



**GCEDC Board Meeting
Thursday, October 29, 2020
Location: Electronically
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: C. Yunker, T. Bender, M. Gray, A. Young, P. Battaglia
Staff: L. Farrell, M. Masse, L. Casey, J. Krencik, S. Hyde, C. Suozzi
Guests: D. Cunningham (GGLDC Board Member), S. Noble-Moag
(GGLDC Board Member), M. Wiater (GGLDC Board Member), T. Felton
(GGLDC Board Member), G. Torrey (GGLDC Board Member), R. Gaenzle
(Harris Beach)
Absent: P. Zelif, A. Vanderhoof

1.0 Call to Order

M. Gray called the meeting to order at 4:02 p.m. via conference call / video conference.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, this Meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

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 4:03 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 A. Young and approved by all members present.

1.2 Enter Public Session

P. Battaglia made a motion to enter back into public session at 4:57 p.m., seconded by C. Yunker and approved by all members present.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, December 3rd at 4:00 p.m.

Audit & Finance Committee Meeting: Tuesday, December 1st at 8:30 a.m.

STAMP Committee Meeting: Tuesday, December 1st at 10:30 a.m.
Employment & Compensation Committee Meeting: Thursday, December 3rd at 3:00 p.m.
Employment & Compensation Committee Meeting: Thursday, December 17th at 3:00 p.m.
Board Meeting: Thursday, December 17th at 4:00 p.m.

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

2.3 Minutes: October 1, 2020

A. Young made a motion to approve the October 1, 2020 minutes as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent		

The item was approved as presented.

3.0 Report of Management

3.1 Nothing at this time.

4.0 Audit & Finance Committee

4.1 September 2020 Financial Statements- L. Farrell noted the following:

- County \$4M restricted cash decreased due to site development expenditures related to STAMP.
- Accounts receivable increased due to the monthly accrual for amounts that are due quarterly from the GGLDC for the Economic Development Program Support Grant and the MTC Property Management Fee.
- On the P&L, we collected an origination fee from the Fraser Branche/YWCA project that closed in September.
- Most of the activity is related to STAMP site development expenses.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the September 2020 Financial Statements as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent		

The item was approved as presented.

4.2 GCEDC 1+3 Budget - L. Farrell noted that the 2021 Budget was approved at the last Board meeting. The budget was then extended another 3 years. The 1+3 Budget must be entered into the NYS Public Authorities Reporting Information System (PARIS) online. It was noted that most line items show a 3% increase year over year. The line items with an asterisk are those that could be estimated more accurately. For example, PIF Grant Income, CBA and BP2 Income utilized schedules.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the GCEDC 1+3 Budget; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent		

The item was approved as presented.

4.3 Auditor Selection – M. Gray stated that staff had received an engagement letter from Mostert, Manzanero & Scott, LLC for \$11,700, which includes a single audit if needed. This is the same rate as last year's services.

This was recommended for approval by the Committee.

M. Gray made a motion to authorize the signing of the engagement letter with Mostert, Manzanero & Scott, LLC for 2020 auditing services, not to exceed \$11,700, the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	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 CRA National Grid Power Line Re-Route – National Grid has completed their design and engineering on the 115 kv line re-route at the STAMP site. The next step is to agree upon a CRA with National Grid to move forward with the construction of the re-route. National Grid is currently completing a “rebuild” of the Lockport Line 112 115 kv line and is providing a credit against the cost for what they would have paid for the rebuild of that section of the line. Based on recent discussions with GLS site selectors, they have identified the re-routing of this line as a priority to enable the marketability of the North Campus site.

Fund commitment: \$5,129,900 included in the \$33 million. This commitment is inclusive of the National Grid credit.

This was recommended for approval by the Committee.

A. Young made a motion to authorize the signing of the CRA with National Grid, not to exceed \$5,129,900; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeff -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent		

The item was approved as presented.

6.2 Niagara County Water District – Additional Contract – In March of 2019 the GCEDC and the NCWD approved a proposal from Wendel Engineering (NCWD’s engineer) to complete the design, engineering, permitting and identification of rights of way to be able to supply up to 6 mgd to the Genesee-Niagara County line, as well as the legal expenses of their attorney (Seaman Norris) in connection with the proposal. Wendel has completed the design work at a 60% level and held a meeting with the GCEDC and CPL to discuss the status. One of the open items that was not included in the scope of work was furthering the electrical design as there were too many variables to be able to take that work past 30% until the other design and engineering was completed. The GCEDC and CPL met with Wendel and discussed the open options on the electrical and which direction would make the most sense for both parties. Based on that discussion, Wendel has provided a proposal to take the electrical design from 30% to 100%. NCWD has already approved this proposal at their October 15th meeting, contingent upon an amendment to the existing MOU.

Fund commitment: Not to exceed \$169,000 from the \$8 million NYS award. .

This was recommended for approval by the Committee.

A. Young made a motion to authorize the signing of an amended MOU with NCWD to perform the scope of work outlined in the proposal included in the Board materials, not to exceed \$169,000; the motion was seconded by A. Vanderhoof. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeff -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent		

The item was approved as presented.

7.0 Employment & Compensation – T. Bender

7.1 Nothing at this time.

8.0 Housing Committee – P. Battaglia

8.1 Housing Policy Phase I – S. Hyde presented the Housing Policy Phase I, which incentivizes the development and construction of “new” and/or “renovated” multi-family rental housing units, helping to address the growing demand for more modern, well-appointed housing units that offer modern amenities including connectivity and “walkability” to our downtowns. Key elements noted in the policy are following:

- The LaBella market study suggests as many as 4,804 new and/or renovated housings units will be required over the next 20 years including some 3,162 multi-family rental units and 1,642 single family units.
- There is a significant demand in Genesee County for market rate apartments which is largely the focus of this policy.
- The legal and regulatory basis for IDA participation in multi-family rental projects (i.e. apartment complexes) is well established both from a regulatory standpoint (NYS Office of the State Comptroller OSC opinion 85-51) and in case law providing the housing project is “commercial” in nature and stands to support employment needs of the community and helps prevent economic deterioration. Both the OSC regulatory opinion and referenced case law stated within the policy note that the determination and eligibility of a housing project to qualify for IDA incentives (property tax abatement-PILOT, sales and mortgage tax exemptions) is based on local market conditions and is a local decision to consider and approve incentives.
- The OSC described the GCEDC’s interest in incentivizing housing investment and development across the community as “big picture thinking”. They referred us to the previous OSC guidance and case law to support the GCEDC board’s decision making on setting housing incentives policy.

Resolution No. 10/2020 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") TO
ADOPT A HOUSING POLICY – PHASE I.

P. Battaglia made a motion to accept resolution #10/2020-02; authorizing the adoption of Housing Policy-Phase I; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Absent		

The item was approved as presented.

9.0 Other Business

10.0 Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 5:20 p.m., which was seconded by P. Battaglia and passed unanimously.