

Genesee County Economic Development Center Meeting Agenda

Thursday, January 16, 2025
 Location: 99 MedTech Drive, Innovation Zone

PAGE #

- 1.0 Call to Order** **4:00pm**
 - Presentation: Ostroff Associates – A. Kennedy**
 - Presentation: 202 Oak Street (Super 8 Hotel)**
 - 1.1 Enter Executive Session** **4:30pm**
 - 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 Enter Public Session** **4:50pm**
 - 2.0 Chairperson’s Report & Activities** **4:50pm**
 - 2.1 Upcoming Meetings:**
 - Next Scheduled Board Meeting: Thursday, February 6th at 4 p.m.**
 - Audit & Finance Committee Meeting: Tuesday, February 4th at 8:30 a.m.
 - STAMP Committee Meeting: Wednesday, February 5th at 8 a.m.
 - Governance and Nominating Committee Meeting: Thursday, February 6th at 3 p.m.
 - 2.2 Agenda Additions / Deletions / Other Business ****Vote****
 - 2.3 Minutes: December 5th, 2024 and December 18th, 2024 ****Vote****
 - 3.0 Report of Management –** **4:55pm**
 - 3.1 Project Hydroscale – Initial Resolution ****Vote** – M. Masse**
 - 3.2 Project Rampart – Initial Resolution ****Vote** – M. Masse**
 - 3.3 Project Stream – Initial Resolution ****Vote** – M. Masse**
 - 3.4 202 Oak Street (Super 8 Hotel) – Initial Resolution ****Vote** – C. Suozzi**
 - 3.5 Graham Corporation – Initial Resolution ****Vote** – C. Suozzi**
 - 3.6 ACT Work Ready Communities Certification Update – C. Suozzi**
 - 4.0 Audit & Finance Committee – K. Manne** **5:10pm**
 - 4.1 November 2024 Financial Statements ****Vote****
 - 4.2 2025 County Funding Contract ****Vote****
 - 4.3 ECIDA Shared Services Contract ****Vote****
 - 4.4 Government Relations Contract – Ostroff Associates ****Vote****
 - 4.5 Batavia Home Fund ****Vote****
 - 4.6 Invest Buffalo Niagara Contract ****Vote****
 - 5.0 Governance & Nominating Committee – C. Yunker** **5:20pm**
 - 5.1 Nothing at this time.**
 - 6.0 STAMP Committee – P. Zeliff** **5:20pm**
 - 6.1 Payment to Village of Oakfield ****Vote****
 - 6.2 Escrow Agreement – Expenses ****Vote****
 - 6.3 Onsite Water Storage Tank Bids ****Vote****
 - 7.0 Employment & Compensation Committee – M. Gray** **5:20pm**
 - 7.1 Nothing at this time.**
 - 8.0 Housing Committee – P. Battaglia** **5:20pm**
 - 8.1 Nothing at this time.**
 - 9.0 Other Business** **5:20pm**
 - 9.1 Nothing at this time.**
 - 10.0 Adjournment** **5:20pm**

2-15

16-20

20-23

24-27

28-41

42-56

57-60

61-65

66-72

73-75

76-92

93

94-97

98-107

108-115



**GCEDC Board Meeting
Thursday, December 5, 2024
Location: 99 MedTech Drive, Innovation Room
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: K. Manne, P. Battaglia, C. Yunker, P. Zelif
Staff: M. Masse, L. Farrell, E. Finch, J. Krencik, C. Suozzi, L. Casey
Guests: M. Brooks (GGLDC Board Member), D. Cunningham (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member/Video Conference), J. Tretter (GGLDC Board Member), G. Torrey (GGLDC Board Member), S. Eigenbrod (GCEDC Workforce Consultant), R. Gaenzle (Harris Beach), M. Fitzgerald (Phillips Lytle), R. Ball (Empire State Development/Video Conference), M. Licitra (Stream Data Centers), C. Space (Stream Data Centers), C. Rodriguez (Stream Data Centers), B. Wells (Stream Data Centers)
Absent: M. Clattenburg, M. Gray, C. Kemp

1.0 Call to Order

P. Zelif called the meeting to order at 4:00 p.m. in the Innovation Zone.

Presentation – Stream Data Centers – B. Wells introduced Stream Data Centers as a wholesale data center real estate firm offering an integrated platform of services. C. Rodriguez presented from the leasing team of Stream Data Centers. Stream Data Centers has been in business since 1999 forming build-to-suit data centers. Stream Data Centers has 54 million sf developed or acquired land, \$8.8 billion transactions completed annually and 27 data center developments with more in progress. M. Licitra presented the executive leadership for Stream Data Center; every executive has at least a decade of experience in the data center world. C. Space presented the mission of the company, which is to be the trusted and enduring partner for customers' evolving data center needs. He also spoke about the vision and values of the company. B. Wells presented the application details that were submitted for their proposal. B. Wells stated that the company is proposing two different options. Option 1 includes 1,200,000 square feet across 4 buildings. Option 2 includes 900,000 square feet across two buildings. Both options require 60 acres, 250 MW of power, 10,000 GPD of water/wastewater. The expected number of jobs to be created is 140 with 500+ construction jobs during the construction phase of the project.

G. Torrey entered the meeting at 4:10 p.m.

L. Casey left the meeting at 4:30 p.m.

Presentation – Sheila Eigenbrod – S. Eigenbrod provided an overview of the special projects that are in process, including the ACT WorkKeys and Work Ready Communities. There are three assessments that measure applied math, literacy and workplace documents. When students take this test, they earn an NCRC, which is a national credential that demonstrates an individual's skill level to an employer. It helps

an employer identify what skills an individual is entering the workforce with and how to best upskill them or identify additional support and training that may be needed to be successful. There are 85 companies in Genesee County that are supporting the WorkKeys program and many of the schools in Genesee County are participating as well. C. Suozzi and S. Eigenbrod recognized the need to expand this initiative to the GLOW region for an even greater impact on workforce development. S. Eigenbrod concluded her presentation by highlighting a few exciting initiatives that engage educators and students in the conversation of workforce development. For example, a career roadmap has been essential when going to events with students. It shows students the locations of schools for training, the major industries, and the resources available to them locally. The "Wheel of Destiny" and prizes have also been successful at student-focused events. The career checklist on the GCEDC website is another great resource for students.

S. Eigenbrod (GCEDC Workforce Consultant), M. Licitra (Stream Data Centers), C. Space (Stream Data Centers), C. Rodriguez (Stream Data Centers), and B. Wells (Stream Data Centers) left the meeting at 4:46 p.m.

1.1 Enter Executive Session

P. Battaglia made a motion to enter executive session under the Public Officers Law Article 7, Open Meetings Law Section 105, at 4:47 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 C. Yunker and approved by all members present.

1.2 Enter Public Session

C. Yunker made a motion to enter back into public session at 5:00 p.m., seconded by K. Manne and approved by all members present.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, December 19th at 4:00 p.m.

Employment and Compensation Meeting: Thursday, December 19th at 3:00 p.m.

Audit & Finance Committee Meeting: Tuesday, January 14th at 8:30 a.m.

STAMP Committee Meeting: Wednesday, January 14th at 10:00 a.m.

Employment and Compensation Meeting: Thursday, January 16th at 3:00 p.m.

Board Meeting: Thursday, January 16th at 4:00 p.m.

The Employment & Compensation Committee and Board meetings that are scheduled for Thursday, December 19th may be moved to Wednesday, December 18th due to several known conflicts for Board members.

Additionally, the STAMP meeting that is scheduled for Wednesday, January 15th may be rescheduled for Tuesday, January 14th, which will follow the regularly scheduled Audit and Finance meeting.

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

2.3 Minutes: October 31, 2024 –

P. Battaglia made a motion to accept the October 31, 2024, minutes as presented; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg –	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

3.0 Report of Management

3.1 RPNY Solar 7 Authorizing Resolution - RPNY Solar 7 has requested that the ground lease be amended to account for the change in the legal description of the land.

Resolution No. 12/2024 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE “AGENCY”) AUTHORIZING THE AMENDMENT OF THE LEASE AGREEMENT AND LEASEBACK AGREEMENT (TOGETHER WITH ANY OTHER RELATED DOCUMENTS) BY MODIFYING THE LEGAL DESCRIPTION CONSTITUTING THE LEASED PREMISES, AND TO EXECUTE AND DELIVER RELATED DOCUMENTS.

P. Battaglia made a motion to approve Assignment Authorizing Resolution 12/2024-01 as presented; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg –	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 October 2024 Financial Statements – L. Farrell reviewed with the Committee the significant items on the long form financial statements for October 2024.

- Restricted cash increased. We received our first deposit in the amount of \$39.2M related to the \$56M FAST NY grant award. This amount is what we anticipate spending in the next 12 months and 70% of the total award.
- On the P&L, there is unearned revenue of \$39.2M. The funds that we received for the FAST NY grant award are recorded as unearned revenue. Revenue is recognized as qualifying expenditures are made.

- We collected origination fees of \$32K from the Rochester Davis Fetch project on Lent Ave in LeRoy that closed in October.
- We are where we would anticipate being with the budget at this time.
- Other than the above-mentioned items, there is normal monthly activity.

The October 2024 financial statements were recommended for approval by the Committee.

K. Manne made a motion to approve the October 2024 Financial Statements as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

4.2 Insurance Renewal – A comparison of last year’s insurance premiums against the renewal costs for 2025 was included with the meeting materials. The total package is about \$74,000 as compared to last year’s amount of \$70,000.

L. Farrell added that \$74,380 was budgeted for the insurance renewal across all entities. Selective quoted \$74,281 for the 2025 renewal. Worker’s Compensation is also within budget. We budgeted \$4,000 for Worker’s Compensation and the renewal cost is \$3,817. The umbrella coverage quotes are about \$1,600 over budget or \$800 per entity as this is split 50/50 between the GCEDC and GGLDC.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the Insurance Renewal as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

4.3 2025 General Cleaning Services - During 2022, staff reached out to four cleaning companies to obtain quotes for 2023 cleaning services. Commercial Cleaning Services of Western New York, Inc. was awarded the contract.

Commercial Cleaning Services of Western New York Inc., the current company being used, has been offering a competitive price and we are satisfied with the services. New quotes were not obtained for 2024 or 2025 services. We anticipate getting quotes for cleaning services every three years.

Fund Commitment: Up to \$8,000; included in the 2025 GCEDC Budget.

Action Requested: Staff requested a recommendation from the Committee to continue this contract for 2025 cleaning services at a cost not to exceed \$8,000 for the year, plus reimbursement for supplies.

This was recommended for approval by the Committee.

K. Manne made a motion to approve 2025 Cleaning Services not to exceed \$8,000 for the year as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

4.4 e3communications Agreement - e3communications, a professional media and public relations firm/consultant, has submitted a proposal for 2025 services related to public relations, sales and marketing content, and marketing services for the Genesee County Economic Development Center.

In 2024, e3communications supported GCEDC staff with GCEDC planning, sales and marketing, and government/stakeholder relations. e3communications also maintains GCEDC's targeted media presence to audiences in project development and the greater public on LinkedIn and Facebook. More information on 2024 activities was included with the meeting materials.

Fund Commitment: \$24,000 fund commitment. Funding is available and budgeted in the 2025 GCEDC Marketing - Operations budget for the full contract.

Board Action Request: Approval of a contract for services for the Jan. 1, 2025 to Dec. 31, 2025 period at \$24,000 per year.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the e3communications Agreement not to exceed \$24,000 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

4.5 Workforce Consultant Contract - Included with the meeting materials was a consulting agreement for the period of January 1, 2025 through December 31, 2025. This agreement is between Sheila Eigenbrod and the GCEDC. Services provided by Sheila Eigenbrod include the following:

DRAFT

1. Perform consulting services to assist in the development and implementation of workforce development programs and training initiatives relative to the goals of the Company and its affiliates.
2. Consult with the VP of Business Development of the GCEDC and staff related to the application, development and deployment of its workforce programs.
3. Consult with educational institutions who may serve as partners in the development, implementation and delivery of training programs. Specifically, interface with Genesee Community College and its BEST Center, other institutions of higher learning, the Genesee Valley Educational Partnership and local secondary schools as appropriate.
4. Provide consulting services as requested by the GCEDC / GGLDC.

This contract is not to exceed \$35,000 and was included in the 2025 GCEDC budget. There is a maximum of \$525 per day and partial days will be billed at an hourly rate of \$75 per hour. The agreement will be amended to reflect those amounts. The County increased their funding amount beginning in 2022 by \$25,000 annually to support administration of a workforce development program. These funds will be used for this contract.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the 2025 Workforce Consultant Contract with Sheila Eigenbrod not to exceed \$35,000; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

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 Access Agreement for Double Reed – Phillips Lytle has prepared for the GCEDC an Access License Agreement to allow Project Double Reed and their agents to enable their due diligence on GCEDC owned property for their proposed facility until that work is complete or a Purchase and Sale Agreement is executed. Any contractors would be required to sign indemnity agreements, provide proof of insurance and list the GCEDC as an additional insured on their policy with the applicable coverage limits as set forth by the GCEDC.

Fund Commitment: None.

Committee Action Request: Recommend approval of Access License Agreement.

This was recommended for approval by the Committee.

DRAFT

P. Zeliff made a motion to approve the Access License Agreement for Double Reed as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

6.2 SEQR Lead Agency for Project Double Reed – 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 Double Reed 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 Double Reed and the additional and/or modified infrastructure that have not been previously evaluated in the STAMP environmental record.

Resolution No. 12/2024-02

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

This was recommended for approval by the Committee.

P. Zeliff made a motion to authorize Resolution No. 12/2024-02 declaring the Agency's intent to act as lead agency for Project Double Reed pursuant to SEQRA as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Absent	M. Gray -	Absent
C. Kemp -	Absent		

The item was approved as presented.

6.3 Mowing Contract with Genesee County – The GCEDC received a proposal for mowing of the mitigation areas at STAMP for 2025 in accordance with the terms of Part 182 Permit.

Fund Commitment: \$2,000 from mitigation escrow funds for STAMP Part 182 Permit. This amount was included in the escrow estimate when the account was established.

Board Action Request: Approval of mowing contract not to exceed \$2,000 with Genesee County.

This was recommended for approval by the Committee.

P. Zeliff made a motion to approve the Mowing Contract with Genesee County not to exceed \$2,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Yes
M. Clattenburg – Absent
C. Kemp - Absent

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Absent

The item was approved as presented.

6.4 e3communications Agreement – e3communications, a professional media and public relations firm/consultant, has submitted a proposal for 2025 services related to public relations, sales and marketing content, and marketing services for the Western New York Science & Technology Advanced Manufacturing Park (STAMP).

In 2024, e3communications supported GCEDC staff with STAMP planning, sales and marketing, and government/stakeholder relations. e3communications also maintains STAMP's targeted media presence to audiences in project development and the greater public on LinkedIn.

Fund Commitment: \$24,000 fund commitment. Funding is available and budgeted in the 2025 GCEDC Marketing - Operations budget for the full contract.

Board Action Request: Approval of a contract for services for the Jan. 1, 2025 to Dec. 31, 2025 period at \$24,000 per year.

This was recommended for approval by the Committee.

P. Zelif made a motion to approve the e3communications contract not to exceed \$24,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Yes
M. Clattenburg – Absent
C. Kemp - Absent

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Absent

The item was approved as presented.

7.0 Employment & Compensation – M. Gray

7.1 Nothing at this time

8.0 Housing Committee – P. Battaglia

8.1 Nothing at this time

9.0 Other Business

9.1 P. Battaglia asked for the status of the strategic planning templates. Staff stated that the templates were received from Skip Helfrich, but there is more work to be done. The templates will be a part of the agency goals in 2025. More discussion surrounding this topic will take place in January.

10.0 Adjournment

As there was no further business, P. Battaglia made a motion to adjourn at 5:13 p.m., which was seconded by C. Yunker and passed unanimously.



**GCEDC Board Meeting
Thursday, December 18, 2024
Location: 99 MedTech Drive, Innovation Room
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: P. Battaglia, C. Yunker, M. Gray, C. Kemp, P. Zeliff (Video Conference. Not officially in attendance, as attendance location was not disclosed in public notice)

Staff: M. Masse, L. Farrell, E. Finch, J. Krencik, C. Suozzi, L. Casey

Guests: M. Brooks (GGLDC Board Member), D. Cunningham (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), J. Tretter (GGLDC Board Member), G. Torrey (GGLDC Board Member), R. Gaenzle (Harris Beach), J. Teresi (Tompkins Insurance)

Absent: M. Clattenburg, K. Manne

1.0 Call to Order

M. Gray called the meeting to order at 4:00 p.m. in the Innovation Zone.

G. Torrey entered the meeting at 4:05 p.m.

Presentation - J. Teresi (Tompkins Insurance) – J. Teresi attended the meeting to discuss builders risk insurance for the construction of the substation at STAMP. Builders risk insurance is temporary insurance that is needed for a new construction project or renovations to an existing building. Once the project is completed, it will be converted to the primitive plan of insurance. The policy for the construction of the substation is based on the value of the completed project. Underwriters were given the description of the project, which was provided by GCEDC staff.

J. Teresi also stated that builders risk insurance is required if any Federal or State money is received. Additionally, one of the terms within the O'Connell contract is that the owner is required to maintain the builders risk insurance, which is ideal because in the unfortunate event that there is an incident, the GCEDC has control of the funds.

