



**Friday, October 10, 2008**  
**12:00 pm – GCEDC Offices**

**MINUTES**

**ATTENDANCE**

Agency Members: J. Vincent, J. Andrews, L. Benton, H. Upson  
Staff: S. Hyde, S. Lockwood, C. Suozzi, S. Cook, P. Kennett, C. Zambito, J. Macaluso  
Guests: J. Jakubowski (Workforce Development Consultant), J. Gsell (Genesee County Manager)  
R. Muelig (Batavia Daily News)  
Absent: W. Hinchey, M. Gerber, J. Fulmer

**CALL TO ORDER**

J. Andrews called the meeting to order at 12:10 p.m. in the Conference Room of the Genesee County Economic Development Center.

**APPROVAL OF MINUTES**

H. Upson made a motion to approve the September 23<sup>rd</sup> meeting minutes seconded by J. Vincent and approved by all.

**OPERATIONS**

**Line of Credit Approval** – S. Cook asked the board if a line of credit similar to that of the GGLDC could be established for the GCEDC to help cover reimbursable grants and short term debt. The accounts receivable will be used as collateral and a 5% interest rate will be charged on any outstanding balance. Authorized signers will mirror that of our other bank accounts, and will include J. Andrews, J. Vincent, H. Upson, W. Hinchey, S. Cook and S. Hyde.

After careful consideration, H. Upson made a motion to establish a line of credit for the GCEDC to help with reimbursable grants and short term cash needs, authorized signers are to include J. Andrews, J. Vincent, H. Upson, W. Hinchey, S. Cook, and S. Hyde. The motion was seconded by J. Vincent and approved by all.

**SALES MANAGEMENT**

• **DePaul / Batavia Special Needs, L.P.** – This is a 40 bed, supported apartment's project for mentally challenged adults to be located on East Main Street in the City of Batavia. The existing structures on the property will be torn down and a new 43,000 square foot, two story building, a parking lot, and a gated entrance will be constructed. The PILOT will be fixed at \$300 per unit for 40 units; total payment will be \$12,000 yearly for 30 years. The escalator is based upon the average annual tax increase of the taxing jurisdictions and the assessed value is based on section 581A of NY Real Property Tax Law for affordable housing. It was calculated at approximately 269,029 using a sensitivity analysis approach based on input from the company, standard assessed value models would suggest much greater taxable value, but do not apply in this situation given NY State Law. The current property taxes on the property totals \$10,567, thus the new proposed \$12,000 rate will increase tax rolls immediately. The company will invest approximately \$6.7 million, retain 6 jobs and create 2 new jobs as a result of the benefits provided. This PILOT is similar to the one offered to the UMMC for their housing project and is an exception to our uniform tax exemption policy, as it covers a 30 year time period.

A public hearing will not be held as benefits are under \$100,000.

The City of Batavia Planning Board has issued a Negative Declaration under SEQR.

J. Andrews asked C. Suozzi to contact the City of Batavia to review the PILOT structure with them, ensuring that they understand the terms and conditions, as this one is set up a little differently.

After a short discussion H. Upson made a motion to approve the Final Resolution #10/2008-01, subject to a fixed minimum \$12,000 annual PILOT payment regardless of the number of units constructed, up to 40 units. If more than 40 units are built, then a fixed \$300 / unit PILOT will take president. This motion was seconded by J. Vincent and approved as follows:

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (i) RATIFYING THE SEQR DETERMINATION MADE BY THE PLANNING AND DEVELOPMENT COMMITTEE OF THE CITY OF BATAVIA WITH RESPECT TO THE PROJECT; (ii) APPOINTING BATAVIA SPECIAL NEEDS APARTMENTS, L.P. OR AN ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (THE "COMPANY") AS ITS AGENT TO UNDERTAKE SUCH PROJECT (iii) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED PAYMENT IN LIEU OF TAX AGREEMENT; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (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 PILOT

AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (v) EXECUTE RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

The resolution was put to a vote by roll call that 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 resolution was approved as presented.

**Pyramid Prosthetics** – Pyramid Prosthetics is moving from a leased facility at the Masse Mall in the City of Batavia and will be purchasing / renovating a building on West Main Street in the Town of Batavia. The purchase and renovation of the West Main Street building will aid in the relocation of their dental laboratory. In addition to the purchase, the Company will construct a 20' x 50' addition to gain 1000s/sf of production space, thus increasing its size from 3000 s/f to 4000 s/f.

The results of the Direct Economic Development Impact Analysis suggests that for every \$1 of public benefit, the company will be investing \$372.21 into the local economy, based upon a consolidated view of the Company.

The Company will be investing \$315,000 into the project and can expect to receive a sales tax exemption of \$7,500, a mortgage tax exemption of \$1,625, and a property tax exemption of \$12,194; estimated total benefits are \$32,319. The PILOT will be a standard 60% tax abatement over 10 years applicable to the increased assessment of the land and building. The company has committed to creating 3 additional jobs and retaining 17. A public hearing will not be held as benefits are under \$100,000.

The Town of Batavia Planning Board has issued a Negative Declaration under SEQR.

After a short discussion J. Vincent made a motion to approve Resolution #10/2008-02, seconded by L. Benton and approved as follows:

RESOLUTION AUTHORIZING THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO (i) TAKE OR RETAIN TITLE TO OR A LEASEHOLD INTEREST IN A PARCEL OF LAND AND THE IMPROVEMENTS THEREON LOCATED ON WEST MAIN STREET ROAD, BATAVIA, NEW YORK (THE "LAND"); (ii) APPOINT PYRAMID PROSTHETICS, INC. (THE "COMPANY") 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 IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT THROUGH THE PILOT AGREEMENT, AND IF NECESSARY, (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (v) EXECUTE RELATED DOCUMENTS.

