



Tuesday, August 12, 2008
4:30 p.m. – Terry Hills Conference Room

MINUTES

ATTENDANCE

Agency Members: J. Vincent, J. Andrews, L. Benton, H. Upson, M. Gerber, **W. Hinchey ***J. Fulmer
Staff: S. Hyde, S. Lockwood, S. Cook, C. Suozzi, Penny Kennett, C. Zambito, J. Macaluso
Guests: ***J. Gsell (County Manager)
Absent:

CALL TO ORDER

J. Andrews called the meeting to order at 4:35 p.m. in the Conference Room of the Terry Hills Restaurant & Banquet Facility.

APPROVAL OF MINUTES

M. Gerber made a motion to approve the July 21st meeting minutes seconded by H. Upson and approved by all.

OPERATIONS

June / July Financials – S. Cook sent out the June and July financial statements to the board members prior to the meeting for their review. She noted the following regarding the July statements:

- Sale Lease Back fees of \$41,500 had been received in July
- the Dues and Subscriptions expense is up a little from last year due to increased contributions to the Buffalo Niagara Enterprise and the Greater Rochester Enterprise who have both been great partners.
- S. Hyde noted that GCEDC's cash flow looks good. S. Cook and he devised a rolling three month spread sheet to keep track of the cash flows, which has been very helpful given the amount of activity we are experiencing.

After a short discussion J. Vincent made a motion to approve the June and July financial statements, seconded by J. Fulmer and approved by all.

**W. Hinchey arrived for the meeting at 4:45.

2009 Budget – S. Cook informed the board that the GCEDC budget should go out soon as she will be looking for an approval at the next board meeting.

SALES MANAGEMENT (Projects Overview)

Pyramid Prosthetics – Pyramid Prosthetics has withdrawn its plans to become a tenant at the Med Tech Park as they have purchased another building on West Main Street in the Town of Batavia. The initial cash outlay for a new structure was a little much for the company, despite the incentives offered.

***J. Gsell and J. Fulmer arrived for the meeting at 4:55.

REAL ESTATE DEVELOPMENT / MANAGEMENT / INDUSTRY SOLUTIONS

Town of Batavia Grant Acceptance– S. Hyde asked the board to accept a \$225,000 grant from the Town of Batavia in connection with the planning, design and construction of water, sewer and road improvements within the Town of Batavia in the Genesee Valley Agriculture Business Park, subject to transfer of the land to the GGLDC.

The following conditions to issuance have been established by the Town of Batavia:

- a. Subject to transfer of the real property necessary for this project to the Genesee Gateway Local Development Corporation;
- b. The Improvements shall be constructed by the GCEDC in accordance with all applicable construction rules, regulations, codes and standards applicable to the Town in connection with the construction of the public water mains, sewer mains and roadways;
- c. The use of the Grant funds by GCEDC shall be limited to the planning, design and construction of the Improvements, which shall be used as a public water main, sewer main and roadway;
- d. The Grant shall be provided to GCEDC by the Town in the form of a lump sum upon written request by GCEDC to the Town, such request to be accompanied by engineer-certified plans, specifications and cost estimates for the Improvements;

Genesee County Economic Development Center

One Mill Street, Batavia, New York 14020

585-343-4866 Fax: 585-343-0848 Toll Free: 1-877-343-4866

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- e. Upon completion of the improvements, GCEDC shall provide the Town with actual cost documentation relating to the improvements; and
- f. The GCEDC shall adopt a resolution authorizing acceptance of the Grant and conditions outlined herein.

After a short discussion H. Upson made a motion to approve the Resolution #08/2008-01, seconded by L. Benton.

AUTHORIZATION TO ACCEPT \$225,000 GRANT FROM THE TOWN OF BATAVIA PURSUANT TO TOWN OF BATAVIA LOCAL LAW NO. 4 OF THE YEAR 2008

The resolution was put to a vote by roll call that resulted as follows:

J. Andrews -	Yes	M. Gerber -	Abstained
L. Benton -	Yes	H. Upson -	Yes
W. Hinchey -	Yes	J. Vincent -	Yes
J. Fulmer -	Yes		

The resolution was approved as presented.

M. Gerber abstained given his employment at Farm Credit and their involvement with the Genesee Valley Ag Park.

Resolution to grant funds to the GGLDC for WNY STAMP – The GGLDC is currently proceeding to assemble approximately 1,200 acres of land located in the town of Alabama for the development of a shovel ready Science and Technology Advanced Manufacturing Park (STAMP) that will focus on large scale high technology projects. The development of such a Park has the potential to create millions of dollars in capital investment and hundreds of jobs for the community and the region. Previously on May 14, 2008 the board had approved the purchase of approximately 59 acres of land plus a single family home and outbuildings for a purchase price of \$212,000 to start the land assembly process for STAMP. The closing is planned for August 29th.