J. Teresi stated that Tompkins approached three insurance companies to provide quotes for builders risk insurance, including Travelers, Selective, and Acadia. The best price came from Selective, which was just under \$20K. Travelers quoted about \$65K and Acadia came in at approximately \$29K, but ultimately rescinded their quote. This project is anticipated to be completed in 16-18 months. The plan for the insurance would be to buy it for the first year of construction, then renew it for the second year until construction is completed. Upon completion, the insurance would be cancelled, and it would move over to the primitive plan of insurance.

P. Zeliff stated that the completed value of the project is about \$80M, not \$40M. Plug Power has completed \$40M of construction for the substation already. Even though the Agency is only completing the remaining \$40M of construction, if an incident occurs, it will have an impact on the whole project, not

just the part that the GCEDC is finishing. The policy should be increased to cover the whole project. M. Masse, P. Zelif, J. Teresi and R. Gaenzle will continue to discuss the issues raised during this meeting on a future call. M. Masse concluded by stating that this will be brought forward at the next Board meeting.

J. Teresi left the meeting at 4:18 p.m.

1.1 Enter Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law Article 7, Open Meetings Law Section 105, at 4:19 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 P. Battaglia and approved by all members present.

1.2 Enter Public Session

C. Yunker made a motion to enter back into public session at 4:29 p.m., seconded by P. Battaglia and approved by all members present.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

- Next Scheduled Board Meeting: Thursday, January 16th at 4:00 p.m.**
- Audit & Finance Committee Meeting: Tuesday, January 14th at 8:30 a.m.
- STAMP Committee Meeting: Wednesday, January 14th at 10:00 a.m.
- Employment and Compensation Meeting: Thursday, January 16th at 3:00 p.m.

2.2 Agenda Additions / Deletions / Other Business –

P. Battaglia made a motion to table agenda item 6.2; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Absent	C. Kemp -	Yes
M. Clattenburg -	Absent	M. Gray -	Yes
P. Zelif -	N/A (Attendance location not disclosed in public notice)		

Agenda item 6.2 was tabled.

C. Yunker made a motion to add Edwards Vacuum UCC1 Filing as agenda item 3.3; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Absent	C. Kemp -	Yes

M. Clattenburg – Absent
P. Zelif - N/A (Attendance location not disclosed in public notice)

M. Gray - Yes

Edwards Vacuum UCC1 Filing as agenda item 3.3.

3.0 Report of Management

3.1 Rochester Davis Fetch - Final Resolution - 9 Lent Avenue, LLC (Rochester Davis Fetch Corp.) is proposing to expand its operations with the construction of an 8,000 sq. ft. pole barn at 9 Lent Avenue in the village of LeRoy.

The \$265,000 project is in addition to the \$3.8 million project to renovate an existing facility at 9 Lent Avenue and will be a stand-alone building for light fabrication and storage.

This project proposes creating 2 new full-time equivalent (FTE) positions.

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$13,200 and a property tax abatement estimated at \$86,016 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

A public hearing for this project is not needed because the proposed incentives do not exceed \$100,000.

3.1a UTEP - 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. The Board concurred with the UTEP.

3.1b Final Resolution -

Resolution No. 12/2024 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION WITH RESPECT TO A CERTAIN PROJECT; (ii) APPOINTING 9 LENT AVE., LLC AS AGENT OF THE AGENCY TO UNDERTAKE THE PROJECT; (iii) MAKING A DETERMINATION UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY WITH RESPECT TO THE PROJECT IN THE FORM OF (a) A SALES AND USE TAX EXEMPTION AND (b) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT; (v) AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT AND TAX AGREEMENT WITH RESPECT TO THE PROJECT, AND (vi) AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to accept Final Resolution #12/2024-01, authorizing the incentives as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Absent
M. Clattenburg – Absent
C. Yunker - Yes
C. Kemp - Yes
M. Gray - Yes

P. Zelif - N/A (Attendance location not disclosed in public notice)

The item was approved as presented.

3.2 AppleTree Acres, LLC – Initial Resolution – Appletree Acres, LLC is proposing to construct a 15,000 square-foot expansion to an existing 50,000 square-foot warehouse located at the Apple Tree Acres corporate park.

The \$1,015,000 project proposes creating 4 FTEs with an estimated salary range of \$45,000 to \$65,000 annually plus benefits.

The project is requesting assistance from the GCEDC with a sale tax exemption estimated at \$48,160 and a property tax abatement estimated at \$142,785 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

Resolution No. 12/2024 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF APPLE TREE ACRES LLC WITH RESPECT TO A CERTAIN PROJECT, (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to accept Initial Resolution #12/2024-02, authorizing the acceptance of the application and scheduling of a public hearing as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Absent	C. Kemp -	Yes
M. Clattenburg -	Absent	M. Gray -	Yes
P. Zelif -	N/A (Attendance location not disclosed in public notice)		

The item was approved as presented.

3.3 Edwards Vacuum UCC1 Filing – R. Gaenzle stated that counsel for Edwards Vacuum requested that the GCEDC consent to a UCC1 for the benefit of the grantor for grant monies awarded to Edwards Vacuum for equipment purchases. The grantor of these monies requires this filing. This is the Board's consent to have the UCC1 filed against the equipment that is being purchased.

P. Battaglia made a motion to approve Edwards Vacuum UCC1 Filing as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Absent	C. Kemp -	Yes
M. Clattenburg -	Absent	M. Gray -	Yes
P. Zelif -	N/A (Attendance location not disclosed in public notice)		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 Nothing at this time.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Nothing at this time.

6.0 STAMP Committee – P. Zelif

6.1 Town of Alabama Site Plan Review Fees – The Town of Alabama completed the site plan review of the onsite water tank at STAMP. They incurred consultants' fees in conjunction with this review. C. Yunker asked what the approximate cost of the water tower. M. Masse stated that it is between \$4M-\$5M. P. Zelif asked if the water tank would be usable other than water storage for fire. M. Masse confirmed that it will be connected to the municipal system.

Fund commitment: \$7,242.92 included in the \$56 million or operation funds.

Committee action request: Recommend approval to pay site plan fees of \$7,242.92.

C. Yunker made a motion to approve the Town of Alabama Site Plan Review Fees not to exceed \$7,242.92 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Absent	C. Kemp -	Yes
M. Clattenburg -	Absent	M. Gray -	Yes
P. Zelif -	N/A (Attendance location not disclosed in public notice)		

The item was approved as presented.

6.2 Builders Risk Insurance for Substation Construction – This agenda item was tabled.

7.0 Employment & Compensation – M. Gray

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, C. Yunker made a motion to adjourn at 4:37 p.m., which was seconded by C. Kemp and passed unanimously.

INITIAL RESOLUTION
(Potentia Holdings, LLC)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, January 16, 2025.

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

Resolution No. 01/2025 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF POTENTIA HODLINGS, LLC WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, 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, **POTENTIA HOLDINGS, LLC**, 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 retention by the Agency of a leasehold or other interest in approximately 43 acres of real property located at Crosby Road in the Town of Alabama, Genesee County, New York and all other lands in the Town of Alabama 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 described as a portion of tax parcel No. 10.-1-4.112, as may be subdivided); (ii) the planning, design, construction and leasing of two (2) approximately 450,000 square foot data processing facilities, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, 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, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Agency to proceed with the Project following determinations by the Agency that: (A) the public hearing and notice requirements and other procedural requirements contained in the Act relating to the Project and the Financial Assistance have been satisfied; and (B) the undertaking of the Project by the Agency and the granting of the Financial Assistance are and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the "SEQR Act") and the regulations adopted pursuant thereto (the "Regulations" and together with the SEQR Act, collectively, "SEQRA"), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project or the Project Facility (collectively, the "Applicable Laws"); and

WHEREAS, although a resolution authorizing the undertaking of the Project has not yet been submitted for approval by the Agency, the Agency desires to hold a public hearing with respect to the Application with respect to the Company's requested 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 Facility, and (b) a partial real property tax abatement structured through a proposed tax agreement ("the Tax Agreement") (collectively, the "Financial Assistance").

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

Section 2. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 3. 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 4. These Resolutions shall take effect immediately.

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	[]	[]	[]	[]
Marianne Clattenburg	[]	[]	[]	[]
Chandy Kemp	[]	[]	[]	[]
Kathleen Manne	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION
(Potentia Holdings, LLC)

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 January 16, 2025, with the original thereof on file at the Agency's office, 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 _____, 2025.

Secretary

3.1

19

INITIAL RESOLUTION
(Project Rampart, LLC)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, January 16, 2025.

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

Resolution No. 01/2025 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF PROJECT RAMPART, LLC WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, 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, **PROJECT RAMPART, LLC**, 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 retention by the Agency of a leasehold or other interest in approximately 67 acres of real property located at Crosby Road in the Town of Alabama, Genesee County, New York and all other lands in the Town of Alabama 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 described as portions of tax parcel Nos. 10.-1-4.112 and 10.-1-3, as may be subdivided); (ii) the planning, design, construction and leasing of an approximately 750,000 square foot data processing facility, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, 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, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Agency to proceed with the Project following determinations by the Agency that: (A) the public hearing and notice requirements and other procedural requirements contained in the Act relating to the Project and the Financial Assistance have been satisfied; and (B) the undertaking of the Project by the Agency and the granting of the Financial Assistance are and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the "SEQR Act") and the regulations adopted pursuant thereto (the "Regulations" and together with the SEQR Act, collectively, "SEQRA"), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project or the Project Facility (collectively, the "Applicable Laws"); and

WHEREAS, although a resolution authorizing the undertaking of the Project has not yet been submitted for approval by the Agency, the Agency desires to hold a public hearing with respect to the Application with respect to the Company's requested 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 Facility, (b) a partial real property tax abatement structured through a proposed tax agreement (the "Tax Agreement"), and (c) a mortgage recording tax exemption as authorized by the laws of New York State (collectively, the "Financial Assistance").

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) The Agency has the authority to take the actions contemplated herein under the Act.

Section 2. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 3. 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 4. These Resolutions shall take effect immediately.

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	[]	[]	[]	[]
Marianne Clattenburg	[]	[]	[]	[]
Chandy Kemp	[]	[]	[]	[]
Kathleen Manne	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION
(Project Rampart, LLC 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 January 16, 2025, with the original thereof on file at the Agency's office, 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 _____, 2025.

Secretary

INITIAL RESOLUTION
(Stream US Data Centers, LLC)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, January 16, 2025.

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

Resolution No. 01/2025 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF STREAM US DATA CENTERS, LLC WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, 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, **STREAM US DATA CENTERS, LLC**, 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 retention by the Agency of a leasehold or other interest in approximately 60 acres of real property located at Crosby Road in the Town of Alabama, Genesee County, New York and all other lands in the Town of Alabama 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 described as portions of tax parcel Nos. 10.-1-4.112 and 10.-1-3, as may be subdivided); (ii) the planning, design, construction and leasing of three (3) buildings totaling approximately 900,000 square feet to accommodate certain data processing related space, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, 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, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Agency to proceed with the Project following determinations by the Agency that: (A) the public hearing and notice requirements and other procedural requirements contained in the Act relating to the Project and the Financial Assistance have been satisfied; and (B) the undertaking of the Project by the Agency and the granting of the Financial Assistance are and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the "SEQR Act") and the regulations adopted pursuant thereto (the "Regulations" and together with the SEQR Act, collectively, "SEQRA"), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project or the Project Facility (collectively, the "Applicable Laws"); and

WHEREAS, although a resolution authorizing the undertaking of the Project has not yet been submitted for approval by the Agency, the Agency desires to hold a public hearing with respect to the Application with respect to the Company's requested 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 Facility, and (b) a partial real property tax abatement structured through a proposed tax agreement ("The Tax Agreement") and (c) a mortgage recording tax exemption as authorized by the laws of New York State (collectively, the "Financial Assistance").

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

Section 2. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 3. 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 4. These Resolutions shall take effect immediately.

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	[]	[]	[]	[]
Marianne Clattenburg	[]	[]	[]	[]
Chandy Kemp	[]	[]	[]	[]
Kathleen Manne	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION
(Stream US Data Centers, LLC)

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 January 16, 2025, with the original thereof on file at the Agency's office, 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 _____, 2025.

Secretary

man
1/9/25

Customer Information

Potential Customer:	202 Oak St, LLC	Opportunity Type:	Retention
Project Street Address:	202 Oak Street	Opportunity Product:	Property Sales & Mortgage
City/Town/Village:	City of Batavia	Type of Project:	Retention
Project Description:	2025 Renovation	New Jobs:	12 ✓
Total Capital Investment:	\$2,502,036	Retained Jobs:	N/A
Incentive Amount:	\$380,986	School District:	Batavia
Benefited Amount:	\$2,502,036	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:	Direct/Personal Contact	Date of Public Hearing:	TBD
Initial Acceptance Date:	1/16/2025	Inducement Date:	TBD

Opportunity Summary: 202 Oak St, LCC is renovating the former Super 8 Hotel which has be idle for a few years since the Covid pandemic. The company will be renovating 54 units in the city of Batavia for a total capital investment of \$2,502,036. ✓

This project proposes creating 11.5 new full-time equivalent (FTE) positions. ✓

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$104,163, a mortgage tax exemption estimated at \$19,000 and a property tax abatement estimated at \$257,823 based on the incremental increase in assessed value via a new traditional 10-year PILOT. ✓

Once ramped up, the project is projecting to assist over \$40,000 annually in Bed Tax revenue to the county. ✓

Economic Impact: The Fiscal impacts (discounted value) on Local Benefits totals \$ 5,821,758 (\$ 5,290,334 in payroll and \$531,423 to the public in tax revenues). ✓

For every \$1 of public benefit the company is investing \$20 into the local economy. ✓

In addition, once ramped up, the project is projected to assist over \$40,000 annually in Bed Tax revenue to the county. ✓

Project Detail (Total Capital Investment)

Other Project Investment (Renovation Cost):	\$1,302,036
Land Cost (Real Estate):	\$1,200,000
Total Capital Investment:	\$2,502,036

Estimated Benefits Provided

Sales Tax Exempt:	\$104,163
Mortgage Tax Exempt:	\$19,000
Property Tax Exempt:	\$257,823
Total Estimated Tax Incentives Provided:	\$380,986

Total Amount Finance: \$2,502,036

Genesee County Industrial Development Agency

MRB Cost Benefit Calculator

Date: January 16, 2025
 Project Title: 202 Oak St LLC (Super 8)
 Project Location: Batavia, NY



Economic Impacts

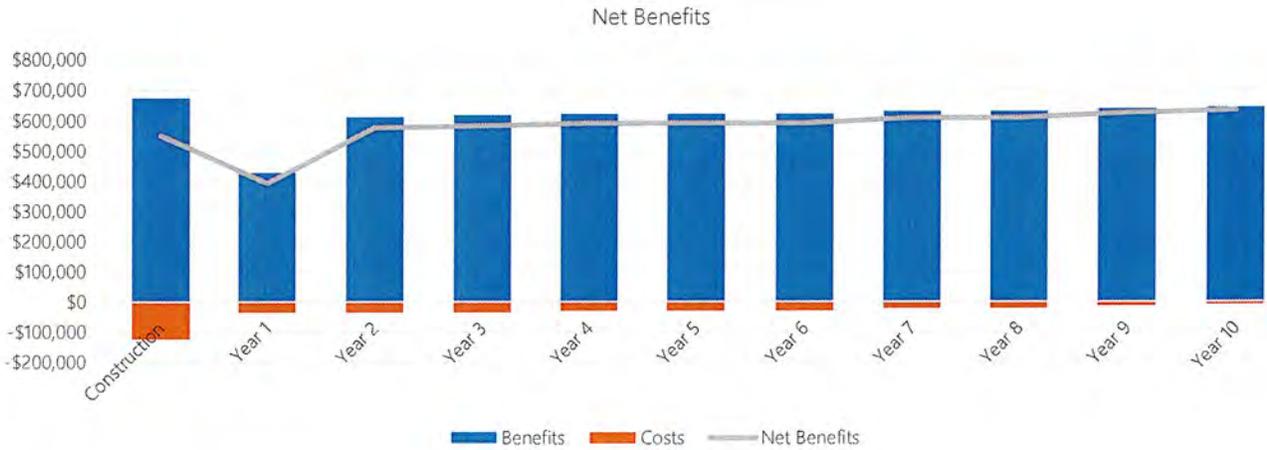
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$2,502,036

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		7	2	9
Earnings		\$545,056	\$90,272	\$635,328
Local Spend		\$1,302,036	\$322,558	\$1,624,594

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		12	3	15
Earnings		\$3,568,000	\$1,629,174	\$5,197,174

Figure 1



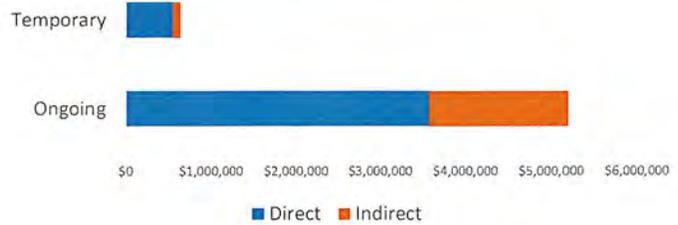
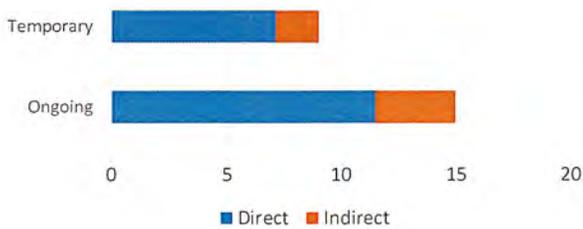
Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3

