



**Friday, December 18, 2009**  
**4:00 p.m. – GCEDC Conference Room**

**MINUTES**

**ATTENDANCE**

Agency Members: J. Andrews, J. Vincent, H. Upson, W. Hinchey, \*J. Fulmer, L. Benton  
Staff: S. Hyde, S. Cook, P. Kennett, C. Suozzi, L. Farrell, C. Zambito  
Guests: S. Lockwood, R. Gaenzle (Harris Beach), \*\*Brian Bell (First Wave Technologies), Roger Pearson,  
Paul Mrozack (Batavia Daily News)  
Absent:

**CALL TO ORDER / ENTER PUBLIC SESSION**

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

**EXECUTIVE SESSION**

W. Hinchey made a motion to enter into executive session under the Public Officers Law, Article 7, Open Meeting Law Section 105, paragraph d, at 12:10 p.m., for the following reasons:

1. To discuss the financial history of particular corporations
2. To discuss proposed acquisition, sale or lease of real property.

The motion was seconded by L. Benton and approved by members.

\*J. Fulmer joined the meeting at 12:20pm.

\*\* Brian Bell left the meeting at 1:30

J. Fulmer made a motion to leave the executive session at 1:33pm, seconded by H. Upson and approved by all.

**RE-ENTER PUBLIC SESSION**

J. Vincent made a motion to enter back into public session at 1:33p.m., seconded by W. Hinchey and approved by all.

**AGENDA ALTERATIONS (Additions)**

**3a.** H. Upson made a motion to add Lapp Insulator to the agenda for Discussion and Consent. The motion was seconded by L. Benton and approved by all board members.

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

**6a. WNY STAMP SEQR Process / Resolution** – Steve Hyde introduced Roger Pearson who discussed the WNY STAMP project. Roger presented a power point presentation to the board that gave them an update on the project. At the end of Roger's presentation he recommended that the GCEDC act as lead agency in the Generic Environmental Impact Statement (GEIS). A GEIS is an environmental impact statement specifically for larger development projects that will be built over an extended period of time. This process was also completed for the Ag Park, it allows flexibility and quicker time to market for companies wishing to locate at the Parks.

Russ Gaenzle with Harris Beach informed the board that he believed that the GCEDC was best suited to act as lead agency for the GEIS process and that Frank Pavia (Harris Beach) will act as council to the board on behalf of the GEIS process.

A resolution was presented to the board declaring the GCEDC's intent to act as lead agency with respect to the STAMP Phase II project (as shown under consent items).

The resolution was approved under 10a of the consent items.

**EMPIRE ZONE / FINANCING GRANTS**

**7a. 1<sup>st</sup> Wave Technologies RLF** – First Wave Technologies, Inc. made a request for a \$100,000 loan from the GCEDC's revolving loan funds. First Wave Technologies, Inc., a product development company focused on providing management and investment capital for emerging technologies, was created by several of the largest technologies companies in WNY. L. Farrell recommended that the loan have a 5 year term at a rate of 4.25%, collateral will be on the wet lab equipment that will be purchased in 2010. The proposed project would provide funding to maintain First Wave's existing projects in the region and fund a new pipeline of companies based on University innovation and leading to 39 new jobs and 46 total jobs within three years. The company currently leases space at One Mill Street and plans to occupy 3,400 square feet of space within the MedTech Centre.

J. Fulmer commented on the need for strong private equity commitment.

After discussing several options the board agreed with the terms presented but asked that a \$500,000 private equity commitment be made to the project as a condition to the loan.

The Revolving Loan request was approved under 10b of the consent items.

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

**8a. Town of Batavia Grant \$113,000 Resolution** – C. Zambtio asked the board to approve a resolution accepting the \$113,000 grant from the Town of Batavia.

The resolution was approved under 10c of the consent items.

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

**9a. The next board meeting is scheduled for Thursday, January 7<sup>th</sup> at 4:00.**

### **CONSENT ITEMS**

**10a. Resolution approving the GCEDC to move forward with soliciting lead agency status for the WNY STAMP SEQR process (discussed above 6a)**

Resolution No. 12/2009-03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER DECLARING ITS INTENT TO ACT AS LEAD AGENCY WITH RESPECT TO STAMP PHASE II PROJECT PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

**H. Upson made a motion to approve resolution #12/2009-03, the motion was seconded by L. Benton. Roll call resulted as follows:**

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

**The resolution was approved as presented.**

**10b. 1<sup>st</sup> Wave Technologies – RLF (discussed above 7a)**

**J. Vincent made a motion to approve a \$100,000 loan to First Wave Technologies provided that a \$500,000 private equity commitment be made to the project as a condition to the loan, the motion was seconded by W. Hinchey. Roll call resulted as follows:**

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

**The resolution was approved as presented.**

**10c. Town of Batavia Grant (discussed 5c)** – C. Zambtio asked the board to approve a resolution accepting the \$113,000 grant from the Town of Batavia.

Resolution 12/2009-02

Where as the Town of Batavia (“The Town”) passed Local Law number #1 of 2009 on December 16, 2009, granting \$113,000 to the GCEDC to support economic development within The Town,

And Where as such efforts will consist of:

- a) One Hundred Thousand Dollar (\$100,000) for future improvements at the Upstate Med & Tech Park that will improve redundancy for both the park and Genesee Community College.
- b) Thirteen Thousand Dollars (\$13,000) for sewer improvements at the Genesee Valley Agri-Business Park.

And Where as, Local Law #1 requires official acceptance of said grant via resolution,

Therefore let it now be resolved, that the GCEDC hereby accepts the \$113,000 grant from The Town in accordance with all laws and regulations stipulated for such actions.

**J. Fulmer made a motion to approve resolution #12/2009-02, the motion was seconded by H. Upson. Roll call resulted as follows:**

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

**The resolution was approved as presented.**

---

**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

**Addition to Minutes:**

**10d. Lapp PILOT repayments** – Lapp Insulator has made a request to the GCEDC to make its final PILOT payment in three installments of \$85,000 by the end of January, February and March. The final payment of \$255,000 is currently due on January 1, 2010. Payments were previously allowed to be made in this manner in 2004 and 2005. Upon board approval of this PILOT amendment, each taxing jurisdiction will be contacted.

**J. Fulmer made a motion to approve the PILOT amendment for Lapp Insulator as described, the motion was seconded by H. Upson. Roll call resulted as follows:**

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

**The PILOT amendment was approved as presented.**

**ADJOURNMENT**

As there was no further business, J. Vincent made a motion to adjourn at 7:30 p.m., seconded by W. Hinchey and passed unanimously.

**Future Meetings:**

Thursday, January 7<sup>th</sup> - 4:00 pm, GCEDC Conference Room