



Thursday, June 1, 2017
Upstate MedTech Centre – Suite 107
4:00 PM

GCEDC MINUTES

Attendance

Board Members: M. Wiater, M. Gray, C. Yunker, J. Rizzo, M. Davis, P. Battaglia, P. Zeliff

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

Guests: H. Upson (GGLDC Board Member), G. Torrey (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), J. Krencik (The Daily News), Julie Pacatte (Batavia Development Corp), T. Felton (GGLDC Board), Melissa Akward (Savarino), Nate Buczek (T.Y. Lin International), Bob Keiffer (T. Y. Lin International), Diana Cihak (Upper Edge Consulting for CH4), Melissa Franklin (CH4 Biogas), Paul Toretta (CH4 Biogas), Bill Schreiber (OATKA Milk), Lauren Toretta (CH4 Biogas), Bob Radley (T.Y. Lin International), Steve Mountain (Town of Batavia)

Absent:

1.0 Call to Order

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

1.1 Enter Executive Session

M. Wiater made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:00 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. 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 J. Rizzo and approved by all members present.

1.2 Enter Public Session

C. Yunker made a motion to enter back into public session at 5:10 p.m., seconded by J. Rizzo and approved by all members present.

Presentations:

Savarino: C. Suozzi introduced J. Pacatte and M. Akward who gave an overview of the Ellicott Station / Savarino project.

J. Pacatte shared that the Brownfield Opportunity Area (BOA) is a project and a program in which the City has worked on since 2009. This project is 8 years in the making to have a reputable developer be willing to make a big investment in the City of Batavia. The City is very excited to have Savarino working alongside them through this complex process of brownfield redevelopment.

M. Akward shared that Savarino is very excited about this opportunity to invest in the City of Batavia. The project is looking to participate in the Batavia Pathway to Prosperity program, Empire State Development economic development assistance and NYS Brownfield Tax Credit program. Another critical piece of this challenging project is the GCEDC incentive programs in the form of sales tax, mortgage tax and property tax exemptions. The approx. \$17.6M Ellicott State project is the adaptive reuse of an environmentally contaminated site in downtown Batavia. The project includes the renovation of an existing 8,800 sq. ft. building into a locally themed restaurant and production brewhouse as well as the construction of a combined 64,300 sq. ft. of mixed-use buildings featuring an anticipated 16,300 sq. ft. of professional office and business space and 48 modern market rate apartments. It's a project that is in a neighborhood that meets the highly distressed conditions under the federal New Markets Program. Savarino was selected as part of a competitive RFP process, because its plan directly addressed the goals outlined in the plans and by local stakeholders. Savarino will remediate this contaminated site and bring it back into productive use thereby removing blight from the neighborhood.

J. Pacatte shared that there are many agencies working together to make this project happen. The project enjoys tremendous support from residents and stakeholders who were key drivers of the Batavia Opportunity Area Plan, the City of Batavia, Batavia Development Corp., GCEDC, Genesee County, the Regional Economic Development Council and New York State to name a few.

M. Akward shared that the collaboration between the many local and state agencies to make this project happen is one of the most important parts and she looks forward to seeing this project come to fruition. Savarino is hoping to do a ground breaking this summer with completion of the project by the end of 2018.

P. Battaglia thanked J. Pacatte and M. Akward for joining the meeting today and is excited about this opportunity for downtown Batavia.

J. Pacatte and M. Akward left the meeting at 5:22 p.m. Nate Buczek (T.Y. Lin International), Bob Keiffer (T. Y. Lin International), Diana Cihak (Upper Edge Consulting for CH4), Melissa Franklin (CH4 Biogas), Paul Toretta (CH4 Biogas), Bill Schreiber (OATKA Milk), Lauren Toretta (CH4 Biogas), Bob Radley (T. Y. Lin International), and Steve Mountain (Town of Batavia) joined the meeting at 5:22 p.m.

CH4 Biogas: C. Suozzi introduced B. Radley.

