



**Thursday, July 11, 2019
Upstate MedTech Centre – Innovation Zone
5:00 PM**

GCEDC MINUTES

Attendance

Board Members: A. Young, P. Battaglia, T. Bender, A. Vanderhoof, C. Yunker

Staff: L. Farrell, M. Masse, E. Richardson, P. Kennett, S. Hyde

Guests: D. Cunningham (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), Brian Quinn (Batavia Daily News), M. Pettinella (The Batavian)

Absent: P. Zeliff, M. Gray

1.0 Call to Order

P. Battaglia called the meeting to order at 5:01 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

1.1 Enter Executive Session –

T. Bender made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 5:01 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.

The motion was seconded by C. Yunker and approved by all members present.

1.2 Enter Public Session –

A. Young made a motion to enter back into public session at 5:15 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, August 1st at 4:00pm – Possibly reschedule to 3:00 p.m. for GLOW corporate Cup
Audit & Finance Committee Meeting: Tuesday, July 30th at 8:30 a.m.
STAMP Committee Meeting: Tuesday, July 30th at 10:30 a.m.

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

2.3 Minutes: June 6, 2019

A. Young made a motion to approve the June 6, 2019 minutes as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

C. Yunker - Yes
P. Zelif - Absent
M. Gray - Absent

The item was approved as presented.

3.0 Report of Management

3.1 SCP Pools – Initial Resolution – Provident Batavia, LLC is seeking to construct a 13,000 square-foot addition to an existing office, warehouse, and distribution facility leased to SCP Pools in the Town of Batavia. This project enables the growth of SCP Pools, which currently has 15 full-time equivalent positions. Provident Batavia, LLC estimates a \$1.194 million capital investment, of which \$1.048 million is building cost, \$50,000 in land/building engineering/architecture, \$40,000 of taxable equipment, and \$55,750 in other expenses. If approved, this project would start in August 2019 and is estimated to be completed in four months.

The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$57,988, a mortgage tax exemption valued at approx. \$11,550, and a property tax exemption, based on the incremental increase in assessed value, valued at approx. \$86,774.

Resolution No. 07/2019-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF PROVIDENT BATAVIA LLC WITH RESPECT TO A CERTAIN PROJECT, (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to approve Resolution No. 07/2019-01, accepting the application and scheduling a public hearing; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

C. Yunker - Yes
P. Zelif - Absent
M. Gray - Absent

The item was approved as presented.

3.2 State Legislative Items – S. Hyde shared that the Legislative session has ended. The bill that looked to set the definition for public works projects to require prevailing wage rates did not pass the Senate and Assembly. A few of the bills that did pass both the Senate and Assembly that are now awaiting review and signature by the Governor affect IDA's in the following ways:

- Requires each industrial development agency to live stream and post video recordings of all open meetings and public hearings.
- Requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies
- Authorizes the Authorities Budget Office to suspend local authority board members and executive staff if reporting is 36 months delinquent.

The staff will keep the Board up to speed on these legislative items and whether they make it past the Governor's desk.

4.0 Audit & Finance Committee – M. Gray

4.1 May 2019 Financial Statements – L. Farrell reviewed the May 2019 Financial Statements with the Board. The following was noted:

- Restricted cash and Unearned Revenue decreased by approx. \$400K as STAMP expenditures were made.
- Accounts Receivable increased as this month's Economic Development Program Support Grant and MedTech Centre Management Fee were recorded.
- Accrued Expenses increased as the monthly NYS Retirement expense was recognized.
- Project Origination Fees were received from 3 projects that closed this month.
- All expenditures are in line with the budget except as noted.

This was recommended for approval by the Committee.

T. Bender made a motion to approve the May 2019 Financial Statements as presented; 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 -	Absent
A. Vanderhoof -	Yes		

The item was approved as presented.

4.2 Copier Lease – The staff collected quotes from 4 distributors as our current copier lease is set to expire soon. After comparing all the quotes received, it is the staff's recommendation to enter into an agreement with Toshiba for a 63-month copier Lease at a rate of \$141.30/month plus \$.039/color page and \$.0059/black and white page. This copier will also allow the staff to work towards paperless filing.

This was recommended for approval by the Committee.

T. Bender made a motion to approve a contract with Toshiba for the copier lease as presented; 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 -	Absent

A. Vanderhoof - Yes

The item was approved as presented.

