



GCEDC STAMP Committee Meeting
Wednesday, March 6, 2024
Location: 99 MedTech Drive, Innovation Zone
8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Kemp, C. Yunker (Video Conference*), P. Zelif
Staff: M. Masse, L. Farrell, L. Casey, P. Kennett, J. Krencik, E. Finch, S. Hyde, C. Suozzi
Guests: Andrew Kosa (Clark Patterson Lee), RJ Ball (Empire State Development), R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle/Video Conference)
Absent:

*Attending from a physical location identified in the meeting notice as open to the public.

1. Call to Order / Enter Public Session

P. Zelif called the meeting to order at 8:03 a.m. in the Innovation Zone.

1a. Executive Session

C. Kemp made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:04 a.m., for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.
2. 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.
3. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such a public body, but only when publicity would substantially affect the value thereof.

The motion was seconded by C. Yunker and approved by all members present.

A. Kosa (Clark Patterson Lee) left the meeting at 8:04 a.m.

M. Clattenburg joined the meeting at 8:08 a.m.

C. Suozzi left the meeting during executive session.

1b. Re-Enter Public Session

M. Clattenburg made a motion to enter back into public session at 9:38 a.m., seconded by C. Kemp and approved by all.

A. Kosa re-joined the meeting at 9:38 a.m.

2. Chairman's Report & Activities

2a. Agenda Additions / Deletions/ Other Business – Nothing at this time.

2b. Minutes: December 6, 2023

M. Clattenburg made a motion to approve the December 6, 2023, minutes; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes (Video Conference*)
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. Design and Engineering Contract for Crosby Road Reconstruction and Extension of Hammerhead - The Edwards Genesee project needs the design, engineering, and construction of certain onsite utilities to support their new facility at STAMP. These improvements will include roadways, water lines, onsite water storage tank and wastewater lines.

A. Kosa (Clark Patterson Lee) reviewed the engineering contract, which was included with the meeting materials, in detail with the Committee.

Fund Commitment: \$1,810,060 from the \$56 million NYS award or GCEDC matching funds.

Committee Action request: Recommend approval of the proposal from Clark Patterson Lee to prepare the design, engineering, bid packages and construction inspection for the reconstruction of Crosby Road from STAMP Drive north to Lewiston and the extension of the hammerhead.

M. Clattenburg made a motion to recommend to the full Board the approval of the Design and Engineering Contract for Crosby Road Reconstruction and Extension of Hammerhead not to exceed \$1,810,060 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes (Video Conference*)
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

S. Hyde left the meeting at 9:49 a.m.

3b. First Amendment to Lease Agreement with Plug Power- As part of their construction of their hydrogen facility, Plug Power would like to utilize the approximately 6.5-acre parcel directly to the south of

their site as a construction parking area. Plug Power will be responsible for all DEC permits (except Part 182) and compliance. On April 10, 2023, Plug and the GCEDC signed this agreement. Plug is seeking an amendment to this agreement as the DEC has not issued the necessary permits through no fault of Plug's. The amendment would make the two-year lease agreement time frame start on the issuance of the DEC permits as well as making the payment due at that time.

Fund Commitment: None.

Committee Action Request: Recommend approval of First Amendment to Access Agreement.

M. Clattenburg made a motion to recommend to the full Board the approval of the First Amendment to the Lease Agreement with Plug Power as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes (Video Conference*)
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3c. Additional Work Related to Survey for STAMP Business Park Association - The GCEDC previously went out to bid and was awarded survey work related to the formation of the business park association at STAMP. Once the survey work was completed, it was noted that there was some additional work that the legal firm is requiring for the formation that was not in the original bid.

Fund Commitment: \$3,000 from the \$33 million NYS award.

Committee Action request: Recommend approval of the proposal from Frandina for the additional survey work related to the business park association formation.

C. Kemp made a motion to recommend to the full Board the approval of the additional survey work with Frandina Engineering for the STAMP Business Park Association not to exceed \$3,000 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes (Video Conference*)
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3d. CC Environment & Planning Proposal for STAMP Hedgerow Removal Mulching – The GCEDC is required to add straw mulching to the area where the hedgerow was removed and will be seeded in accordance with the issuance of the Part 182 permit. CC Environment and Planning will complete this task under the review and approval of the DEC.

Fund Commitment: \$2,260 from the mitigation escrow funds.

Committee Action request: Recommend approval of the proposal from CC Environment and Planning for the mulching of the area where the hedgerow was removed.

C. Yunker made a motion to recommend to the full Board the approval of the CC Environment & Planning proposal for the mulching of the area where the hedgerow was removed not to exceed \$2,260 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes (Video Conference*)
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

4. Adjournment

As there was no further business, M. Clattenburg made a motion to adjourn at 10:00 a.m., seconded by C. Kemp and passed unanimously.