B. Radley wanted to thank the Board for working with CH4 and the opportunity to come before them today to address its questions and concerns. The hope today is to provide a transparent view of CH4. He walked the Board through a PowerPoint presentation (*a copy of the presentation can be found attached to the minutes*), giving an overview of the company and its operations. B. Schreiber spoke about the opportunities between OATKA and CH4Biogas. L. Toretta shared about the other biogas facilities and the technologies behind the operations.

C. Yunker: Did OATKA ever consider locating this project on its own property?

B. Schreiber: It was discussed at one point because it appeared that the project was teetering and OATKA genuinely sees value in the project. One of the downsides of doing so, is that this is more of a project for the community. This is a project that supports growth at the Ag Park as well. To locate this project on our property, in that context, doesn't make a lot of sense. We could just build it ourselves if that were the case.

S. Noble-Moag: It appears the model for truck traffic doesn't take into account the trucks that would have to go out of the Ag Park which contain product that was piped in.

L. Toretta: Typically trucks that will come in to the Ag Park will also leave loaded, which reduces the amount of truck traffic.

T. Felton: Can you speak to the capacity of the facility. The model shows 120,000 gallons per day coming from OATKA and farms around the County. Is there opportunity for more capacity for the other tenants at the Ag Park?

L. Toretta: With this technology, there is opportunity to add another digester. This is a scalable system but this model does consider growth from both OATKA and Alpina.

C. Yunker: This project calls for land application / land spreading that cannot be done on frozen ground. This is a year-round operation. What is the plan for storage and where would it be located?

L. Toretta: We have included in our budget the building of a lagoon. The location of the lagoon hasn't been identified yet because it depends on which farms want the material back. We would like to find the best possible location to get the material to where it is needed most.

S. Noble-Moag: Will there be any type of noise concern with this project?

L. Toretta: There will not be any generators as a part of this project, so there should be minimal noise produced from the project.

P. Battaglia thanked CH4 for their presentation.

Guests left at 6:11 p.m.

Entered back into Executive Session:

M. Wiater made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 6.11 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 P. Zelif and approved by all members present.

Staff members were excused from the meeting at 6:25 p.m.

1.2 Enter Public Session

C. Yunker made a motion to enter back into public session at 6:35 p.m., seconded by J. Rizzo and approved by all members present.

Staff members rejoined the meeting at 6:35 p.m. J. Krencik rejoined the meeting at 6:35 p.m.

2.0 Chairman's Report & Activities

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

Next Scheduled Board Meeting: Thursday, July 13th at 4:00pm

STAMP Committee Meeting: Thursday, July 6th at 8:00am – *rescheduled to Tuesday, July 11th at 10am*

Audit & Finance Committee Meeting: Tuesday, July 11th at 3pm – *rescheduled to Tuesday, July 11th at 8:30am*

2.2 Agenda Additions / Deletions / Other Business –

J. Rizzo made a motion to add item 5.1 Officer Appointments to the agenda; the motion was seconded by M. Wiater. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

M. Wiater made a motion to item 7.1 CEO Employment Contract to the agenda; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelif -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

2.3 Minutes: May 4, 2017

J. Rizzo made a motion to approve the May 4, 2017 meeting minutes 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 -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Ellicott Station – Savarino – Initial Resolution – C. Suozzi shared that the Ellicott Station project is the adaptive reuse of an environmentally contaminated site in downtown Batavia, NY. The project includes the renovation of an existing 8,800 sq. ft. building into a locally themed restaurant and production brewhouse as well as the construction of a combined 64,300 sq. ft. of mixed-use building featuring an anticipated 16,300 sq. ft. of professional office and business space and 48 modern market rate apartments.

The company is planning to invest approx. \$17.6M and create 60 jobs. They are asking for assistance from the GCEDC with a sales tax exemption valued at approx. \$897,293, a mortgage tax exemption valued at approx. \$128,232 and a property tax abatement valued at approx. \$537,398. Because incentives are valued at more than \$100,000 a public hearing must be held.

C. Suozzi asked the Board to approve Resolution No. 06/2017-01, accepting the application and authorizing a public hearing.

Resolution No. 06/2017-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF ELLICOTT STATION DEVELOPMENT 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.