Total Jobs

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$257,828	\$235,763
Sales Tax Exemption	\$104,163	\$104,163
Local Sales Tax Exemption	\$52,082	\$52,082
State Sales Tax Exemption	\$52,082	\$52,082
Mortgage Recording Tax Exemption	\$19,000	\$19,000
Local Mortgage Recording Tax Exemption	\$9,500	\$9,500
State Mortgage Recording Tax Exemption	\$9,500	\$9,500
Total Costs	\$380,991	\$358,926

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$6,430,410	\$5,821,758 ✓
To Private Individuals	<u>\$5,832,502</u>	<u>\$5,290,334</u> ✓
Temporary Payroll	\$635,328	\$635,328
Ongoing Payroll	\$5,197,174	\$4,655,007
Other Payments to Private Individuals	\$0	\$0
To the Public	<u>\$597,908</u>	<u>\$531,423</u> ✓
Increase in Property Tax Revenue	\$171,882	\$150,228
Temporary Jobs - Sales Tax Revenue	\$4,447	\$4,447
Ongoing Jobs - Sales Tax Revenue	\$36,380	\$32,585
Other Local Municipal Revenue	\$385,198	\$344,163
State Benefits	\$303,290	\$275,097
To the Public	<u>\$303,290</u>	<u>\$275,097</u>
Temporary Income Tax Revenue	\$28,590	\$28,590
Ongoing Income Tax Revenue	\$233,873	\$209,475
Temporary Jobs - Sales Tax Revenue	\$4,447	\$4,447
Ongoing Jobs - Sales Tax Revenue	\$36,380	\$32,585
Total Benefits to State & Region	\$6,733,700	\$6,096,855

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$5,821,758	\$297,344	20:1 ✓
State	\$275,097	\$61,582	4:1
Grand Total	\$6,096,855	\$358,926	17:1

*Discounted at 2%

Additional Comments from IDA

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

may 19/25

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
Commercial and Institutional Building Construction	236220	100%	\$1,302,036
[Not Applicable]	0		\$0
[Not Applicable]	0		\$0
		100%	\$1,302,036

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	
Bed-and-Breakfast Inns	721191	8	\$32,000	\$256,000
0				\$0
0				\$0
0				\$0
0				\$0
0				\$0
Total	8			\$256,000

Year 2

NAICS	Count	Per Job Annual Earnings	Total Earnings	
Bed-and-Breakfast Inns	721191	11.5	\$32,000	\$368,000
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
Total	11.5			\$368,000

Year 3+ (Full Employment)

NAICS	Count	Per Job Annual Earnings	Total Earnings	
Bed-and-Breakfast Inns	721191	11.5	\$32,000	\$368,000
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
Total	11.5			\$368,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

	%	Value
Sales Tax Exemption		\$104,163
Local Sales Tax Rate	4.00%	\$52,082
State Sales Tax Rate	4.00%	\$52,082
Mortgage Recording Tax Exemption		\$19,000
Local	0.50%	\$9,500
State	0.50%	\$9,500
Total Costs		\$380,991

PILOT Term (Years)
 Escalation Factor
 Discount Factor

Includes PILOT exemption, calculated below.



Client Company Investment Project Financial Assistance PROPOSAL

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

mm
1/19/25

Project Profile:							
Company:	inputs	202 Oak St LLC Super 8			non-mfg equipment	Date:	1/8/25
Project Description:					building cost	Start Date:	
Project Cost		\$ 2,502,036	\$ 1,302,036		\$ 0		
Project Cost subject to Sales Tax		\$ 1,302,036					
Project Cost to be Financed via Mortgage		\$ 1,900,000					
Estimated Assessed value of Real Property/Building upon completion*		\$ 1,231,600					
Jobs Created: next 3 years					54	\$ 22,807.41	*
Jobs Retained: next 3 years					units	Assessed \$/sq/ft	

	1 Year View	3 Year View	Project Lifetime		assessment
Applicable GCEDC Products:					
Financial Assistance: Cost Reduction Through Tax Savings:					
Sale/Leaseback (SLB):					
Sales Tax Exemption (Savings):	8.00% \$	104,163	104,163	104,163	current \$ 950,000
Mortgage Tax Exemption (Savings):	1.00% \$	19,000	19,000	19,000	54 \$ 17,593
Real Property Tax Abatement (PILOT):					new \$ 2,181,600
Average Abatement (savings %) over project life	40%		40%		new \$ 40,400
PILOT Term in years	10				diff \$ 22,807.41
Gross Property Tax Costs	\$34.89 \$	42,971	128,912	-	
Payment Schedule (% Real Property Taxes Paid)				60%	
Net Required Property Tax payments per PILOT				-	
PILOT Real Property Tax Savings (Next taxable year)	\$	42,971	128,912	257,823	
Total Tax Savings via Sale/Leaseback (SLB):	\$	166,133	252,074	380,986	
Financing: Cost Reduction via low cost financing (below prime rate):					
Revolving Loan Fund (RLF):	\$ Financed	Term in mo	RLF APR	Prime + 1%	
Loan Factors:					
Interest Rate Savings:	\$	-	-	-	
Gross Cost Savings via GCEDC programs:	\$	166,133	252,074	380,986	
Participation Fees (Costs):					
GCEDC Application Fee (non-refundable):	\$	250		0.25%	
GCEDC Project Fee (% Total Project Cost):	1.25% \$	31,275	25,020	6,255	
Legal Fees: SLB (Contract Development, Documentation, Filing fees):					
Legal Fees: RLF (Contract Development, Documentation, Filing fees):					
Total Participation Fees:	\$	31,525			
Summary:					
Total Costs Savings / Benefits via GCEDC programs(after participation f	\$	134,608	220,549	349,461	National Grid Total Savings \$ 349,461
Total Benefits as % Total Project Cost:		5%	9%	14%	
Return on Investment (ROI) = Net Savings / Participation Fees:		427%	700%	1109%	

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 CLOSES 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!

Gross Property Tax Per Year \$ 42,971 ✓

Year of Exemption	% of Paid Taxes	Net Savings	Municipalities	
			Tax to be Paid	Total
1	20%	\$34,376	\$ 8,594	\$42,971 ✓
2	20%	\$34,376	\$ 8,594	\$42,971
3	20%	\$34,376	\$ 8,594	\$42,971
4	30%	\$30,079	\$ 12,891	\$42,971
5	30%	\$30,079	\$ 12,891	\$42,971
6	30%	\$30,079	\$ 12,891	\$42,971
7	50%	\$21,485	\$ 21,485	\$42,971
8	50%	\$21,485	\$ 21,485	\$42,971
9	70%	\$12,891	\$ 30,079	\$42,971
10	80%	\$8,594	\$ 34,376	\$42,971
Total	40%	\$257,823	\$171,882	\$429,705

To be paid 100%

Fire District fee

\$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -

MEM
1/9/25



Project Name: 202 Oak St, LLC

Board Meeting Date: January 16, 2025

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

PROJECT DESCRIPTION:

202 Oak St, LCC is renovating the former Super 8 Hotel which has be idle for a few years since the Covid pandemic. The company will be renovating 54 units in the city of Batavia for a total capital investment of \$2,502,036. ✓

This project proposes creating 11.5 new full-time equivalent (FTE) position. ✓

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$104,163, a mortgage tax exemption estimated at \$19,000 and a property tax abatement estimated at \$257,823 based on the incremental increase in assessed value via a new traditional 10-year PILOT. ✓

Once ramped up, the project is projecting to assist over \$40,000 annually in Bed Tax revenue to the county.

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 11.5 direct jobs with annual salaries of \$32,000-\$37,000 + 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 \$2.5M in the city of Batavia.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

3.4

36

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: As located at the gateway to the city of Batavia, the project will contribute towards a livable community to provide valuable services to support our tourism industry.

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 Fiscal impacts (discounted value) on Local Benefits totals \$ 5,821,758 (\$ 5,290,334 in payroll and \$531,423 to the public in tax revenues). See attached MRB Cost Benefit Calculator.

In addition, once ramped up, the project is projected to assist over \$40,000 in Bed Tax revenue to the county.

Project details: For every \$1 of public benefit the company is investing \$20 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 renovations as soon as possible and be operational by end of May 2025.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

MAN
1/9/25

INITIAL RESOLUTION
(202 Oak St LLC Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, January 16, 2025.

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

Resolution No. 01/2025 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF 202 OAK ST LLC WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, 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, **202 OAK ST LLC**, 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 approximately 1.48 acres of real property located at 202 Oak Street in the City of Batavia, Genesee County, New York and all other lands in the City of Batavia 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 described as tax parcel No. 71.014-2-5.12) and the existing improvements located thereon consisting principally of an approximately 25,000 square foot, fifty-four (54) room vacant hotel (the "Existing Improvements"); (ii) the planning, design, reconstruction, renovation and operation of the Existing Improvements, along with signage, curbage and landscaping (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, Existing Improvements and the Improvements, the "Facility"); and

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

WHEREAS, it is contemplated that the Agency will (i) hold a public hearing, (ii) designate the Company as agent of the Agency for the purpose of undertaking the Project pursuant to a project agreement (the "Project Agreement"), (iii) 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, (iv) take a leasehold interest in the Land, the Improvements, the Equipment and the personal property constituting the Project (once the Lease Agreement, the Leaseback Agreement and the Tax Agreement have been negotiated), and (v) 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, reconstruction, renovation and equipping of the Facility, (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 New York State (collectively, the "Financial Assistance").

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 a commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (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, 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.

Section 2. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 3. 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 4. These Resolutions shall take effect immediately.

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	[]	[]	[]	[]
Marianne Clattenburg	[]	[]	[]	[]
Chandy Kemp	[]	[]	[]	[]
Kathleen Manne	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION
(202 Oak St LLC 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 January 16, 2025, with the original thereof on file at the Agency's office, 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 _____, 2025.

Secretary

May 1/8/25

Customer Information

Potential Customer:	Graham Corporation	Opportunity Type:	Expansion
Project Street Address:	20 Florence Avenue	Opportunity Product:	Property & Sales Taxes Only
City/Town/Village:	City of Batavia	Type of Project:	Expansion
Project Description:	2025 Expansion	New Jobs:	N/A
Total Capital Investment:	\$3,300,000	Retained Jobs:	357 ✓
Incentive Amount:	\$140,934	School District:	Batavia
Benefited Amount:	\$3,300,000	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:	Direct/Personal Contact
Date of Public Hearing:	TBD
Initial Acceptance Date:	1/16/2025
Inducement Date:	TBD

Opportunity Summary: Graham is constructing a new Radiographic Testing building, which will be an addition to an existing manufacturing building (#9) at their site in the city of Batavia for a total capital investment of \$3,300,000.

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$120,000 and a property tax abatement estimated at \$20,934 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

Economic Impact: The Fiscal impacts (discounted value) on Local Benefits totals \$1,227,969 (\$1,207,320 in payroll and \$20,649 to the public in tax revenues). For every \$1 of public benefit the company is investing \$16 into the local economy.

Project Detail (Total Capital Investment)

Building Cost (Construction):	\$2,500,000
Equipment (non-taxable):	\$800,000
Total Capital Investment:	\$3,300,000

Estimated Benefits Provided

Sales Tax Exempt:	\$120,000 ✓
Property Tax Exempt:	\$20,934 ✓
Total Estimated Tax	\$140,934 ✓
Total Amount Financed:	\$3,300,000 ✓

may 1/8/25

Genesee County Industrial Development Agency



MRB Cost Benefit Calculator

Date January 16, 2025
 Project Title Graham
 Project Location Batavia, NY

Economic Impacts

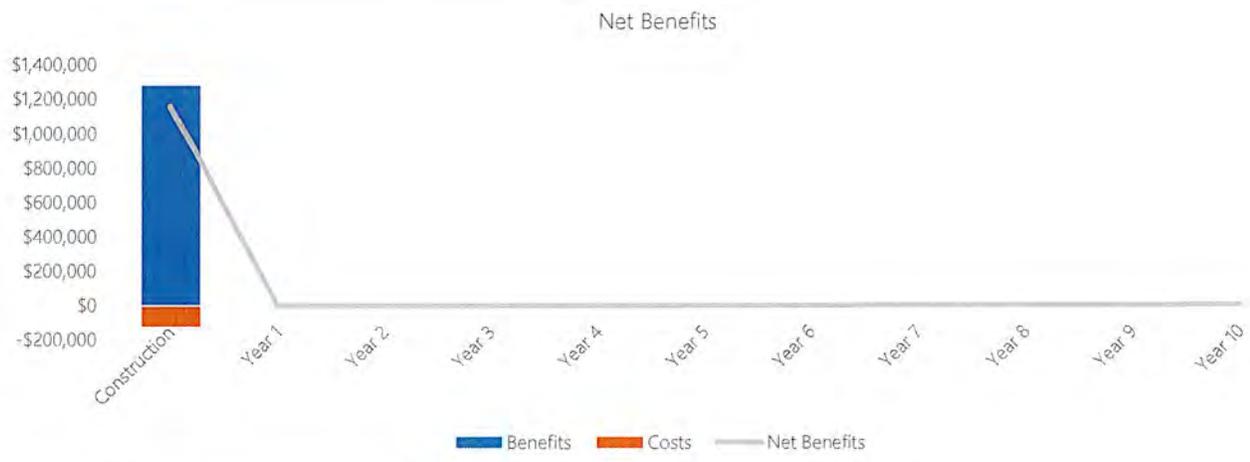
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$3,300,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	12	4	16
Earnings	\$1,033,842	\$173,478	\$1,207,320
Local Spend	\$2,500,000	\$622,543	\$3,122,543

Ongoing (Operations) Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	0	0	0
Earnings	\$0	\$0	\$0

Figure 1



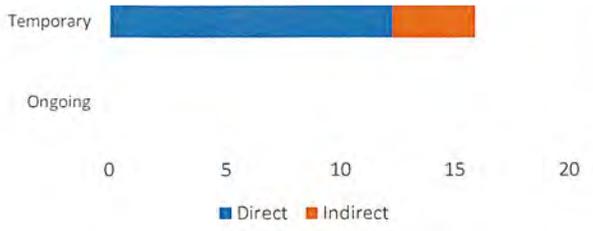
Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3

Total Jobs

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$20,934	\$19,142
Sales Tax Exemption	\$120,000	\$120,000
Local Sales Tax Exemption	\$60,000	\$60,000
State Sales Tax Exemption	\$60,000	\$60,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$140,934	\$139,142

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$1,229,727	\$1,227,969 ✓
To Private Individuals	<u>\$1,207,320</u>	<u>\$1,207,320</u> ✓
Temporary Payroll	\$1,207,320	\$1,207,320
Ongoing Payroll	\$0	\$0
Other Payments to Private Individuals	\$0	\$0
To the Public	<u>\$22,407</u>	<u>\$20,649</u> ✓
Increase in Property Tax Revenue	\$13,956	\$12,198
Temporary Jobs - Sales Tax Revenue	\$8,451	\$8,451
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$62,781	\$62,781
To the Public	<u>\$62,781</u>	<u>\$62,781</u>
Temporary Income Tax Revenue	\$54,329	\$54,329
Ongoing Income Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$8,451	\$8,451
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Total Benefits to State & Region	\$1,292,508	\$1,290,749

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$1,227,969	\$79,142	16:1 ✓
State	\$62,781	\$60,000	1:1
Grand Total	\$1,290,749	\$139,142	9:1

*Discounted at 2%

Additional Comments from IDA

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

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:	<input type="text" value="\$3,300,000"/>
Local Construction Spending*	
% of locally sourced materials and labor	<input type="text" value="76%"/>
In-region construction spending	<input type="text" value="\$2,500,000"/> ✓

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$2,500,000
[Not Applicable]	0		\$0
[Not Applicable]	0		\$0
		100%	\$2,500,000

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
Plate Work Manufacturing	332313	0		\$0
0				\$0
0				\$0
0				\$0
0				\$0
0				\$0
Total		0		\$0

Year 2	NAICS	Count	Per Job Annual Earnings	Total Earnings
Plate Work Manufacturing	332313	0	\$0	\$0
0				\$0
0				\$0
0				\$0
0				\$0
0				\$0
Total		0		\$0

Year 3+ (Full Employment)	NAICS	Count	Per Job Annual Earnings	Total Earnings
Plate Work Manufacturing	332313	0	\$0	\$0
0				\$0
0				\$0
0				\$0
0				\$0
0				\$0
Total		0		\$0

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%	\$60,000	✓	Escalation Factor	<input type="text" value="0%"/>
State Sales Tax Rate	4.00%	\$60,000		Discount Factor	<input type="text" value="2%"/>
Mortgage Recording Tax Exemption					
Local	0.50%	\$0			
State	0.50%	\$0			
Total Costs		\$140,934		<i>Includes PILOT exemption, calculated below.</i>	