4.3 Clark Patterson Lee Contract – Corfu Wastewater Treatment Facility (WWTF) Expansion

Project Bidding - Clark Patterson Lee has completed the design and engineering of the Corfu WWTF expansion and NYSDEC has issued a draft SPDEs permit. The GGLDC/GCEDC/Town of Pembroke are now seeking to go out to bid for the project. Clark Patterson Lee has a proposed contract not to exceed \$10,000 for the preparation of the bid packet. This cost will be split 50% by the Town of Pembroke and 50% by the GGLDC/GCEDC (funded by BETP restricted funds).

This was recommended for approval by the Committee.

A. Young made a motion to approve the contract with Clark Patterson Lee to prepare the bidding packet for the WWTF expansion not to exceed \$10,000, split 50/50 with the Town of Pembroke (expenditure not to exceed \$5,000); the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes

T. Bender - Yes

A. Young - Yes

A. Vanderhoof - Yes

C. Yunker - Yes

P. Zeliff - Absent

M. Gray - Absent

The item was approved as presented.

4.4 Park Signage – Apple Tree Acres and LeRoy Food & Tech Park - The GCEDC requested bids to create and install park signage at Apple Tree Acres and LeRoy Food & Technology Park. The specifics are as follows:

1. Apple Tree Acres – One 4’x8’ free standing sign with movable 4x4 frame. “GCEDC Acreage Available Call 585-343-4866”
2. LeRoy Food & Tech Park – Two 4’x8’ free standing signs with movable 4x4 frame. “GCEDC Acreage Available Call 585-343-4866”

Bids Received:

1. Leaton Signs - \$600 per sign
2. Johns Studio - \$750 per sign
3. Terry’s Signs - \$559 plus 4x4’s, misc. hardware, etc. per sign.

This expenditure is included in the 2019 budget. The Committee decided to go with Leaton Signs instead of the low bidder as the low bidder (Terry’s Signs) was considered an incomplete bid and Leaton Signs was an all-inclusive bid.

This was recommended for approval by the Committee.

A. Young made a motion to approve an expenditure not to exceed \$1,800 to Leaton Signs for the installation of signage at Apple Tree Acres and LeRoy Food & Tech Park; the motion was seconded by A. Vanderhoof. Roll call resulted as follows:

P. Battaglia - Yes

T. Bender - Yes

C. Yunker - Yes

P. Zeliff - Absent

A. Young - Yes

M. Gray - Absent

A. Vanderhoof - Yes

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Procurement Policies and Procedures – L. Farrell shared that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the Procurement Policies and Procedures 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 - Absent

A. Vanderhoof - Yes

The item was approved as presented.

5.2 Investment Policy - L. Farrell shared that this policy is required to be reviewed annually and approved. There are no changes being recommended.

This was recommended for approval by the Committee.

T. Bender made a motion to approve the Investment Policy as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes

C. Yunker - Yes

T. Bender - Yes

P. Zelif - Absent

A. Young - Yes

M. Gray - Absent

A. Vanderhoof - Yes

The item was approved as presented.

5.3 Disposition of Property Guidelines - L. Farrell shared that this policy is required to be reviewed annually and approved. There are no changes being recommended.

This was recommended for approval by the Committee.

A. Young made a motion to approve the Disposition of Property Guidelines as presented; the motion was seconded by A. Vanderhoof. Roll call resulted as follows:

P. Battaglia - Yes

C. Yunker - Yes

T. Bender - Yes

P. Zelif - Absent

A. Young - Yes

M. Gray - Absent

A. Vanderhoof - Yes

The item was approved as presented.

5.4 Governance & Nominating Committee Charter – L. Farrell shared that this charter is required to be reviewed and approved annually. The Committee is recommending one change to the Charter. It was requested by the Employment & Compensation Committee that under ‘Other Responsibilities’ the following language be added: “Annual review of general performance of the Agency relative to budget, capital investment and jobs created.”

This was recommended for approval by the Committee.

A. Vanderhoof made a motion to approve the Governance & Nominating Committee Charter; 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 -	Absent
A. Vanderhoof -	Yes		

The item was approved as presented.

