



Tuesday, January 31, 2017
STAMP Committee Meeting - GCEDC
Andrews Conference Room
2:00 pm

MINUTES

ATTENDANCE

Committee Members:

P. Zeliff, J. Rizzo, C. Yunker, P. Battaglia

GCEDC / GGLDC Board Members:

Staff:

S. Hyde, M. Masse, P. Kennett

Guests:

A. Walters (Phillips Lytle), J. Gsell (Genesee County Manager), M. Gray, T. Felton,
Paul Gister (National Grid), Ken Kujawa (National Grid)

Absent:

1. Call to Order / Enter Public Session

P. Zeliff called the meeting to order at 2:00 pm in the Andrews Conference Room.

2. Executive Session

P. Battaglia made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 2:00 pm, 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.

Re-Enter Public Session

C. Yunker made a motion to enter back into public session at 3:00 p.m., seconded by P. Battaglia and approved by all.

P. Gister, K. Kujawa, M. Gray and T. Felton joined the meeting.

3. Chairman's Report & Activities

3a. Agenda Additions / Other Business –

3b. Minutes: January 12, 2017 -

C. Yunker made a motion to approve the Minutes from January 12, 2017 the motion was seconded by J. Rizzo. Roll call resulted as follows:

P. Zeliff -	Yes
J. Rizzo -	Yes
P. Battaglia -	Yes
C. Yunker -	Yes

The item was approved as presented.

4. Discussions / Official Recommendations to the Board:

4b. National Grid Support Services Agreement – M. Masse introduced P. Gister and K. Kujawa from National Grid who discussed an agreement that was presented before the committee for electric infrastructure improvements at the STAMP location. The GCEDC is currently looking at tapping the existing 115 kV power lines at the STAMP site and running an additional line with poles to

connect to the to be constructed substation. National Grid has put together a Support Services Agreement (SSA) with a scope of work that covers the following:

1. National Grid will design and engineer the physical tap of the existing 115 kV line
2. O'Brien and Gere have an existing contract to design and engineer the tap line from the existing 115 kV line to the proposed substation. National Grids scope included in the SSA is to review that design and engineering.
3. National Grid will review the 30% design plans for the substation.

M. Masse informed the Board that the contract will not exceed \$266,000 and will be covered under the existing \$33 million NYESD grant. It is within the budget under the substation construction line item.

M. Masse recommends approval to the full Board to pay a not to exceed amount of \$266,000 and sign the SSA.

P. Zeliff asked if the tap will be designed for a certain company or if it would be capable of meeting the needs of any company that might come in the park.

S. Hyde commented that the work would help prepare the site for potential development. It is a balancing act of what infrastructure can be used (universally) and what can wait given the potential developments or lack thereof.

P. Zeliff expressed concern over spending money on infrastructure improvements that might be obsolete or inefficient given that we do not know exactly who or when a company might build.

S. Hyde noted that it may make sense to hold off on the construction peace until we have additional information, providing we have enough time to meet a potential project's needs. S. Hyde expressed concern over lead times.

P. Zeliff expressed concern over making infrastructure improvements before we understand fully what the needs will be.

After a lengthy discussion on the benefits and risks of moving forward with this agreement, it was decided that it would be tabled for now.

P. Gister and K. Kujawa left the meeting at 2:13 pm.

4c. Town of Alabama 2017 Project Expense Agreement – M. Masse explained that during discussions with the Town of Alabama and the STAMP Tech Team, there were additional scope of work items that need to be addressed in 2017 that the Town will need to utilize their Town attorney and consultants to complete. They have provided the cost amounts and Phillips Lytle has drafted the attached Project Expense Agreement. The total estimated cost of these services is not to exceed \$148,000. This expense will be covered under the existing \$33 million NYS ESD grant, and \$108,000 is within budget of the regulatory, industry and permitting line item while the other \$40,000 is included in the Phase I and Phase II water project construction line item.

M. Masse recommends approval to the full Board to pay a not to exceed amount of \$148,000 and sign the Project Expense Agreement with the Town of Alabama.

P. Battaglia asked if the agency could pay expenses after we were reimbursed.

M. Masse informed the committee that the grant is reimbursement based therefore that would be impossible.

J. Rizzo asked if the consultants were providing the proper documentation needed in order to be reimbursed by the grant.

M. Masse informed the committee that they all have been providing the documentation needed.

P. Battaglia asked if there needed to be wordage within the agreement to ensure that proper documentation would be provided on all future invoices.

J. Rizzo asked if language could be added to the agreement that the Town of Alabama would have to reimburse the GCEDC for any expenses that were denied reimbursement.