Client Company Investment Project Financial Assistance PROPOSAL

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

Project Profile:				
Company:	<u>inputs</u> Graham 2025		non-mfg equipment	Date: 10/11/24
Project Description:		building cost		Start Date:
Project Cost		\$ 2,500,000	\$ 0	
Project Cost subject to Sales Tax		\$ 1,500,000	60% bldg cost + non mfg equip	
Project Cost to be Financed via Mortgage			80%	
Estimated Assessed value of Real Property/Building upon completion*	\$ 100,000		2,000 sq ft	\$ 50.00*
Jobs Created: next 3 years				Assessed \$/sq/ft
Jobs Retained: next 3 years	340			

Applicable GCEDC Products:		1 Year View	3 Year View	Project Lifetime
Financial Assistance: Cost Reduction Through Tax Savings:				
Sale/Leaseback (SLB):				
Sales Tax Exemption (Savings):	8.00%	\$ 120,000	\$ 120,000	\$ 120,000
Mortgage Tax Exemption (Savings):	1.00%	\$ -	\$ -	\$ -
Real Property Tax Abatement (PILOT):				
Average Abatement (savings %) over project life	40%			40%
PILOT Term in years	10			
Gross Property Tax Costs	\$34.89	\$ 3,489	\$ 10,467	\$ -
Payment Schedule (% Real Property Taxes Paid)				60%
Net Required Property Tax payments per PILOT				\$ -
PILOT Real Property Tax Savings (Next taxable year)		\$ 3,489	\$ 10,467	\$ 20,934
Total Tax Savings via Sale/Leaseback (SLB):		\$ 123,489	\$ 130,467	\$ 140,934
Financing: Cost Reduction via low cost financing (below prime rate):				
Revolving Loan Fund (RLF):				
	\$ Financed	Term in mo	RLF APR	Prime + 1%
Loan Factors:				
Interest Rate Savings:		\$ -	\$ -	\$ -
Gross Cost Savings via GCEDC programs:		\$ 123,489	\$ 130,467	\$ 140,934

Participation Fees (Costs):				
GCEDC Application Fee (non-refundable):		\$ 250		
GCEDC Project Fee (% Total Project Cost):	1.25%	\$ 31,250		
Legal Fees: SLB (Contract Development, Documentation, Filing fees)		\$ 6,000		
Legal Fees: RLF (Contract Development, Documentation, Filing fees):				
Total Participation Fees:		\$ 37,500		
Summary:				
Total Costs Savings / Benefits via GCEDC programs(after participation f.		\$ 85,989	\$ 92,967	\$ 103,434
Total Benefits as % Total Project Cost:		3%	4%	4%
Return on Investment (ROI) = Net Savings / Participation Fees:		229%	248%	276%

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 IS 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!

3.5

1/18/25
48

Gross Property Tax Per Year \$ 3,489

Year of Exemption	% of Paid Taxes	Net Savings	Municipalities	
			Tax to be Paid	Total
1	20%	\$2,791	\$ 698	\$3,489
2	20%	\$2,791	\$ 698	\$3,489
3	20%	\$2,791	\$ 698	\$3,489
4	30%	\$2,442	\$ 1,047	\$3,489
5	30%	\$2,442	\$ 1,047	\$3,489
6	30%	\$2,442	\$ 1,047	\$3,489
7	50%	\$1,745	\$ 1,745	\$3,489
8	50%	\$1,745	\$ 1,745	\$3,489
9	70%	\$1,047	\$ 2,442	\$3,489
10	80%	\$698	\$ 2,791	\$3,489
Total	40%	\$20,934 ✓	\$13,956 ✓	\$34,890 ✓

To be paid 100%

Fire District fee

\$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -
 \$ -



may
1/8/25

Project Name: Graham Corporation

Board Meeting Date: January 16, 2025

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

PROJECT DESCRIPTION:

Graham is constructing a new Radiographic Testing building, which will be an addition to an existing manufacturing building (#9) at their site in the city of Batavia for a total capital investment of \$3.3 M. ✓

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$120,000 ✓ and a property tax abatement estimated at \$20,934 ✓ based on the incremental increase in assessed value via a new traditional 10-year 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 retaining current jobs (357 FTE's) with annual salaries of \$52,000 + 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 \$3.3M and construction of an 2,000 sq. ft. facility in the city of Batavia. ✓

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 Fiscal impacts (discounted value) on Local Benefits totals \$1,227,969[✓] (\$1,207,320[✓] in payroll and \$20,649 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: Advanced Manufacturing company

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 March and be operational by end of 2025.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

MMY
1/8/25

INITIAL RESOLUTION
(Graham Corporation Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, January 16, 2025.

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

Resolution No. 01/2025 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF GRAHAM CORPORATION WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, 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, the Agency previously undertook a certain project (the "2020 Project") for the benefit of **GRAHAM CORPORATION** (the "Company") consisting of: (A) the acquisition by the Agency of a leasehold or other interest in certain land located at 20 Florence Avenue, City of Batavia, Genesee County, New York, and any lands located in Genesee County and occupied by license or easement during construction or improved by third parties for the benefit of the Project (the "Land"; being more particularly described as a portion of tax parcel No. 84.016-1-15.1) and the existing improvements located thereon, consisting principally of an approximately 76,332 square foot commercial building (the "2020 Existing Improvements"), (B) the renovation of approximately 4,000 square feet of the Existing Improvements to accommodate office space (the "Renovated Space"), (C) the construction of an approximately 4,000 square foot addition to the welding training center (the "Training Center Addition"), (D) the construction of an approximately 8,875 square foot building on the Land to store additional welding material and work in process (the "New Building"; and, collectively with the Renovated Space, the Training Center Addition and related improvements, including parking, the "2020 Improvements"), and € the acquisition and installation by the Company in and around the 2020 Existing Improvements and the 2020 Improvements of certain items of equipment and other tangible personal property, including, but not limited to, emergency electrical generation systems to maintain business functions in the event of a power outage (the "2020 Equipment"; and, collectively with the Land, the 2020 Existing Improvements and the 2020 Improvements, the "2020 Facility"); and

WHEREAS, in furtherance of the 2020 Project, the Agency and the Company entered into (i) a Project Agreement, dated September 5, 2019, (ii) a Lease Agreement, (iii) a Leaseback Agreement, (iv) a Tax Agreement, and (v) related documents (collectively, the "2020 Agency Documents"), whereby the Agency appointed the Company as agent of the Agency to undertake the 2020 Project and provided the Company with certain forms of financial assistance (the "2020 Financial Assistance"); and

WHEREAS, the Agency also previously undertook a project (the "2024 Project") for the benefit of the Company consisting of: (i) the acquisition and/or retention by the Agency of a leasehold or other interest in the Land and the existing improvements located thereon (comprised of the 2020 Existing Improvements, the 2020 Improvements, and hereinafter, the "2024 Existing Improvements"); (ii) the planning, design, construction and operation of an approximately 29,000 square foot production facility, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, landscaping and stormwater retention improvements (collectively, the "2024 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 "2024 Equipment"; and, together with the Land, the 2024 Existing Improvements and the 2024 Improvements, the "2024 Facility"); and

WHEREAS, in furtherance of the 2024 Project, the Agency and the Company entered into (i) a Project Agreement, dated August 28, 2024, (ii) a Lease Agreement, (iii) a Leaseback Agreement, (iv) a Tax Agreement, and (v) related documents (collectively, the "2024 Agency Documents"), whereby the Agency appointed the Company as agent of the Agency to undertake the 2024 Project and provided the Company with certain forms of financial assistance (the "2024 Financial Assistance"); and

WHEREAS, the Company has submitted an application to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition and/or retention by the Agency of a leasehold interest in the Land along with the existing improvements located thereon (comprised of the 2024 Existing Improvements, the 2024 Improvements, and hereinafter, the "Existing Improvements"); (ii) the planning, design, construction and operation of an approximately 2,000 square foot addition to the Existing Improvements, along with site improvements, parking lots, access and egress improvements, signage, curbage, 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, the Existing Improvements and the Improvements, the "Facility"), such Project to be undertaken by the Agency and the Company primarily through a Project Agreement (defined herein) and the amendment of the 2024 Agency Documents; and

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

WHEREAS, it is contemplated that the Agency will (i) hold a public hearing, (ii) designate the Company as agent of the Agency for the purpose of undertaking the Project pursuant to a project agreement (the "Project Agreement"), (iii) negotiate and enter into an amended and restated lease agreement (the "Lease Agreement"), an amended and restated leaseback agreement (the "Leaseback Agreement"), a tax agreement (the "Tax Agreement") and related documents, (iv) retain and/or take a leasehold interest in the Land, the Existing Improvements the Improvements, the Equipment and the personal property constituting the Project (once the Lease Agreement, the Leaseback Agreement and the Tax Agreement have been negotiated), and (v) 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, reconstruction, renovation and equipping of the Facility and (b) a partial real property tax abatement structured through the Tax Agreement (collectively, the "Financial Assistance").

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 a commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (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, 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.

Section 2. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 3. 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 4. These Resolutions shall take effect immediately.

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	[]	[]	[]	[]
Marianne Clattenburg	[]	[]	[]	[]
Chandy Kemp	[]	[]	[]	[]
Kathleen Manne	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

Genesee County Economic Development Center
Dashboard - November 2024
Balance Sheet - Accrual Basis

	<u>11/30/24</u>	<u>10/31/24</u>	[Per Audit] <u>12/31/23</u>
ASSETS:			
Cash - Unrestricted (1)	\$ 11,734,738	\$ 9,619,327	\$ 10,846,767
Cash - Restricted (A) (2)	45,866,956	45,929,709	7,706,743
Cash - Reserved (B) (3)	<u>5,282,181</u>	<u>5,241,603</u>	<u>672</u>
Cash - Subtotal	62,883,875	60,790,639	18,554,182
Grants Receivable (4)	328,662	327,662	78,079
Accounts Receivable - Current (5)	440,247	407,918	71,433
Interest Receivable	53,852	85,869	51,255
Deposits	2,832	2,832	2,832
Prepaid Expense(s) (6)	9,050	16,580	46,848
Loans Receivable - Current	<u>63,045</u>	<u>62,198</u>	<u>55,005</u>
Total Current Assets	<u>63,781,563</u>	<u>61,693,698</u>	<u>18,859,634</u>
Land Held for Dev. & Resale (7)	24,685,766	24,684,476	24,143,667
Furniture, Fixtures & Equipment	<u>71,257</u>	<u>71,257</u>	<u>71,257</u>
Total Property, Plant & Equip.	24,757,023	24,755,733	24,214,924
Less Accumulated Depreciation	<u>(70,439)</u>	<u>(70,384)</u>	<u>(69,838)</u>
Net Property, Plant & Equip.	<u>24,686,584</u>	<u>24,685,349</u>	<u>24,145,086</u>
Accounts Receivable- Noncurrent (8)	4,150,000	4,150,000	-
Loans Receivable- Noncurrent (Net of \$47,429 Allow. for Bad Debt)	119,262	124,623	81,163
Right to Use Assets, Net of Accumulated Amortization	<u>32,431</u>	<u>32,431</u>	<u>32,431</u>
Other Assets	<u>4,301,693</u>	<u>4,307,054</u>	<u>113,594</u>
TOTAL ASSETS	<u>92,769,840</u>	<u>90,686,101</u>	<u>43,118,314</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Pension Outflows (13)	<u>392,573</u>	<u>392,573</u>	<u>392,573</u>
Deferred Outflows of Resources	<u>392,573</u>	<u>392,573</u>	<u>392,573</u>
LIABILITIES:			
Accounts Payable (9)	154,960	191,168	466,773
Loan Payable - Genesee County - Current (10)	325,000	325,000	315,000
Accrued Expenses	94,979	83,079	34,859
Lease Payable - Current	12,307	12,307	12,307
Customer Deposits - Local Labor Reporting	93,045	93,045	18,505
Unearned Revenue (11)	<u>44,770,222</u>	<u>44,770,305</u>	<u>6,291,340</u>
Total Current Liabilities	<u>45,450,513</u>	<u>45,474,904</u>	<u>7,138,784</u>
Loans Payable - ESD (12)	5,196,487	5,196,487	5,196,487
Loan Payable - Genesee County - Noncurrent (10)	2,185,000	2,185,000	2,510,000
Lease Payable - Noncurrent	5,604	5,604	5,604
Net Pension Liability (13)	<u>512,048</u>	<u>512,048</u>	<u>512,048</u>
Total Noncurrent Liabilities	<u>7,899,139</u>	<u>7,899,139</u>	<u>8,224,139</u>
TOTAL LIABILITIES	<u>53,349,652</u>	<u>53,374,043</u>	<u>15,362,923</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred Pension Inflows (13)	<u>40,527</u>	<u>40,527</u>	<u>40,527</u>
Deferred Inflows of Resources	<u>40,527</u>	<u>40,527</u>	<u>40,527</u>
NET ASSETS	<u>\$ 39,772,234</u>	<u>\$ 37,664,104</u>	<u>\$ 28,107,437</u>

Significant Events:

1. Unrestricted Cash - Received project origination fees totaling \$2,084,900 in November.
2. Restricted Cash - Includes cash deposited by ESD into imprest accounts related to the \$8M, \$33M and \$56M STAMP grants. \$39.2M deposit received in October related to the \$56M FAST NY grant. Expenditures out of these accounts are pre-authorized by ESD.
3. Reserved Cash YTD - \$5.27M has been internally reserved as matching funds related to the FAST NY grant supporting STAMP development.
4. Grants Receivable - National Grid grants support marketing and development activities for STAMP and the LeRoy Food & Tech Park; EDC funds were used to remit payment to NYPA to enable work on STAMP substation - will be reimbursed by ESD FAST NY grant funds.
5. Accounts Receivable - Current - Econ. Dev. Program Support Grant, MedTech Centre Property Management, current portion of the termed out project origination fees from GE Bergen (\$100K) and Hecate Solar (\$275K) that will be collected within the next 12 months, misc.
6. Prepaid Expense(s) - Workers compensation, cyber, D&O, life, umbrella, general liability insurance, misc.
7. Land Held for Dev. & Resale - Additions are related to STAMP development costs.
8. Accounts Receivable - Noncurrent - Termed out project origination fees from GE Bergen and Hecate Solar that will not be collected within 12 months from the Balance Sheet date.
9. Accounts Payable - e3communications, interest earned on imprest accounts that will be remitted to ESD, misc.
10. Loan Payable - Genesee County (Current & Noncurrent) - Per a Water Supply Agreement with Genesee County, the County remitted \$4M to the GCEDC to put towards water improvements located in the Town of Alabama and the Town of Pembroke and other Phase II improvements as identified by the County. GCEDC started making annual payments to the County of \$448,500 beginning in January 2020.
11. Unearned Revenue - Funds received from municipalities to support park development; Funds received to support workforce development; ESD Grant funds to support STAMP development, not actually earned until eligible expenditures are incurred.
12. Loans Payable - ESD - Loans from ESD to support STAMP land acquisition and related soft costs.
13. Deferred Pension Outflows / Deferred Pension Inflows / Net Pension Liability - Accounts related to implementation of GASB 68.

(A) Restricted Cash = GAIN! Loan Funds, Municipal Funds, Grant Funds Received in Advance.

(B) Reserved Cash = RLF #1 Funds (defederalized), FAST NY Grant Matching Funds, Local Labor Reporting Deposits.

