2803535 196-501  
 SHEET NO. D

NEW YORK STATE  
 ENGINEER  
 NY Power Authority



### **STAMP Payment for easements**

**Discussion:** In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, there are a number of easements needed. We are seeking approval of the following easements:

1. Permanent Easement 6 - \$5,000
2. Permanent Easement 13 - \$500

**Fund Commitment:** \$5,500 from the \$33 million.

**Board Action Request:** Approval of payment of \$5,500 to the holders of the easement numbers identified above.