



**GGLDC Board Meeting  
Thursday, September 5<sup>th</sup>, 2024**

**Location: 99 MedTech Drive, Innovation Zone  
4:00 PM**

**GGLDC MINUTES**

**Attendance**

Board Members: C. Yunker, M. Brooks, P. Battaglia, G. Torrey, P. Zelif, J. Tretter, S. Noble-Moag, M. Clattenburg  
Staff: L. Farrell, M. Masse, P. Kennett, L. Casey, E. Finch, J. Krencik  
Guests: K. Manne (GCEDC Board Member), M. Gray (GCEDC Board Member) R. Gaenzle (Harris Beach)  
Absent: D. Cunningham

**1.0 Call to Order**

J. Tretter called the meeting to order at 4:54 p.m. in the Innovation Zone.

**2.0 Chairman's Report and Activities**

**2.1 Upcoming Meetings:**

**Next Scheduled Board Meeting: Thursday, October 3<sup>rd</sup> at 4:00 p.m.**  
Audit & Finance Committee Meeting: Tuesday, October 1<sup>st</sup> at 8:30 a.m.  
Strategic Planning Session: Monday, September 23<sup>rd</sup> at 8:30 a.m.

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

**S. Noble-Moag made a motion to add Mowing Costs at MedTech Centre as agenda item 4.6 and Driveway Sealing Bids as agenda item 4.7; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zelif -     | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**Agenda items 4.6 and 4.7 were added to the agenda.**

**2.3 Minutes: August 1, 2024 -**

**M. Brooks made a motion to approve the August 1, 2024, minutes as presented; the motion was seconded by S. Noble-Moag. Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zeff -      | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**The item was approved as presented.**

### **3.0 Report of Management**

3.1 Nothing at this time

### **4.0 Audit & Finance Committee – D. Cunningham**

**4.1 July 2024 Financial Statements – L. Farrell reviewed the July 2024 financial statements.**

- Restricted cash increased. We received a payment of about \$900,000 from Plug Power related to the Host Community Investment Agreement that is in place. This is also reflected as grant revenue.
- There is also grant revenue of \$25,000 from the AES Rt 5 Storage Solar project that closed. This grant is for the Workforce Development/Economic Development Program Support Grant. This money is added to strategic investments.
- There is normal monthly activity other than the above-mentioned items.

The financial statements were recommended for approval by the Committee.

**M. Brooks made a motion to approve the July 2024 Financial Statements as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zeff -      | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**The item was approved as presented.**

**4.2 GGLDC Budget Timeline -** The 2025 Budget is due to the ABO and OSC by November 1, 2024. L. Farrell reviewed the timeline to emphasize the need for a quorum at the Board meeting on October 31, 2024. Board members were asked to notify staff as soon as possible if they have a conflict.

**4.3 Freightliner Deferred Loan Forgiveness –** The Town of Batavia completed, submitted and was approved to receive Federal grant assistance in the amount of \$465,000 from NYS Housing Trust Fund Corporation represented by the NYS Office of Community Renewal through the Community Development Block Grant (CDBG) Fund for the purpose of providing financing to assist Freightliner & Western Star of Batavia, LLC for the establishment of a new truck service and education facility in the Town of Batavia. The GGLDC had approved a grant agreement with the Town of Batavia that lays out the terms and conditions of that funding being received by the Town of Batavia and then disbursed and administered by the GGLDC. On May 3, 2018, the GGLDC approved a loan agreement between Freightliner and the

GGLDC. The terms and conditions of this loan agreement were consistent with previous CDBG funding. It was \$224,500 loan, \$224,500 deferred loan, five-year amortization and 2% interest rate with the difference of \$16,000 used to cover administrative expenses.

The Deferred Loan and any interest owing thereon shall be forgiven by the GGLDC if, at the end of the Deferred Loan term:

- (a) No "Event of Default" as defined in Section 8 of the Agreement shall have occurred and be continuing.
- (b) Borrower shall be in substantial compliance with all of the covenants, conditions and obligations of this Agreement and any other Loan Document and the loan shall have been paid in full; and
- (c) Lender shall have received a written close-out of the OCR grant

OCR came out and completed their monitoring of the project and had no Findings. The Town of Batavia received the final closeout letter/certificate of completion from OCR in June 2021. Final payment on the loan was received in June 2024.