**Genesee County Economic Development Center
Dashboard - November 2024
Profit & Loss - Accrual Basis**

	Month to Date		YTD		2024	2024
	11/30/24	11/30/23	2024	2023	Board Appr.	YTD %
					Budget	of Budget
<u>Operating Revenues:</u>						
Genesee County	\$ 19,459	\$ 19,459	\$ 214,050	\$ 214,050	\$ 233,513	92%
Genesee County - WFD	2,083	2,083	22,914	22,914	25,000	92%
Fees - Projects (1)	2,084,900	121,963	10,381,183	1,626,037	488,000	2127%
Fees - Services	7,347	7,262	80,818	79,882	88,168	92%
Interest Income on Loans	197	163	1,728	2,012	1,590	109%
Rent	1,500	577	14,729	12,334	28,809	51%
Common Area Fees - Parks	-	-	803	391	410	196%
Grants (2)	1,000	206,060	1,645,861	2,535,224	9,104,847	18%
GGLDC Grant - Econ. Dev. Program Support	25,000	25,000	275,000	275,000	300,000	92%
GCFC Grant - Econ. Dev. Program Support	-	-	-	-	-	N/A
Land Sale Proceeds (3)	-	-	1,390,000	4,600,000	-	N/A
BP ² Revenue	16,217	12,377	27,648	14,091	70,864	39%
Other Revenue	1,293	159	10,934	5,764	5,800	189%
Total Operating Revenues	2,158,996	395,103	14,065,668	9,387,699	10,347,001	136%
<u>Operating Expenses</u>						
General & Admin (4)	98,834	113,046	1,949,724	1,517,620	1,675,970	116%
Professional Services	7,998	14,768	99,233	77,028	172,770	57%
Site Maintenance/Repairs	13,377	10,073	41,467	17,925	38,500	108%
Property Taxes/Special District Fees	-	-	4,130	5,195	5,615	74%
BP ² Expense	-	-	-	-	31,432	0%
PIF Expense	-	92,140	177,366	155,115	156,294	113%
Grant Expense - Batavia Home Fund	7,400	-	10,150	-	-	N/A
CBA Pass Through	-	-	-	-	-	N/A
Site Development Expense (5)	(557)	15,204	163,280	950,882	7,912,946	2%
Cost of Land Sales (3)	-	-	490,964	870,333	-	N/A
Real Estate Development (6)	1,290	95,978	981,338	1,938,684	720,554	136%
Balance Sheet Absorption	(1,290)	(95,978)	(981,338)	(1,938,684)	-	N/A
Total Operating Expenses	127,052	245,231	2,936,314	3,594,098	10,714,081	27%
Operating Revenue (Expense)	2,031,944	149,872	11,129,354	5,793,601	(367,080)	
<u>Non-Operating Revenue</u>						
Other Interest Income (7)	76,186	50,034	535,443	249,973	128,000	418%
Total Non-Operating Revenue	76,186	50,034	535,443	249,973	128,000	418%
Change in Net Assets	2,108,130	199,906	11,664,797	6,043,574	\$ (239,080)	
Net Assets - Beginning	37,664,104	27,832,108	28,107,437	21,988,440		
Net Assets - Ending	\$ 39,772,234	\$ 28,032,014	\$ 39,772,234	\$ 28,032,014		

Significant Events:

- Fees Projects - GSPR Route 262 Solar and Hecate fee adjustment (increase); YTD includes Rochester Davis Fetch (9 Lent Ave, LLC); LNK Holdings, Inc, MedTech Landing, Oak Orchard Solar, Countryside Apartments, AES Rt 5 Storage Solar, Graham, GE Bergen, Hecate Solar, NY CDG Genesee #1 & #4.
- Grants YTD - PIF from RJ Properties (Liberty Pumps) supports Apple Tree Acres Infrastructure improvements; PIF from Yancey's Fancy supports Infrastructure Fund Agreement with the Town of Pembroke; \$448K Community Benefit Agreement payment dedicated to STAMP by sourcing debt service payments to the County; National Grid grant supports marketing and development activities for STAMP; ESD \$33M, \$8M and FAST NY Grants support STAMP engineering, environmental, legal, infrastructure, etc.
- Land Sale Proceeds / Cost of Land Sales YTD - Two land sales closed in September at Apple Tree Acres (GE Bergen and Remlap); broker fee on Remlap land sale.
- General & Admin Expense YTD - includes FAST NY Grant 1% commitment fee (\$560K).
- Site Development Expense - Bid advertisement reallocated to capitalize the expense. YTD includes installation of, or improvements to, infrastructure that is not owned by the GCEDC, or will be dedicated to a municipality in the foreseeable future, is recorded as site development expense when costs are incurred.
- Real Estate Development Costs - Includes STAMP development costs.
- Other Interest Income - Interest rates have increased substantially; invested funds into CDs for additional interest income.

Genesee County Economic Development Center
November 2024 Dashboard
Statement of Cash Flows

	November 2024	YTD
CASH FLOWS PROVIDED BY OPERATING ACTIVITIES:		
Genesee County	\$ 21,542	\$ 268,975
Fees - Projects	2,084,900	5,914,100
Fees - Services	-	65,626
Interest Income on Loans	114	1,812
Rent	1,500	16,229
Common Area Fees - Parks	-	803
Grants	-	39,853,147
BP ² Revenue	16,217	27,648
GGLDC Grant - Economic Development Program Support	-	225,000
Other Revenue	1,293	10,935
Repayment of Loans	4,514	53,861
Net Land Sale Proceeds	-	1,338,275
Issuance of Loans	-	(100,000)
Customer Deposit	-	74,540
General & Admin Expense	(75,331)	(1,848,837)
Professional Services	(7,998)	(137,998)
Site Maintenance/Repairs	(13,377)	(41,467)
Site Development	557	(260,399)
Property Taxes/Special District Fees	-	(4,130)
Grant Expense	(7,400)	(10,150)
PIF Expense	(114,349)	(177,366)
Improv/Additions/Adj to Land Held for Development & Resale	(1,290)	(1,293,458)
Net Cash Provided By Operating Activities	1,910,892	43,977,146
CASH FLOWS USED BY NONCAPITAL FINANCING ACTIVITIES:		
Principal Payments on Loan	-	(315,000)
Net Cash Used By Noncapital Financing Activities	-	(315,000)
CASH FLOWS PROVIDED BY INVESTING ACTIVITIES:		
Interest Income (Net of Remittance to ESD)	182,344	667,547
Net Change in Cash	2,093,236	44,329,693
Cash - Beginning of Period	60,790,639	18,554,182
Cash - End of Period	\$ 62,883,875	\$ 62,883,875
RECONCILIATION OF NET OPERATING REVENUE TO NET CASH PROVIDED BY OPERATING ACTIVITIES:		
Operating Revenue	\$ 2,031,944	\$ 11,129,354
Depreciation Expense	55	601
Increase in Operating Accounts/Grants Receivable	(33,329)	(4,769,397)
Decrease in Prepaid Expenses	7,530	37,798
(Increase) Decrease in Loans Receivable	4,514	(46,139)
Increase in Land Held for Development & Resale	(1,290)	(542,099)
Decrease in Operating Accounts Payable	(110,349)	(446,514)
Increase in Accrued Expenses	11,900	60,120
Increase (Decrease) in Unearned Revenue	(83)	38,478,882
Increase in Customer Deposits	-	74,540
Total Adjustments	(121,052)	32,847,792
Net Cash Provided By Operating Activities	\$ 1,910,892	\$ 43,977,146

**AGREEMENT BETWEEN
GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER
AND
COUNTY OF GENESEE
FOR 2025**

THIS AGREEMENT made effective the _____ day of _____, 20____

by and between the **COUNTY OF GENESEE**, a municipal corporation organized and existing under and by virtue of the laws of the State of New York and having its principal office at 15 Main Street, Batavia, New York, 14020, (hereinafter "County"), and the **GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER**, organized pursuant to Section 895-3 of the General Municipal law, with its principal office located at 99 MedTech Drive, Suite 106, Batavia, New York, 14020 (hereinafter "GCEDC").

WHEREAS, it is in the best interest of the County that the many advantages of Genesee County be promoted to those who may be interested in establishing, maintaining or expanding business and industry in the County of Genesee, in order to create new employment opportunities and to maintain a healthy economy and,

WHEREAS, equally as important is the ability to retain within the County the employment already located there and,

WHEREAS, the GCEDC is organized for the purpose of promoting and encouraging economic development within the County and,

WHEREAS, the Genesee County Legislature and the Genesee County Economic Development Center are desirous of consummating a partnership agreement for continuing an energetic and continuing program of promoting industrial and economic development and enhancing the economic climate of Genesee County and,

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which Section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County.

NOW, THEREFORE, in consideration of the agreements and promises herein contained the parties hereto do hereby agree as follows:

1. The GCEDC agrees that it will continue to employ a professional staff which will maintain a continuing program of identifying, locating and contacting business and industrial prospects who may be interested in establishing or expanding their business, manufacturing and/or industrial facilities within the County of Genesee and in connection therewith the GCEDC agrees that it will maintain up-to-date factual data on all aspects of the County of Genesee for use in promoting the advantages of the County.
2. The GCEDC will, through its professional staff, conduct an ongoing local business and industry expansion and retention program. As part of this program, the GCEDC will maintain close and frequent contact and communication with local businesses including industrial firms.
3. The GCEDC will assist prospective business and industrial employers in packaging financial assistance from a variety of public and private sources as appropriate for the construction of new or expanded facilities which will result in additional employment opportunities for residents of Genesee County.
4. The GCEDC will keep the County informed of its operations through the County Legislature's representative member of the GCEDC, by means of joint meetings which either party might request and through the submission of its proposed annual budget and annual report as set forth more particularly in Paragraph 7 herein.
5. The GCEDC will, through its professional staff, coordinate with the Director of the Genesee County Planning Department in implementing this program of economic development, particularly as it relates to a Land Use Plan which has been developed for Genesee County.
6. In full payment for the services to be performed by GCEDC as set forth herein, the County hereby agrees to pay and GCEDC hereby agrees to accept from the County, the sum of Two Hundred Thirty-Three Thousand Five Hundred and Thirteen Dollars (\$233,513.00), plus an additional sum of Twenty-five Thousand dollars (\$25,000.00) to be used only for Administration of a workforce development program, which are currently the amounts designated to be paid to GCEDC in the County's 2025 budget.

7. Said payments will be made to the GCEDC upon submission of vouchers by the GCEDC

- in the form required by the County monthly in equal amounts.
8. Notwithstanding the total amount due to GCEDC as set forth above that was budgeted by the County, the County shall have the right in its sole discretion, upon twenty-one days (21) prior written notice to GCEDC, to be delivered by first class postal mail and/or electronic mail, to prospectively increase or decrease any or all of the monthly payments due and owing; provided however, that no such financial revisions shall be effective retroactively for any amounts already paid by the County to GCEDC.
 9. It is intended by both GCEDC and the County that the GCEDC's status shall be that of an independent contractor, and that nothing in this Agreement shall be construed to create an employer/employee relationship between GCEDC and the County.
 10. GCEDC, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, that it will neither hold itself out as, nor claim to be, an officer or employee of the County by reason hereof, and that GCEDC will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to any officer or employee of the County including, but not limited to worker's compensation coverage, unemployment insurance benefits, social security coverage or retirement membership or credit; and GCEDC will be completely legally responsible for all of its employees.
 11. If the Internal Revenue Service or any other governmental agency questions or challenges the GCEDC's independent contractor status, then it is agreed that both the County and GCEDC shall have the right to participate in any conference, discussion, or negotiation with the governmental agency, irrespective of with whom, or by whom, such discussion or negotiations are initiated.
 12. GCEDC shall perform all of its duties and services as set forth in this Agreement in compliance with all applicable federal, state and local laws, rules and regulations.
 13. GCEDC hereby agrees to indemnify, defend and hold harmless the County from and against all claims, losses, costs and damages (hereinafter collectively "Claims") arising out of any activities of GCEDC pursuant to the terms and conditions of this Agreement, including the cost of settling and defending any actions brought against the County. Each party shall provide the other party with timely notice of any Claims received and shall fully cooperate with each other to defend the same.

14. This Agreement and any transactions between the parties hereunder shall be governed by, construed and interpreted in accordance with the laws of the State of New York.
15. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto, unless approved in writing by the parties.
16. The term of this Agreement shall commence on January 1, 2025 and will end on December 31, 2025.
17. The GCEDC agrees to submit to the County its Proposed Annual Budget for the year 2026 not later than September 1, 2025.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their duly authorized officers and their corporate seals to be affixed as of the day and year first above written.

COUNTY OF GENESEE

GENESEE COUNTY
ECONOMIC DEVELOPMENT CENTER


By: Rochelle M. Stein, Chair
Genesee County Legislature

By: _____, Chairman
Genesee County Economic Development Center

STATE OF NEW YORK)
COUNTY OF GENESEE) SS:

On this 12 day of December, in the year 2024, before me the undersigned, personally appeared Rochelle M. Stein _____, Genesee County Legislature Chair, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument.

LISA K. CASEY
Notary Public, State of New York
No. 01CA6272329
Qualified in Genesee County
Commission Expires 11/19/2028



Notary Public

STATE OF NEW YORK)
COUNTY OF GENESEE) SS:

On this _____ day of _____, in the year 20____, before me the undersigned, personally appeared _____, Genesee County Economic Development Center Chairman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument.

Notary Public

GCEDC
Audit & Finance Committee Meeting Report
January 16, 2025

Shared services agreement with Erie County Industrial Development Agency

Discussion: The GCEDC has a shared services agreement with Erie County Industrial Development Agency (ECIDA) for on call IT support services. The GCEDC had this agreement since 2016 and has been very pleased with the service and response time to our issues. We would like to continue this agreement in 2025. The agreement is at an hourly rate of \$95. They also provide anti-virus software (\$720 annually), CRM Hosting (\$2,200 annually) and any version upgrade would be \$500 each occurrence as required. Since 2016 there was one \$10 per hour increase in the hourly rate (2022). All other amounts have remained the same as last year.

The following amounts were included in the 2025 budget:

Professional Services - \$5,000 ECIDA IT hourly support
Dues & Subscriptions - \$2,200 ECIDA CRM Hosting and \$720 antivirus software

Fund commitment: Not to exceed \$5,000 as included in the Professional Services, and \$3,420 as included in Dues & Subscriptions line items of the 2025 budget.

Committee action request: Recommend approval of not to exceed \$8,420 for on call IT support services, website hosting, anti-virus software, CRM hosting and upgrades with ECIDA for 2025.



Service Agreement
For
Information Technology Support

January 1, 2025

Purpose

The purpose of this Service Agreement is to formalize an arrangement between ECIDA and GCEDC to deliver specific support services at an agreed-upon cost. The mission of the ECIDA is to provide resources that encourage investment, innovation and international trade – creating a successful business climate that improves the quality of life for the residents of the region. We feel that this agreement serves to further that mission. This document is intended to provide details of the provision of support services to GCEDC. This Service Agreement will evolve over time, with additional knowledge of the client requirements, as well as the introduction of new hardware, software and services into the support portfolio provided to and from GCEDC.

Scope of Agreement

The following services are provided in response to the initiation of a support ticket from GCEDC staff to ECIDA support staff:

- 1.) Helpdesk support
- 2.) Software and hardware maintenance
- 3.) Security review and support
- 4.) Backup system review and support
- 5.) Server systems review, maintenance and support
- 6.) Network systems management and support
- 7.) Additional specialized software support
 - a. Peachtree
 - b. Microsoft CRM
 - c. Sophos Endpoint Protection
 - d. Others
- 8.) Website
 - a. Online application
 - b. FTP
 - c. Hosting
- 9.) Overall monitoring of hardware, software and network

Services and requests NOT covered under this agreement:

- 1.) Procurement of software or hardware
- 2.) Training
- 3.) Assistance with non-licensed or illegally obtained software

Changes to the Agreement

Termination

In the event that GCEDC or ECIDA wishes to terminate this agreement, 30-day notice of intent to terminate must be delivered to the opposite party. Any termination of the agreement prior to the conclusion of a project will not relieve GCEDC of the obligation to pay the fees owed to ECIDA for services performed and other charges owed to the ECIDA as agreed to in this Service Agreement.

Amendments

This agreement may be amended at any time. Any amendments must be agreed upon by designated management from GCEDC and ECIDA.

Process

In order to initiate a support ticket, GCEDC may use the following methods:

- 1.) Phone Call – Please leave the following information if you reach voicemail
 - a. Name
 - b. Best contact number
 - c. Available contact times
 - d. Short description of issue
 - e. Preferred method of return contact (email/phone)

- 2.) Email – Please include the following information
 - a. Best contact number
 - b. Available contact times
 - c. Detailed description of issue
 - d. Preferred method of return contact (email/phone)

Any major service requests requiring more than 8 hours will need approval from designated management at each organization.

ECIDA management reserves the right to prioritize any support requests.

Metrics

ECIDA will keep a log of support requests and resolutions. This log shall include the following information:

- 1.) Service summary
- 2.) Current status (In progress/complete)
- 3.) Service start date
- 4.) Service completed date
- 5.) Client contact (user requesting the service)

Upon request, the ECIDA will make a copy of this log available as an Excel spreadsheet.

Availability

Support staff will be available during normal ECIDA hours of operation. Any requests for service outside of designated hours must be approved by designated ECIDA management. Support staff will make their best effort to notify GCEDC main point of contact when vacation or personal time is scheduled in advance.

Costs

Hourly Rate: \$95, minimum charge of ½ hour. **(Quarterly Billing)**

Travel: Current Federal mileage reimbursement rate for privately owned vehicle.

Anti-Virus Software:

\$720/yr for the use of Endpoint Protection Software (Anti-Virus) licenses. **(\$720 Annual Invoice)**

- Coverage for up to 10 PCs
- Installation and software support
- Management of alerts, remediation and license renewals

Microsoft CRM Hosting (Appendix A): \$2200 **(Annual Invoice)**, \$500 major version upgrade fee **(as required)**

Billing will occur as noted above for each item. Invoices are payable within thirty (30) days of receipt.

Key Contacts

ECIDA – 95 Perry Street, Suite 403, Buffalo, NY 14203

716-856-6525

Brian Krygier – Systems Analyst (Support requests) x 501

Atiqa Abidi – Senior Accountant (Billing requests) x 122

Mollie Profic – Chief Financial Officer (Approval and change requests) x 123

GCEDC – 99 MedTech Drive, Suite 106, Batavia, NY 14020

585-343-4866

_____ (Main point of contact)

_____ (Billing contact)

_____ (Approval and change requests)

GCEDC

Name: _____

Title: _____

Signature: _____

ECIDA

Name: Mollie Profic

Title: Vice President

Signature: Mollie Profic

Appendix A

Microsoft CRM Hosting Detail (3-year term)

The Erie County Industrial Development Agency agrees to host a live instance of Microsoft CRM for Genesee County Economic Development Center according to the terms outlined below.