The resolution was put to a vote by roll call that 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 resolution was approved as presented.

### **REAL ESTATE DEVELOPMENT / MANAGEMENT / INDUSTRY SOLUTIONS**

**Ag Park: DGEIS** – The Town of Batavia Planning Board was set to accept the DGEIS on Tuesday, October 7<sup>th</sup>, but comments came in from one of the involved agencies and the comments / questions need to be answered prior to the final approval. Clark Patterson is working on the responses to the questions / comments and it is expected that the DGEIS will be presented to the Planning Board again by the end of the month for final approval.

**WNY STAMP Feasibility Study Final Report / Town Hall** – CH2MHILL and Steve Hyde presented the results of the WNY STAMP Feasibility Study to the Town of Alabama on September 25<sup>th</sup> at the Alabama Fire Department Recreation Hall. The overall tone of the meeting was positive and S. Hyde has asked the Alabama Town Board for a resolution of support. Once a resolution of support is granted from the Town of Alabama Board, the funding will be pursued to continue with the project.

### **EMPIRE ZONE / FINANCING**

**Small Cities Monitoring** – An official monitoring of Pioneer Credit and OATKA Milk's Small Cities Grants, both of which were sponsored by Genesee County, have been completed by the State. The process has to be completed at some point prior to closing a grant and is a review of all the grant documents to ensure that things were done correctly, much like an audit. The monitoring was very favorable with no findings or recommendations.

**EZ Conference** – S. Lockwood attended the Empire Zone Conference, and there was another session on monitoring. The State expects to have procedures in place shortly to clarify what and how they expect zones to monitor the success or failure of a zone certified business.

### **MARKETING / WORKFORCE / COMMUNITY DEVELOPMENT**

**Workforce Development** – The Workforce Development Summer 2008 program included a six week WIRED Pathways to Careers in the Life Sciences for students and a three week training session for teachers.

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#### **Genesee County Economic Development Center**

One Mill Street, Batavia, New York 14020

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Forty students representing 14 schools in the GLOW Region were accepted into the WIRED Camp at GCC. Student demand for participation exceeded the number of available spaces. Fifty-one students who applied could not be accepted. We have the names of these students so that if we can make some Saturday programs available during the school year, these students would be invited. The forty students who attended each earned 7 college credits including: Introduction to Biotechnology (1), Fundamentals of Cell Biology (3), and Career and Educational Planning (3).

Twenty-four teachers participated in the training program at UB, representing 17 schools across the GLOW Region. Using the “train the trainer” model, two teacher liaisons (under the GV BOCES umbrella) will be selected to represent each school district. They will assist with implementation across the region. The response was extremely positive from the teachers. In particular, they valued the on-site visits to companies in the life-science field in WNY; it opened their eyes to an awareness of how what they teach is applied in careers and gave them a better understanding of what science looks like in the private sector.

Press releases have been sent to schools for use in their newsletters, highlighting the participation of their schools’ teachers / students. Genesee County Manager, Jay Gsell sent a personal letter to all teacher participants thanking them for their participation, emphasizing the importance of this initiative to our area’s future.

Teacher instructional materials, marketing materials & the website, which will be branded under the iSciWNY trademark, are in the final stages of development and necessary approvals. The timeline for completion of the website is mid October. Printed materials are scheduled to be ready November 1<sup>st</sup> for deployment to schools. The website is the key component to this phase of the project as teacher materials are all linked to the website.

John Jakubowski has had several meetings with the Program Coordinator for Career Pathways in the Life Sciences at UB, who is writing the regional program plan and J. Jakubowski was able to provide input concerning activities in the GLOW area that will be included. The plan is presently under review.

J. Jakubowski plans to make presentations to the GV BOCES secondary principals group and the school counselors group, create an electronic newsletter / blog for teachers, and make contacts with the Orleans County Schools. Planning and implementation is under way for doing pilot programs in the districts for students to earn college credits in “Introduction to Biotechnology”.

#### **POLICY ISSUES / HUMAN RESOURCES / OTHER BUSINESS**

**Holiday Reception** – P. Kennett informed the board that she will be contacted them shortly for their availability in December for the Holiday Reception. She also asked that anyone who has a suggestion on a location for the event should let her know as soon as possible.

**Board Member Training** – On May 8<sup>th</sup> a board member training session will be held in Rochester. J. Fulmer is attending and S. Cook would encourage those who haven’t already done so to attend as well. Although not mandatory for board members serving prior to the PAAA taking effect, Harris Beach strongly recommends that all board members attend a training session.

#### **EXECUTIVE SESSION**

L. Benton made a motion to enter into executive session under the Public Officers Law, Article 7, Open Meeting Law Section 105, paragraph d, at 1:03 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.
3. To discuss possible litigation.

The motion was seconded by J. Vincent and approved by members.

#### **ADJOURNMENT**

As there was no further business, J. Vincent made a motion to adjourn at 2:10 p.m., seconded by H. Upson and passed unanimously.

### **Future Meetings:**

Tuesday, October 21<sup>st</sup> - 8:00 am @ GCEDC Offices

Wednesday, November 12<sup>th</sup> - 8:00 am @ GCEDC Offices

Tuesday, November 25<sup>th</sup> - 8:00 am @ GCEDC Offices

**Monday, December 8<sup>th</sup> - Holiday Reception**

**3:30 p.m. meeting to be held in the  
Terry Hills Conference Room**

**5:00 p.m. Cocktails & Hors d’oeuvres in the bar area**

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