6.0 STAMP Committee – P. Zelif

6.1 STAMP Offsite Water Main – Phase 4 Bids – The GCEDC opened bids for the STAMP water main Phase 4 project. The bid was for a base bid of installation of a force main from Pembroke to the end of the Alabama line along Route 77, an Alternate 1 of 8-inch water main along Lewiston road, and an Alternate 2 of 12-inch force main along Lewiston road. Clark Patterson Lee had an engineer’s estimate assigned to this project of \$1,614,700 construction and \$161,470 of contingency for a total estimate of \$1,776,170. Clark Patterson Lee has prepared a bid tabulation summary that is included in the meeting materials. The GCEDC received one bid that totaled \$2,709,000. Clark Patterson recommends the GCEDC Board pass a resolution “Rejecting all bids received for the STAMP Offsite Water Main Phase 4 project.”

Clark Patterson Lee spoke with several contractors who typically bid these projects as to why they did not submit a bid. Several cited their current workload and the proposed method for crossing the Tonawanda Creek. They will review input from those contractors and discuss alternate crossing methods prior to resubmitting to the Monroe County Water Authority for approval. They suggest rebidding the project later this year when the bidding climate has hopefully improved for the 2020 construction season.

This was recommended for approval by the Committee.

A. Vanderhoof made a motion to reject all bids received for the STAMP Offsite Water Main Phase 4 project; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

6.2 Survey for Parcel 6.-1-72.111 – The GCEDC asked three companies for bids to survey the 20 acres of land we are looking to acquire at STAMP. The results of the bids are as follows:

1. \$2,230 – Frandina Engineering and Land Surveying
2. \$3,700 – Welch & O'Donoghue
3. Declined to Bid – Townsend & Lamendola

The low bid is Frandina for \$2,230. This expenditure will be covered by the \$33M ESD Grant. This was recommended for approval by the Committee.

C. Yunker made a motion to approve a contract with Frandina Engineering and Land Surveying, not to exceed \$2,230, to survey part of parcel 6.1-72.111 at STAMP; the motion was seconded by A. Vanderhoof. Roll call resulted as follows:

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

The item was approved as presented.

6.3 Phase I Environmental site Assessment for Parcel 6.-1-72.111 - The GCEDC asked four companies for bids to complete a Phase I ESA on the 20 acres of land we are looking to acquire at STAMP. The results of the bids are as follows:

1. \$1,500 – Clark Patterson Lee
2. \$1,550 – Ravi Engineering
3. \$1,550 – Day Environmental
4. Declined to Bid – Core Environmental.

The low bid is Clark Patterson Lee for \$1,500. This expenditure will be covered by the \$33M ESD Grant. This was recommended for approval by the Committee.

A. Vanderhoof made a motion to approve a contract with Clark Patterson Lee, not to exceed \$1,500, to complete a Phase I ESA for part of parcel 6.1-72.111 at STAMP; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

6.4 Confirmation of Lead Agency Status for SEQR - On March 1, 2012, as Lead Agency under SEQR, the GCEDC Board approved the Findings Statement that concluded the GEIS process for the STAMP project. Since that time, there have been a number of changes to STAMP that weren't anticipated at the time SEQR was completed. In addition, at that time the first tenant had committed to the construction at the STAMP site (1366 Technologies) and their proposed project had to be reviewed for consistency with the GEIS. Since reaffirming its status as Lead Agency in March 2016, the GCEDC has worked with the STAMP Tech Team to complete a comprehensive analysis of the project changes since that time to determine whether there are any significant adverse environmental impacts that were not addressed in the GEIS. There have been some more modifications and adjustments made to the project since the

March 2016 SEQR update. The GCEDC is seeking to confirm its Lead Agency Status for the STAMP site for SEQR.

This was recommended for approval by the Committee.

A. Young made a motion to approve confirmation of Lead Agency Status for the STAMP site for SEQR; 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 -	Absent
A. Vanderhoof -	Yes		

The item was approved as presented.

6.5 Dedication of STAMP Drive to Genesee County - The construction of the main entrance road at STAMP is complete, and the Town of Alabama has approved by resolution the naming of the road to be "STAMP Drive". The survey is complete and attached along with the legal description.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve dedication of STAMP Drive to Genesee County; the motion was seconded by T. Bender. Roll call resulted as follows:

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

The item was approved as presented.

7.0 Employment & Compensation Committee – T. Bender

7. Nothing at this time.

8.0 Other Business

8.1 Nothing at this time.

9.0 Adjournment

As there was no further business, A. Vanderhoof made a motion to adjourn at 5:37 p.m., which was seconded by A. Young and passed unanimously.