Adam Walters explained to the Board that these costs were customary for any project in the Town of Alabama and that he does not see that it will be an issue in the future.

S. Hyde informed the Board that the State has worked very closely with the GCEDC staff and that he does not anticipate any problems.

M. Masse stated that the Town of Alabama consultants fully understand that this is reimbursable under a NYS grant and they have agreed to provide the necessary documentation and appropriate language has been added to the agreement.

Adam Walters noted that he hopes to have this scope of work wrapped up in 2017.

C. Yunker made a motion to recommend approval for the Town of Alabama 2017 Project Expense Agreement, not to exceed \$148,000; the motion was seconded by J. Rizzo. Roll call resulted as follows:

P. Zeliff - Yes
J. Rizzo - Yes
P. Battaglia - Yes
C. Yunker - Yes

The item was approved as presented.

4a. \$33M STAMP Grant Draw Review YTD – A spreadsheet documenting the \$33M STAMP grant draws was included in the Board packet, but no discussion took place at the meeting.

4d. Phillips Lytle – Additional Scope of Work - Philips Lytle has prepared a proposal for an additional scope of work for 2017. This work will cover some of the unforeseen issues that have come up over the last year of the project. It is expected not to exceed \$98,000 and will be covered under the existing \$33 million NYESD grant, and is within budget of the regulatory, industry and permitting line item, electrical, sewer construction, and program management line items.

M. Masse recommends approval to the full Board a contract with Phillips Lytle for a not to exceed amount of \$98,000.

C. Yunker made a motion to recommend approval of a contract with Phillips Lytle for a not to exceed amount of \$98,000; the motion was seconded by J. Rizzo. Roll call resulted as follows:

P. Zeliff - Yes
J. Rizzo - Yes
P. Battaglia - Yes
C. Yunker - Yes

The item was approved as presented.

4e. CC Environment & Planning Contract – M. Masse presented a contract with Conservation Connects for Phase II of Request for Additional Information (RAI). The GCEDC had submitted our Joint Permit Application (JPA) to the New York State Department of Environmental Conservation (DEC) and the United States Army Corps. of Engineers (USACE) in October of 2013. After review, both agencies have sent out Request for Additional Information (RAI) in connection with the proposed impacts and mitigation of wetlands, tributaries, and buffer area at the STAMP site in conjunction with the proposed Master Plan. Based on the RAI that was received, Conservation Connects has drafted a new scope of work to address the DEC and USACE's questions so we can continue to keep moving this project forward and continue the momentum we currently have with the agencies. The total proposal was for \$160,440, however, \$80,000 (Phase 1) of this contract was covered under the \$2 million NYS ESD grant that has since been closed out and was previously approved by the Board. The GCEDC is now looking to complete the JPA process with the USACE and is seeking to authorize Phase II of that contract for \$80,440. This expense is included in the \$33 million grant under the budget line item for regulatory, industry and permitting.

J. Rizzo made a motion to recommend approval of the contract with Conservation Connects for Phase II of Request for Additional Information (RAI), not to exceed \$80,440; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Zeliff - Yes

J. Rizzo - Yes
P. Battaglia - Yes
C. Yunker - Yes

The item was approved as presented.

4f. CC Environment & Planning Contract: Environmental Assessment for USFWS Right of Way Request –

The GCEDC has submitted a right of way request through Federal lands owned and managed by US Fish & Wildlife Service (USFWS). After receiving the request, USFWS determined that the GCEDC must complete an Environmental Assessment (EA) for their use in determining the compatibility of the proposed project with the mission of USFWS and the refuge. The majority of this information is already available through the previous 6 years' worth of work that the Tech Team has completed on the STAMP project, although some specific information as it relates to the refuge will need to be compiled. This contract will complete the work necessary to submit the Environmental Assessment not to exceed \$19,010. Funds to pay this expense are included in the \$33 million under the construction budget line item for sewer construction.

P. Battaglia made a motion to recommend approval a contract with Conservation Connects not to exceed \$19,010; the motion was seconded by J. Rizzo. Roll call resulted as follows:

P. Zeliff - Yes
J. Rizzo - Yes
P. Battaglia - Yes
C. Yunker - Yes

The item was approved as presented.

T. Felton questioned why contracts had both the GCEDC and GGLDC names listed when the GGLDC is not responsible for the expense.

M. Masse explained that there was a time when contracts would be paid under both agencies due to grant funding and many of our consultants still put both names on their contracts, but that it was not necessary. M. Masse will pay closer attention to this in the future.

Adjournment

As there was no further business, J. Rizzo made a motion to adjourn at 3:35 p.m., seconded by P. Battaglia and passed unanimously.