



**Thursday, September 3, 2009
4:00 p.m. – GCEDC Conference Room**

MINUTES

ATTENDANCE

Agency Members: J. Andrews, J. Vincent, H. Upson, L. Benton
Staff: S. Hyde, S. Lockwood, S. Cook, P. Kennett, C. Suozzi, L. Farrell, C. Zambito, *J. Macaluso
Guests: Brian Bell (1st Wave Technologies), *Sheila Hess, Paul Mrozack (Batavia Daily News)
Greg Post, Patti Michalak, Dan Underhill, Steve Mountain (Town of Batavia)
Absent: M. Gerber, J. Fulmer, W. Hinchey

CALL TO ORDER / ENTER PUBLIC SESSION

J. Andrews called the meeting to order at 4:14 p.m. in the Conference Room of the Genesee County Economic Development Center

EXECUTIVE SESSION

J. Vincent made a motion to enter into executive session under the Public Officers Law, Article 7, Open Meeting Law Section 105, paragraph d, at 5:35 p.m., for the following reasons:

1. To discuss the financial history of particular corporations
2. To discuss possible litigation

The motion was seconded by H. Upson and approved by members.

Brian Bell (1st Wave Technologies) left the meeting during executive session.

RE-ENTER PUBLIC SESSION

L. Benton made a motion to enter back into public session at 5:38 p.m., seconded by H. Upson and approved by all.

*** Joe Macaluso and Sheila Hess joined the meeting.**

AGENDA ALTERATIONS (Additions)

3a. J. Vincent made a motion to add Jefres Ag Services to the agenda for Discussion and Consent and to remove Med Tech Centre Update (30 Year Co Borrower Agreement) from the agenda. The motion was seconded by H. Upson and approved by all board members.

OPERATIONS

4a. July Financial Statements – S. Cook noted the following regarding the July 2009 financial statements:

- GCEDC Operations has received SLB project fees from Genesee Agri-Business LLC and Manor House totaling \$81,900.
- \$16,188 in legal services and SEQR have been spent for Buffalo East North Campus.
- \$12,092 was spent on Ag Park Phase II (cost offset by municipal grant revenue).
- New program activity for the revolving loan fund #2 will be transferred to the GGLDC in 2009 to accomplish de-federalization of funds. This enables the funds to be available for additional economic development activities.
- \$293,005 was paid out for subcontractor services to the Research Foundation SUNY / UB that will be reimbursed from the workforce development grant.

S. Cook asked that the board approve the financial statements under consent items.

SALES MANAGEMENT (Projects Overview)

ADDITION TO AGENDA:

5a. / Sales Management - Jefres Ag Services – Jefres Ag Services is planning on making their fertilizer operation in Pavilion more efficient. The project calls for some relocation of exterior tanks to make room for a 2,500 s/f addition connecting two existing storage buildings. In addition, the company is renovating a storage building into a 600 s/f office. GCEDC is assisting the project with a PILOT with estimated benefits totaling \$5,158 over ten years. The PILOT will be based on the incremental increase in assessed value on the property (based on the 2,500 s/f addition plus renovation of the 600 s/f office). The company will be investing \$250,000 and retaining 5 jobs.

C. Suozzi asked that the board approve the project under consent items.

5:45 Break for Dinner

6:00 resumed the meeting

**Greg Post, Patti Michalak, Dan Underhill, Steve Mountain (Town of Batavia) and Paul Mrozack (Batavia Daily News) joined the meeting.

REAL ESTATE DEVELOPMENT / MANAGEMENT / INDUSTRY SOLUTIONS

6a*. Land Conservation Trust – J. Macaluso introduced Sheila Hess, Sheila presented a conservation development proposal for the GCEDC, integrating natural resource conservation and economic development in Genesee County. The vision is to co-invest with the Town of Batavia to develop a conservation trust much like they did in Greene County (greenelandtrust.org). Its primary goal would be to facilitate a balance between development and preservation for public and private landowners.

Attachment 6a outlines the presentation made.

After the presentation S. Hyde asked the board to consider financial support of the project of about \$22,000 split between the GCEDC and the Town of Batavia. A formal proposal will be made at the next monthly board meeting along with a resolution of support.

Greg Post (Town of Batavia Supervisor) noted that the Town of Batavia would be willing to help support the initiatives as a partnership.

6b. Ag Park Bidding Process – L. Farrell gave a brief overview of the Agri-Business Park bidding process that is underway.