M. Wiater made a motion to approve Ellicott Station – Savarino – Initial Resolution No. 06/2017-01 as presented; the motion was seconded by J. Rizzo. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

P. Battaglia left the meeting at 6:46 p.m.

4.0 Audit & Finance Committee – M. Gray

4.1 April 2017 Financial Statements – The Audit & Finance Committee met on Tuesday, May 30th and reviewed the financial statements. There was no major activity in the month of April. All items are within budget except as noted. They are being recommended for approval by the Committee.

M. Gray made a motion to approve the April 2017 Financial Statements; the motion was seconded by J. Rizzo. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
M. Wiater -	Yes	P. Zelff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

The item was approved as presented.

4.2 Site Access Agreement for Storage of Millings – The GCEDC has received a request from Villager Construction, Inc. to store millings on property located at the AppleTree Acres Corporate Park. They agree to pay \$500 per month to the GCEDC. Harris Beach has reviewed the agreement and made some modifications in which Villager has accepted. This is being recommended for approval by the Committee.

M. Gray made a motion to approve the Site Access Agreement for Storage of Millings as presented; the motion was seconded by P. Zelff. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
----------------	--------	-------------	-----

M. Wiater - Yes
M. Davis - Yes
J. Rizzo - Yes

P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

P. Battaglia rejoined the meeting at 6:50 p.m.

5.0 Governance & Nominating Committee – J. Rizzo

5.1 Officer Appointments – The current slate of officers is set to expire on June 30th. It is suggested to reappoint the current slate of officers, with the notion that vacancies may occur and will be dealt with as they arise. The current slate of officers are as follows:

Chair - P. Battaglia
Vice-Chair - M. Wiater
President/CEO - S. Hyde
Treasurer - L. Farrell
Secretary - P. Kennett

The appointed officers shall hold office for one year or until their successors are appointed. This is being recommended by the Committee.

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

P. Battaglia - Yes
M. Wiater - Yes
M. Davis - Yes
J. Rizzo - Yes

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

The item was approved as presented.

6.0 STAMP Committee – P. Zelif

6.1 Phase I Water Project – Recommendation of Award – Bids for the STAMP Offsite Water Main Phase I project were opened on April 13, 2017. A total of six bids were received. The low bidder was LeChase Construction Services with a Base Bid amount of \$3,180,609.40. CPL has reviewed their qualifications and has discussed their bid in detail. CPL feels that the bid received is a true representation of the costs to complete this project and that the contractor is qualified to complete the contract.

As the Committee is aware, LeChase Construction Services originally made a bid withdrawal request, based on a couple errors in their bid. However, they are now comfortable with honoring their original bid and have rescinded the withdrawal request.

The Bid documents included an Alternate Bid to remove the Pressure Reducing Valves (PRVs) from the Pressure Reducing Valve Vaults as a potential cost saving measure. CPL does not recommend accepting the Alternate Bid since the savings is only \$14,132.

Clark Patterson Lee recommends that the GCEDC accept the bid received from LeChase Construction Services for a Base Bid amount of \$3,180,609.40, contingent upon contract approval from NYS Empire State Development (ESD).

P. Zelif made a motion to accept the bid received from LeChase Construction Services for a Base Bid amount of \$3,180,609.40, contingent upon contract approval from NYS ESD as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes
M. Wiater - Yes
M. Davis - Yes
J. Rizzo - Yes

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

The item was approved as presented.

7.0 Employment & Compensation Committee

7.1 CEO Employment Contract – M. Wiater shared that the Committee is recommending approval of the CEO Employment Contract. This is a three-year contract, set to expire December 31, 2019.

M. Wiater made a motion to approve the CEO Employment Contract as presented; the motion was seconded by M. Davis. Roll call resulted as follows:

P. Battaglia - Yes
M. Wiater - Yes
M. Davis - Yes
J. Rizzo - Yes

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

The item was approved as presented.

8.0 Other Business

9.0 Adjournment

As there was no further business, J. Rizzo made a motion to adjourn at 6:50p.m., which was seconded by C. Yunker and passed unanimously.