GCEDC will pre-pay \$2200 annually to ECIDA which will include:

- 1.) Security updates and software patches
- 2.) Nightly backup to ECIDA on-site storage
- 3.) Twice a week backup to encrypted off-site storage
- 4.) Server maintenance (other than software)
- 5.) Power and cooling
- 6.) Internet bandwidth

GCEDC will pay a \$500 version upgrade fee, as applicable, to ECIDA which will include:

- 1.) Major version upgrade of GCEDC CRM instance
- 2.) 6 non-transferrable user client access licenses for ECIDA's Windows Server, SQL Database Server and CRM Server
- 3.) Configuration of backup to include upgraded GCEDC CRM data
- 4.) Configuration of DNS for external access changes to <https://gcedc.ecidany.com>
- 5.) Upgrade and configuration assistance of Outlook CRM plug-in
- 6.) Import of customizations into upgraded GCEDC CRM instance

Additional users beyond the initial setup will be assessed and charged on a per user basis using current pricing information. Additional users may impact the annual fee. Notice of such an increase will be given along with cost information prior to setting up any additional users.

A copy of the ECIDA backup policy is available by request.

These terms will be in effect for 3 years, at which time ECIDA reserves the right to re-evaluate the annual fee based on system usage and backup capacity. If either party must terminate this agreement during the 3-year term, ECIDA agrees to provide GCEDC with their exported CRM customizations and SQL data. 30-day written notice must be provided by the party wishing to terminate the agreement. The file(s) will be provided within 7 days of termination and would allow GCEDC to continue running their instance either in-house or with CRM online. Licensing is non-transferrable from ECIDA and would not accompany the two files. If either party must terminate the agreement, a portion of the \$2200 annual fee will be returned on a prorated basis.

Lobbyist proposal

Discussion: The GCEDC has utilized Ostroff Associates as its lobby firm in Albany with Andrew Kennedy being our point of contact. They have prepared a summary of the activity in 2024 and will make a presentation to the Board at our meeting. The agreement in 2024 was that they were on a month-to-month basis with a 30-day notice for termination. We would like to have the Board approve this proposal at \$5,000 per month through December 2025. The GCEDC will still have a 30-day cancellation notice.

Fund commitment: \$60,000 from the government relations budget line item.

Committee action request: Recommend approval of the proposal to the full Board.



FROM: Ostroff Associates
TO: Mark Masse, President and CEO, Genesee County Economic Development Center
DATE: January 6, 2025
RE: 2024 Overview and 2025 Engagement Strategy

Ostroff Associates (OA) provided critical government relations support throughout 2024, helping Genesee County Economic Development Center (GCEDC) navigate challenges impacting economic development in Genesee County. OA delivered counsel, insight, and advocacy at the Executive and Legislative branches and with state and federal regulatory agencies.

Key accomplishments include:

STAMP FAST Award and Construction Support

- Secured the STAMP FAST Award.
- Addressed critical permit and construction challenges, including substation upgrades, WWTF requirements, and various state and local approvals.

Project-Specific Advocacy

- Secured approvals for the Edwards public hearing and facilitated discussions related to the substation arrangement.

Facilitated High-Level Site Visits

- Coordinated impactful site visits with NYSERDA (March 2024) and the Division of Budget (July 2024).
- Advanced the Oakfield Force Main project through engagement with ESD and DEC HQ.

Coverage of Governor's State of the State & Budget Highlights

- Provided tailored insights into budgetary allocations, including:
 - FAST NY Award in Bergen
 - DOT PFRAP Grant for Ag-Business Park
 - Legislative priorities relevant to GCEDC including veto of S4040/A7532, the IDA board organization bill.

Legislative Monitoring

- Tracked and addressed legislative developments, including tax credit opportunities like the Plus Power Federal Hydrogen Production Credit and substation agreements.
- Resolved tax challenges related to Ellicott Station.

Media and Public Relations

- Delivered updates on media coverage to bolster stakeholder engagement, particularly for STAMP-related projects.

In 2025, Ostroff Associates proposes to continue providing comprehensive support for GCEDC focusing on the following:

Strategic Guidance and Advocacy

- Developing a legislative, community outreach, and communications strategy to advance infrastructure investments, including East Fishkill projects.
- Strengthening relationships with key state and federal stakeholders, including:
 - **State:** Governor's Office, DEC, DOT, ESD, NYSERDA, OPRHP, legislative leaders, and local representatives.
 - **Federal:** Members of Congress and the Senate.

Visibility and Partnerships

- Increasing GCEDC's visibility with state and local officials.
- Identifying and fostering strategic partnerships to advance WNY STAMP and other development efforts.

Legislative Monitoring and Advocacy

- Tracking and analyzing legislation, regulations, and guidance impacting GCEDC.
- Developing testimony, memoranda, and educational materials.
- Attending hearings and committee meetings on relevant issues.

Communication and Updates

- Providing regular updates on key legislation, regulatory actions, and media coverage, including daily clip services and press releases.

Ostroff Associates is proposing to continue to provide these services and support to GCEDC at the same rate of \$5,000 per month throughout 2025. The proposed agreement would include a 30-day termination clause, allowing flexibility to adjust as needed based on GCEDC priorities and performance evaluations.

Batavia Home Fund Grant Award

Discussion: The homeowner is looking to make improvements to the exterior (new siding) which qualifies under Eligible Activities item #6 Grants to support owner occupied single family exterior rehabilitation (maximum award of \$10,000). They are seeking a grant of \$10,000 which is the maximum award allowed under the program. Their total cost of construction is \$38,745. This grant and homeowner improvement to the residence would improve the blighted look of this residence as compared to the majority of the homes in that area that have been recently renovated.

Fund commitment: \$10,000 from the Batavia Home Fund contingent upon all terms and conditions of the work being completed in accordance with the policy.

Committee action request: The Housing Oversight Committee of the Batavia Home Fund met and approved this application. Seeking Board authorization to release the funds in accordance with the terms and conditions of the Batavia Home Fund.

BATAVIA HOME FUND COMMITTEE RECOMMENDATION OF AWARD

The Batavia Home Fund (BHF) funds will be used for infrastructure improvements, future economic and brownfield development interests targeted within the City for new housing projects and the conversion of residential rental to single family homes. The program is administered by the GCEDC with grant funding decisions made by a grant selection committee (Committee) with a representative from the GCEDC, Town and City of Batavia.

Eligible Activities (Maximum Award Up to:)

1. Extraordinary development costs related to hazardous material abatement, remediation, flood hazard areas, etc., (\$50,000)
2. Demolition/rehabilitation of residential structures that cause community and neighborhood blight. (\$50,000)
3. Infrastructure modernization and improvements including costs to plan, design and constructing of streets, multi-modal, water, sewer, gas, electric, telecommunication enhancements, storm water management facilities and related infrastructure including landscaping and streetscape improvements related to redevelopment projects and new housing construction. (\$50,000)
4. Matching funds to secure other grant resources to further capitalize on redevelopment projects in the Brownfield Opportunity Area (BOA) and flood zone areas. (\$20,000)
5. Land assemblage, property acquisition and due diligence for new market rate housing projects. (\$50,000)
6. Grants to support owner occupied single family exterior rehabilitation. (\$10,000)
7. Grants to support multi-family conversion into single-family owner occupied. (\$20,000)

Project Applicant: Carl & Tonia Burton

Project description: The homeowner is looking to make improvements to the exterior (new siding and windows) which qualifies under Eligible Activities item #6 Grants to support owner occupied single family exterior rehabilitation (maximum award of \$10,000). They are seeking a grant of \$10,000 which is 26% of the total construction cost (maximum award dollar amount allowed under the program). North Park is an area that the City of Batavia is looking for neighborhood revitalization.

Total Project Cost: \$38,745.00

Total Grant Amount requested: \$10,000 (dollar amount is max allowed)

Eligible Activity criteria from above: 6

Committee Meeting date:

Committee scoring:

1. City Priorities- projects that advance the priorities of Batavia including the BOA Strategy, and are located in either opportunity zone (Ward 3 & 6), or in the flood zone are eligible for additional points in this category (up to 20 points). 10 points. The house is not in Ward 3 or 6. It is also not in a flood zone. However, it is on a local thoroughfare in an area of older homes in need of revitalization.

2. Visual Impact- projects that are visually prominent, have historic value, are in danger of being lost, in-part or totally to disrepair and damage (up to 40 points). Siding replacement to significantly improve the visual aesthetic of the residence. 30 points

3. Neighborhood impact- projects that are aesthetically pleasing to the surrounding neighborhood and are designed to eliminate blight. Preference will be given to a collaborative neighborhood improvement plan with multiple residences involved. (up to 40 points) This house is located in an area targeted by the City for revitalization. 30 points

Total score: 70 out of 100

Batavia Home Fund Committee Recommendation:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>
Greg Post (Town)	[X]	[]	[]
Erik Fix (City)	[x]	[]	[]
Mark Masse (GCEDC)	[x]	[]	[]

Batavia Home Fund Grant Application

Certifications

Ownership

Initial JB

I/We hereby certify that I/we own the property to be improved. If any changes in ownership should occur from this date forward, I/we agree to notify the Genesee County Economic Development Center, immediately. Failure to do so may result in denial or termination of the Batavia Home Fund Grant participation.

Regulatory Requirements and Repayment Provisions

Initial JB

All assistance is in the form of a reimbursable grant with a five (5)-year compliance period. Property owners will be required to execute a Declaration document committing to this compliance period. Should the property owner sell the property within the five (5)-year timeframe, they will be responsible for repaying a portion of the grant funding received. Repayments will be retained by the GCEDC. Required repayment of funds will be calculated in accordance with the following schedule:

Months 0-12:	100% repayment due.
Months 13-24:	80% repayment due.
Months 25-36:	60% repayment due.
Months 37-48:	40% repayment due.
Months 49-60:	20% repayment due.
Months 60 and beyond:	0% repayment due

Application Information

Initial JB

To the best of my/our knowledge, all of the application information I/we have provided is true and correct. I/We understand that any willful misstatement of material fact will be grounds for disqualification. The City of Batavia and the GCEDC, are hereby granted permission to verify any of the information in the application in any appropriate manner.

Taxes

Initial JB

I/We understand that all taxes must be paid for the property to be improved and for all other properties in the City of Batavia owned wholly or in part by me/us. I/We understand that no grant agreement will be signed unless all taxes and service charges are current.

For Internal Use Only

Date Application Received:

Application Fee Paid: Y N

Amount:

Date:

Application reviewed and certified by:

Batavia Home Fund Committee Review Date:

Official Grant Approval Date:

GCEDC Board Meeting Date:

**Batavia Home Fund
Grant Application**

APPLICATION CHECKLIST

- Copy of Building Permit
- Quotes from licensed contractors
- Proof of Financing
 - a. Bank Statement showing Cash on Hand
 - b. Loan Commitment Letter
 - c. Bridge Loan Commitment Letter
 - d. Lines of Credit
- Copy of Insurance
 - a. Homeowners
 - b. Fire Insurance on Property
- Supporting Construction Documents
 - a. Renderings
 - b. Architectural Drawings
 - c. Product Specifications *in proposal*
- Copy of Deed
- Completed Application
- \$250 Check for Application Fee

All applications and applicable forms should be returned to:

Managers Office
City of Batavia
1 City Centre
Batavia, NY 14020

**Batavia Home Fund
Grant Application**

APPLICATION

A. Property Owner Information

Name of owner: Carl & Tonia Burton

Mailing address: 9 North Park
Batavia, ny 14020

Telephone number: AM: 716-812-0168 PM: 716-258-8969

Fax: n/a

E-mail: toniaburton@yahoo.com

Corporate Structure - If Any (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)
Form of Entity: C Corp S Corp Partnership LLC
 LLP Sole Proprietorship Not for Profit Municipality
 City Home Owner

B. Property Information

1. Address of property: 9 North Park, Batavia, ny 14020
2. Name of business(es): -
3. Number of Commercial Units: -
4. Number of Residential Units: -
5. Type of Home (Single or Multi) Single
6. Conversion from Multi to Single Yes. No

C. Financial Information

1. Is there a mortgage? yes If yes, are payments current? yes
Who holds the mortgage? Name: Rocket Mortgage
Address: 1050 Woodward Ave, Detroit, MI 48226

**Batavia Home Fund
Grant Application**

2. Are there any liens, other than the above listed mortgage? _____
If yes, describe.
There is a 2nd mortgage to cover this project.
3. Taxes/Insurances
- a. Are all property, district, water and sewer taxes paid to date? Yes No
which taxes are not current? Amount? _____
- b. Do you have fire insurance on the property? Yes No
If yes, is it paid to date? Yes No
- b. Do you have any outstanding loans with the City or Town of Batavia, GCEDC, GGLDC or BDC? Yes No
If yes, are payments current? Yes No
4. Will you need financing to perform these building improvements? Yes No
5. If YES, is financing in place to begin this work? Yes No

D. Provide Scope of Work Detail

1. What improvements do you wish to make to your property/residence? List in order of priority beginning with (1). Attach an additional page if necessary.
1) Siding for house + garage, 2) Replace 3 living room windows, 3) Replace dining room ceiling.
2. Attached any architectural renderings or improvements improvements (a rendering of improvements is required as part of the application submission). Yes No
3. Estimated Costs
- a. Total project cost: 38,745
- b. Construction cost: _____
- c. Soft cost: _____
- d. Grant amount requested: (Cannot exceed 40% of total project cost)
15,498
4. Square footage

Batavia Home Fund Grant Application

a. Square footage of total building: 1320

b. Square footage of project: 1320

5. Will you perform this work whether or not you receive grant support? Yes No

6. Do you have a building permit filed with the appropriate municipality? Yes No

7. Attach all supporting documents including renderings, drawings, product specifications and/or contractor quotes if already requested and available.

8. When do you plan to begin Nov, 2024 and complete Feb. 2025 the construction?

E. Copy of Deed – please provide a copy of the deed for the property.

F. Proof of financing – Project reimbursements are made when the project is complete. The Batavia Home Fund operates fully as a reimbursement grant program and the owner is responsible for paying for all agreed upon repairs. Payment of grant funds will be made only upon satisfactory completion of building projects, certificate of occupancy has been issued, and payment of renovation expenses made to contractors (Please provide receipts).

- | | | |
|----------------------------------------------|-----------------------------------------|-----------------------------|
| 1. Proof of total project financing provided | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| a. Secured loan commitment | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Secured bridge loan commitment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Secured Line of credit | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Financial statements | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

G. Conflict of Interest

1. Are you an official, employee, agent, consultant or member of any board or agency of the City of Batavia, Town of Batavia or the GCEDC, GGLDC?

Yes No

If yes, please describe your position: _____

2. Are you related by blood or marriage to any official, employee, agent, consultant or member of any board or agency of the City of Batavia, Town of Batavia or the GCEDC, GGLDC?

Yes No

If yes, please identify the official(s), agent(s), consultant(s), employee(s) or member(s) and describe your relationship:

3. Do you have any corporate, partnership, landlord-tenant-or other business relationship with any official, agent, consultant, employee or member of any board or agency of the City of Batavia, Town of Batavia or the GCEDC, GGLDC?

Yes No

Batavia Home Fund Grant Application

If yes, identify the official(s), agent(s), consultant(s), employee(s) or member(s) and describe the business relationship:

4. Are you doing business in any of the following ways with any official, agent, consultant, employee, or member of any board or agency of the City of Batavia, Town of Batavia, the GCEDC and GGLDC. (check any that are applicable, if other, please describe):

- Purchaser or Seller of Goods - please describe _____
- Loan or Grant Recipient- please describe _____
- Provision of Services - please describe _____
- Other - please describe _____

Please review the certifications on the following page, which are part of this application, before signing below. Compliance with the certifications and all other Building Improvement Program procedures is required. All owners must sign.

Carl Burton
Signature
Carl Burton
Printed Name
12-10-24
Date

Tonia Burton
Signature
Tonia Burton
Printed Name
12-10-24
Date

Batavia Home Fund Grant Application

Certifications

Ownership

Initial JB

I/We hereby certify that I/we own the property to be improved. If any changes in ownership should occur from this date forward, I/we agree to notify the Genesee County Economic Development Center, immediately. Failure to do so may result in denial or termination of the Batavia Home Fund Grant participation.

Regulatory Requirements and Repayment Provisions

Initial JB

All assistance is in the form of a reimbursable grant with a five (5)-year compliance period. Property owners will be required to execute a Declaration document committing to this compliance period. Should the property owner sell the property within the five (5)-year timeframe, they will be responsible for repaying a portion of the grant funding received. Repayments will be retained by the GCEDC. Required repayment of funds will be calculated in accordance with the following schedule:

Months 0-12:	100% repayment due.
Months 13-24:	80% repayment due.
Months 25-36:	60% repayment due.
Months 37-48:	40% repayment due.
Months 49-60:	20% repayment due.
Months 60 and beyond:	0% repayment due

Application Information

Initial JB

To the best of my/our knowledge, all of the application information I/we have provided is true and correct. I/We understand that any willful misstatement of material fact will be grounds for disqualification. The City of Batavia and the GCEDC, are hereby granted permission to verify any of the information in the application in any appropriate manner.

Taxes

Initial JB

I/We understand that all taxes must be paid for the property to be improved and for all other properties in the City of Batavia owned wholly or in part by me/us. I/We understand that no grant agreement will be signed unless all taxes and service charges are current.