- Genesee Valley Agri-Business Park, LLC is in the process of bidding for site work, storm water management, water, and sanitary sewer utilities.
- Over the past 2 weeks, bid information has been advertised in the Daily News & Dodge Reports.
- Bid information has also been placed in Constructions Data's database.
- A pre-bid meeting was held on Monday.
- Bids are due on 9/10 and we anticipate that an award will be made on 9/14.
- It usually takes +/- 3 weeks from the award date to get construction underway.
- The bid documents specify 120 days for completing the work, but winter work could slow things down.
- We are looking at construction to begin in the first part of October and, depending on the kind of winter we have, it could be wrapped up in February.

L. Farrell also noted that the Procurement Lobbying Law and the public bidding process (with the exception of prevailing wages) has been followed.

6c*. Buffalo East Tech Park: Enhanced Engineering Services / Sewer – S. Hyde presented an amendment to the engineering services proposal for Buffalo East Technology Park phase I environmental & permitting. The proposal includes additional engineering services and the creation of a report with regard to wastewater treatment options for the Buffalo East Technology Park and the I-90 / I-77 corridor in Western Genesee County. The increase in engineering related services will allow us to complete the Part A (Pre-Site Selection) Engineering and Environmental work done as it relates to the development of the Buffalo East Technology Park and culminate the Part A investment of \$297,205 allowing the GGLDC to submit for the final reimbursement from National Grid's \$190,000 grant supporting Part A.

The total pricing inside the proposal is \$20,809 and includes the following:

1. Wastewater Treatment Engineering Study/Report and presentation to area municipal partners = \$14,000
2. Additional Engineering Services = \$6,809 (Planned to be used for a consultant, to be selected by GGLDC, as it relates to wetlands disturbance to enhance visibility to the I-90 at Buffalo East Tech Park)

Steve asked the board to approve the proposal under consent items.

6d. Greene County IDA Visit – S. Hyde visited Greene County IDA to make a presentation to their board about what we are doing in Genesee County, while there he became very interested in their land conservation trust (greenelandtrust.org) initiatives as discussed earlier in the evening.

6e. Shovel Ready Efforts / Park Covenants – To ensure that the parks will be self-sustainable, in the future S. Hyde is looking into hiring an intern to investigate and implement some sort of park covenants much like a home owners association. The plan is to have occupying companies share in the expense of maintaining common areas, such as signage, lighting, mowing, and any landscaping. This would not apply to any existing companies, but to new companies looking to locate at the parks.

~~**6f. Med Tech Centre Update: 30 Year Borrower Agreement**~~ – Removed from agenda.

POLICY ISSUES / HUMAN RESOURCES / OTHER BUSINESS

9a*. Administrative Guidelines Amendment – S. Cook proposed an amendment to the Administrative Guidelines & Procedures under the definition of non-exempt employees. The changes were presented in attachment 9a-1 and include the following statement:

Part-time employees with 20 or more consecutive years of full time service are eligible to receive employee benefits on a pro-rated basis depending upon the number of hours worked per week

S. Cook asked that the board approve the Amendment under consent items.

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

Email: gcedc@gcedc.com Web: www.gcedc.com

CONSENT ITEMS

10a. July Financial Statement (discussed above 4a)

10b. Buffalo East Tech Park: Enhanced Engineering Services (discussed above 6c) – S. Hyde presented an amendment to the engineering services proposal for Buffalo East Technology Park phase1 environmental & permitting.

~~**10c. Med Tech Centre Update: 30-year Co-Borrower Agreement (discussed above 6f)**~~ – removed from the agenda

10d. Approval of Board Meeting Minutes for 8/25

10e. Administrative Guidelines Amendment (discussed above 9a) – S. Cook proposed an amendment to the Administrative Guidelines & Procedures under the definition of non-exempt employees (attachment 9a).

10f. Jefres Ag Services (discussed above 5a) – Jefres Ag Services is planning on making their fertilizer operation in Pavilion more efficient. The GCEDC is assisting the project with a PILOT, estimated benefits total \$5,158 over ten years.

Resolution No. 09/2009 - 01

RESOLUTION AUTHORIZING THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO (i) TAKE TITLE TO OR A LEASEHOLD INTEREST IN A PARCEL OF LAND LOCATED AT 6505 ELLICOTT STREET ROAD, TOWN OF PAVILION, GENESEE COUNTY NEW YORK (THE "LAND"); (ii) APPOINT JEFFRES AG SERVICE LLC AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED PAYMENT-IN-LIEU-OF-TAX AGREEMENT; (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY AS FOLLOWS (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT THROUGH THE PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (vi) EXECUTE RELATED DOCUMENTS.

J. Fulmer made a motion to approve the Consent Item, the motion was seconded by H. Upson. Roll call resulted as follows:

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

The Consent Items were approved as presented.

ADJOURNMENT

As there was no further business, H. Upson made a motion to adjourn at 7:15 p.m., seconded by L. Benton and passed unanimously.

Future Meetings:

Thursday, October 3rd - 4:00 pm, GCEDC Conference Room