**Fund commitment:** None.

**Committee action request:** To recommend forgiveness of the deferred loan in the amount of \$224,500.

This was recommended for approval by the committee.

**M. Brooks made a motion to approve the Freightliner deferred loan in the amount of \$224,500 as presented; the motion was seconded by P. Battaglia Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zelif -     | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**The item was approved as presented.**

**4.4 Agreement with GCC** – The GGLDC has an opportunity to assist Genesee Community College (GCC) with their Computer Numerical Control (CNC) program. GCC has been selected as a recipient for grant funds to be used to purchase new CNC equipment not to exceed \$30,670. This was included in the sources and uses for Workforce Development funds.

Additionally, the signature line on the agreement included with the meeting materials cites Genesee Vally BOCES as opposed to Genesee Community College. This should be changed before the agreement is executed.

This was recommended for approval by the committee.

S. Noble-Moag is on the GCC Board of Trustees and abstained from this vote.

**M. Brooks made a motion to approve the Agreement with GCC with the above-mentioned change; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

|                  |         |                |     |
|------------------|---------|----------------|-----|
| M. Brooks -      | Yes     | J. Tretter -   | Yes |
| D. Cunningham -  | Absent  | P. Battaglia - | Yes |
| M. Clattenburg - | Yes     | C. Yunker -    | Yes |
| G. Torrey -      | Yes     | P. Zelif -     | Yes |
| S. Noble-Moag -  | Abstain |                |     |

**The item was approved as presented.**

**4.5 Agreement with Batavia Board of Education** – The GGLDC has an opportunity to assist the Batavia Board of Education with their Computer Numerical Control (CNC) program. The Batavia Board of Education has been selected as a recipient for grant funds to be used to purchase new CNC equipment not to exceed \$4,500. This was included in the sources and uses for Workforce Development funds.

This was recommended for approval by the committee.

**M. Brooks made a motion to approve the Agreement with Batavia Board of Education as presented; the motion was seconded by S. Noble-Moag. Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zelif -     | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**The item was approved as presented.**

**4.6 Mowing Costs at MedTech Centre** – M. Masse stated that when the mowing bids were first brought forward to the board for approval, the amount that was approved only covered mowing biweekly for 16 weeks at Ag Park and weekly for 16 weeks at MedTech Centre, which is only enough mowing for half of the summer at MedTech Centre. M. Masse is asking for another \$3,760 to allow for weekly mowing at MedTech Centre through October 31<sup>st</sup>.

**P. Battaglia made a motion to approve the increased mowing costs at MedTech Centre not to exceed \$3,760; the motion was seconded by M. Brooks. Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zelif -     | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**The item was approved as presented.**

**4.7 Driveway Sealing Bids** – M. Masse stated that the insurance requirements were clearly listed in the bid packet when we went out to bid for the driveway sealing at MedTech Centre. Once the low bidder was selected, they attempted to upgrade their insurance to meet the insurance requirements but realized that

the additional insurance was too costly and that they needed to adjust their original bid, which is not allowed.

This has happened with other bids in the past recently. The Governance and Nominating Committee will address appropriate insurance requirements at the next committee meeting.

The Board recommends that the lowest, responsible, and responsive bidder that meets the insurance requirements *and* does not exceed \$17,906 is awarded the driveway sealing contract at MedTech Centre.

**M. Clattenburg made a motion to approve the next responsible, responsive bidder that meets the insurance requirements and does not exceed \$17,906; the motion was seconded by M. Brooks.**

**Roll call resulted as follows:**

|                  |        |                |     |
|------------------|--------|----------------|-----|
| M. Brooks -      | Yes    | J. Tretter -   | Yes |
| D. Cunningham -  | Absent | P. Battaglia - | Yes |
| M. Clattenburg - | Yes    | C. Yunker -    | Yes |
| G. Torrey -      | Yes    | P. Zelif -     | Yes |
| S. Noble-Moag -  | Yes    |                |     |

**The item was approved as presented.**

#### **5.0 Governance & Nominating Committee – S. Noble-Moag**

**5.1 Nothing at this time.**

#### **6.0 Other Business**

**6.1 Nothing at this time.**

#### **7.0 Adjournment**

As there was no further business, M. Brooks made a motion to adjourn at 5:16 p.m., which was seconded by S. Noble-Moag and passed unanimously.