



GCEDC STAMP Committee Meeting
Wednesday, May 1, 2024
Location: 99 MedTech Drive, Innovation Zone
8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Kemp, C. Yunker, P. Zelif
Staff: M. Masse, L. Farrell, P. Kennett, J. Krencik, E. Finch, C. Suozzi, L. Casey
Guests: R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle)
Absent:

1. Call to Order / Enter Public Session

P. Zelif called the meeting to order at 8:01 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 8:02 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 M. Clattenburg and approved by all members present.

1b. Re-Enter Public Session

M. Clattenburg made a motion to enter back into public session at 8:55 a.m., seconded by C. Kemp and approved by all.

2. Chairman's Report & Activities

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

2b. Minutes: March 27, 2024

C. Yunker made a motion to approve the March 27, 2024, minutes; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Yes

C. Kemp - Yes

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. SEQR Lead Agency Resolution – Included in the meeting materials is the SEQR Lead Agency Resolution. The GCEDC must send letters indicating intent to maintain lead agency status regarding Project Emporium to all interested and involved parties. This starts the 30-day time in which interested and involved agencies have an opportunity to respond. As lead agency the GCEDC is required to evaluate whether there are adverse environmental impacts that could occur because of Project Emporium and the additional and/or modified infrastructure that have not been previously evaluated in the STAMP environmental record.

Resolution No. 05-2024-01

RESOLUTION DECLARING THE INTENT OF THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO ACT AS LEAD AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

C. Yunker made a motion to recommend to the full Board the approval of the SEQR Lead Agency Resolution as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3b. MOU with the Village of Oakfield- The GCEDC, STAMP Sewer Works Corp. and the Village of Oakfield are willing to work together on the possible design, construction, and operation of a new force main sewer line from the STAMP Site to the Village of Oakfield Wastewater Treatment Facility (“Oakfield WWTF”) to provide wastewater treatment services to STAMP.

Fund Commitment: None at this time. Any costs will be brought forward prior to approval for payment.

Committee Action request: Recommend approval of executing the MOU with Village of Oakfield.

M. Clattenburg made a motion to recommend to the full Board the approval of the MOU with the Village of Oakfield as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3c. LOR Termination Resolution - The GCEDC has a Letter of Resolution in place for projects looking to locate at the STAMP site. This agreement was signed by SHPO and NYSDEC. GCEDC finds that, despite good-faith efforts to resolve the dispute, NYSDEC has been unable to resolve the dispute as required by Section 4(a) of the LOR.

M. Fitzgerald stated that the DEC has requested that the GCEDC table this agenda item until the next Board meeting to give them an opportunity to work through a series of scheduled meetings. C. Yunker asked if it is better to table this agenda item at the Board level instead of the Committee. M. Fitzgerald stated that the only disadvantage would be that it takes up a spot on the Board's agenda. C. Yunker stated that it would be beneficial to show that the Board is informed of the situation. M. Fitzgerald stated that we will also know how the conversation with the DEC goes today and can bring it to the full board.

Fund Commitment: None.

Committee Action Request: Recommend to full Board authorization to terminate the LOR.

C. Yunker made a motion to recommend to the full Board the tabling of the LOR Termination Resolution agenda item; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3d. ESD GDA FAST NY Approval- The GCEDC has received the draft GDA that spells out the terms and conditions for the disbursement of the \$56 million FAST NY award for site infrastructure at STAMP. These terms and conditions are consistent with previous GDA's and discussions with NYS ESD.

There is a \$560,000 commitment fee that ESD is unwilling to remove. This fee will be paid out of the operating funds when the agreement is executed.

L. Farrell clarified that staff is seeking authorization to execute the agreement once it is finalized as nothing should change. However, if it does, it will be brought back to the committee for review and approval. L. Farrell also reiterated that a commitment fee of \$560,000 will need to be paid when the agreement is executed. ESD will also need to be reimbursed for out-of-pocket expenses, which in the past, have been less than \$500 dollars due to only needing to reimburse for the stenographer. M. Masse also states this is the first year they have done an online public hearing which might cut down the cost.

Committee Action Request: Recommend to full Board authorization to sign the final GDA upon receipt.

M. Clattenburg made a motion to recommend to the full Board 1) the authorization to execute the final GDA with ESD for the \$56M FAST NY grant 2) the authorization to pay the \$560,000

commitment fee from operating funds and 3) reimburse ESD for out of pocket-expenses; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3e. National Grid Engineering Fee - National Grid is working on the 115 kV feeder from the substation to serve the Edwards project. We have had discussions that to help eliminate multiple transmission lines that the Edwards feeder be installed as a double circuit feeder line from the substation to Crosby Road. There would be a “dead circuit” installed to balance the line as well as potentially hook into the substation for a future tenant that might need the 30-acre parcel to the north of the Edwards parcel. To provide this service, National Grid is requesting \$25,000 to cover the design fee to change the poles from single circuit to double circuit.

Fund commitment: \$25,000 covered under the existing \$33 million NYSESD grant.

Committee action request: Recommend approval to the full Board to pay \$25,000 for the design fee.

The Committee requested that staff should dispute the engineering fee and convey to National Grid that they have already been paid to design the power line.

C. Yunker made a motion to recommend to the full Board the tabling of the National Grid Engineering Fee agenda item; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The agenda item was tabled.

4. Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 9:10 a.m., seconded by M. Clattenburg and passed unanimously.