



Thursday, October 29, 2015
Upstate MedTech Centre – Suite 107
4:00 PM

GCEDC MINUTES

Attendance

Board Members: P. Battaglia, M. Wiater, J. Rizzo, C. Yunker, M. Gray, R. Cianfrini

Staff: S. Hyde, L. Farrell, M. Masse, C. Suozzi, E. Richardson, P. Kennett, R. Tabelski

Guests: T. Felton (GGLDC Board Member), W. Hinchey (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), H. Upson (GGLDC Board Member), R. Gaenzle (Harris Beach), R. Endress (Harris Beach), V. Kropf (The Daily News), J. Gsell (Genesee County), J. Seeler (Seeler Engineering)

Absent: P. Zeliff

1.0 Call to Order / Enter Public Session

P. Battaglia called the meeting to order at 4:00 pm in the Upstate MedTech Centre Innovation Zone conference room.

1.1 Executive Session

C. Yunker made a motion to enter into the executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:00 pm, for the following reasons:

- To discuss 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.
- To discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

The motion was seconded by R. Cianfrini and approved by all members present.

J. Gsell joined the meeting at 4:07pm.

M. Wiater joined the meeting at 4:20pm.

J. Seeler joined the meeting at 4:41pm and left the meeting at 5:25pm.

P. Battaglia asked everyone in attendance besides the GCEDC Board to leave the meeting at 5:30pm.

1.2 Re-Enter Public Session

J. Rizzo made a motion to enter back into public session at 5:44 p.m., seconded by C. Yunker and approved by all members present.

The staff and guests rejoined the meeting at 5:44pm.

V. Kropf joined the meeting at 5:44pm.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings – P. Battaglia reviewed the upcoming meetings with the Board.

Next Scheduled Board Meeting: Thursday, December 3rd at 4:00pm
STAMP Committee Meeting: Tuesday, November 24th at 8:00am
Audit & Finance Committee Meeting: Tuesday, December 1st at 3:00pm
Employment & Comp. Committee Meeting: Tuesday, December 3rd at 3:00pm

2.2 Agenda Additions / Deletions / Other Business – J. Rizzo asked the Board to add item 5.1 Governance Committee Charter and item 5.2 Project Criteria Checklist to the agenda.

J. Rizzo made a motion to add item 5.1 and 5.2 to the agenda; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

2.3 October 1, 2015 Minutes

C. Yunker made a motion to approve the October 1, 2015 Minutes; the motion was seconded by R. Cianfrini. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Batavia Pathway to Prosperity Strategy Update - S. Hyde shared that he's been working with the City of Batavia on a strategy using PILOT Increment Financing (PIF) to focus on the redevelopment of dilapidated areas in downtown Batavia. A full review of that strategy was reviewed at the City council meeting on Tuesday, October 13th. There was great interest and support from the City Council as well as the County Legislature. It has been confirmed that on November 10th this idea will be presented to the City School Board.

4.0 Audit & Finance Committee

4.1 September 2015 Financial Statements – C. Yunker shared that the financial statements were reviewed by the Audit and Finance Committee on October 20, 2015. The Agency collected \$200K in National Grid grant funds as reimbursement of some STAMP expenses. L. Farrell noted all expenditures are in line with the budget, except as noted.

C. Yunker shared that the Audit & Finance Committee recommends approval of the September 2015 Financial Statements.

C. Yunker made a motion to approve the September 2015 Financial Statements; the motion was seconded by M. Wiater. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

5.0 Governance & Nominating Committee

Chairman's Report – J. Rizzo shared that in addition to what was added to the agenda today, the Committee reviewed a revised conflict of interest policy that was reviewed very briefly last month. He asked in a few weeks from now the draft policy is forwarded again to all the Board members for their review and comment, so that in January the Committee might be in a position to adopt a policy. He doesn't want to give the impression that what is being proposed is necessarily what the Committee/Board will adopt. They are open to suggestions. R. Gaenzle characterized this sample policy as being as conservative as possible. If a Board member feels that a section of the policy is too restrictive the Committee would like to know that so they can discuss it further in January.

5.1 Governance Committee Charter – J. Rizzo shared that the Governance Committee Charter includes two revisions. One, it incorporates the revised Committee structure and notes the committee appointments are made by the Chair. The second change

simply deletes some language that would refer to the Committee's obligation to assist the County Legislature in identifying qualified Board members.

J. Rizzo shared that the Governance & Nominating Committee recommends the Governance Committee Charter for approval.

J. Rizzo made a motion to approve the Governance Committee Charter as presented; the motion was seconded by M. Wiater. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

5.2 Project Criteria Checklist – J. Rizzo shared that the Governance Committee reviewed the Project Criteria Checklist.

M. Masse informed the Board that the staff developed a checklist to reflect the change in the Uniform Tax Exempt Policy (UTEP) and will be used for projects going before the Board. The intent of the checklist was to capture the Board's comments as to whether or not they feel the project meets each of the criteria that are listed in the UTEP. The hope is that this will document each projects unique characteristic and how the Board feels that it meets or does not meet the criteria as listed in the UTEP. This document will be completed at Board meetings, subsequently reviewed by the Board, and placed in the project file.

J. Rizzo shared that we are attempting to develop a record and attempting to be more open with what the thought process is of the Board's consideration of a project. The Committee will review this checklist on an annual basis, taking into consideration our past experience and any changes in the law.

J. Rizzo shared that the Governance & Nominating Committee recommends the Project Criteria Checklist for approval.

J. Rizzo made a motion to approve the Project Criteria Checklist as presented; the motion was seconded by R. Cianfrini. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

6.0 STAMP Committee

6.1 Tech Team Contracts – P. Battaglia shared that the Committee reviewed a contract with CC Environment & Planning for preconstruction environmental review, planning and technical support services not to exceed \$252,500, three contracts with Clark Patterson Lee for onsite infrastructure design and general engineering services, Medina offsite sanitary sewer design & permitting engineering services, and offsite water design & permitting engineering services not to exceed \$591,000, \$956,000 and \$795,000 respectively and an engagement letter with Phillips Lytle for STAMP related services not to exceed \$425,000.

P. Battaglia shared that the Committee recommends authorizing the GCEDC Chair to execute the contracts and engagement letter upon notice of approval of funding from ESD.

6.1a CC Environment & Planning Contract – Preconstruction Environmental Review, Planning and Technical Support Services – not to exceed \$252,500

R. Cianfrini made a motion to authorize the GCEDC Chair to execute the contract with CC Environment & Planning not to exceed \$252,500 upon notice of approval of funding from ESD; the motion was seconded by M. Wiater. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

6.1b Clark Patterson Lee Contracts - Onsite Infrastructure Design and General Engineering Services, Medina Offsite Sanitary Sewer Design & Permitting Engineering Services, and Offsite Water Design & Permitting Engineering Services - not to exceed \$591,000, \$956,000 and \$795,000 respectively.

M. Wiater made a motion to authorize the GCEDC Chair to execute the contracts with Clark Patterson Lee for \$591,000, \$956,000, and \$795,000 upon notice of approval of funding from ESD; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

6.1c Phillips Lytle Engagement Letter - STAMP legal services - not to exceed \$425,000

J. Rizzo made a motion to authorize the GCEDC Chair to execute the engagement letter with Phillips Lytle not to exceed \$425,000 upon notice of approval of funding from ESD; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Absent
R. Cianfrini -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

7.0 Other Business

7.1 Nothing at this time.

8.0 Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 6:08 p.m., which was seconded by J. Rizzo and passed unanimously