For Internal Use Only

Date Application Received:

Application Fee Paid: Y N

Amount:

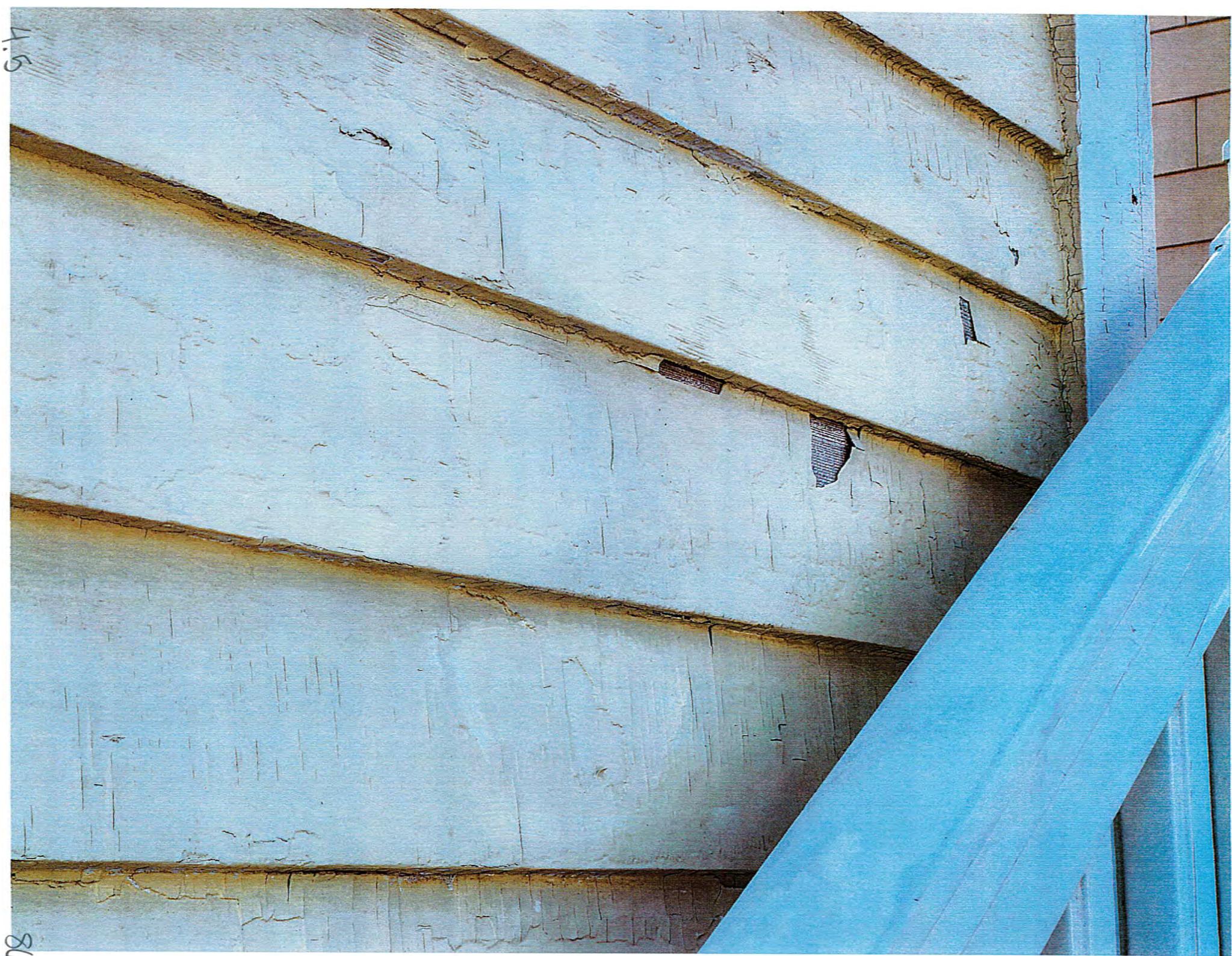
Date:

Application reviewed and certified by:

Batavia Home Fund Committee Review Date:

Official Grant Approval Date:

GCEDC Board Meeting Date:



4.5

86



4.3

87





4.5

89





4.5



Invest Buffalo Niagara (InBN) – Marketing Support Funding

Invest Buffalo Niagara (InBN) is our non-profit regional economic development organization supported by a team of private and public-sector leaders dedicated to improving economic performance in Buffalo Niagara/ Western New York. InBN's primary goals are to retain and expand existing business and to professionally market the region as a competitive, vibrant and high-profile place for business location and growth. To support business attraction, expansion, entrepreneurship and innovation, InBN collaborates with local businesses, universities, not-for-profit organizations and government leaders to deliver a unified response to regional economic development opportunities.

The funding requested to support InBN is an integral partner in our sales/marketing efforts for the attraction of new companies to our community. Other services beyond regional site selection include marketing and design services, online property listing (CLS system) for development sites, data and demographics reports for business development support, graphics support for brochures, ads, and other marketing collateral, as well as publicizing and supporting the GCEDC and STAMP initiative in Western New York/ Western New York Regional Council. InBN staff have shown a tireless commitment to supporting and advocating for our economic development goals and strategies particularly as it relates to STAMP.

Board Request: An investment renewal of \$25,000 for continued marketing and business development support for one year. This investment cost was anticipated and contained in the 2025 budget.

Payment under MOU with Village of Oakfield

Discussion: The GCEDC, STAMP Sewer Works Corp. and the Village of Oakfield are working together on the design, construction and operation of a new force main sewer line from the STAMP Site to the Village of Oakfield Waste Water Treatment Facility (“Oakfield WWTF”) to provide wastewater treatment services to STAMP. In May of 2024, these three entities entered into an MOU whereby the GCEDC would pay the Village of Oakfield for engineering costs incurred to review the design plans for the forcemain and potential upgrades to the existing WWTF.

Fund Commitment: \$12,532.50 to be covered under the \$8 million grant.

Committee Action request: Recommend approval of paying the Village of Oakfield engineering costs that are covered under the MOU.

MOUNTAIN ENGINEERING, PLLC**INVOICE**

122 Oak Street
 Batavia, NY 14020

INVOICE #1

DATE: JANUARY 7, 2025

TO:
 Village of Oakfield
 37 Main Street
 Oakfield, NY 14125

FOR:
 Consulting Services
 WNY STAMP Sanitary Sewer Flow to Oakfield
 WWTP

Date	Pers.		Hours
6/4/24	SJM	Meeting with Mayor Boyle, Lou Moretti (Camden Group), Al Graham (Camden Group) to review GCEDC proposal for sending sanitary waste to Village WWTP	2.0
6/17/24	SJM	Phone call with Dave Chase	1.0
7/24/24	SJM	Review of draft CPL Basis of Design report from David Chase	3.0
7/26/24	SJM	Continued review of CPL Basis of Design report; called Mayor Boyle to discuss my review	4.5
7/31/24	SJM	Meeting with Lou Moretti; Al Graham at Village WWTP to review CPL Basis of Design Report. Called Mayor Boyle with Camden Group to discuss our review	3.5
8/1/24	SJM	Phone call with David Chase	0.5
8/12/24	SJM	Attended Village board meeting to discuss GCEDC proposal and my proposal for services	1.0
8/16/24	SJM	Phone conversation follow up with Mayor Boyle and Lou Moretti	0.5
8/20/24	SJM	Review of phasing buildout of Stamp, Alabama, Oakfield flows	1.0
8/22/24	SJM	Meeting at GCEDC offices with Village, Camden Group, CPL and GCEDC for concept meeting with NYSDEC	2.0
9/6/24	SJM	Reviewed draft agreements (2) from Mayor Boyle in preparation for Village Board Meeting	3.0
9/9/24	SJM	Attended Village Board meeting to discuss Village's, Camden and Mountain Engineering's comments	1.5
10/11/24	SJM	Reviewed email from Zach Anderson (CPL) along with conception design documents attached	4.0
10/14/24	SJM	Continued review of concept design and the Teams meeting with CPL and GCEDC	3.0
10/21/24	SJM	Weekly teams meeting with CPL and GCEDC	1.0
10/21-	MEW	Provide information for new SPDES permit to CPL	4.0

6.1

95

10/22/24			
10/23/24	SJM	Gathering WWTP & Village Utility information for CPL	1.0
10/23/24	MEW	Gathering WWTP & Village Utility information for CPL	3.5
10/24/24	SJM	Call to update Mayor Boyle on Utility info	0.5
10/28/24	SJM	Weekly teams meeting update	1.0
10/29/24	MEW	Research sewer as-builts and provide copies to CPL	3.5
11/4/24	SJM	Weekly teams meeting	1.0
11/6- 11/8/24	MEW	Provide details of sewer system and meet with CPL to review sewer system.	6.0
11/6/24	SJM	Phone calls with Village and CPL regarding Utility Design Ticket	1.5
11/6/24	SJM	Proposed phasing of flows to Oakfield WWTP	1.5
11/7/24	SJM	Meeting with GCEDC, Camden Group at GCEDC office. Mayor Boyle by conference phone	2.0
11/11 & 11/13/24	MEW	Met with Tom M. and Zach A. on site to review utilities and go over proposed layout out on N. Pearl and Mill St.	4.0
11/21/24	SJM	Meeting at CPL offices to work together to layout best dual force main route along North Pearl and Mill Street	3.0
11/21/24	MEW	Met at CPL with Zach A. & Andrew K. and Steve Mt. to discuss North Pearl Force Main and STAMP contribution for Village's improvements.	3.0
11/21/24	SJM	Phone call: Mayor Boyle updating him on CPL design meeting	0.5
11/25/24	SJM	Teams meeting design of force main discussion	1.0
11/25- 11/26/24	MEW	Reviewed CPL cost estimates for sewer system improvements on North Pearl Street and Mill St and road reconstruction.	7.0
12/2/24	SJM	Reviewed Zach Anderson email with street replacement concept and cost estimate	1.5
12/2- 12/3/24	MEW	Reviewed quantities in cost estimates provided by CPL	2.0
12/5/24	SJM	Reviewed Zach Anderson email with street replacement concept and cost estimate	1.0
12/6/24	SJM	Phone conversation with Village Attorney Megan Dorritie	0.5
12/10/24	MEW	Met with Tom M. and Steve Mt. to discuss North Pearl and Mill Street force main/gravity sewer improvements and new water main with road reconstruction.	2.5
12/10/24	SJM	Attended Village Board meeting to answer questions on GCEDC dual force main route proposal	1.5
12/16-	MEW	Spreadsheet for proposed sewer rates based on varied usage by STAMP users.	2.0

12/17/24

12/23/24 SJM Meeting with Mayor Boyle on Agreement

1.5

Steven J. Mountain	50.5 hrs. @\$165.00/hr.:	\$8,332.50
Scott C. Lawler	0 hrs. @\$128.00/hr.:	\$ 0.00
Mark E. Wright	37.5 hrs. @\$112.00/hr.:	<u>\$4,200.00</u>

TOTAL AMOUNT THIS INVOICE: \$12,532.50

Make all checks payable to MOUNTAIN ENGINEERING, PLLC

Thank you for your business!

GCEDC
STAMP Committee Report
January 14, 2025

Escrow Agreements – Expenses

The GCEDC Board has required three data center projects that are looking at overlapping acreage to enter into agreements to cover the costs incurred by the GCEDC regarding their projects. The GCEDC Board approved the draft Escrow Agreement at the 10/31/24 Board Meeting. \$25,000 deposits have been received from each of the three companies. Funds are to be replenished as necessary.

Attached are three proposed engagement letters with Phillips Lytle engaging them to do the required work related to reviewing these projects. “Applicant shall reimburse invoices out of pocket consultants fees incurred in review of the Project”.

Fund Commitment: The total amount is to be determined. Total expenses would not exceed the total funds received from these companies under the Escrow Agreements.

Board Action Request: Recommend authorization to pay expenses related to the executed Escrow Agreements in place with three data center projects.



Phillips Lytle LLP

Via E-Mail
Personal and Confidential

January 7, 2025

Mark A. Masse
President and CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Proposed Engagement Letter for STAMP Project - Project Hydroscale

Dear Mark:

Thank you very much for the opportunity to continue to assist the Genesee County Economic Development Center (and its affiliates) with the STAMP Project. The purpose of this letter is to supplement our existing engagement letters with a new scope of work. This supplement describes generally work relating to review of a proposed tenant application for Project Hydroscale in connection with the STAMP Project. The proposed "Proposed Scope of Work" is set forth in the attached. Upon receipt of your approval, we will bill you on a monthly basis for such work as fees and disbursements are incurred, consistent with our existing engagement.

If you are in agreement with the foregoing, please confirm same by signing and returning a copy of this letter to me. Of course, if you have any questions, please let me know. Thanks again.

ATTORNEYS AT LAW

DOUGLAS W. DIMITROFF | MANAGING PARTNER | DIRECT 716 847 5408 | DDIMITROFF@PHILLIPSLYTLE.COM

ONE CANALSIDE 125 MAIN STREET BUFFALO, NEW YORK 14203-2887 PHONE (716) 847-8400 FAX (716) 852-6100 | PHILLIPSLYTLE.COM
NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | CHICAGO, IL | WASHINGTON, DC | CANADA: WATERLOO REGION

6.2

99



Very truly yours,

Phillips Lytle LLP

By /s/ *Douglas W. Dimitroff*

Douglas W. Dimitroff
DWD

Genesee County Economic Development Center has reviewed and agreed to the above terms of engagement of Phillips Lytle LLP for the purposes and to the extent described in this letter.

Genesee County Economic Development Center

By _____
Mark A. Masse, President and CEO

Date _____



**STAMP Project - 1/7/25 Phillips Lytle Engagement Letter
Proposed Scope of Work for Project Hydroscale**

1. Review of Project Hydroscale (Proposed PL Matter 33082.00043): GCEDC and its affiliated entities are involved in processes of reviewing, evaluating, and responding to an application ("Application") from JLL, to locate an approximately 900,000 square foot data center at the STAMP Site. Phillips Lytle will represent and assist GCEDC relative to the forgoing matter on an as-needed basis, including reviewing Application documents and providing analysis on the same, and drafting resolutions and other necessary documents as needed in connection with GCEDC's review of the Application.

* The foregoing scope of work does not include assistance with any formal challenges to or litigation relating to Project Hydroscale.



Phillips Lytle LLP

Via E-Mail
Personal and Confidential

January 7, 2025

Mark A. Masse
President and CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Proposed Engagement Letter for STAMP Project - Project Rampart

Dear Mark:

Thank you very much for the opportunity to continue to assist the Genesee County Economic Development Center (and its affiliates) with the STAMP Project. The purpose of this letter is to supplement our existing engagement letters with a new scope of work. This supplement describes generally work relating to review of a proposed tenant application for Project Rampart in connection with the STAMP Project. The proposed "Proposed Scope of Work" is set forth in the attached. Upon receipt of your approval, we will bill you on a monthly basis for such work as fees and disbursements are incurred, consistent with our existing engagement.

If you are in agreement with the foregoing, please confirm same by signing and returning a copy of this letter to me. Of course, if you have any questions, please let me know. Thanks again.

ATTORNEYS AT LAW

DOUGLAS W. DIMITROFF MANAGING PARTNER DIRECT 716 847 5408 DDIMITROFF@PHILLIPSLYTLLE.COM

ONE CANALSIDE 125 MAIN STREET BUFFALO, NEW YORK 14203-2887 PHONE (716) 847-8400 FAX (716) 852-6100 | PHILLIPSLYTLLE.COM
NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | CHICAGO, IL | WASHINGTON, DC | CANADA: WATERLOO REGION



Very truly yours,

Phillips Lytle LLP

By /s/ *Douglas W. Dimitroff*

Douglas W. Dimitroff
DWD

Genesee County Economic Development Center has reviewed and agreed to the above terms of engagement of Phillips Lytle LLP for the purposes and to the extent described in this letter.

Genesee County Economic Development Center

By _____
Mark A. Masse, President and CEO

Date _____



**STAMP Project - 1/7/25 Phillips Lytle Engagement Letter
Proposed Scope of Work for Project Rampart**

1. Review of Project Rampart (Proposed PL Matter 33082.00042): GCEDC and its affiliated entities are involved in processes of reviewing, evaluating, and responding to an application (“Application”) from PRP REI, LLC, to locate an approximately 750,000 square foot data center at the STAMP Site. Phillips Lytle will represent and assist GCEDC relative to the forgoing matter on an as-needed basis, including reviewing Application documents and providing analysis on the same, and drafting resolutions and other necessary documents as needed in connection with GCEDC’s review of the Application.

* The foregoing scope of work does not include assistance with any formal challenges to or litigation relating to Project Rampart.



Phillips Lytle LLP

Via E-Mail
Personal and Confidential

January 7, 2025

Mark A. Masse
President and CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Proposed Engagement Letter for STAMP Project - Project Double Reed

Dear Mark:

Thank you very much for the opportunity to continue to assist the Genesee County Economic Development Center (and its affiliates) with the STAMP Project. The purpose of this letter is to supplement our existing engagement letters with a new scope of work. This supplement describes generally work relating to SEQRA review in connection with the STAMP Project. The proposed scope of representation is set forth on the attached "Proposed Scope of Work". Upon receipt of your approval, we will bill you on a monthly basis for such work as fees and disbursements are incurred, consistent with our existing engagement.

If you are in agreement with the foregoing, please confirm same by signing and returning a copy of this letter to me. Of course, if you have any questions, please let me know. Thanks again.