Given this information, S. Hyde asked the board to approve the commitment of \$215,000 to fund the cost of this specific land purchase by the GGLDC.

After a short discussion W. Hinchey made a motion to approve resolution # 08/2008-02, seconded by M. Gerber.

RESOLUTION BY THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO APPROVE FUNDING IN SUPPORT OF THE PURCHASE OF PROPERTY IN THE TOWN OF ALABAMA BY THE GENESEE GATEWAY LOCAL DEVELOPMENT CORPORATION

The resolution was put to a vote by roll call that resulted as follows:

J. Andrews -	Yes	M. Gerber -	Yes
L. Benton -	Yes	H. Upson -	Yes
W. Hinchey -	Yes	J. Vincent -	Yes
J. Fulmer -	Yes		

The resolution was approved as presented.

Ag Park Land Acquisition / SEQR – S. Hyde asked the board to approve a resolution authorizing the acquisition of, approximately, 200 acres of land in the Town of Batavia for the intended use of an Agriculture Business Park and issuing a Negative Declaration pursuant to SEQR.

Approval of SEQR is for the purpose of acquiring the land only; a Master SEQR for the intended use is still being completed.

The closing on the land is tentatively scheduled for the end of the month.

After a short discussion H. Upson made a motion to approve resolution # 08/2008-03, seconded by L. Benton.

RESOLUTION AUTHORIZING THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO (i) MAKE CERTAIN FINDINGS IN COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH RESPECT TO THE ACQUISITION BY GENESEE GATEWAY LOCAL DEVELOPMENT CORPORATION OF AN APPROXIMATELY 200 ACRE PARCEL OF LAND LOCATED ON ROUTE 5 IN THE TOWN OF BATAVIA, GENESEE COUNTY, NEW YORK (THE "LAND"); AND (ii) NEGOTIATE AND EXECUTE RELATED DOCUMENTS.

The resolution was put to a vote by roll call that resulted as follows:

J. Andrews -	Yes	M. Gerber -	Abstained
L. Benton -	Yes	H. Upson -	Yes
W. Hinchey -	Yes	J. Vincent -	Yes
J. Fulmer -	Yes		

The resolution was approved as presented.

M. Gerber abstained given his employment at Farm Credit and their involvement with the Genesee Valley Ag Park.

Pioneer Lease – C. Suozzi reported that he had sent a letter out to Pioneer Credit reminding them that their lease is up for renewal at the end of October and that they have an option to rent the area for an additional three years with annual renewals at a rate of \$4.00 per square feet, subject to their lease agreement. The company returned a letter to Chris asking for two six month renewals instead of the previously negotiated one year renewals. C. Suozzi asked the board their opinion on the matter.

After a short discussion the board agreed to enforce the lease as it is written with one year renewals as they felt that six month's was too short of a time period.

EMPIRE ZONE / FINANCING

DOT Rail Grant Opportunity – S. Lockwood mentioned that he will be putting together an application for a Rail Grant through the NYS Department of Transportation. The grant could help provide upgrades needed for the rail line that runs through the Agriculture Business Park, as many food processors use rail for transportation.

POLICY ISSUES / HUMAN RESOURCES / OTHER BUSINESS

Governance Board Meeting – S. Cook reported that the Governance Committee met for the first time on August 1, 2008. The committee recommended that S. Cook review the GCEDC / GGLDC current policies so that we can be certain that our policies and practices are in alignment.

ADJOURNMENT

L. Benton made a motion to adjourn the GCEDC board meeting and to enter into the GGLDC board meeting at 5:10 p.m.; the motion was seconded by H. Upson and approved by all.

EXECUTIVE SESSION

Upon reopening the general session portion of GCEDC's meeting, H. Upson made a motion to enter into executive session under the Public Officers Law, Article 7, Open Meeting Law Section 105, paragraph d, at 5:45 p.m., for the following reasons:

1. To discuss the financial history of particular corporations.
2. The proposed sale / acquisition of property that would otherwise affect the value of the property.

The motion was seconded by W. Hinchey and approved by members.

**** The board agreed to meet again on Wednesday, August 13th at 7:00 a.m. for a special executive session meeting to discuss the financial history of particular corporations. As public notice of this meeting to the media is not practicable in this case, pursuant to the "Open Meetings" law, a notice of this meeting will be posted on the front door of the Agency offices to satisfy the "notice to the public" requirement of the law.

ADJOURNMENT

As there was no further business, J. Vincent made a motion to adjourn at 6:45 p.m., seconded by H. Upson and passed unanimously.

Future Meetings:

Tuesday, August 26 th	- 8:00 am @ GCEDC Offices
Wednesday, September 10 th	- 8:00 am @ GCEDC Offices
Tuesday, September 23 rd	- 8:00 am @ GCEDC Offices

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