ATTORNEYS AT LAW

DOUGLAS W. DIMITROFF MANAGING PARTNER DIRECT 716 847 5408 DDIMITROFF@PHILLIPSLYTLLE.COM

ONE CANALSIDE 125 MAIN STREET BUFFALO, NEW YORK 14203-2887 PHONE (716) 847-8400 FAX (716) 852-8100 | PHILLIPSLYTLLE.COM
NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | CHICAGO, IL | WASHINGTON, DC | CANADA: WATERLOO REGION

6.2

105



Very truly yours,

Phillips Lytle LLP

By /s/ *Douglas W. Dimitroff*

Douglas W. Dimitroff
DWD

Genesee County Economic Development Center has reviewed and agreed to the above terms of engagement of Phillips Lytle LLP for the purposes and to the extent described in this letter.

Genesee County Economic Development Center

By _____
Mark A. Masse, President and CEO

Date _____



**STAMP Project - 1/7/25 Phillips Lytle Engagement Letter
Proposed Scope of Work for Project Double Reed**

1. Review of Project Double Reed (Proposed PL Matter 33082.00042): GCEDC and its affiliated entities are involved in processes of reviewing, evaluating, and responding to an application ("Application") from Stream U.S. Data Centers, LLC, to locate an approximately 900,000 to 1,200,000 square foot data center at the STAMP Site. Phillips Lytle will represent and assist GCEDC relative to the forgoing matter on an as-needed basis, including reviewing Application documents and providing analysis on the same, and drafting resolutions and other necessary documents as needed in connection with GCEDC's review of the Application.

* The foregoing scope of work does not include assistance with any formal challenges to or litigation relating to Project Double Reed.

Doc #12378137.1

Onsite water storage tank contract bids

Discussion: The GCEDC went out to bid for an onsite water storage tank that would connect to the potable water system at STAMP and the Town of Alabama. The bid was put out as one project but with three base bids as follows:

- A. 500,000 gallon storage tank.
- B. 1,000,000 gallon storage tank.
- C. 2,000,000 gallon storage tank.

The bid documents stated that the Owner reserves the right to award the Base Bids individually or the combination of the Base Bids to the lowest, responsive, responsible bidder based on which Bid combination best fits the project budget and priorities.

See the attached review letter from Clark Patterson Lee.

Fund commitment: \$4.2 million from the NYS \$56 million and any excess would be paid out of the land sale proceeds from Apple Tree Acres Park.

Committee action request: Committee to discuss which tank size and bid to award.

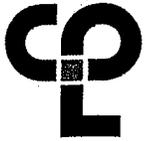
STAMP
FAST NY Grant
MWBE Analysis
1.10.25

Total FAST NY Grant	\$	56,000,000
MWBE Requirement (30%)	\$	16,800,000
Net	\$	39,200,000
Funds Received to Date	\$	39,200,000
Expenditures Committed to Date	\$	42,136,530

MWBE Requirement (30%)	\$	16,800,000
<i>MWBE Committed to Date:</i>		
<i>O'Connell - Millspaugh Construction</i>	\$	7,045,621
<i>CC Environment</i>	\$	22,500
<i>Clark Patterson Lee - subcontractors</i>	\$	129,730
Total MWBE Committed	\$	7,197,851
Net	\$	9,602,149

Total FAST NY Grant	\$	56,000,000
Less - Uncommitted MWBE	\$	9,602,149
Available to Award	\$	46,397,851

Available to Award	\$	46,397,851
Expenditures Committed to Date	\$	42,136,530
Balance Available to Award	\$	4,261,321



January 10, 2025

Mr. Mark A. Masse, CPA,
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, New York 14020

**Re: GCEDC STAMP Water Tank and Crosby Road Water Main
Recommendation for Award
CPL Project No. R24.15997.00**

Dear Mark:

The bids for the above referenced project were opened on November 15, 2024. A copy of our bid tabulation is enclosed for your information and review.

The project's final bid documents, as modified through six Addenda from a fire water storage tank to a potable water storage tank, includes extension of the potable water distribution system along Crosby Road and the construction of an onsite potable water storage tank and infrastructure related to the STAMP site located near the Edwards Vacuum development along Crosby Road in the Town of Alabama, New York.

The tank sizes were 0.5 Million Gallons (MG) for the Base Bid, Alternate Bid 1 for 1.0 MG and Alternate Bid 2 for 2.0 MG tank sizes respectively. Only one (1) tank will be constructed under this Contract.

The Construction Agreement within the Bid documents set the schedule as:

Bid	Substantial Completion	Final Completion
All Bids – Crosby Road Water Main	April 1, 2025	May 1, 2025
Base Bid – 0.5 MG Tank	July 1, 2025	August 1, 2025
Alternate Bid 1 – 1.0 MG Tank	August 1, 2025	September 1, 2025
Alternate Bid 2 – 2.0 MG Tank	September 1, 2025	October 1, 2025

The schedule above was determined to allow potable water for testing and preliminary operations to begin at the Edwards facility prior to full occupancy and the need for full sprinkler flow demands that would require the tank to be in active service.



There was a total of eighteen (18) plan holders and only two (2) bids were received. A summary of the Bid prices received is shown in the table below:

Bidder	Base Bid (0.5 MG)	Alternate Bid No. 1 (1.0 MG)	Alternate Bid No. 2 (2.0 MG)
Preload LLC	\$4,127,000.00	\$4,521,800.00	\$5,351,400.00
DN Tanks of NY, LLC	\$4,473,280.00	\$5,007,580.00	\$5,889,380.00

As this project is to be funded through the FAST NY Grants from NYS Empire State Development, we also requested Minority Women-Owned Business Enterprise (MWBE) participation documentation, as the grant has a 30% goal, to be submitted with the Bid.

At the time of the Bid, Preload submitted MWBE participation of 0% (\$0.00), while DN Tanks provided 2.74% (\$122,500.00) based upon the 0.5 MG Base Bid for their direct subcontracted work. It is anticipated that the larger tank sizes could increase MWBE participation level.

As the Bid opening was November 15, 2024, and will have extended past the 60 days requested to honor bid pricing in the Contract Documents, we requested letters from both Preload and DN Tanks on January 6, 2025, if they are able and willing to honor their pricing for an additional 30 days to allow for the Award. Please refer to the attached letters from Preload and DN Tanks.

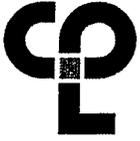
We have reviewed both contractors' qualifications and have discussed their respective bids in detail. We feel the bids received are a true representation of the costs to complete this project and that either of the contractors are qualified to complete the Contract. The requests for additional time appear to be in line with the additional time taken to Award the project and should still be operational in time for the Edwards facility.

Given that Preload submitted a Bid with 0% (\$0.00) MWBE Participation, their Bids must be deemed incomplete as the FAST NY ESD Grant details the need for MWBE Participation.

We recommend the GCEDC Board review the available information presented from DN Tanks and select the tank size that, based upon the costs and MWBE participation, best fits the needs for STAMP and utilization of the FAST NY ESD Grant. Both the 0.5 MG and 1.0 MG tank sizes would be operational by November 21, 2025, while the 2.0 MG tank would not be able to be completed until November 2026, well after the date needed by Edwards.

Once a tank size is selected, we recommend the GCEDC Board pass two resolutions:

1. A resolution to reject the Bid received from Preload LLC, as it is deemed incomplete for not supplying the requested MWBE Participation with their Bid.
2. A resolution accepting the Base Bid or Alternate Bid No. 1 or Alternate Bid No. 2 received from DN Tanks of NY, LLC for the Crosby Road Water Main and STAMP



Water Storage Tank

- a. Base Bid – 0.5 MG Tank in the amount of \$4,473,280.00
- b. Alternate Bid No. 1 – 1.0 MG Tank in the amount of \$5,007,580.00
- c. Alternate Bid No. 2 – 2.0 MG Tank in the amount of \$5,889,380.00

Once the size and Award is selected, we can provide a completed Notice of Award for the project, which will need to be signed and returned to our office. The Notice of Award will then be forwarded to the Contractor, along with copies of the Agreement and other documents for their execution. When returned, the executed agreements will be sent to the GCEDC for your signature. This process generally takes two (2) weeks.

CPL looks forward to working with you and the Contractor to successfully complete this project. If you have any questions or require additional information, please contact Jeremy DeLyser, P.E. at 585-402-7565 or me at 585-402-7506.

Very truly yours,

CPL

A handwritten signature in black ink, appearing to read 'A. Kosa', written over a horizontal line.

Andrew R. Kosa, P.E.
Principal

Enclosures

GCEDC

STAMP Water Tank & Crosby Road Water Main

R24.15997.00

Bid Opening: November 15, 2024

Bid Item	Description	Quantity	Unit	Preload LLC		DN Tanks of NY, LLC	
				Unit Price	Base Bid	Unit Price	Base Bid
Base Bid							
G-1	Mobilization (shall not exceed 3%)	1	LS	\$ 120,000.00	\$ 120,000.00	\$ 75,000.00	\$ 75,000.00
G-2	Maintenance and Protection of Traffic Including Signs and Flagperson	1	LS	\$ 8,000.00	\$ 8,000.00	\$ 56,500.00	\$ 56,500.00
G-3	Erosion Control	1	LS	\$ 11,000.00	\$ 11,000.00	\$ 20,330.00	\$ 20,330.00
G-4	Select Granular Fill	100	CY	\$ 70.00	\$ 7,000.00	\$ 270.00	\$ 27,000.00
W-1A	Furnish & Install 12-Inch Diameter DR-18 PVC Water Main	2,700	LF	\$ 100.00	\$ 270,000.00	\$ 198.00	\$ 534,600.00
W-1B	Furnish & Install 12-Inch Diameter Class 52 DIP Water Main	20	LF	\$ 225.00	\$ 4,500.00	\$ 680.00	\$ 13,600.00
W-1C	Furnish & Install 24-Inch Diameter DR-18 PVC Water Main	200	LF	\$ 230.00	\$ 46,000.00	\$ 620.00	\$ 124,000.00
W-1D	Furnish & Install 24-Inch Diameter Class 52 DIP Water Main	90	LF	\$ 310.00	\$ 27,900.00	\$ 620.00	\$ 55,800.00
W-1E	Directional Drilling w DIPS 12-inch Diameter DR-11 HDPE Water Main (No Casing	135	LF	\$ 250.00	\$ 33,750.00	\$ 670.00	\$ 90,450.00
W-2A	Furnish & Install 12-Inch Gate Valve	13	EA	\$ 13,500.00	\$ 175,500.00	\$ 10,300.00	\$ 133,900.00
W-2B	Furnish & Install 24-Inch Gate Valve	4	EA	\$ 44,000.00	\$ 176,000.00	\$ 71,900.00	\$ 287,600.00
W-3A	Furnish & Install Hydrant Assemblies	5	EA	\$ 10,500.00	\$ 52,500.00	\$ 17,600.00	\$ 88,000.00
W-3B	Furnish & Install Blow-Off Hydrant Assemblies	1	EA	\$ 11,000.00	\$ 11,000.00	\$ 22,600.00	\$ 22,600.00
W-4	Dry Connection to Existing 12-inch Water Main	3	EA	\$ 11,000.00	\$ 33,000.00	\$ 11,300.00	\$ 33,900.00
W-5	Furnish & Install 2-inch Permanent Blow-Off Assembly	2	EA	\$ 4,000.00	\$ 8,000.00	\$ 10,700.00	\$ 21,400.00
W-6A	Furnish & Install 0.5 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 2,613,850.00	\$ 2,613,850.00	\$ 2,345,400.00	\$ 2,345,400.00
W-7A	Altitude Valve Manhole	1	EA	\$ 27,000.00	\$ 27,000.00	\$ 77,100.00	\$ 77,100.00
W-7B	Check Valve Manhole	2	EA	\$ 20,500.00	\$ 41,000.00	\$ 66,000.00	\$ 132,000.00
W-8	Site Improvements	1	LS	\$ 389,000.00	\$ 389,000.00	\$ 215,800.00	\$ 215,800.00
W-9	Pump Station Bypass Pump Connection Assembly	1	LS	\$ 17,000.00	\$ 17,000.00	\$ 63,300.00	\$ 63,300.00
FCA-1	Field Change Allowance	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
CTA-1	Compaction Testing Allowance	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Total Base Bid					\$ 4,127,000.00		\$ 4,473,280.00
Alternate Bid 1: 1 Million Gallon Tank							
Total Base Bid Amount					\$ 4,127,000.00		\$ 4,473,280.00
Deduct (Items from page 00410R-6)							
W-1D	Furnish & Install 24-inch Diameter Class 52 DIP Water Main	20	LF	\$ 310.00	\$ 6,200.00	\$ 680.00	\$ 13,600.00
W-6A	Furnish & Install 0.5 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 2,613,850.00	\$ 2,613,850.00	\$ 2,345,400.00	\$ 2,345,400.00
Subtotal Deduct Amount					\$ 2,620,050.00		\$ 2,359,000.00
Add							
W-6B	Furnish & Install 1 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 3,014,850.00	\$ 3,014,850.00	\$ 2,893,300.00	\$ 2,893,300.00
Total Alternate Bid 1					\$ 4,521,800.00		\$ 5,007,580.00
Alternate Bid 2: 2 Million Gallon Tank							
Total Base Bid Amount					\$ 4,127,000.00		\$ 4,473,280.00
Deduct (Items from page 00410R-6)							
W-1D	Furnish & Install 24-inch Diameter Class 52 DIP Water Main	60	LF	\$ 310.00	\$ 18,600.00	\$ 680.00	\$ 40,800.00
W-6A	Furnish & Install 0.5 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 2,613,850.00	\$ 2,613,850.00	\$ 2,345,400.00	\$ 2,345,400.00
Subtotal Deduct Amount					\$ 2,632,450.00		\$ 2,386,200.00
Add							
W-6C	Furnish & Install 2 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 3,856,850.00	\$ 3,856,850.00	\$ 3,802,300.00	\$ 3,802,300.00
Total Alternate Bid 2					\$ 5,351,400.00		\$ 5,889,380.00
<small>Note: Shaded areas denote an error in the Contractor's bid. This bid tabulation reflects the corrected bid amounts.</small>							



Prestressed Concrete Tanks

January 10, 2025

Mr. Mark A. Masse, CPA
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Stamp Water Tank and Crosby Road Water Main
CPL Project No.: R24.15997.00

Dear Mr. Masse:

On January 7, 2025, CPL informed Preload, LLC ("Preload") that Genesee County Economic Development Center ("GCEDC") intends to move forward with an award to Preload on the above-referenced Project, but may need more time than the period subject to which Preload's Bid remains open to acceptance which expires on January 14, 2025. Pursuant to CPL's request on behalf of GCEDC, Preload hereby agrees to extend the time for GCEDC's acceptance of Preload's Bid by thirty (30) days; accordingly, Preload's Bid is now subject to acceptance until February 13, 2025, ninety (90) days after the bid opening, conditioned upon the following changes to the Contract Documents:

1. A Notice to Proceed issued no later than February 17, 2025.
2. The required date for substantial completion of all water main work within the 100-foot right-of way of Crosby Road, North of the valve cluster at the intersection of Crosby Road and Stamp Drive) to the Edwards Facility (C52+50 to C73+00 and F9+40 to F14+00), extended to June 1, 2025, and the required date for such work to be completed and ready for final payment extended to July 1, 2025.
3. The required date for substantial completion of all work associated with the Base Bid extended to November 15, 2025, and the required date for such work to be completed and ready for final payment extended to December 15, 2025.
4. The required date for substantial completion of all work associated with the Base Bid and Alternate Bid 1 extended to November 15, 2025, and the required date for such work to be completed and ready for final payment extended to December 15, 2025.
5. The required date for substantial completion of all work associated with the Base Bid and Alternate Bid 2 extended to November 15, 2025, and the required date for such work to be completed and ready for final payment extended to December 15, 2025.

We look forward to working for GCEDC.

Sincerely,

Preload, LLC

Steven J. Dudle

Steven J. Dudle, P.E.
District Sales Manager



**BUILT
FOR THE FUTURE**

January 10, 2025

Mr. Mark A. Masse, CPA
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Reference: STAMP Water Tank and Crosby Road Water Main
CPL Project No.: R24.15997.00

Dear Mr. Masse,

As requested, DN Tanks, LLC hereby agrees to provide a 30-day extension of our bid dated November 15, 2024 for the above referenced project. Additionally, DN Tanks, LLC is pleased to inform you that we will hold our bid price for this extended period at no additional cost. Our bid pricing provided to you on November 15, 2024 will now be valid through February 13, 2025.

The following is the proposed schedule for the tank capacity construction start and completion dates. Please note that due to the short notice regarding your request for this information, we still need to verify these dates are feasible with our Operations Team. We will follow up prior to the Board meeting on January 16, 2025:

	Anticipated Tank Start	Substantial Completion (Tank Online)
0.5 MG	8/4/2025	11/21/2025
1.0 MG	7/21/2025	11/21/2025
2.0 MG	5/4/2026	11/9/2026

Please contact Jamie Howard should you have any questions.

Best Regards,

Stephen P. Boyle
Senior Vice President-Estimating

cc: Mr. Jamie Howard, DN Tanks, LLC
Mr. Jeremy DeLyser, P.E., CPL